

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**24 May 2016**

**Report of the Strategic Director for Children's Services**

**Proposed Changes to the County Council's Transport Policy for Home to School Transport for Pre-School, 8 to 11 year-olds (who live over 2 miles and under 3 miles from school), Post-16 and Post-19 Students with Special Educational Needs and Disability – (Children's Services)**

**1 Purpose of Report**

To inform Cabinet of the outcomes of a public consultation which sought views on the County Council's proposed changes to its Transport Policy for Children and Young People, specifically in relation to:

- Free transport provided for pre-school children attending special nurseries and assessment placements.
- Free transport provided for children aged 8 to 11 who live more than two miles but less than three miles from school.
- Post-16 students (16 to 18) with special educational needs and disability (SEND).
- 19 to 25 year olds with SEND.

In response to the outcomes of the consultation and the conclusions of the Equality Analysis (EA), this report also seeks approval to amend relevant sections of the Transport Policy and agree a further period of development work on post-16 and post-19 transport provision.

**2 Information and Analysis**

**Financial Background**

Cabinet were made aware at the meeting on 26 January 2016 of the savings that the County Council need to achieve and the drivers that are forcing the substantial savings to be made across the whole of its services, in particular the impact that this will have on the Children's Services departmental budget over the next four years.

In the last five years the County Council has had to face unprecedented reductions in its finances. During this period, Children's Services has seen

its budget fall from £126.8 million to £95.3 million, a reduction of almost 25%. The County Council's need to make further cuts means that the Children's Services budget could ultimately reduce to circa £70 million, around half of the 2010–2011 budget. Consequently, the Department has no alternative but to consider implementing savings in key service areas. It is important to note that the pressing financial position is the driver for the changes set out in this paper; the services themselves are of a high quality and valued by the service users.

Cabinet also noted that Children's Services spend on home to school transport last year was £12,132,000. This provides for transport for eligible children aged 5 to 16 to mainstream schools, special schools and alternative educational placements (which the County Council are legally required to provide) as well as non-statutory transport.

Approximately 40% of expenditure is spent on mainstream transport (approximately 8,500 children/young people); with the remaining 60% on specialist transport (typically minibuses and taxis) for children/young people with SEND (some 1,200).

Children's Services has an overall budget reduction target for transport of £2,000,000 by 2018 which it is proposed be found from efficiencies in mainstream and specialist transport. The total cost for transporting the following groups in 2014/2015 was:

- £1,562,000 to transport 286 of sixth form age students (16-18 years) with SEND.
- £550,000 to transport 143 young adults (19-25 years) with SEND.
- £187,000 to transport 31 pre-school children with SEND.
- £25,000 to transport 25 pupils aged 8 to 11 beyond the statutory walking distance threshold.

If all the proposals to cease transport were implemented as originally proposed, the potential maximum savings based on 2014/2015 would be in the region of £2,324,000. It should be noted that ceasing to provide transport does not necessarily provide a saving equal to expenditure, due to the shared nature of transport (eligible and discretionary children/young people sharing transport provision) and the need to consider exceptional cases, where appropriate.

## **Existing Arrangements**

The County Council has a statutory duty to make arrangements to provide free home to school transport for some children of compulsory school age and has discretionary duty to consider whether to provide transport for others. The relevant transport policies are attached as Appendix 3.

In addition to the travel arrangements it has a duty to provide, the County Council currently provides transport assistance for eligible children and young people as listed on page 1 of this report.

## **Consultation Process**

Statutory guidance states that local authorities should consult widely on school transport arrangements and such consultations should last for at least 28 working days excluding school holidays.

Therefore, a consultation on the proposal to cease home to school transport assistance for the four specific groups of children and young people took place from 28 January 2016 to 17 March 2016. Members of the public were able to respond to the consultation online through the County Council's website, on the telephone through Call Derbyshire or by completing a paper questionnaire. Young people with special educational needs or disability who wanted a face to face consultation were able to request this.

A letter detailing how to take part in the consultation was also sent to the parents/carers of all young people currently receiving transport that would be affected by the proposal (this included those in years 10 and 11) and all post-16 students and post-19 learners currently receiving transport assistance.

Notification of the consultation and how to take part was also sent to:

- All Derbyshire schools and colleges.
- Schools and colleges outside Derbyshire at which Derbyshire young people attend.
- Transport contractors.
- Secretary of State for Education.
- Derbyshire Members of Parliament.
- Neighbouring local authorities.
- Derbyshire libraries.
- Derbyshire GP surgeries.
- Derbyshire Parent Carer Voice
- Voluntary sector organisations with an interest in disability issues.

In terms of timescales the proposal sought to cease free transport for pre-school children and those aged 8 to 11 who live over 2 miles from their normal area school but less than 3 miles from September 2016. For post-16 and post-19 transport, whilst the new policy would also come into effect from September 2016, those who have been receiving transport from September 2015 should continue to do so until the end of Summer Term 2017 (unless their attendance circumstances change significantly).

The consultation also sought views about providing transport for children and young people from families which may have very exceptional circumstances and whether we should consider criteria such as family income or access to a car or public transport before offering assistance.

## **Consultation Responses**

The consultation received the following number of responses:

- 321 individual responses.
- 4 responses from organisations and groups.
- 1 face to face consultation with a young people.

Whilst all respondents did not necessarily answer all questions, the following is a summary of responses received for the different groups:

- 290 responses received for pre-school children with SEND to nurseries.
- 304 responses received for students with SEND to sixth forms and colleges (aged 16 to 19 years old).
- 292 responses received for students with SEND to colleges (aged 19 to 25 years old).
- 277 responses received for children aged between 8 and 11 years old who live more than two miles but less than three miles from their school.

Respondents who indicated they would be affected by the proposals were asked to explain how they would be affected and their responses were categorised under eight 'key themes'.

A full breakdown of the consultation responses and the profile of the respondents completing the questionnaire are available in Appendix 2.

## **Equality Analysis (EA)**

A detailed EA was undertaken to assess the impact of the proposal on the protected characteristic groups and this is attached as Appendix 1. The EA includes an assessment of the responses to the consultation which confirm the anticipated impact on protected groups together with a number of recommendations for potential mitigation. The scope for the EA was agreed by a steering group before any analysis was undertaken.

The EA indicated the proposed policy changes would adversely impact on five of the protected groups: age, gender, disability, socio-economic and rural. However, there are areas for which the County Council does not hold relevant data and therefore the EA cannot determine whether or not a negative impact would occur (i.e. race/ethnicity, gender re-assignment, sexual orientation, religion/beliefs, pregnancy or marriage).

A summary of the likely impacts of the proposed policy changes, as identified in the EA are as follows:

- Parents/students no longer able to afford transport to education settings and so cease attending.
- Pupils/students from rural areas not having sufficient available public transport to get to education settings and so cease attending.
- Pupils/students from lower socio-economic groups being unfairly treated due to not being able to afford other methods of transportation to education settings.
- Negative impact on pupils/students health and ability to fulfil their potential.
- Pupils/students not able to use public transport or have no alternative transport available.

## **Considerations**

Section 508C of the Education and Inspections Act 2006 provides local authorities with discretionary powers to consider providing transport for children who are not entitled to free transport.

The statutory guidance says that charges can be made to pay for all or part of the reasonable travel expenses of children who have not had travel arrangements made either under the statutory duty placed on local authorities, or under their discretionary powers to make travel arrangements.

The statutory guidance goes on to state that it is very much for the individual local authority to decide whether and how to apply this discretion as *“they are best placed to decide whether and how to apply this discretion as they are best place to determine local needs and circumstances”*. It also recognises that local authorities will need to balance the demands for a broad range of discretionary travel against their budget priorities and these decisions must rest with the individual local authority.

The following section considers the impact of the four proposals against the relevant legislation, the consultation responses and the EA. It then provides a recommendation for each proposal.

## **Pre-school Age pupils**

The County Council currently transports 31 out of a total of 49 children of pre-school age who attend specialist settings which costs £187,000 per annum (this includes costs for the provision of passenger transport assistants to accompany young children who cannot travel unaccompanied).

Pre-school children with SEND may benefit from attending specialist early years provision which can offer intensive support and assessment. Within Derbyshire, there are currently 2 specialist nurseries plus 4 special schools who cater for children under 5, in addition, 2 mainstream schools with enhanced resource facilities offering 2 specialist nursery places in each setting.

The current provision of this assistance is determined using the transport criteria used for eligible children and young people and is not means tested or considered against any exceptional circumstance. The legal position is that under Section 509A of the Education Act 1996 the Council has a discretionary power to provide pre-school children with assistance with school transport. In deciding to do so the Council must be satisfied that, without such assistance, a child would be prevented from attending the specialist setting.

All the consultation responses for this question show that a significant proportion of respondents were very dissatisfied with this proposal (49%) with a further 16% stating they were fairly dissatisfied. The reasons given as to how service users would be affected by this proposal and how this would in particular impact on the family are set out in Appendices 1 and 2.

Of those who stated they would be affected by the proposal, 80% were very dissatisfied and 4% were fairly dissatisfied.

If the proposed policy change is implemented it is likely that this will cause financial and social difficulties for some families. However, when balanced against the demands and needs of other non-discretionary travel and against the County Council budget priorities then it is considered necessary to make it clear that whilst exceptional cases will be considered on their merits the presumption will be that transport will not normally be provided.

It is recommended that the wording in the "Transport Policy for Children and Young People; Section 3.2 Pre-school age children" is amended to:

*"On the basis that pre-school children do not fall within eligibility criteria as set out in the statutory guidance, the Authority will not normally provide transport assistance for pre-school children. Where children have or are undergoing an assessment of special educational needs and/or disability, provision may be considered but this would only be agreed in exceptional cases".*

*"The decision to make discretionary travel arrangements rests with the Authority, and, if agreed, will usually be in the form of parental reimbursement of 45 pence per mile based on one return journey per day and follow consideration on a case by case basis".*

At the present time there are 6 children receiving free transport which under current arrangements would continue post-September 2016. These families will be contacted individually to discuss potential transitional arrangements.

Any new requests for transport for September 2016 onwards will be dealt with through the revised policy.

The proposed Transport Policy for Children and Young People May 2016 is attached as Appendix 4.

## **General Eligibility (pupils aged 8 to 11 years)**

Since 2013, the County Council has provided free transport for children aged between 8 and 11 years old who live more than two miles but less than three miles from their school – this is over and above what the County Council is required to provide..

The statutory guidance (Home to school travel and transport guidance Statutory guidance for local authorities July 2014) states that the statutory walking distances are:

- Beyond 2 miles (if below the age of 8); or
- Beyond 3 miles (if aged between 8 and 16)

The proposal is to bring the County Council's policy in-line with the statutory guidance.

Some of those who responded to the consultation thought that the proposal was to stop all home to school transport for all eligible children . This is not the case – only those aged 8 and over who live over 2 miles but less than 3 miles from school will be affected – this is currently 25 pupils.

This proposal would bring the County Council's Transport Policy into line with the statutory provisions and would potentially result in savings of a maximum of £25,000.

However it is important to note that some of those children affected may be able to continue to access free transport through the extended rights eligibility and information on this will be provided to those families affected in advance of the new policy taking effect.

It is recommended that the wording in the "Transport Policy for Children and Young People; Section 2.2 General eligibility criteria" is amended to:

*"The walking distance is 2 miles for children below the age of 8 and 3 miles for those aged 8 and above. This distance is measured using 'the shortest available walking route', as detailed in section 2.5"*

Those currently receiving transport who will be affected by this policy change will continue to receive free transport until 23 December 2016 (three terms notice). The revised policy will become applicable to any child turning 8 from 1 September 2016 onwards.

## **Post-16 and Post-19 transport**

Eligibility for post-16 and post-19 transport is not prescribed by statute and the County Council must decide what transport and travel arrangements it considers necessary as a response to local needs.

The Post-16 Transport Policy Statement (Academic Year 2015-2016), which was approved by Cabinet in May 2015, specifies the discretionary transport and travel support arrangements that the County Council currently considers necessary to facilitate the attendance of post-16 learners (covering those aged from 16 through to 25) who are subject to an Education Health Care Plan.

It is important to remind Members that there is a requirement under Section 509AA for local authorities to prepare for each academic year a transport policy specifying the arrangements for the provision of transport that it considers necessary to facilitate attendance of persons of sixth form age to receive education or training at various institutions. As this is required for sixth formers, it applies to 16 to 18 year olds and those who started their studies before their 19<sup>th</sup> birthday. Full details are set out in Sections 509AB and 509AC of the Education Act 1996. Under section 504F of the Education Act 1996, local authorities are required to make such arrangements for the provision of free transport (as they consider necessary to adult learners including adults aged under 25 with learning difficulties) for anybody starting a new course after sixth form age. The Secretary of State can direct that specific arrangements not made in the statement are made by a Local authority,

Section 509AB of the 1996 Act relates to transport policy statements for persons of sixth form provides that the local authority must include in the policy statement the arrangements for facilitating attendances at relevant establishments of disabled persons and persons with learning difficulties. The statement must therefore specify arrangements for persons with learning difficulties and these must be no less favourable than the arrangements specified for students of the same age with learning difficulties attending schools.

Section 508G requires local authorities to also state in their Transport Policy Statement the arrangements to be made for young adults subject to an EHCP (i.e. 19-24 inclusive) year olds in respect of whom a learning difficulty assessment under Section 139A or 140 of the Learning and Skills Act 2000 has been carried out or is required to be carried out. This measure is designed to ensure that young people with learning difficulties aged 19-24 (inclusive) and their parents are able to access information about what transport is available so that they are able to make informed choices between institutions.

In addition, under the Equality Act 2010 a local authority is required to take such steps as it is reasonable for it to have to take to ensure that disabled pupils are not placed at a substantial disadvantage in comparison with pupils who are not disabled.

Finally, it is important to note the Education and Skills Act 2008, as amended by the Children and Families Act 2014 contains a duty to encourage,



establish and assist young people to participate in educational training. These duties are to secure sufficient and suitable educational and training provision for all young people aged 16-19 and those up to age 25 with a EHCP

Consultation responses to the proposals for both the 16-18 and 19-25 year old students have been noted and there were a significant proportion of respondents who were very dissatisfied with the proposal (over 60%) with only a comparatively small proportion of respondents (under 10%) satisfied with the proposal to cease transport for post-16 and post-19 students and learners.

Of the respondents that would be affected from the proposals, it is clear that there would be significant adverse impacts for both students and on family support if transport assistance for the post-16 and post-19 students was to be discontinued; in particular the financial effects.

A high proportion of respondents explained that it would not be safe for their children to use public transport and would put them at potential risk and many parents were concerned that they may have to leave work as a consequence of the proposed change. In addition there was concern that if transport arrangements could not be managed then potentially young people would not be able to go to school/college and thus become less independent and unable to fulfil their potential and gain an education and qualifications. Some of the respondents were concerned that students would therefore potentially not be able to leave the house which may have a negative impact on social inclusion and mental health.

A small proportion of respondents supported the proposal. Some of the responses cited that some families already receive mobility and bursary allowances for transport which could help fund transport and that transport should be considered on exceptional circumstances and means tested.

Given the very significant adverse impact identified in Appendices 1 and 2 it is felt that it is necessary to consider further how this adverse impact might be best mitigated before Members are asked to consider this proposal further.

Dependent on the nature of any further proposals that emerge from this additional development work it may be necessary for further consultation to be carried out with affected groups. It is therefore proposed to maintain the current Post-16 Transport Policy for a minimum of further 12 months. Should development work lead to further proposals to change the Policy, a further consultation period may be required.

In line with statutory guidance, the County Council will publish a revised transport policy to take effect from September 2017. This revised policy would take into account any changes emerging from the further developmental work.

## **Mitigation Measures**

With regard to pre-school transport, as there is no statutory requirement to provide transport, any requests will be judged on an exceptional basis for further consideration. Those currently benefiting from free transport will be contacted individually to discuss potential transitional arrangements.

Those aged 8 and over who live over 2 miles from their normal school will receive three terms notice that their transport provision will cease. Some of the families affected may continue to be eligible under the 'extended rights' scheme and information on this will be provided to all those affected.

In the case of post-16 and post-19 transport, in response to the impacts identified in the EA and the consultation responses, in particular of those affected by the proposal, there is a need to develop a robust procedure for considering special cases. The consultation conducted thus far sought respondents' views on this and these will be taken into account in developing the procedure.

In responding to the findings of the EA and the consultation feedback, the availability of both internal and external support that may be accessed by families and if there are any other transport assistance schemes which may be of assistance were considered. This has included work on a detailed process for considering the eligibility of those who can demonstrate exceptional circumstances and so require assistance including development of a needs assessment criteria and application process to access a transport support fund.

It is unclear on the basis of the work undertaken to date what the full implications are for the funding of transport assistance and the resources needed to effectively deliver that scheme; hence the need to undertake further developmental work.

There are several options that the County Council can consider including increasing the charges, requiring a contribution from bursary and mobility allowance. Any scheme would be based on eligibility and exceptional circumstance criteria that carefully needs to be tested so the County Council is clearer on any potential costs.

It is recommended that Members approve a further period of work to develop a proposed scheme that would potentially provide a cost effective means of providing of transport assistance that would ensure an accurate calculation of savings could be made and a fair scheme in helping post-16 and post-19 students' access training. This will give the County Council an opportunity to also develop a process ready for students applying for courses in 2017.

Therefore, it is recommended that the current post-16 transport policy for students with SEND (16-25) remains in place for a minimum of a further 12 months whilst this further piece of work is undertaken.

### **3 Financial Considerations**

The total cost for transporting the following groups in 2014/2015 was:

- £1,562,000 to transport 286 of sixth form age (16-18 years) with SEND.
- £550,000 to transport 143 young adults (19-25 years) with SEND.
- £187,000 to transport 31 pre-school children with SEND.
- £25,000 to transport 25 pupils aged 8 to 11 beyond the statutory walking distance threshold.

If both the Transport Policy and Post-16 Transport Policy Statement are amended as per the consultation proposals, the potential maximum savings based on those costs for 2014/2015 would be in the region of £2,324,000.

If Members are minded to approve the recommendations as set out below then from September 2016 it is anticipated that the maximum savings would be £212,000.

The potential savings that could be achieved from any amendment to the Post-16 Transport Policy is difficult to estimate at this stage.

It is intended that the underlying principle for any proposed discretionary transport assistance would be based on providing financial assistance for families who are experiencing financial hardship. The County Council would undertake a financial assessment of their ability to pay considered against a number of criteria. It is difficult to estimate how much this scheme would cost the County Council at this point in time

There would also be additional costs for implementing the scheme of proposed mitigation and any costs that the County Council may consider it to be necessary in securing appropriate transport arrangements. A dedicated resource would need to be identified to manage and process applications.

### **4 Human Resource Considerations**

None.

### **5 Legal and Human Rights Considerations**

For learners of sixth form age the Local Authority must produce an annual policy statement setting out the transport arrangements it considers necessary. There is no statutory requirement for such arrangements to be free of charge. The statement must set out the extent to which the

arrangements include those for persons with learning difficulties and disabilities.

In considering what arrangements it is necessary to make for persons of 6<sup>th</sup> form age, Local Authorities must have regard to: the needs of those for whom it would not be reasonably practicable to attend education/training if no arrangements were made; the need to secure reasonable choice; distances, journey times, cost of transport; and the Local Authorities duty to enough suitable education/training for persons of 6<sup>th</sup> form age, having particular regard to a person's age, ability, aptitudes and any learning difficulties they may have.

In considering what transport arrangements to make for adults under 25, who are subject to an EHCP the Local Authority must have regard to its statutory duty to secure enough suitable education and training to meet such adults' reasonable needs. The Council also has a duty to encourage participation in education and training for persons over compulsory school age but under 19, and for persons aged 19-25 subject to an EHCP.

Local Authorities have discretion to provide transport assistance for children receiving early years education, including reimbursement of parents' travel expenses.

In discharging its functions relating to travel arrangements, the county council must have regard to any guidance issued by the Secretary of State and also the duties under the Equality Act (see equality considerations below).

## **6 Equality Opportunity Considerations**

As a public body the County Council must take into consideration the Equality Act 2010. Decisions must be reviewed for potential impact on persons with "protected characteristics". An Equality Assessment has been undertaken for each of the proposed changes in policy and Members are asked to pay careful attention to the contents of this.

The County Council's arrangements for transport for persons of sixth form age with disabilities or learning difficulties must be no less favourable than for pupils of the same age attending maintained schools.

The County Council's arrangements for providing transport for relevant young adults to establishments outside the Further Education and Higher Education sector where the Authority has secured education or training must be no less favourable than the arrangements made for relevant young adults of the same age for whom the Authority secures education at another institution.

## **7 Transport and Environmental Considerations**

These proposals would significantly affect how transport is provided in the future for the pre-school children and those aged 8 to 11 years old.

## **8 Key Decision**

Yes.

## **9 Background Papers**

Held by the Innovation and Transformation Service.

## **10 Call in Period**

The County Council has a statutory duty to publish its transport policy each year and should be available by the 31 May 2016. It has been necessary to waive the call in period for this report as the statutory requirement to publish the revised transport policies by 31 May 2016 would not be met.

## **11 Strategic Director's Recommendations**

That Cabinet approves:

1. The amendment to the Transport Policy for Children and Young People (Appendix 4) in relation to discretionary provision of transport for pre-school children for 2016-2017. This change clarifies that the County Council will only provide transport in very exceptional circumstances from September 2016.
2. The amendment to the Transport Policy for Children and Young People (Appendix 4) to change the general eligibility criteria for walking distance for children aged 8 to 11 from 2 miles to 3 miles from their normal area school for 2016-2017.
3. The amendment to the Post-16 Transport Policy Statement (Academic Year 2016-2017) to include a statement regarding the undertaking of policy revisions for implementation from September 2017.
4. The undertaking of further development work and if appropriate, further consultation and equalities analysis on a scheme of transport assistance for post-16 and post-19 young people with SEND and to receive a further report on post-16 and post-19 transport provision detailing any future policy revisions.

**Jane Parfremment**  
**Strategic Director for Children's Services**

# APPENDIX - 1

## Derbyshire County Council

### Equality Analysis



Department	Children's Services
Service Area	Schools and Learning
Changes or proposals	Changes to Policy for Home to School Transport for Post-16 Students with Learning Difficulties or Disabilities, Pre-School Children and 8-11 Year-olds (over 2 miles and under 3 miles from school)
Chair of Analysis Team	Philip Branford
Date of Analysis	April 2016
Version	5

## 1 Prioritising what is being analysed

### a Description of current service arrangements

Derbyshire County Council (DCC) provides home to school transport for children and young adults between the age of five and 16 (statutory school age) and for children and young adults with special educational needs and disabilities (SEND) who are under five and older than 16.

Assistance with transport for children of statutory school age (5-16) is provided for anyone who lives over two miles (up to the age of 11) and three miles (ages 11-16) from their normal area school (different rules apply for those qualifying under 'extended rights'). However, whilst statute dictates the threshold for three miles should be at age eight, DCC currently provide this until age 11 (end of primary school age).

A number of pre-school children with SEND are currently receiving transport assistance to and from nursery free of charge. This is not a statutory obligation.

For young adults post-16 with SEND, DCC currently provide transport assistance to and from college for an annual cost of £360 (reduced to two thirds for low income families). This service currently covers young adults between the ages of 16 and 25.

## **b Details of proposals or changes**

To cease the provision of transport assistance for:

- Learners with SEND in educational years 12, 13, 14 and up to the age of 25.
- Pre-school age children.
- Free home to school transport for pupils aged eight to 11 who live more than two miles but less than three from school in order to align the County Council Transport policy with the statutory guidelines.

## **c Rationale for proposed changes**

### **What is the aim of the policy?**

Derbyshire County Council is facing budget pressures and needs to save in excess of £160m by 2018. The Children's Services Department currently spends upwards of £12m per year on home to school transport but has a reduction target for their transport costs of £2.3m by 2018.

The introduction of charges for post-16 transport, which Cabinet approved on 6 May 2014, raised £17,299 in 2014/2015 for the period September to March (the spend was reduced by £158,605 – the total effect being a saving of £175,904). A further £100,000 is projected to be saved in 2017/2018.

Whilst Derbyshire County Council has a statutory duty to make home to school/college travel arrangements free of charge for entitled pupils of statutory school age, the remaining £1,700,000 could potentially be found from efficiencies in mainstream and specialised transport, of which a significant saving could potentially be achieved from ceasing, except in exceptional circumstances, the home to school transport for children of pre-school age, sixth form students

and young adults with SEND.

### **Who does this policy benefit?**

This policy has the potential to increase young people's independence and life skills through independent travel training. In circumstances where children and young adults walk to school or a bus stop rather than get transported (where appropriate) there could be a positive health benefit associated, such as reduced obesity and increase in fitness.

## **THE SCOPE OF THE ANALYSIS**

### **What needs to be analysed**

In order to assess what needs to be analysed a workshop was arranged with the below working group (see section 2) for the 16 December 2015. The aim of this meeting was to agree on the scope for the equalities analysis (EA) and to validate the EA process and durability. This workshop was arranged before any analysis was undertaken to ensure that the scope of the project was thoroughly completed and no analysis was missed.

It was agreed at the Scoping workshop that the data needed to be analysed was for:

- Pre-school students.
- Post-16 students.
- Eight-11 year old students (who live between two and three miles from school and get free transport assistance).

Each cohort will be analysed in terms of:

- Age.
- Number of students with SEND.
- Number of students who get home to school transport assistance provided by Derbyshire County Council.
- Gender.
- How many students get free school meals and if there is a higher number at special schools.
- The distance students travel to school and if students attending special education settlements travel further.



It was agreed that whilst we will look at data, if available, we did not initially expect for the policy to negatively impact on the following protected groups:

- Sexual orientation.
- Gender re-assignment.
- Race/ethnicity.
- Religion/beliefs.
- Pregnancy.
- Marriage.

It is expected that the main impacts of the proposed policy change will be upon the following protected groups and therefore the majority of the research will be analysing the impact upon:

- Age.
- Gender.
- Disability.
- Socio-economic.
- Rural.

All findings will be analysed and discussed with the working group, the outcomes will be listed in section 4 of the EA.

### **Methods used for analysis**

Once the data has been collated it will be analysed by comparing against a base line figure. For example, calculate how many males and females there are for the cohort of 16-19 year olds and compare this against the overall school population. This will help to analyse if a certain group is potentially going to be unfairly treated or if the proposal will have a negative impact on one gender/age group etc.

National, local and cohort data will be collected and analysed where possible.

A seven week consultation will be carried out between January and March 2016. The results of this will be analysed for each cohort and displayed within section 4b of the equalities assessment. The results will be analysed by categorising respondents comments in order to gauge which protected groups will be impacted and how. A consultation document will be produced (*see appendix 2*)

**Main issues to be considered**

In the previously mentioned scoping meeting it was agreed that the main issues to be considered are what impact the proposal will have on:

- Pre-school children with SEND who currently receive free home to school transport assistance.
- Post-16 students with SEND who receive home to school transport assistance.
- Any students between the ages of eight and 11 who currently live between two and three miles from their normal area school and currently receive free home to school transport assistance.
- Derbyshire nurseries, schools and colleges – both special and mainstream (maintained and non-maintained).
- External transport companies such as taxis and bus companies.
- Different socio-economic groups.
- Students and families living in rural areas.
- Families of children either pre-school or post-16 who have SEND and receive home to school transport assistance.
- Other Derbyshire County Council services, such as adult care day services.
- Future users.

**Likely impacts to arise are:**

- Students no longer able to afford transport to education settings and so cease attending.
- Students from rural areas not having sufficient public transport to get to education settings and so cease attending.
- Students from lower socio-economic groups being unfairly treated due to not being able to afford other methods of being transported to education settings.
- Negative impact on students' health and ability to fulfil their potential.
- Students not able to use public transport or have no alternative transport available.

Measures to mitigate against the above impacts need to be considered and will be considered in a future workshop.

### **Stakeholders**

The working group has agreed that the main stakeholders are as below, if at any stage of the analysis it is apparent there are others they shall be added:

- All pre-school students with SEND and their families.
- All post-16 students with SEND and their families.
- Derbyshire schools – special and mainstream.
- Derbyshire nurseries/pre-schools – special and mainstream.
- Derbyshire County Council – Children’s Services.
- Derbyshire County Council – Adult Care.
- Derbyshire County Council – Economy, Transport and Environment.
- Derbyshire County Council – Elected Members.
- Local transport contractors.
- Future users.

## **2 The team carrying out the analysis**

Philip Branford (Chair)	Project Officer - Innovation and Transformation Service
David Arnold	Programme Manager – Innovation and Transformation
Amanda Nadin	Senior Project Officer – Innovation and Transformation Service
Julie Harper	Commissioning Manager – Children’s Services
Deborah Oddy	Senior Project Officer – Transport Services (Economy, Transport and Communities)
Ruth Pownall	Disability Inclusion Manager – Children’s Services
Tony Ellingham	Service Manager – Adult Care
Angela Goodall	Assistant Manager – Schools Admissions and Transport (Children’s Services)
Claire Howells	Programme Manager – Children’s Services
Wesley Downes	Policy Manager – Corporate Resources
Richard Keeton	Public Health

### 3. Existing information and consultation based feedback

#### Sources of data and reason for using

<b>Source</b>	<b>Reason for using</b>
Office for National Statistics. (2011). <i>Earnings by Qualification</i> . London: ONS.	Earnings by qualification in the UK
Derbyshire Observatory. (2011). <i>Rural-Urban Classification for Small Areas Geographies</i> . Matlock: Derbyshire County Council ( <a href="#">Link</a> )	Rural-Urban Classification of Derbyshire
Commission for Rural Communities. (2012). <i>Commission for rural communities</i> . London: Defra – ( <a href="#">Link</a> )	Barriers to education, employment and training for young people in rural areas
Census data - 2011	For socio-demographic data
Department for Work & Pensions. (2015). <i>Households Below Average Income An analysis of the income distribution 1994/95 – 2013/14</i> . London: DWP ( <a href="#">Link</a> )	Link between low income and disability
Consultation responses – May 6th EA to introduce home to school transport charges.	Data from previous consultation
Derbyshire School Census Data (2015) – Dnet. Retrieved 09 02, 2016: ( <a href="#">Link</a> )	School age students data
Office for National Statistics (2013) - Full story: <i>The gender gap in unpaid care provision: is there an impact on health and economic position?</i> London: ONS ( <a href="#">Link</a> )	Gender split of unpaid carers
Derbyshire County Council Budget Consultation Results 2016	Where the public wants to the DCC budget to be spent
Allen, G. (2011). <i>Early Intervention: The Next Steps</i> . London: Cabinet Office	Research into Early Intervention
Department for Work & Pensions. (2015). <i>Households Below Average Income</i> . London: DWP.	Information on household income and disabilities
Department of Transport. (2014). <i>National Travel Survey 2014</i> . London: Department of Transport	Distance children travel to School
Derbyshire County Council. (2011). <i>2011 Census: Summary Profile</i> . Derbyshire County Council.	Information about the demographics of Derbyshire residents

<i>Easton, C., &amp; Gee, G. (2012). Early intervention: informing local practice. Slough: Local Government Association.</i>	<i>Research into Early Intervention</i>
<i>Field, F. (2010). The Foundation Years: preventing poor children becoming poor adults. London: Cabinet Office.</i>	<i>Research into Early Intervention</i>
<i>Office for National Statistics. (2013). Full story: The gender gap in unpaid care provision: is there an impact on health and economic position? London: ONS.</i>	<i>Gender of carers nationwide</i>
<i>Oxford Dictionaries. (n.d.). Oxford Dictionaries. Retrieved 02 04, 2015, from Language Matters: (<a href="#">Link</a>)</i>	<i>For information about intersectionality</i>
<i>Harrison, J. (2013). The Importance of Specialist Services for Young Children with Special Educational Needs: A Study of National Policy and local services</i>	<i>Research into Early Intervention</i>
<i>Department for Education (2014). Home to school travel and transport guidance: Statutory guidance for local authorities. London: DOE</i>	<i>Policy information on home to school transport and what local authorities statutorily have to provide</i>
<i>Derbyshire County Council (2016), 2016 Home to School transport consultation responses.</i>	<i>To gauge the publics views and opinions on the proposed policy change</i>
<i>Derbyshire County Council (2015), Children's Services Department</i>	<i>For data and background information on current service users, such as percentage of free school meals, number of students etc.</i>

#### 4. Known impacts on different protected characteristic groups and any mitigation

##### Statutory

<b>Protected Group</b> <b>Age including children and families, older people</b>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>5.4% (41,545) of the total population of Derbyshire (769,686) are four years old and under. 10.2% (78,288) are between the ages of 19-24 (Derbyshire County Council , 2011), data is not available for 16-19 year olds.</p>
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	<p>5.61% of pre-school children and 6.46% of 16-19 year olds have SEND in Derbyshire, data is not available for 19-25 year olds (School Census, 2015). Not all students who have SEND get home to school transport provided by Derbyshire County Council.</p> <p>There are currently 468 pre-school, post-16 and eight to 11 year old students who get home to school transport provided by Derbyshire County Council. 30 students are pre-school, 22 are between eight and 11 years old, 201 are between 16-19 years old and 215 are between 19-25 years old (Derbyshire County Council, 2015).</p> <p>This proposal may prevent pre-school children from receiving early intervention care through restricting some children from being able to access specialist provision. Early intervention is a concept that applies to children who are identified at an early age to have SEND and aims to reduce the effect of the child's condition on their development and education.</p> <p>Research shows that investing when children are young can have greater benefits long term, in terms of increasing the child's intellectual development, academic achievements and there health and wellbeing as well as being more cost effective long term for local authorities (Easton &amp; Gee, 2012).</p> <p>The 'foundation years' recommends that "Government, national and local, should give greater prominence to the earliest years in life, from pregnancy to age five" (Field, 2010). A following report stated that "A baby's early experiences are influential in determining the course of their future emotional, intellectual and physical development" (Allen, 2011).) (For further research and information about early intervention please see (Harrison, 2013)).</p> <p>Therefore the impact of the proposal on pre-school children could be greater than on other age groups if the proposal prevents them from receiving early intervention care.. The analysis of the consultation responses will help assess if the proposal will impact upon pre-school children receiving early intervention.</p> <p>The distance children and young adults attending special nurseries and schools/colleges travel is further than for mainstream nurseries and schools/colleges (<i>see table 2</i>). Significantly the</p>
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	<p>percentage increase for the average distance travelled is much further for the pre-school cohort than the post-16 cohort (<i>table 2</i>) (Derbyshire County Council, 2015).</p> <p>The pre-school cohort travel on average 151% further to attend special nurseries compared to pre-school children attending mainstream nurseries (<i>table 2</i>). The post-16 cohort travels on average 83% further to special schools/colleges compared to mainstream schools/colleges (<i>table 2</i>). This shows that both age groups will be impacted by this proposal but the pre-school cohort to a greater extent (Derbyshire County Council, 2015).</p> <p>However it is stated in home to school travel and transport guidance 2014 that ‘parent can reasonably be expected to accompany the child on the journey to school a range of factors may need to be taken into account, such as the age of the child and whether one would ordinarily expect a child of that age to be accompanied’ (Derpartment for Education , 2014). This shows that national guidance envisages that there is a reasonable expectation that parents should be transporting pre-school age children themselves.</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p> <p>2% of the people who responded to the consultation are under 16 years old, 6% are between 17-19 years old and 2% between 19-25 years old. In addition to these age groups, 17% are between 27-40, 46% between 41-50, 20% between 51-59 and 6% over 60.</p> <p>Data from the consultation shows that 290 people answered how satisfied they were with the proposal for pre-school children, 277 the proposal for 8-11 year olds, 304 the proposal for 16-19 year olds and 292 for the proposal for 19-25 year olds. This would indicate that there is not one age group that had a significantly different number of respondents for this question.</p> <p>However from these respondents 15.3% said they would be affected by the proposal for pre-school children, 9.8% for 8-11 year olds, 49.5% for 16-19 year olds and 43.4% for the 19-25 year olds. This shows that there is a significant difference in which age groups would be affected with the consultation data showing post 16 students would be impacted to a greater extent than pre-school and 8-11 year olds by the proposal.</p>

	<p>This is backed up further by the data showing 47.9% of people who answered are very dissatisfied with the proposal for pre-school children, 36.5% for 8-11 year olds, 69.7% for 16-19 year olds and 62% for 19-25 year olds. This again shows that respondents are less happy with the proposal for the post-16 cohorts.</p> <p>The verbatim responses from the consultation are difficult to separate by age cohort as some respondents have answered the questions for four different age cohort with the same comments meaning it is difficult to analyse with some confidence which age group they are referring to and it would be misleading to include.</p>
	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>Children's services to look at developing improved early intervention practices within local settings.</p>

<p><b>Protected Group</b>  <b>Disabled people</b>  <b>including mobility,</b>  <b>sensory, learning,</b>  <b>mental health, HIV,</b>  <b>and also include</b>  <b>carers and relatives</b></p>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Within Derbyshire, post-16 and pre-school children and students who do not have SEND, do not get home to school transport provided by the County Council, students with SEND do. This proposal will result in no post-16 or pre-school students (except in exceptional circumstances – yet to be determined) getting free home to school transport and therefore does not target students with disabilities unfairly compared to students without disabilities.</p> <p>However, data from Derbyshire schools (<i>Table 1</i>) shows that a higher percentage of post-16 students attending special schools (8.7%) receive free school meals compared to students attending mainstream schools (2.6%) (School Census, 2015). National data shows that pupils with SEND are more than twice as likely to be eligible for free school meals that those without SEND (28.2% compared to 12.8%) (School Census 2015).</p> <p>This highlights a link between lower household income and disabilities meaning that children and</p>
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young adults with SEND may be impacted to a greater extent due to having lower household income and therefore less likely to be able to afford to transport themselves to places of education. The Derbyshire data compares special schools with mainstream schools not children with and without SEND.

The free school meals data is relevant in assessing the impact upon children's health as children from poorer backgrounds are more at risk of poorer development, with differences by social background emerging later in life.

Mainstream LA Maintained Schools and Academies		% FSM Eligible			
		Total Post 16	Year 12	Year 13	Year 14
	Total	2.6%	2.5%	1.9%	0.0%

Special Schools		% FSM Eligible			
		Total Post 16	Year 12	Year 13	Year 14
	Total	8.6%	8.3%	8.6%	9.0%

*Table 1 shows the percentage of post 16 students getting free school meals at special and mainstream education settlements.*

The above link between disability and low income is backed up further by national data. In 2013/14 families were more likely to have low income if they had a family member with disabilities. The national data shows the percentage of individuals in relative low income households where at least one member is disabled is 20% compared to 13% if no disability (Department for Work & Pensions, 2015).

The distance post-16 and pre-school students travel to places of education is further for those attending special schools/colleges and nurseries than mainstream schools/colleges and nurseries. The below table (*table 2*) shows that students travelling to post-16 mainstream schools travel on average 3.8km compared to 9.2km to post-16 special schools (Derbyshire County Council, 2015). Pre-school children travel on average 1.5km to mainstream nurseries compared to 10.8km to special nurseries (Derbyshire County Council, 2015).

<b>Cohort</b>	<b>Distance travelled to mainstream places of education in km</b>	<b>Distance travelled to special places of education in km</b>	<b>Percentage increase</b>
<i>Pre-5</i>	1.5	10.8	151%
<i>Post-16</i>	3.8	9.2	83%
<i>8-11 year olds</i>	4.1		
<i>Average Primary school</i>	2.6		
<i>Average secondary school</i>	5.8		

*Table 2 shows the average distance students travel to education settings. Calculated via GIS and based on straight line distance.*

The distance 8-11 year olds travel is not relevant in this section as the cohort covers children of all needs not just with SEND (there is no data on this cohorts needs). The only potential impact on this cohort is that children with disabilities may be less able to walk these distances independently.

This shows that young people going to special schools and nurseries would be unfairly impacted

	<p>compared to students going to mainstream schools and nurseries.</p> <p>One consideration is the cohort of 8-11 year old students who qualify for extended rights; in this case students are eligible for transport to a school between two and six miles away, so students would continue to get transport provided regardless of any change in policy (<i>for more information about extended rights please see the home to school transport policy</i>).</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p> <p>41 or 14% of the respondents to the consultation questionnaire answered that they considered themselves disabled.</p> <p>The responses from the consultation show the impacts of the proposal are greater due to individual's disabilities, for example 80 comments have been categorised as saying they cannot use public transport due to their disability. This means that some current users do not have the same travel options available to them as people without disabilities.</p> <p>30 of the comments received say they have to travel further to special schools which accounts for 3.1% of the comments received and categorised. The outcome of this is that 135 responses were categorised as the proposal putting families under financial pressure, contributed by the fact that they could not afford to pay for transport to special schools/colleges (22 responses) or that parents will have to give up work (36 responses).</p> <p>From the consultation responses 80 respondents said they would no longer be able to get to places of education if this proposal was implemented which would have a negative impact on individuals mental health (28 responses), social inclusion (27 responses) and they would become less independent (16 responses). There is therefore potentially a serious adverse impact.</p>
	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>Implementing an exceptions fund would help to reduce the impact upon low income families this would need to be criteria based or means tested. This will assist in helping provide some sort of</p>

	<p>travel assistance to ensure that low income families are not unfairly impacted and can still access education.</p> <p>The criteria for the hardship fund put in place could also include distance travelled to places of education and give some form of compensation for students having to travel over a certain distance if there is no suitable education placement closer.</p> <p>The hardship fund will need to be developed and administered by Children Services in order to meet all the requirements they deem necessary.</p> <p>The welfare rights team could work with children's services to ensure that the students can access all the benefits they are entitled to such as travel bursaries.</p> <p>Another way of reducing the impact of students having to travel further to special schools/nurseries/colleges is to make more local provisions available for students with SEND so they are not required to travel so far. This would require further investigation.</p>
<p><b>Protected Group</b>  <b>Gender (Sex)</b>  <b>including men and women, boys and girls</b></p>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Gender is not a key factor affecting the delivery of the service. Home to school transport is arranged based on the home and education location for each student and in some cases their individual needs or requirements. i.e. some student's disability may restrict who they can share transport with or what type of transport they require.</p> <p>The gender profiles of the current service user's show that 70% of the 16-19 year old cohort are males and 30% are female (see <i>table 3</i>) (School Census, 2015). This indicates that males between the ages of 16-19 will be impacted to a greater extent than females of the same age. This figure is significantly different than the baseline figure of the total number of students between the ages of 16-19 in schools and colleges across Derbyshire. The baseline figures show that 51% of students are male and 49% are female (School Census, 2015).</p>

	Service Users		All Students	
Age	Male	Female	Male	Female
Pre-school	73%	27%	51%	49%
8-11	57%	43%	51%	49%
16-19	70%	30%	51%	49%
19-25	60%	40%	58%	42%

*Table 3 shows the gender split for all cohorts.*

For the cohort between the ages of 19-25, 60% of current service users are male and 40% female which is very comparable to the baseline figure that shows 58% are male and 42% are female (School Census, 2015). This would indicate that neither gender between the ages of 19-25 is being unfairly treated or impacted to a greater extent than the other.

73% of cohort between two-four years old are male and 27% are female compared to the baseline data that shows 51% are male and 49% are female (School Census, 2015). This would indicate that males pre-school would be impacted to a greater extent than pre-school females, however this is a very small sample group (30 children compared to 332 16-19 year olds) meaning that the data is not very robust.

The cohort of eight to 11 year old has a gender split of 57% being male and 43% are female, this is comparable to the baseline data of 51% male and 49% female (School Census, 2015). This data set is again very small and only covers 22 users meaning the data is not very robust.

National data for England and Wales shows that 'females are notably more likely to be unpaid carers than males' 57.7% of unpaid carers are females and 42.3% males (Office for National Statistics, 2013). The data for Derbyshire is comparable to the national data with 39,453 (43%) of carers being male and 53,181 (57%) female (Derbyshire County Council, 2011).

The consequences of more unpaid carers being female is that the proposal could have a greater impact on female carers if they have to transport children to places of education or have to look

	after children for longer hours due to children no longer being able to access places of education (Unpaid care covers illness and disability).
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p> <p>70.6% of the respondents to the consultation are female and the remaining 29.4% are male. This follows the pattern of their being more female carers than male, if it can be assumed they are more likely to complete the consultation due to being more directly impacted.</p> <p>There were not any responses that stated gender was a factor or a concern with the proposal.</p>
	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>The impacts identified above are that there are more male students attending special schools than females and there are a higher number of female unpaid carers than male. It is difficult at this time to present mitigation against this but it is important that any policy change is mindful of this pattern.</p>

Protected Group Gender reassignment – including impact, if any, on transgender people	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Gender reassignment is not a key factor in the delivery of this service, no data on gender reassignment is available for the affected cohorts meaning no analysis can be undertaken.</p> <p>See Sexual Orientation section for potential impacts on LGBT groups.</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p>

	This information is not collated via the consultation and is not a factor in the delivery of this service.
	<b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b> N/A

<b>Protected Group Race – including all racial groups, including impact, if any, on Gypsies and Travellers</b>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Race is not a factor in the delivery of this service.</p> <p>Within Derbyshire 95.8% of residents are White British (Derbyshire County Council , 2011). Race will be asked on the consultation questionnaire to see if we are impacting upon any race disproportionately.</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p> <p>95.1% of the respondents are white, this is not significantly different to the baseline data and is not a factor in the delivery of this service.</p>
	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist.</b></p> <p>N/A</p>

<b>Protected Group</b> <b>Religion and belief</b> <b>including non-belief,</b> <b>including religious</b> <b>minority</b> <b>communities,</b> <b>Humanists</b>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Religion is not a factor affecting the delivery of this service as since 2014/15 Derbyshire County Council ceased providing non-statutory free home to school transport to faith schools.</p> <p>Within Derbyshire 63.6% of the population state they are Christian and 28% no religion (Derbyshire County Council , 2011).</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p> <p>This information is not collated via the consultation and is not a factor in the delivery of this service.</p>
	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>N/A</p>

<b>Protected Group</b> <b>Sexual orientation –</b> <b>including the impact,</b> <b>if any, on any lesbian,</b> <b>gay and bisexual</b> <b>people</b>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Sexual orientation is not a factor affecting the delivery of this service. All pre-school and post-16 students with SEND will be impacted by the proposal irrespective of sexual orientation.</p> <p>Intersectionality needs to be considered and is defined as ‘the interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.’ (Oxford Dictionaries) This means that those with disabilities can be further compounded if they do not identify as being straight and so may be impacted to a greater extent by this proposed policy.</p>
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	<p>There is the potential for this proposal to have a greater negative impact on those who are LGBT. For example some LGBT young people are concerned about using public transport as they feel more vulnerable because they are potentially exposed to abuse from members of the public. Some LGBT students may therefore be impacted doubly by this proposal.</p> <p>No specific questions about sexual orientation are asked in the consultation however if there are any relevant responses it will be analysed.</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p> <p>This information is not collated via the consultation and is not a factor in the delivery of this service.</p>
	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>Assumptions have been made that student access LGBT information at college/school if this is correct then other support groups may need to be put in place to ensure all students can access LGBT information and services in the case they no longer go to school/college.</p>
<b>Protected Group Pregnancy and maternity – including new mothers/ parents</b>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Data relating to pregnancy and maternity is not collated for the cohorts. There is the potential for pregnant or new parents to be less able to transport their child to school, however this is not a situation unique or caused by this proposal.</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p>

	This information is not collated via the consultation and is not a factor in the delivery of this service.
	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>N/A</p>

<p><b>Protected Group</b>  <b>Marriage and civil partnership – also include impacts on lone parents and unmarried couples</b></p>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Lone parents might find it harder to transport their child to school if they have work commitments or other children that need to be looked after. In some exceptions cases, temporary free transport is provided because of these reasons.</p> <p>In Derbyshire 27.6% of total households have dependent children and of those 6.2% are lone parents (Derbyshire County Council , 2011). This data is not available for our cohorts. This is not a situation caused by the proposed policy as all parents will have these issues, however the added distance children with SEND have to travel to school may be a factor (see <i>table 2</i>).</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p> <p>This information is not collated via the consultation and is not a factor in the delivery of this service.</p>

	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>N/A</p>
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## Non statutory

<p><b>Poorer and disadvantaged communities and groups, including people who experience financial exclusion</b></p>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>National research (Office for National Statistics, 2011) shows that there is a link between higher education and higher hourly pay. Employees with A- levels will earn on average (£10/hour) 15% more than employees with GCSE's only (£8.68/hour) who in turn will earn on average 20% more than employees with no qualifications (£6.93/hour). This highlights the link between lower education and lower income and shows that if the impact of this proposal is that students can no longer attend education and therefore students do not achieve the qualifications, then the impact is that they will on average have lower earnings.</p> <p>Further research (Office for National Statistics, 2011) along similar lines shows that 55.9% of students who attain A-levels will find high and upper-middle skilled employment compared to 36.9% of students who attain GCSE's and 29.2% who have no qualifications. This would indicate that lower qualified students will achieve lower skilled employment meaning if the impact of this proposal is that students are no longer able to attend education to gain qualifications then the impact is that they will on average gain lower skilled employment.</p> <p>The County Council spends £2,299,000 a year to provide transport. This money is being paid to transport companies, mainly taxi companies, to transport children and young adults to places of education and learning. If this proposal is successful then a maximum of £2,299,000 will no longer get paid to local transport companies which could have potential impacts such as redundancies or companies going out of business (<i>see gaps in data</i>).</p>
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From the consultation responses in May 2014, which was to seek opinions on charging for the home to school transport 10 responses were received from parent/carers of pre-school children and 49 responses from parents/carers of post 16 students. One of the questions asked how much the total household income is, see table 4 below for responses.

Household income	Pre-School		Post-16	
Less than £10,000	2	20%	7	14%
£10,001 - £15,000	0	0%	3	6%
£15,001 - £20,000	2	20%	2	4%
£20,001 - £30,000	2	20%	4	8%
£30,001 - £40,000	1	10%	2	4%
Over £40,000	0	0%	1	2%
Don't Know	2	20%	6	12%
Prefer not to say	1	10%	24	49%

*Table 4 Shows responses to the 2014 consultation regarding household income*

This data (table 4) is not from current service users but does give a useful snapshot and shows a third (33%) of pre-school and post-16 students are from households with less than £20,000 income.

**b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?**

Consultation responses show 80 (8.4%) comments said the proposals would mean they could no longer attend a place of education. An impact of this being that 23 comments said it would stop students from getting an education or qualifications and 46 said it would have a negative impact on their future.

This highlights that one impact of this proposal could be that students are no longer to access education and their futures could be affected as a result.

	<p>135 (14.1%) comments state that this proposal would put their families under financial pressure with 36 comments stating parents would have to give up work and 27 comments that this would result in an increase in demand for social care services and additional government support. Transport contractor were written to and asked for their feedback via the consultation. Some of the comments we received from transport contractors stated that this service helps keep people in employment.</p>
	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>See disability protected group for information regarding a criteria based hardship fund that will help low income families still access services.</p>
<b>Rural communities</b>	<p><b>a From existing data and information – who is likely to be adversely affected, how, and to what degree? Will anyone gain or benefit from the proposals?</b></p> <p>Derbyshire has a significant proportion of rurality, 27.3% of wards in Derbyshire are classed as rural (Derbyshire Observatory, 2011), which poses potential challenges to its residents. The County is more urban on the east with areas such as Chesterfield and Erewash but more rural on the west and north of the county (Derbyshire Observatory, 2011). This means there is the potential for users across the county to be impacted to different extents depending on their location and rurality.</p> <p>Young people who live in rural areas tend to travel further to get to education and training opportunities, and will be impacted due to having to pay higher fares because of the greater distance travelled (Commission for Rural Communities, 2012).</p> <p>Due to the greater distances being travelled it means young people are less likely to be able to walk or get to a place of education without the use of some form of transport. There is a greater cost associated with using other methods of transport over walking meaning a greater potential impact.</p>

	<p>Rural areas often have a lower availability of public transport than urban areas (Commission for Rural Communities, 2012). Young people could be impacted due to increased travel times, a more complicated travel route, and less flexibility in regards to what times young people can travel.</p> <p>The above issues regarding rural public transport are further compounded as many of the current service users will be less able to travel on public transport independently due to their additional needs. The more difficult using public transport is the greater impact this will have upon children and young adults with SEND. It will be possible to assess this to a greater extent after the consultation process has been concluded and individuals have advised if this is an issue.</p> <p>Within Derbyshire 20.1% of households have no car/van ownership (Derbyshire County Council , 2011). This indicates that there may be some service users who will be reliant on public transport to get to education due to not having a car, as discussed above being in a rural setting usually means there is less available public transport. This could present another barrier for some users to access education, however this will be the same for all students not just pre-school and post-16 students with SEND.</p>
	<p><b>b From existing customer and other feedback including consultation feedback– who is likely to be adversely affected, how and to what degree? Will anyone gain or benefit?</b></p> <p>Consultation feedback shows that 26 comments were received to say there is no alternative transport available if this proposal is approved and 80 comments said that they cannot use public transport due to their disability. In addition 25 comments said they do not have a car or do not drive and 15 responses were concerned that travelling independently could put young people at risk.</p> <p>It is widely accepted that there is less public transport available in rural areas meaning there is an even greater reliance on this service; the responses show these barriers could be even greater for children with SEND.</p>

	<p><b>c Are there any ways of avoiding or reducing likely possible adverse impact, what are those actions, and how will they assist</b></p> <p>Work to mitigate the impact of rural transport by seeking to develop a team that could help to plan journey and promote independent travel training.</p> <p>There may be potential to co-ordinate some rural transport with community transport companies who already operate in rural areas (although it should be noted funding for community transport is currently under review)</p>
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## 5. Are there any *other* groups of people who may experience an adverse impact because of the proposals?

### Post-16 colleges and schools

Working on the assumption that the result of the proposal is that students affected will no longer be able to get to places of education (as feedback from the 2016 consultation has shown) then this could have implications for colleges and post-16 schools. The impacts would be that places of education have a lower enrolment rate and thus received less Education Funding Agency (EFA) funding, certain courses may have a reduced enrolment rate meaning it no longer becomes viable to offer these options. This could then have a knock on effect to other students (not currently getting home to school transport) as certain courses may not be available for them to enrol on.

Derbyshire County Council pay top-up support for any funding needed over the direct EFA funding; these costs vary significantly between individuals and are often reduced if support can be shared. There is the potential that if enrolment levels are reduced the cost of supporting students can no longer be shared and the individual support costs could raise.

The impact will vary depending on how many Derbyshire students are enrolled (and how many of these are in receipt of free transport) and education settlements with a higher percentage of Derbyshire students have the potential to be impacted to a greater extent, although it is impossible to accurately assess what the actual impact will be due to there being to many unknown variables. (*See gaps in data*).

The consultation was completed by providers of education who stated that many of their pupils travel large distances to

attend their special schools and many would be unlikely to be able to afford to pay for transport, this would limit student's access to education and increase the number of young people that are NEET. Another response stated that this proposal is very likely to reduce the uptake and contribute to a decline in services they can offer or result in students attending provisions that do not meet their needs.

Mitigation was also suggested by education settings such as offering means tested transport provisions, setting up car sharing forums and revising transport routes to make them more efficient. These have been considered whilst investigating possible mitigation measures.

### **Derbyshire County Council budget consultation**

In the public budget consultation carried out by DCC in 2015 89% of the residents who completed the survey answered the questions relating to Children's Services. They chose a 7.1% cut in funding for home to school transport which represents the largest cut of all Children Services and is calculated at a reduction of just under £1m (Derbyshire County Council , 2016).

## **6. Impact on employees of Derbyshire County Council or prospective employees**

The impact on employees of Derbyshire County Council or prospective employees is very difficult to accurately assess at this stage as the full impact of the proposal is unknown. The below are areas that may be impacted (see gaps in data).

- Employees of schools/special schools/nurseries/colleges
- Personal Advisors
- Admissions and Transport team
- SEND team
- Welfare rights service
- Children service department



## 7. Gaps in data

What are your main gaps in information and understanding of the impact of your policy and services? Please indicate whether you have identified ways of filling these gaps.

<b>Gaps in data</b>	<b>Action to deal with this(if any)</b>
<i>Impact on other council services</i>	Children's Services to investigate this as per the recommendations regarding further development work.
<i>Impact on local economy/taxi companies etc.</i>	None
<i>Rural transport</i>	Children's Services to investigate this as per the recommendations regarding further development work.
<i>Impact on employees of Derbyshire County Council or prospective employees</i>	Children's Services to investigate this as per the recommendations regarding further development work.

## 8 Main Conclusions and Recommendations

### Conclusions

This report highlights the impact this proposal will have upon the protected groups and shows that none of the groups benefit from the proposal, which have been considered whilst investigating possible mitigation measures. The impact is different for each age cohort and for each individual due to the complexity and variety of the user's needs, a summary of the impacts on each age cohort is below:

### Pre-school

Pre-school children with SEND have to travel further to special nurseries/pre-schools than children travelling to mainstream nurseries. There is evidence to show that early intervention can have an impact on the development of a child and the removal of this service may prevent some children from being able to continue to attend special nurseries or pre-schools.

However there is a reasonable expectation that parents will transport young children themselves to nurseries and pre-schools this is especially prevalent in children under the age of four years old.

This service is not statutory meaning Derbyshire County Council does not legally have to provide it.

It is recommended that Derbyshire County Council implement this policy change based on a reasonable expectation that parents should be transporting pre-school children themselves and because this service is not legally required; it is also envisaged that exceptional cases will be considered on a case by case basis.

### **8-11 Year olds who live more than two but less than three miles from their normal area school**

This cohort covers a very small number of children and is not specifically relating to children with SEND but all children. This proposal is bringing the transport policy in line with what Derbyshire County Council is statutorily obligated to do. This will not have an adverse impact upon any of the protected groups and some of the students will be eligible for extended rights transport.

Due to limited unfair impact caused by this policy it is recommended that Derbyshire County Council agree the policy change.

### **Post 16 students (16-19 & 19-25 years old combined)**

This age group would be significantly adversely affected, It contains the most number of users and more consultation responses for this age cohort were received than any other cohort. The impact on this group is that they have to travel further to special schools compared to mainstream schools, the removal of this service will potentially prevent some students from attending education which could result in a lack of qualifications and a greater reliance on Derbyshire County Council's other social care services.

There is a link between lower household income and families who have a member with a disability meaning many of the affected families are less likely to be able to afford to pay the full cost of transport to places of education. This proposal could add strain to family life and put families under financial pressure, many parents have stated they will have to stop working in order to become a full time carer this will add extra strain on other Derbyshire County Council social care services and have negative economic implications.

Rurality impacts on this cohort as many of the users affected are less able to use public transport or there is a less public

transport available, this adds to the barriers of attending education. Young people have to stay in education, employment or training until the age of 18 and this proposal makes this more difficult for a young person with SEND to achieve and could increase the number of young people in Derbyshire who are not in education, employment or training (NEET).

The impact on this cohort has many similarities with the 16-19 year olds cohort except these young people do not need to be in education, employment or training. It is agreed that some children and young people with SEND require longer in education to reach a similar level to children and young people without SEND which is why it is important this service continues to the age of 25. However this service is not statutory meaning Derbyshire County Council does not legally have to provide it.

Due to the potential impact of this proposal on the protected groups it is recommended that Derbyshire County Council commences a further period of development work to fully understand the implication of any changes made and a process for considering exceptional cases before implementing a new policy.

## **Recommendations (if any)**

### **Pre-School students**

It is recommended that Derbyshire County Council implement this policy change based on a reasonable expectation that parents should be transporting pre-school age children themselves as one would not ordinarily expect a child of that age to be unaccompanied and because this service is not legally required, subject to exceptions.

### **8-11 Year olds who live more than two but less than three miles from their normal area school**

Due to no unfair impact caused by this policy it is recommended that Derbyshire County Council agree the policy change.

### **Post 16 students (16-19 years old)**

Due to the potential impact of this proposal on the protected groups it is recommended that Derbyshire County Council commences a further period of development work to fully understand the implication of any changes made before implementing a new policy.

### **Post 16 students (19-25 years old)**

Due to the potential impact of this proposal on the protected groups it is recommended that Derbyshire County Council commences a further period of development work to fully understand the implication of any changes made before

implementing a new policy.

The reconditions are based upon the equalities assessment finding from both background research and the seven week consultation.

## 9. Action planning in response to the completed analysis

<b><i>Objective</i></b>	<b><i>Planned action</i></b>	<b><i>Who</i></b>	<b><i>When</i></b>	<b><i>How will this be monitored?</i></b>
Cease to provide home to school transport for pre-school children	Amend the transport policy	Kathryn Boulton	May 2016	Children's services CMT
Cease to provide home to school transport for children living more than 2 miles and less than 3 miles from their normal area school	Amend the transport police	Kathryn Boulton	May 2016	Children's Services CMT
A robust and cost effective mitigation policy is developed to ensure that reasonable transport assistance is provided for post 16 students	Commences a further period of development work to fully understand the implication of any changes made before implementing a new policy	Kathryn Boulton	September 2016	Children's Services CMT

## 10 Monitoring and review arrangements

Please outline what steps will be taken to monitor and review the implementation of proposals if they are agreed here:

### **Pre-School**

The proposal is to remove all home to school transport for pre-school children, this means there is nothing to review or monitor as the service no longer will exist. However it is recommended that the intake of students at special nurseries and pre-schools is monitored to see if this proposal has a lasting impact on children with SEND access these services.

### **8-11 year olds who live more than 2 miles but less than 3 miles from their normal area school**

The proposal is to remove all home to school transport for pre-school children, the implementation of the exceptions policy will however be monitored by Children's Services.

### **Post 16 students (16-25)**

The findings of this EA have been shared and discussed with the SMT of Children's Services. In light of the consultation responses and the findings of this EA it is suggested s that further work is done to develop a scheme that would provide fair and reasonable transport assistance. When this has been developed and agreed a programme of monitoring and review will be agreed.

## **APPENDIX 2**

**Consultation Document for the 2016 Home to School Transport Consultation**

**Innovation and Transformation team**

**April 2016**

## **Contents**

1. Introduction
2. Methodology
3. Results
  - a. Section 1 – Pre-School
  - b. Section 2 – Post 16 (16-19)
  - c. Section 3 – Post 16 (19-25)
  - d. Section 4 – 8-11 Years
4. Discussion
5. Conclusion

## **1- Introduction**

1.1 On January 28<sup>th</sup> 2016 a seven week consultation started to gauge opinions on the proposed changes to the home to school transport policy. The proposal is to cease providing home to school transport for pre-school and post 16 students (16-25) with special education needs and disabilities (SEND) as well as 8-11 year old who live more than two miles but less than three miles from their local area school

1.2 The consultation was available online at [www.derbyshire.gov.uk](http://www.derbyshire.gov.uk) with hard copies provided if requested.

## **2- Methodology**

2.1 A consultation on the proposal took place from 28 January 2016 to 17 March 2016. Members of the public were able to respond to the consultation online through the County Council's website, on the telephone through Call Derbyshire or by completing a paper questionnaire.

2.2 Young people with special educational needs or disability who wanted a face to face consultation were able to request this.

2.3 Given the potential impact a targeted letter was sent to:

- Parents/carers of all young people currently receiving transport that would be affected by the proposal (this included those in years 10 and 11).
- All post-16 young people currently receiving transport assistance.

2.4 Notification of the consultation and how to take part was also sent to:

- All Derbyshire schools and colleges.
- Schools and colleges outside Derbyshire at which Derbyshire young people attend.
- Transport contractors.
- Secretary of State for Education.
- Derbyshire Members of Parliament.
- Neighbouring local authorities.
- Libraries.
- GP surgeries.
- Derbyshire Parent Carer Voice
- Voluntary sector organisations with an interest in disability issues.



### 3 Key messages from the consultation

The following is a summary of responses received during the consultation.

A total of 321 individual responses were received.

A total of 5 responses were received from organisations and groups.

A total of 1 face to face consultation with young people took place.

It must be noted that respondents did not necessarily answer all questions.

### 4 Results

#### 4.1 Proposal 1: Transport for pre-school children with SEND to nurseries

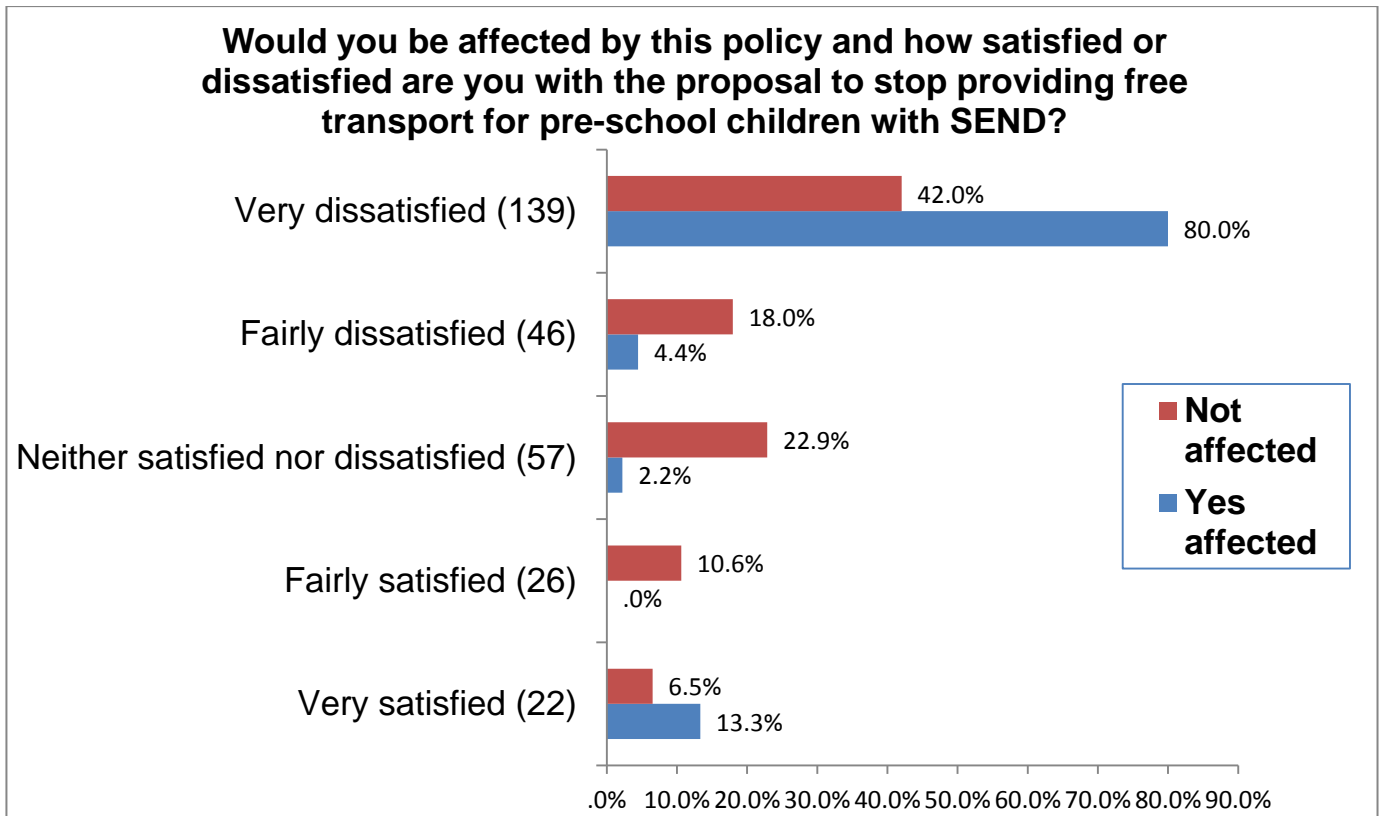
**4.1.1 Q1 & Q2** The questionnaire asked *“how satisfied or dissatisfied are you with the proposal to stop providing free transport for pre-school children with SEND?”*

**4.1.2** A total of 293 responses to this question were received. 16.4% of respondents were very satisfied or fairly satisfied with the proposal; 64.2% of respondents were fairly dissatisfied or very dissatisfied with the proposal; 19.5% of respondents were neither satisfied nor dissatisfied.

**4.1.3** 46 respondents indicated they would be affected by this proposal, 254 wouldn't be.

**4.1.4** The satisfaction/dissatisfaction breakdown of those respondents who indicated they would be affected is:

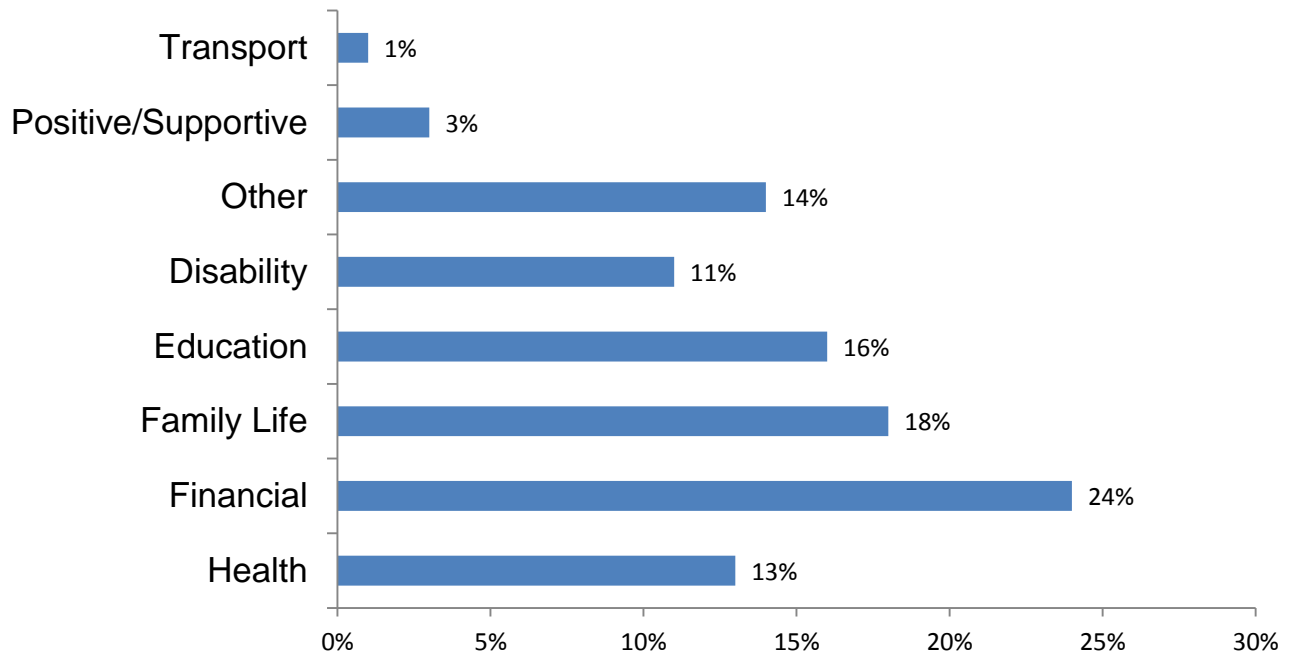
Very satisfied	13.3%	22
Fairly satisfied	0%	26
Neither satisfier nor dissatisfied	2.2%	57
Fairly dissatisfied	4.4%	46
Very dissatisfied	80%	142
<b>Total</b>	<b>-</b>	<b>293</b>



**4.1.4 Q3** Respondents were asked how they would be affected by this proposal and a total of 52 responses were received to this question, the results were categorised based on the comments within the responses, as per below.

Health	13%	16
Financial	24%	30
Family Life	18%	22
Education	16%	20
Disability	11%	13
Other	14%	17
Positive/Supportive	3%	4
Transport	1%	1
<b>Total</b>	<b>-</b>	<b>123</b>

**If you would be affected by this proposal please explain how you would be affected**



4.1.5 The majority of the respondents explained that there would be a negative impact if this proposal was implemented in particular on financial (24%), family life (18%) and education (16%). Only 3% of respondents were supportive of the proposal. Below is a sample of the responses received for this proposal:

*“Financially it would affect us as a family as we wouldn't be able to afford the cost of doing 45 miles a day to school and back twice a day, and I wouldn't have time with work to take my daughter to school. It would affect my daughter if she is not able to go to school”*

*“It is fair that we pay for the transport and it will impact family life but we are a family and have our own responsibilities”.*

*“my daughter is 4yrs old with autism and is attending a special needs school which she needs to help her as a mainstream school will not benefit her at this stage of her life right now and is waiting on her educational health care plan. I do not drive and I don't have the confidence to learn to drive due to bad experience before when I have tried and feel I don't want to be behind the wheel of a car. the school my daughter attends is 3 miles away and the route to her school are mostly country roads so it would not be safe to even walk there so I need this funding to able my daughter to go to school and get the help she most desperately needs. I also would not be able to afford to pay to get her to school as I am her full time carer and only have my husbands wage to support our family”.*

*“It will impact financially and practically on my family. As our 4 year old SN child goes to school over 20 miles away from home because it was the nearest school that met his needs that had a place available for him. Also we have to get his older brother to school, near to home, at the same time. This will be impossible without assisted transport”*

## **4.2 Proposal 2 – transport for students with SEND to sixth forms and colleges (aged 16 to 19)**

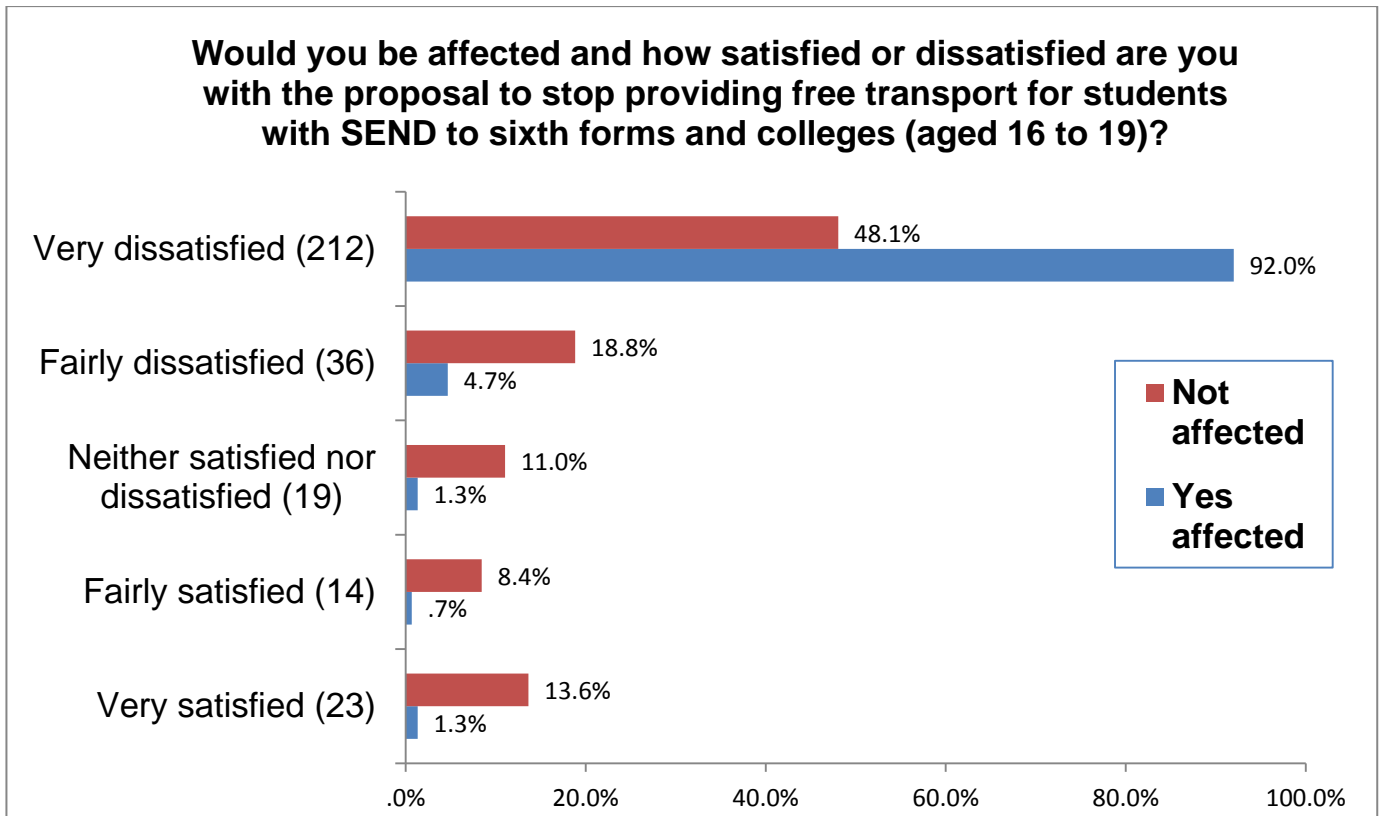
**4.2.1 Q4 & Q5** The questionnaire asked *“how satisfied or dissatisfied are you with the proposal to stop providing free transport for students with SEND to sixth forms and colleges (aged 16 to 19)?”*

**4.2.2** A total of 308 responses to this question were received. 12.0% of respondents were very satisfied or fairly satisfied with the proposal; 81.5% of respondents were fairly dissatisfied or very dissatisfied with the proposal; 6.5% of respondents were neither satisfied or dissatisfied.

**4.2.3** 152 respondents indicated they would be affected by this proposal, 155 wouldn't be.

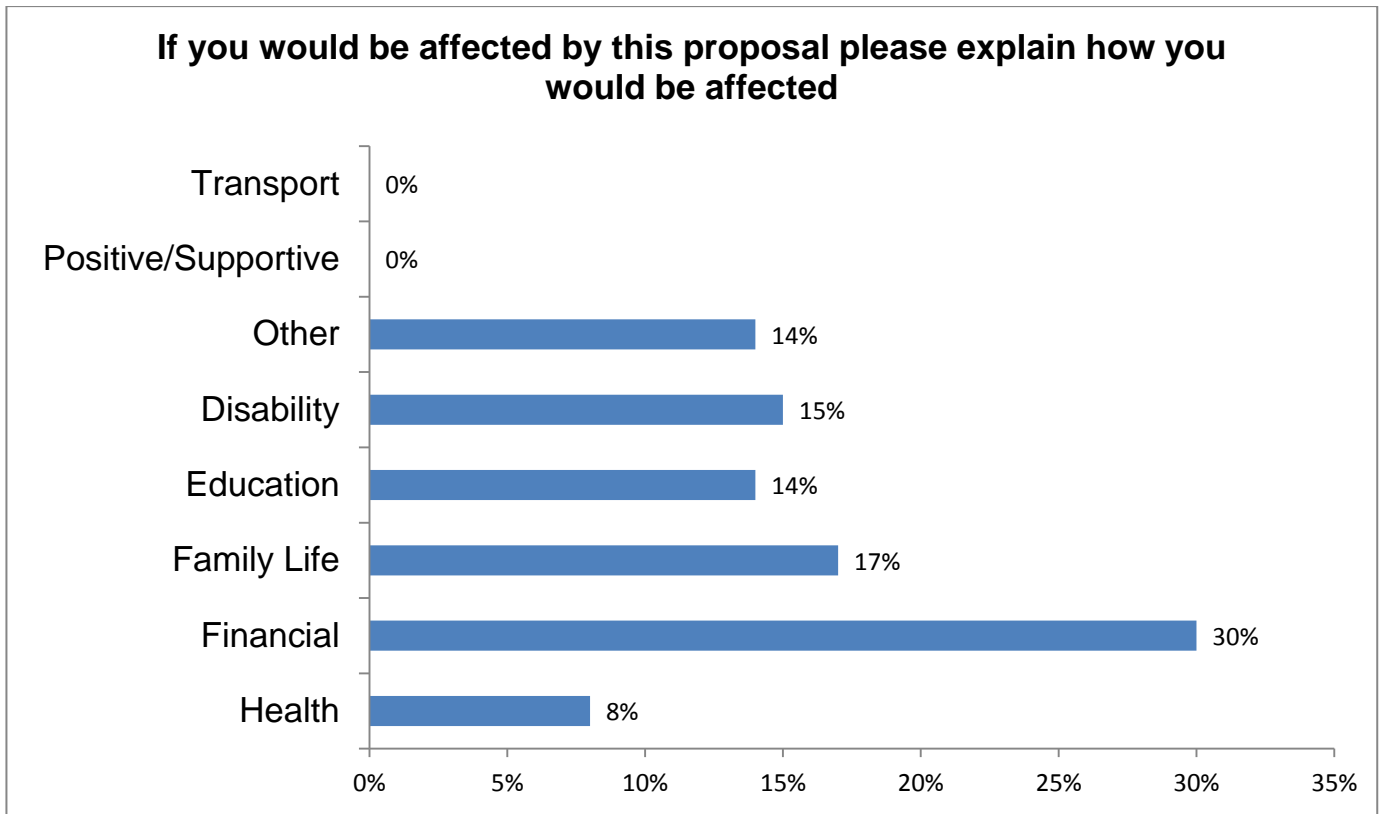
**4.2.4** The satisfaction/dissatisfaction breakdown of those respondents who indicated they would affected is:

Very satisfied	1.3%	23
Fairly satisfied	0.7%	14
Neither satisfier nor dissatisfied	1.3%	20
Fairly dissatisfied	4.7%	36
Very dissatisfied	92%	215
<b>Total</b>	<b>-</b>	<b>308</b>



**4.2.5 Q6** Respondents were asked how they would be affected by this proposal and a total of 153 responses were received to this question, the results were categorised based on the comments within the responses, as per below.

Health	8%	36
Financial	30%	142
Family Life	17%	81
Education	14%	67
Disability	15%	72
Other	14%	66
Positive/Supportive	0%	1
Transport	0%	2
<b>Total</b>	<b>-</b>	<b>467</b>



4.2.6 Nearly one third of all respondents (30%) stated that there would be financial impacts if the proposals were implemented, whilst 17% of respondents stated that there would be impacts on family life. Below are some of the responses received that explains how some of the respondents would be affected.

*“We can only afford to run car, my husband works shifts and needs the car for work. Even if we could afford to run a second car I have chronic daily migraine and cannot drive most of the time. My 16 yr old son has learning difficulties and autism and attends a special college which he loves”.*

*“Our son is over the age of 19 & so he would'nt qualify. I had to give up my 'well paid job' to support my son as he was continually let down by local government services who were meant to be supporting him. As a result, we, as a family, have suffered extreme financial hardship & could'nt afford to contribute financially-he would have to leave college!”*

*“my daughter would not be able to attend her college as I rely on this form of transport ,if I could drive and had my own car it wouldn't affect me as I would take her myself, i think if people have their own form of transport then they should take their children to college and schools themselves”*

*“My son is autistic with severe learning disabilities. Due to the nature of his disability he was "held back" a year at school. As you can see he was born 3 days before 1st September 1998. He currently attends Hope Valley College which has a specialist autism unit. We currently pay £360 a year to assist with the cost of transport. If his transport was lost he would suffer greatly because we could not afford to send him to Hope Valley College which in my opinion is the only college suitable to meet his*

*needs. Either my wife or myself would have to give up work in order to transport him to college and that would put us under a very considerable amount of financial pressure. He is incapable of getting himself to and from college. He cannot even go to the local shops on his own. Our family life would suffer enormously. I would ask you to have a look at his personal details and then decide if he should suffer because he was born 3 days to early.”*

*“My daughter is blind and unable to travel on public transport independently but can in a door to door taxi. The cost of this would impact significantly on family finances”.*

### **4.3 Proposal 3 – transport for students with SEND to colleges (aged 19 to 25)**

**4.3.1 Q7 & Q8** The questionnaire asked “how satisfied or dissatisfied are you with the proposal to stop providing free transport for students with SEND to colleges (aged 19 to 25)?”

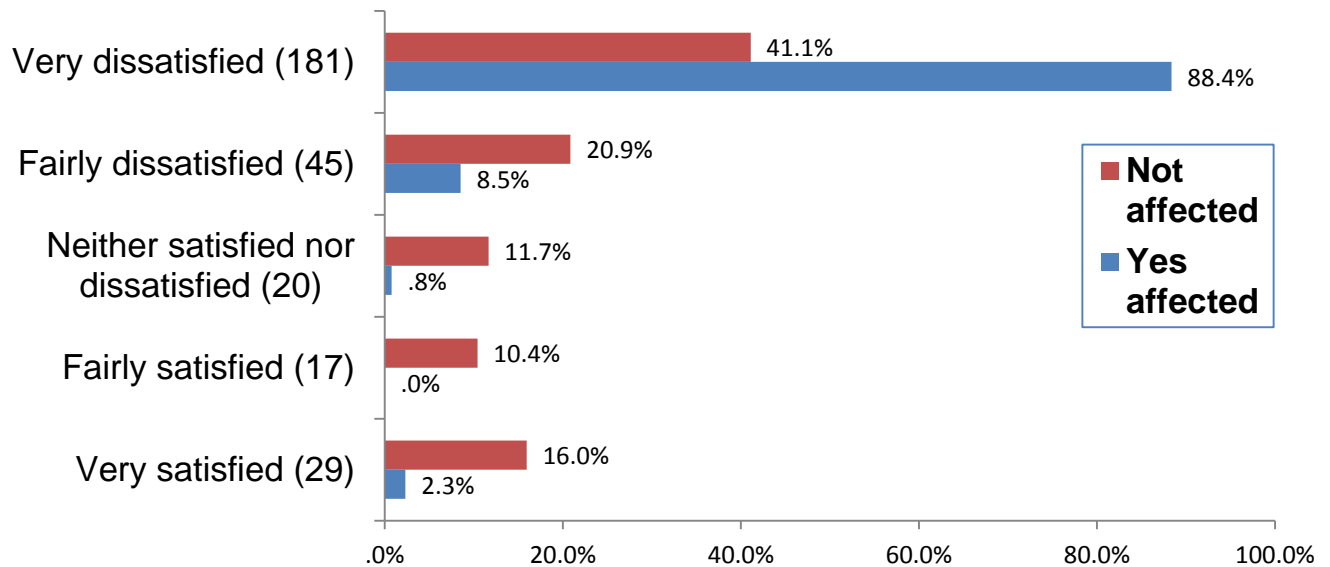
**4.3.2** A total of 297 responses to this question were received. 15.5% of respondents were very satisfied or fairly satisfied with the proposal; 77.8% of respondents were fairly dissatisfied or very dissatisfied with the proposal; 6.7% of respondents were neither satisfied nor dissatisfied.

**4.3.3** 129 respondents indicated they would be affected by this proposal, 168 wouldn't be.

**4.3.4** The satisfaction/dissatisfaction breakdown of those respondents who indicated they would affected is:

Very satisfied	2.3%	29
Fairly satisfied	0%	17
Neither satisfier nor dissatisfied	0.8%	20
Fairly dissatisfied	8.5%	46
Very dissatisfied	88.4%	185
Total	-	297

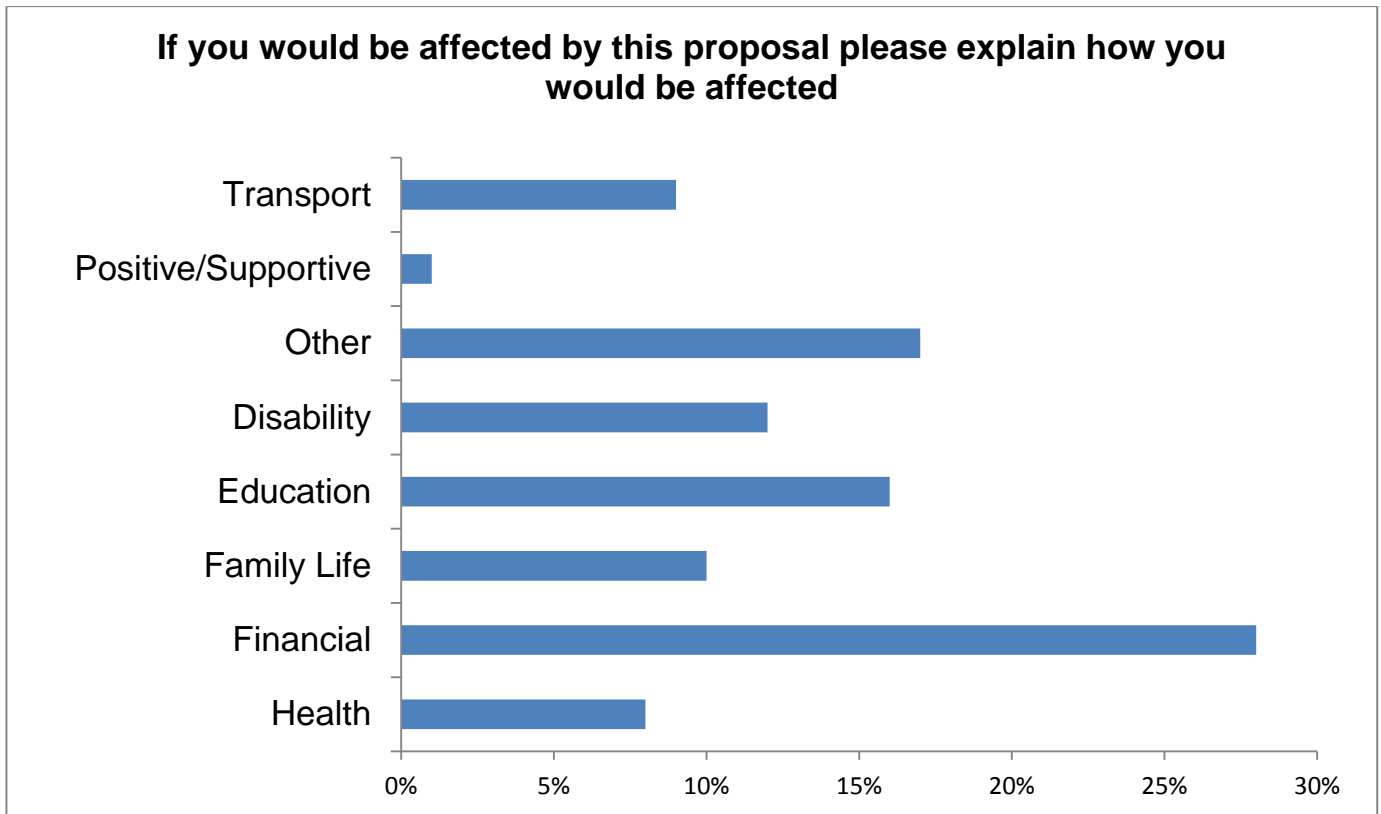
**Would you be affected and how satisfied or dissatisfied are you with the proposal to stop providing free transport for students with SEND to sixth forms and colleges (aged 19 to 25)?**



**4.3.5 Q9** Respondents were asked how they would be affected by this proposal and a total of 153 responses were received to this question, the results were categorised based on the comments within the responses, as per below.

Health	8%	29
Financial	28%	101
Family Life	10%	36
Education	16%	57
Disability	12%	44
Other	17%	62
Positive/Supportive	1%	3
Transport	9%	34
<b>Total</b>	<b>-</b>	<b>366</b>





4.3.6 A third of respondents (28%) said that they were concerned about the financial impacts of this proposal. Many of the parents said that they would have to give up work to take their son / daughter to college. 10% of those who responded said that this would have an impact on family life, for example putting extra strains whilst 12% said that in terms of their disability they would become independent, that they cannot use public transport due to their disability. Below is a sample of the responses received for this proposal:

*“Our son is unlikely to be able to integrate into a normal working life so we would have considered the post 19 provisions linked to his school and without funding this would not be a realistic option meaning one of us would no longer be able to work and would therefore have to claim carers allowance”.*

*“Yes as a professional working with these families. The young people will just stay at home and not access college as families unable to finance this. This in turn will have a spiral of negative effects on the whole families and the NEET will rise”.*

*“My Son is due to start College in September. The only Colleges that he will be eligible to attend are Specialist Colleges, which are not close to our home at all. He has always been entitled to School transport with an escort since he attended Nursery. It will be impossible for him to attend College without some form of transport. If we, as parents, will be expected to take him, again the issues listed before are the same. We will be faced with travelling up and down the motorway for long distances on a daily basis, incurring high fuel charges and our family life will be affected when I can't be in two places at once and my Husband works shifts and I have another child. As College is only for 3 days and I will have to find other ways to*

*keep my Son stimulated for the 2 days he isn't at College, even if he has a Personal Budget, this will need to be co-funded, which will further strain our finances”.*

*“We are a Transport provider and a tax Payer, having transported for many years we see why these children and vulnerable adults require this. If not provided they could be kept away from society and take away there opportunity to integrate with society and help learn. It also helps provide work and keep many in a job, so in actual fact this money goes into circulation and via tax back into the government”.*

*“There is no students fare on buses,. So financially the family will be out of pocket. If the council can provide discount rate for students then it will not be so hard on the family but we live in rural communities it is a life saver and financial help for low income families like us”*

#### **4.4 Proposal 4 – Transport for children aged between 8 and 11 years old who live more than two miles but less than three miles from their normal area school**

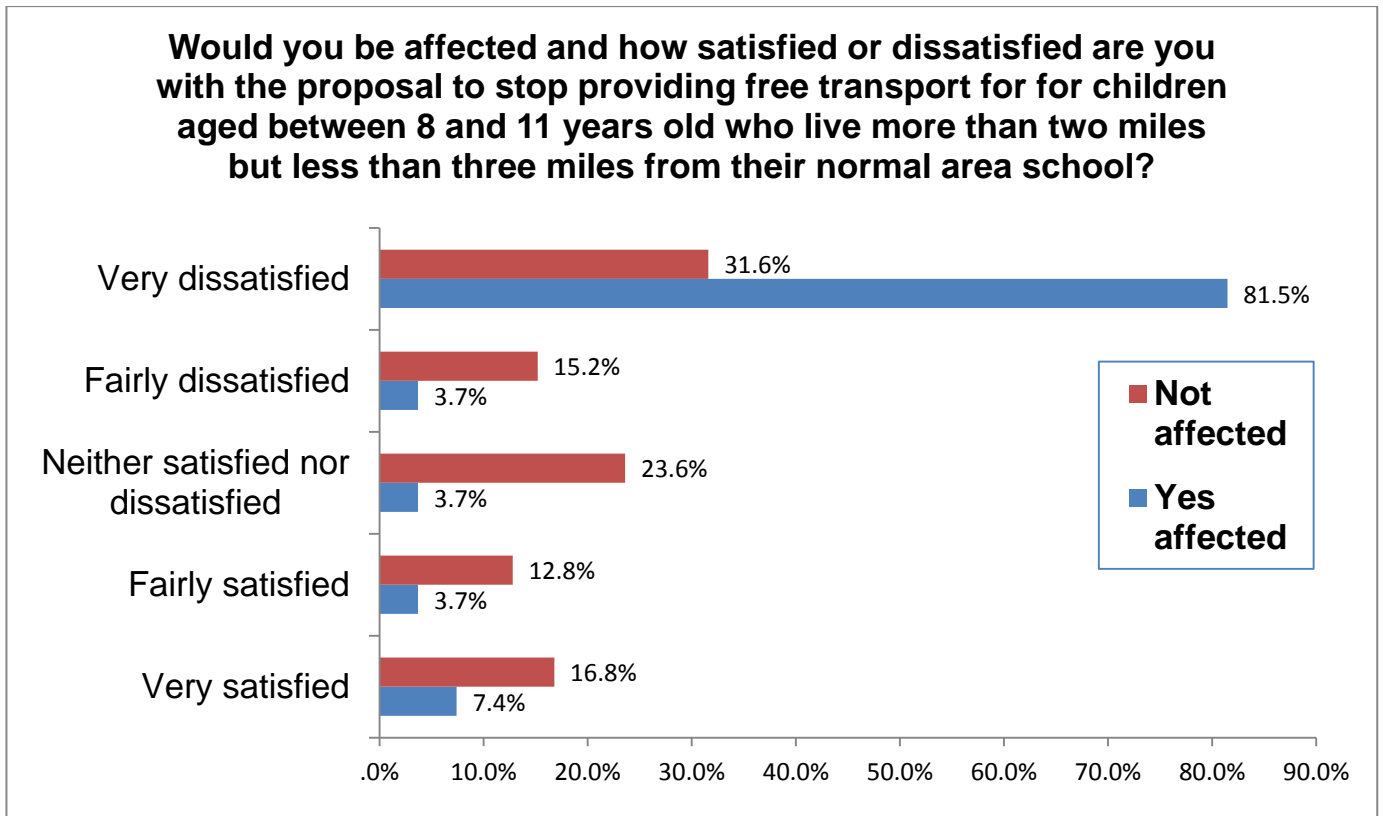
**4.4.1 Q10 & Q11** The questionnaire asked *“how satisfied or dissatisfied are you with the proposal to stop providing free transport for children aged between 8 and 11 years old who live more than two miles but less than three miles from their normal area school?”*

**4.4.2** A total of 284 responses to this question were received. 27.8% of respondents were very satisfied or fairly satisfied with the proposal; 51.1% of respondents were fairly dissatisfied or very dissatisfied with the proposal; 21.1% of respondents were neither satisfied nor dissatisfied.

**4.4.3** 28 respondents indicated they would be affected by this proposal, 258 wouldn't be.

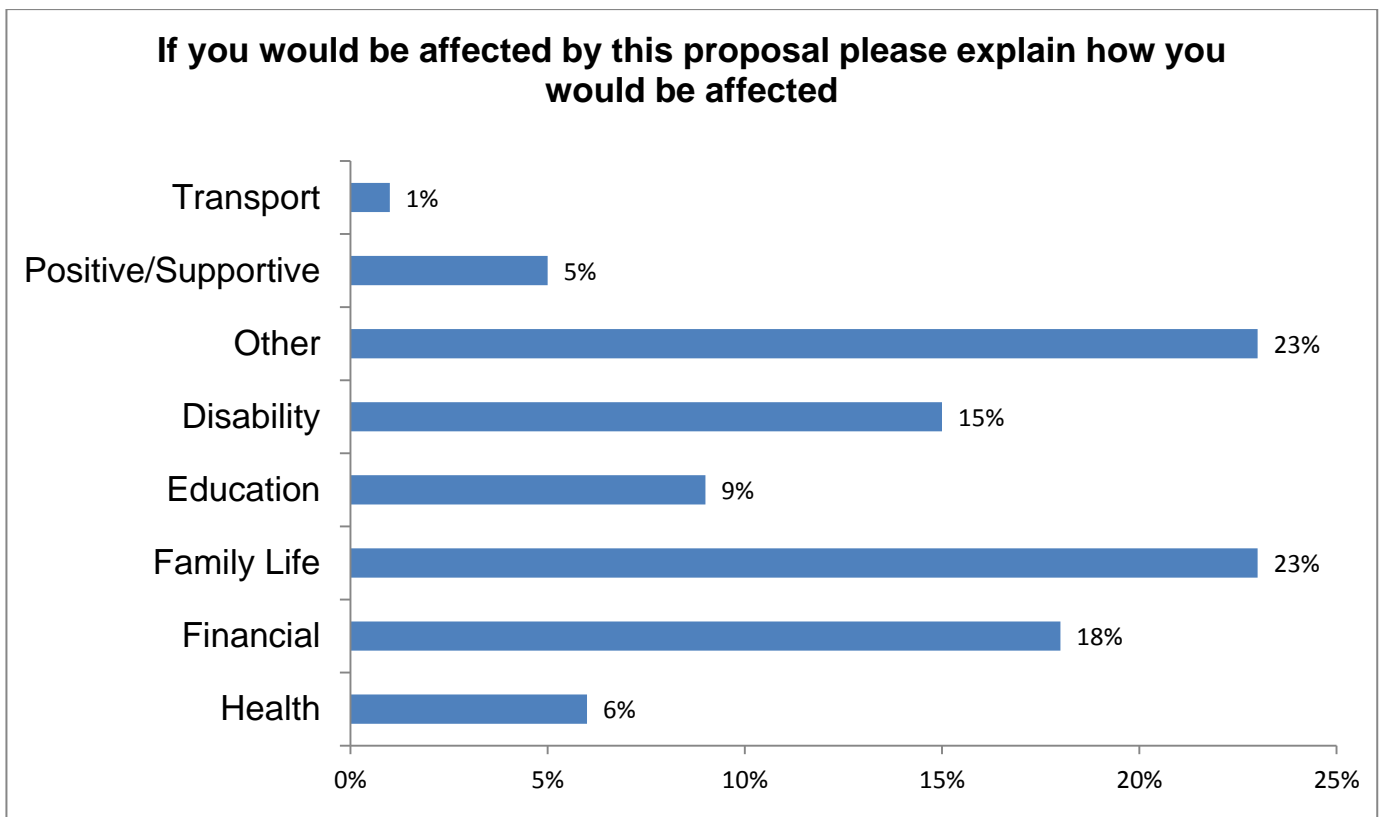
**4.4.4** The satisfaction/dissatisfaction breakdown of those respondents who indicated they would be affected is:

Very satisfied	7.4%	45
Fairly satisfied	3.7%	34
Neither satisfier nor dissatisfied	3.7%	60
Fairly dissatisfied	3.7%	39
Very dissatisfied	81.5%	106
Total	-	284



4.4.5 **Q12** Respondents were asked how they would be affected by this proposal and a total of 153 responses were received to this question, the results were categorised based on the comments within the responses, as per below.

Health	6%	6
Financial	18%	17
Family Life	23%	21
Education	9%	8
Disability	15%	14
Other	23%	21
Positive/Supportive	5%	5
Transport	1%	1
<b>Total</b>	<b>-</b>	<b>93</b>



4.4.6 Just under a quarter of respondents said that this proposal would have an impact on family life which would put a further strain on family life and would also mean having to take other children to school and 18% of respondents said that this proposal would have financial impacts.

*It would mean making a choice between my son attending a school that he's doing so well and is perfect for him and me being able to work? Wouldn't be able to take my other children to school? Getting my child to his school by public transport would mean 4 busses per day and add an hour and a half travel time to each end of his day?*

*“It would mean I cannot get both my children to school on time. This assistance is essential for me getting both my children to school on time”.*

*“financially... however it is a legal requirement for this age group to attend school/education,,, and surely we are all aware that some parents do not have either the means or capabilities of ensuring their child attends on a regular basis without help and the support of others”*

*“In rural areas like this that is hilly it is not a good idea,. It's about an hour's walk to and from school daily”*

*“During my childhood I lived just under 3miles from school and walked to school. It was a time to chat with friends, reflect and chill out from school not an unpleasant experience but a positive one”.*

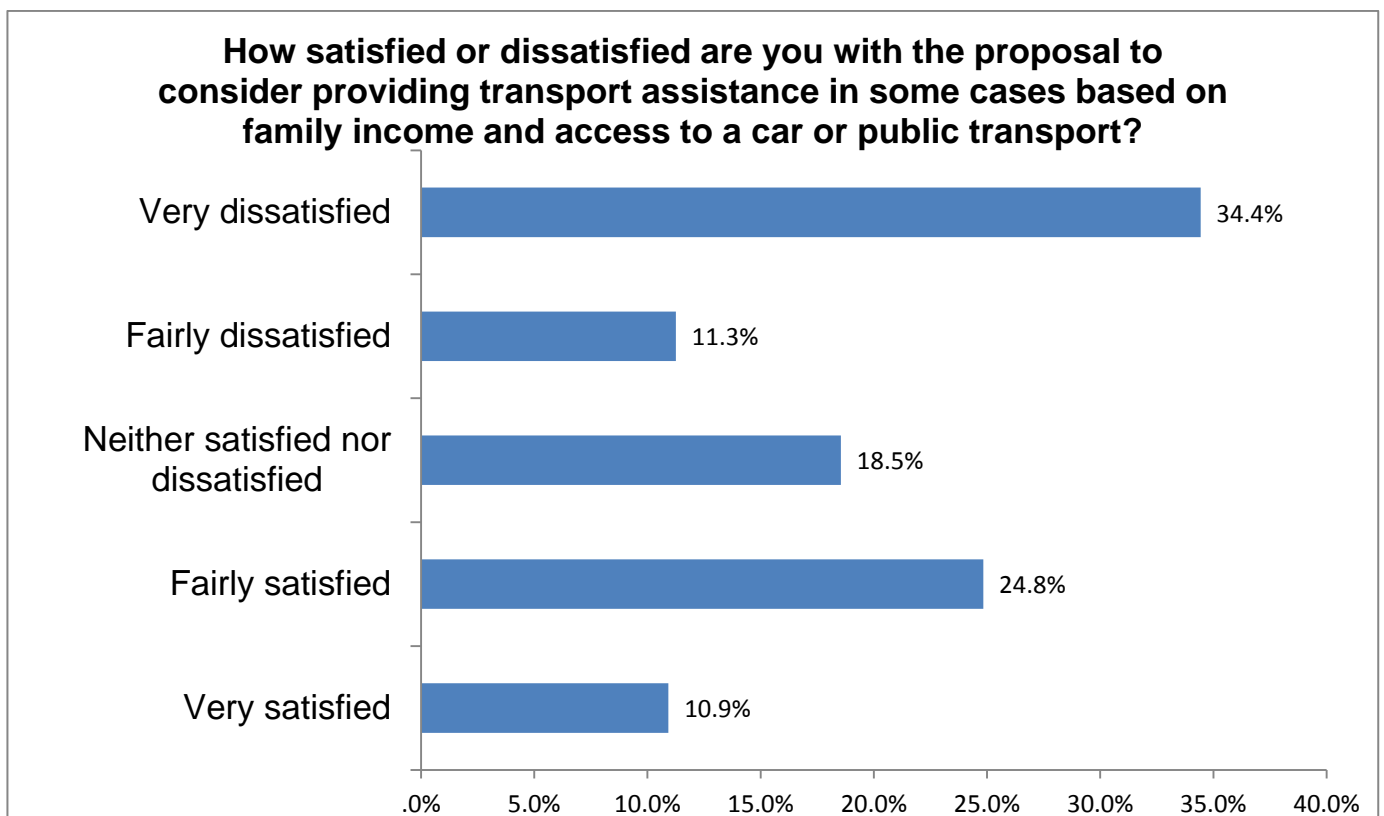
## 4.5 Other Comments

4.5.1 **Q13** The questionnaire asked *“how satisfied or dissatisfied are you with the proposal to consider providing transport assistance in some cases based on family income and access to a car or public transport?”*

4.5.2 A total of 302 responses to this question were received. 35.8% of respondents were very satisfied or fairly satisfied with the proposal; 45.7% of respondents were fairly dissatisfied or very dissatisfied with the proposal; 18.5% of respondents were neither satisfied nor dissatisfied.

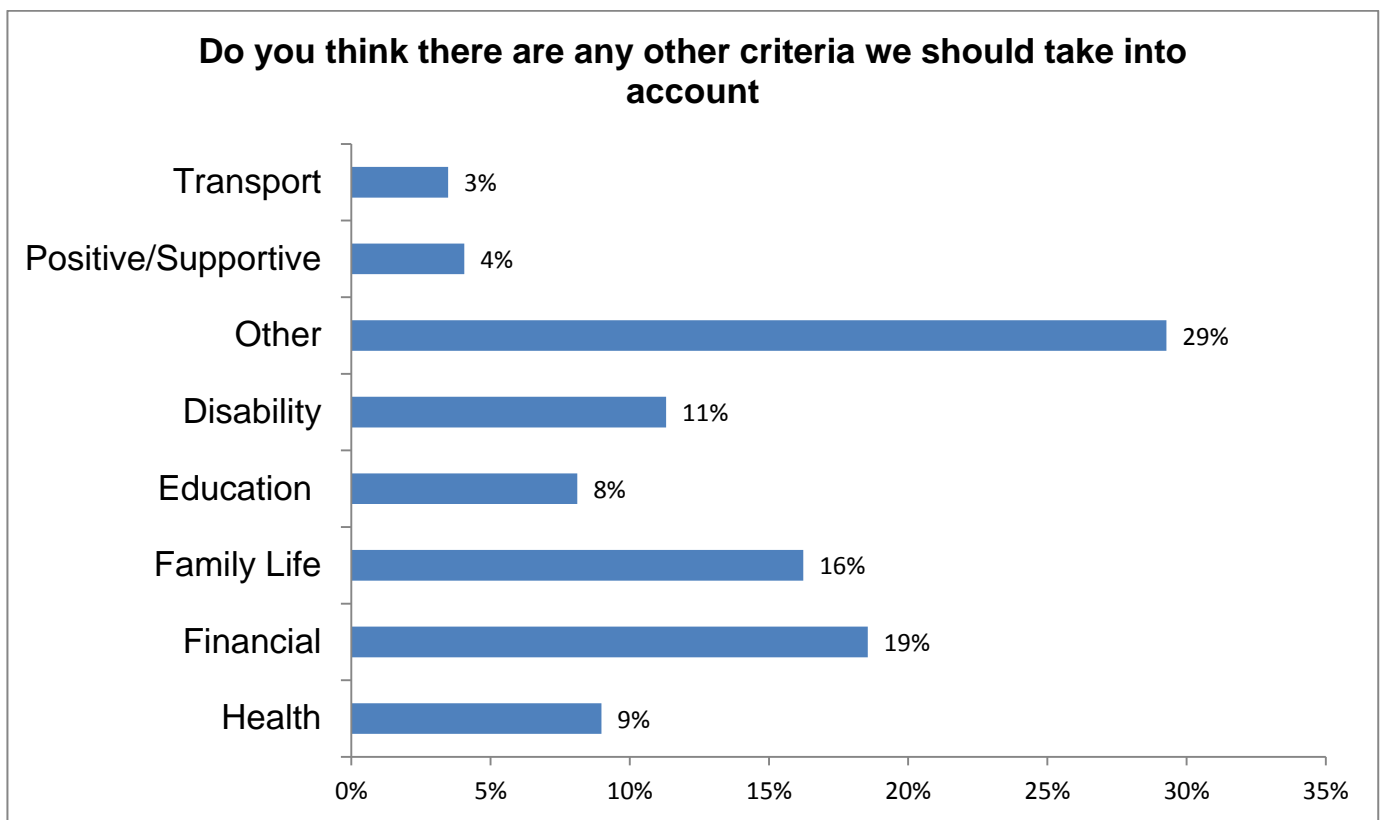
4.5.3 The satisfaction/dissatisfaction breakdown of those respondents who indicated they would be affected is:

Very satisfied	10.9%	33
Fairly satisfied	24.8%	75
Neither satisfied nor dissatisfied	18.5%	56
Fairly dissatisfied	11.3%	34
Very dissatisfied	34.4%	104
<b>Total</b>	<b>-</b>	<b>302</b>



**4.5.6 Q14** The Questionnaire asked respondents *“Do you think there are any other criteria we should take into account”*. A total of 179 responses were received to this question, the results were categorised based on the comments within the responses.

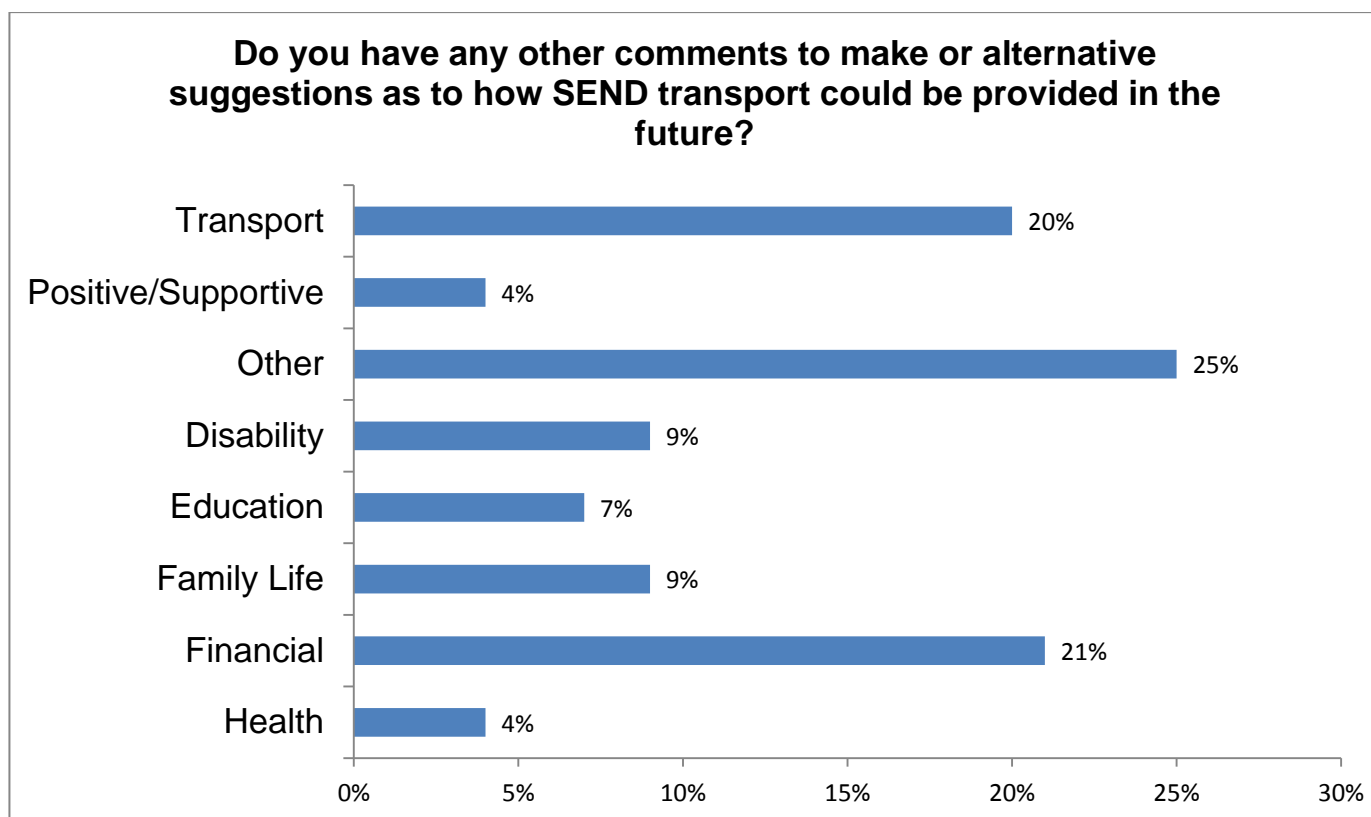
Health	9%	31
Financial	19%	64
Family Life	16%	56
Education	8%	28
Disability	11%	39
Other	29%	101
Positive/Supportive	4%	14
Transport	3%	12
<b>Total</b>	<b>-</b>	<b>345</b>



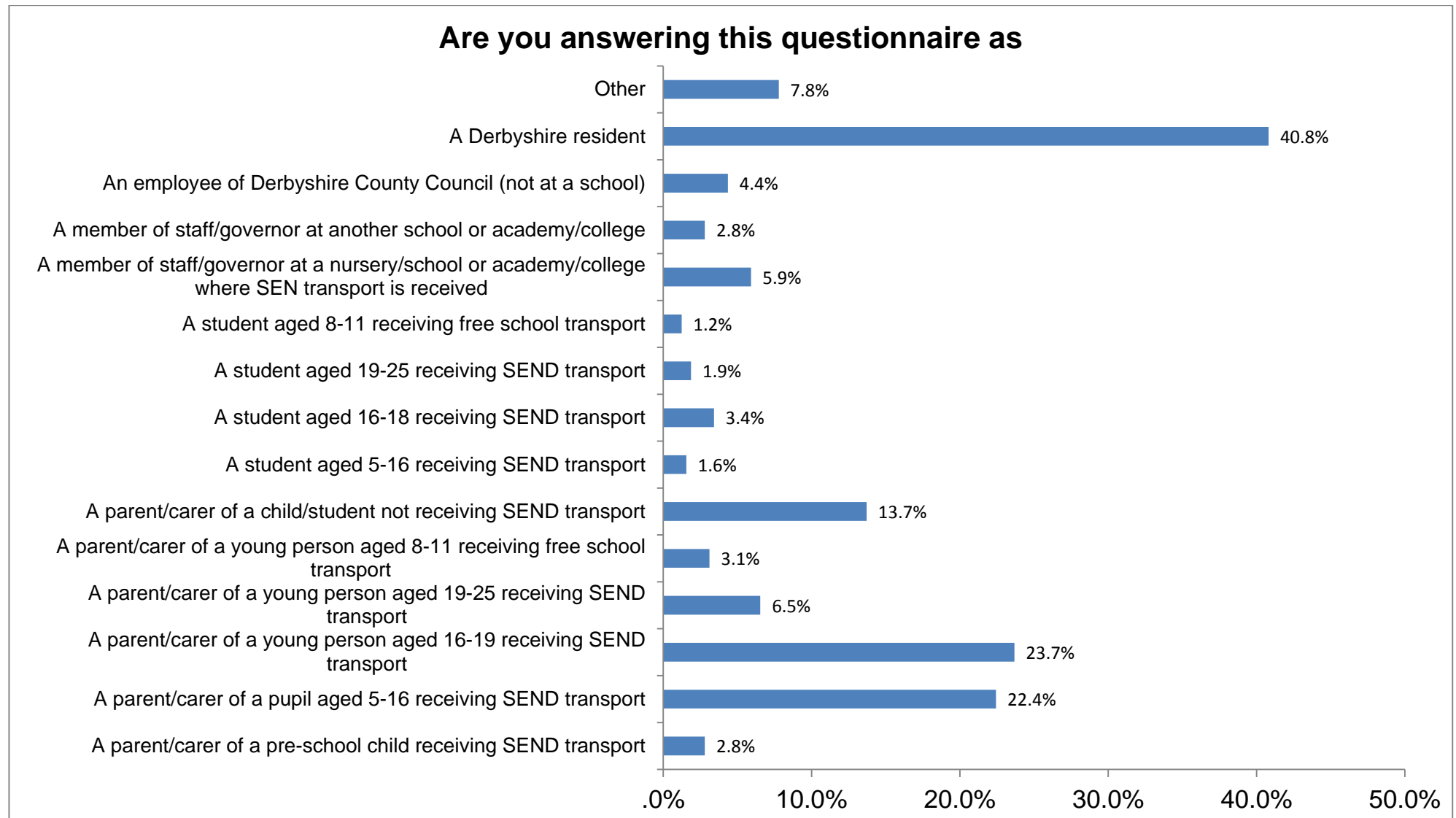
**4.5.7 Q15** The Questionnaire asked respondents *“Do you have any other comments to make or alternative suggestions as to how SEND transport could be provided in the future?”* A total of 168 responses were received to this question, the results were categorised based on the comments within the responses.

“RESTRICTED” status up to agenda despatch stage, then “PUBLIC” status thereafter

Health	4%	13
Financial	21%	65
Family Life	9%	28
Education	7%	21
Disability	9%	29
Other	25%	78
Positive/Supportive	4%	13
Transport	20%	60
<b>Total</b>	<b>-</b>	<b>307</b>



4.5.7 **Q16** Are you answering this questionnaire as:

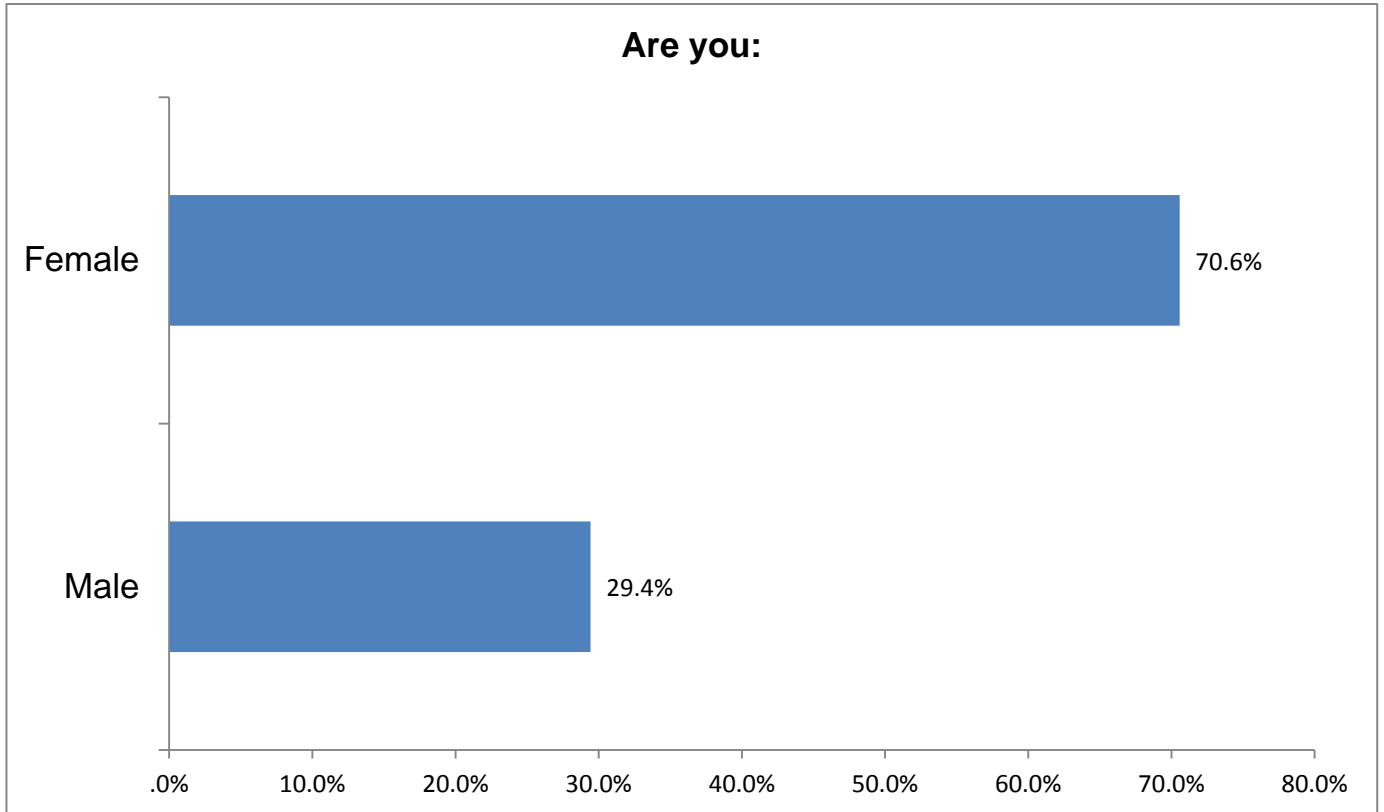




A parent/carer of a pre-school child receiving SEND transport	2.8%	9
A parent/carer of a pupil aged 5-16 receiving SEND transport	22.4%	72
A parent/carer of a young person aged 16-19 receiving SEND transport	23.7%	76
A parent/carer of a young person aged 19-25 receiving SEND transport	6.5%	21
A parent/carer of a young person aged 8-11 receiving free school transport	3.1%	10
A parent/carer of a child/student not receiving SEND transport	13.7%	44
A student aged 5-16 receiving SEND transport	1.6%	5
A student aged 16-18 receiving SEND transport	3.4%	11
A student aged 19-25 receiving SEND transport	1.9%	6
A student aged 8-11 receiving free school transport	1.2%	4
A member of staff/governor at a nursery/school or academy/college where SEN transport is received	5.9%	19
A member of staff/governor at another school or academy/college	2.8%	9
An employee of Derbyshire County Council (not at a school)	4.4%	14
A Derbyshire resident	40.8%	131
Other	7.8%	25
<b>Total</b>	<b>-</b>	<b>321</b>

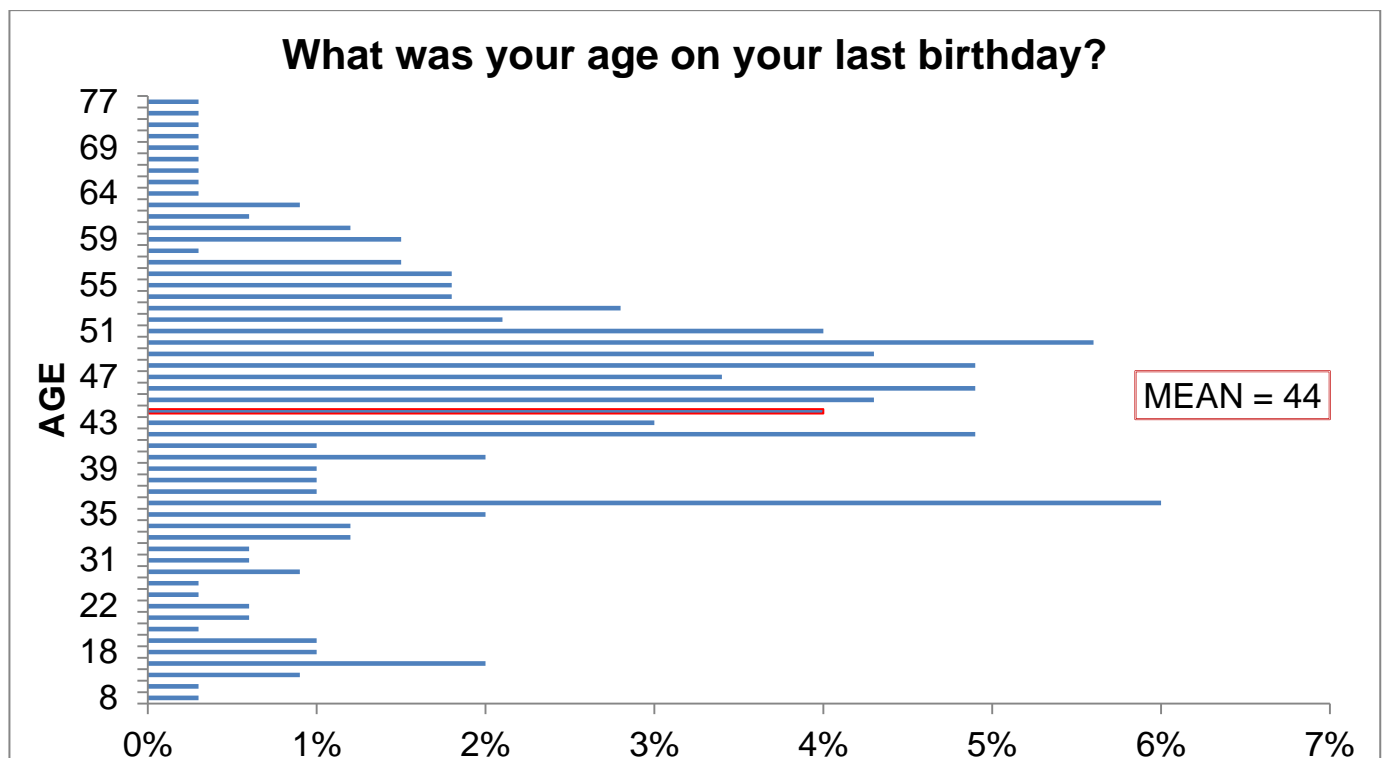
#### 4.5.8 Q17 Gender

Male	29.4%	88
Female	70.6%	211
<b>Total</b>	<b>-</b>	<b>299</b>



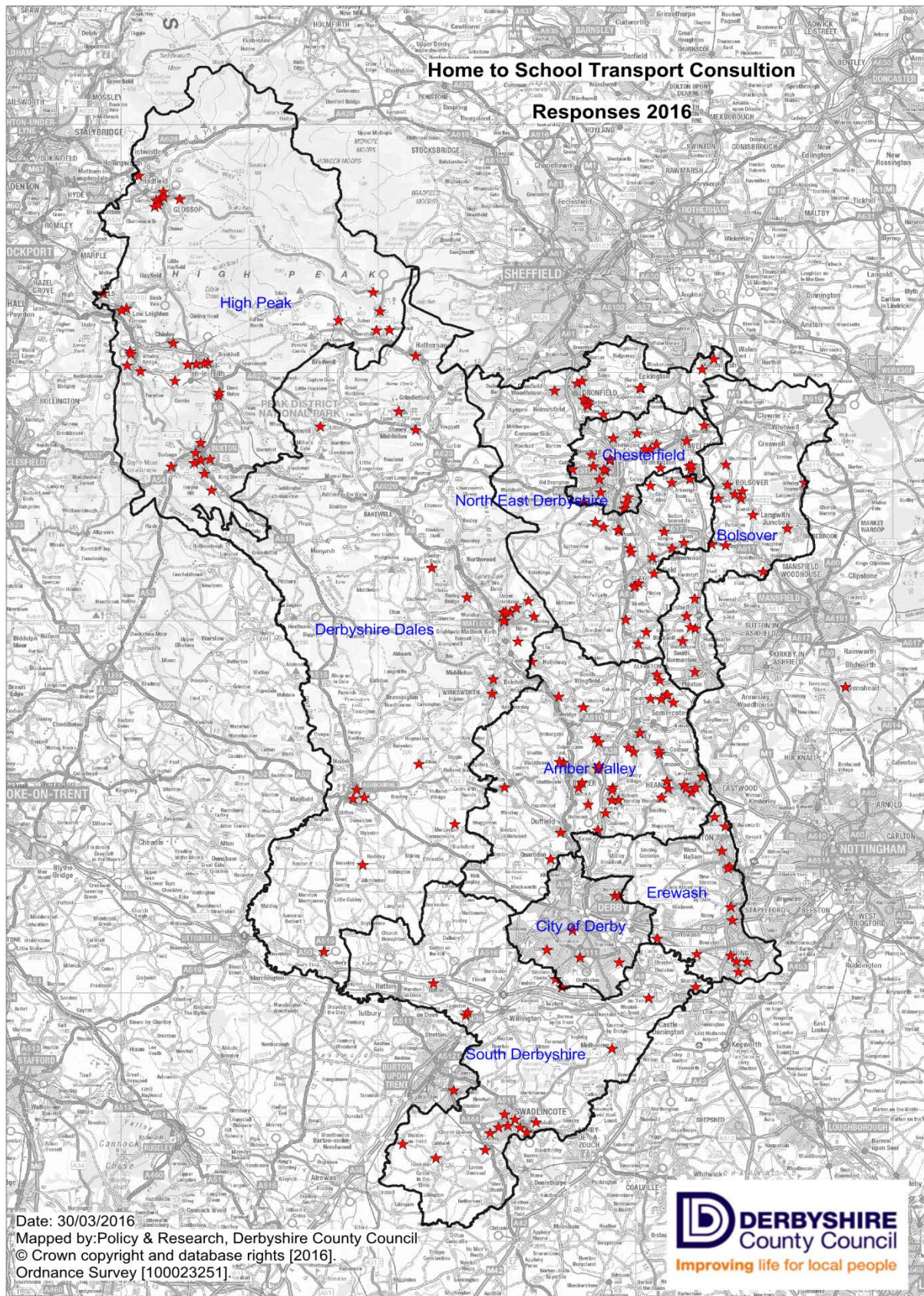
### 5.5.8 Q18 Age

Age	Percentage	Number	Age	Percentage	Number
8	0%	1	46	5%	16
12	0%	1	47	3%	11
16	1%	3	48	5%	16
17	2%	7	49	4%	14
18	1%	5	50	6%	18
19	1%	5	51	4%	13
20	0%	1	52	2%	7
21	1%	2	53	3%	9
22	1%	2	54	2%	6
25	0%	1	55	2%	6
27	0%	1	56	2%	6
30	1%	3	57	2%	5
31	1%	2	58	0%	1
32	1%	2	59	2%	5
33	1%	4	60	1%	4
34	1%	4	61	1%	2
35	2%	9	63	1%	3
36	6%	2	64	0%	1
37	1%	4	65	0%	1
38	1%	5	66	0%	1
39	1%	4	67	0%	1
40	2%	8	69	0%	1
41	1%	4	71	0%	1
42	5%	16	73	0%	1
43	3%	10	76	0%	1
44	4%	13	77	0%	1
45	4%	14	<b>Total</b>	<b>-</b>	<b>133</b>



### 5.8.9 Q19 What is your home postcode?

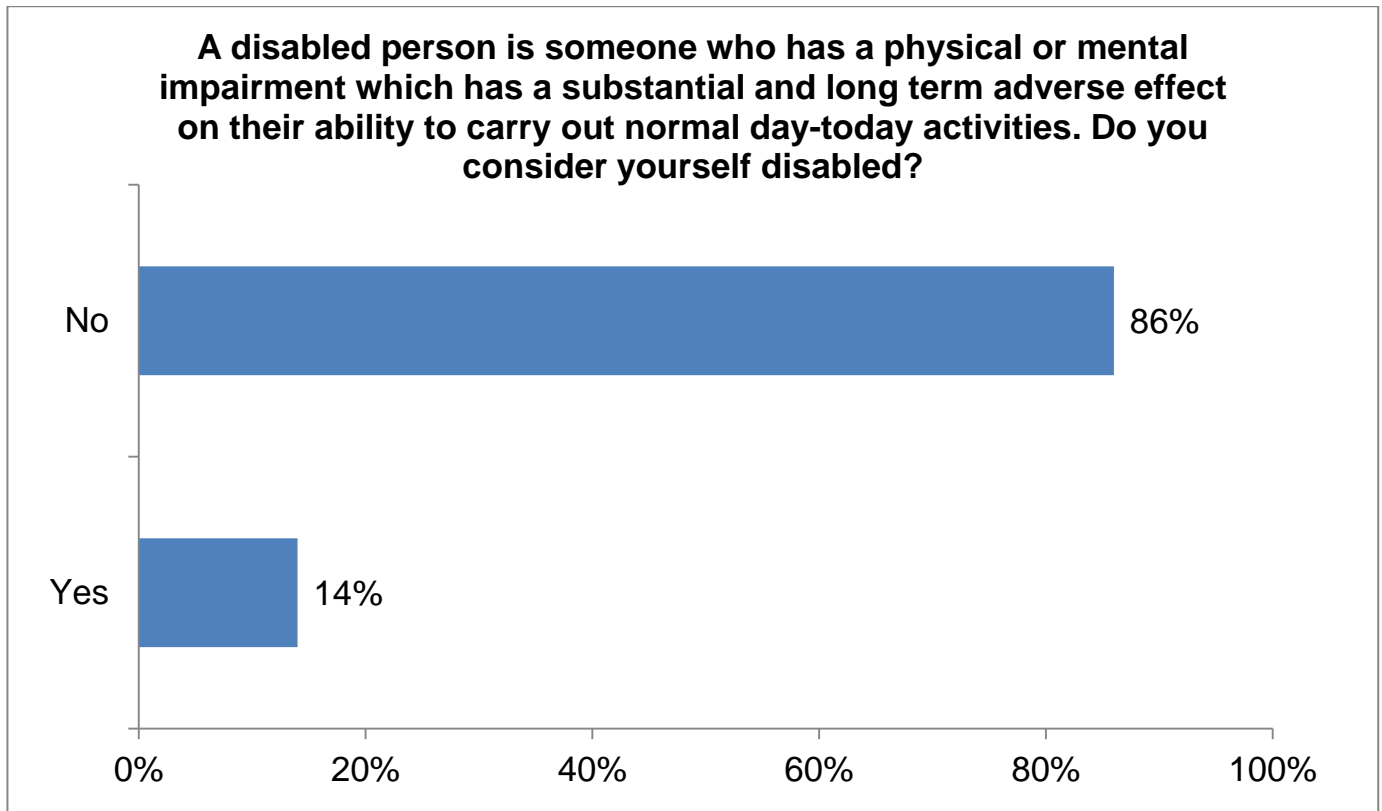
*Individual data not provided*





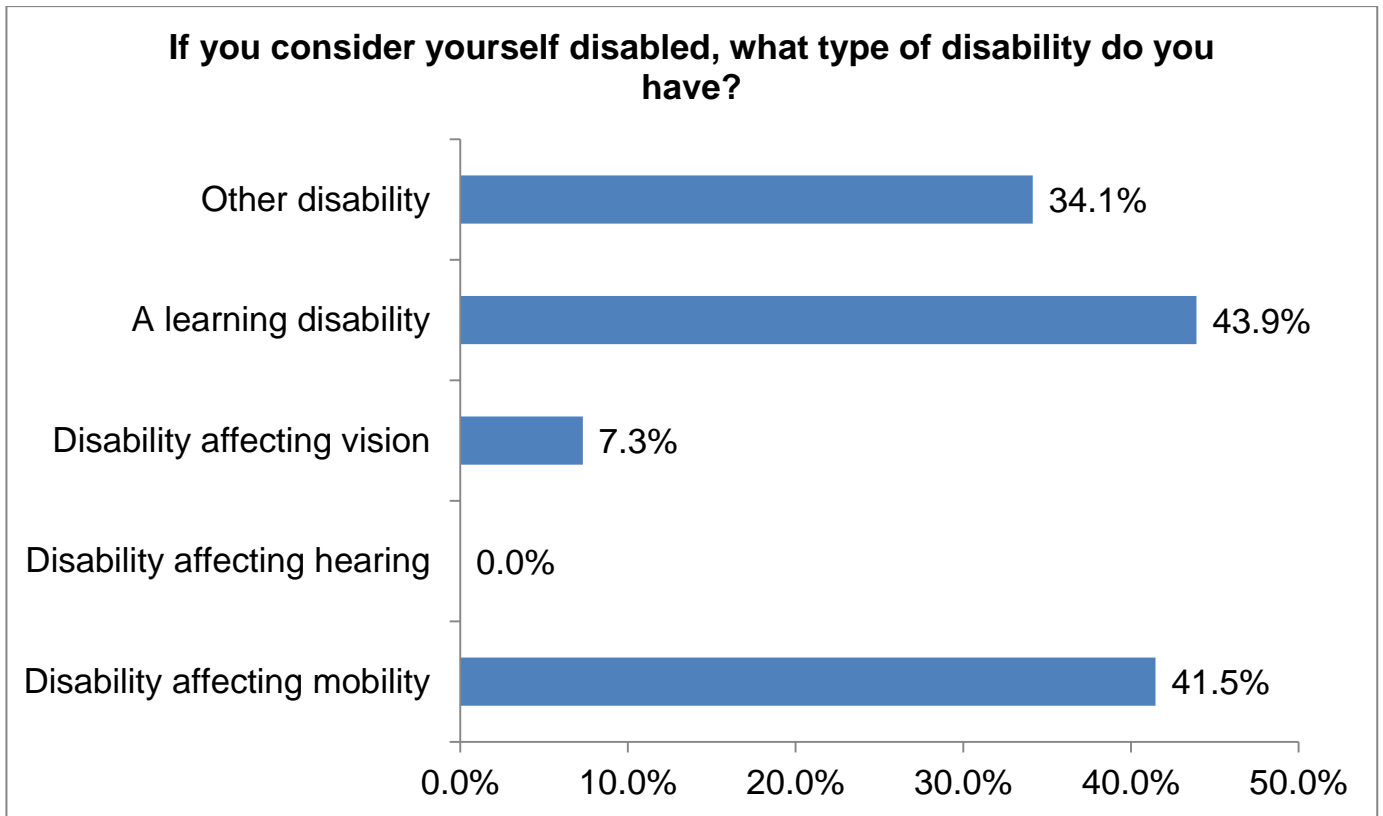
4.5.10 **Q20** A disabled person is someone who has a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. Do you consider yourself disabled?

Yes	14%	41
No	86%	251
<b>Total</b>	<b>-</b>	<b>292</b>



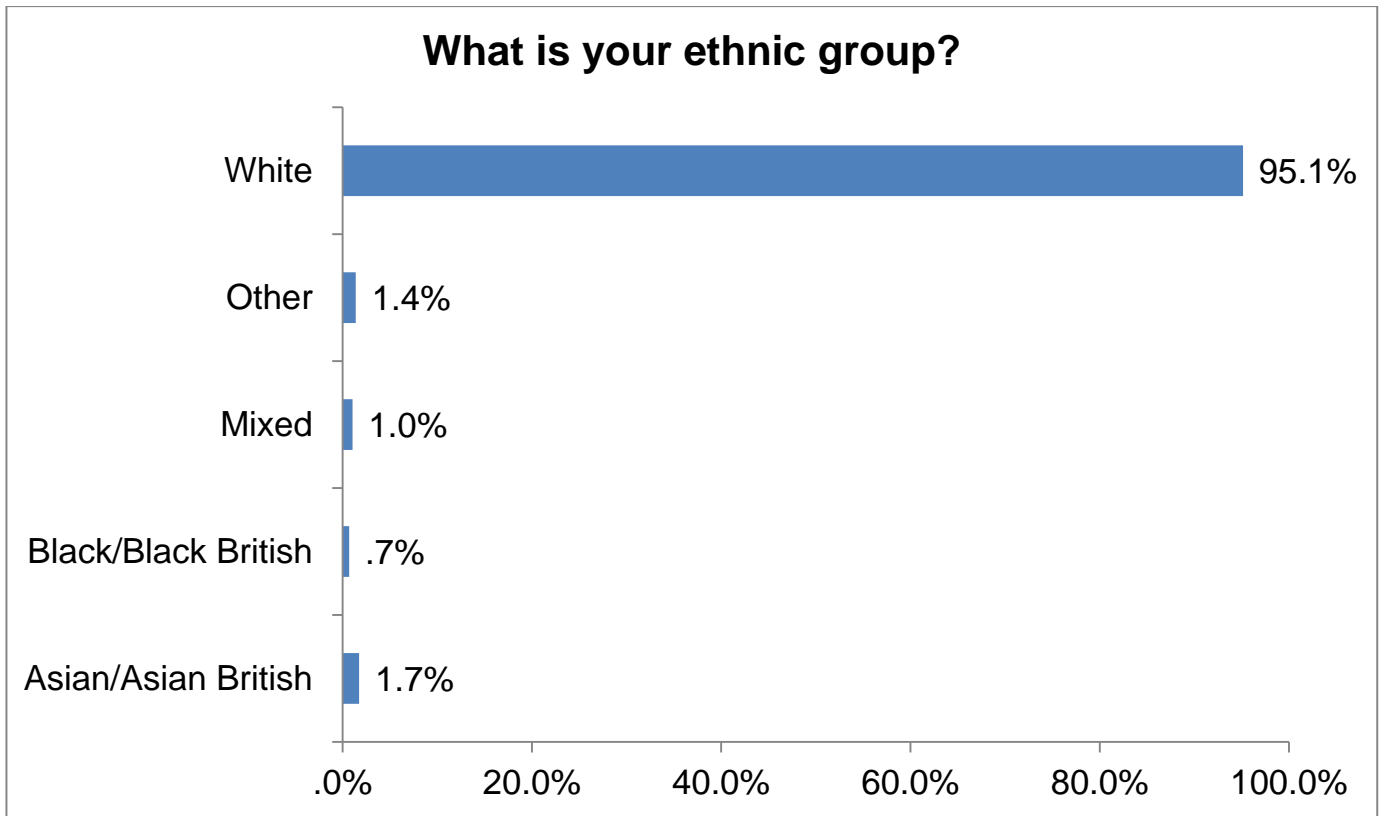
4.5.11 **Q21** If you consider yourself disabled, what type of disability do you have?

Disability affecting mobility	41.5%	17
Disability affecting hearing	0.0%	-
Disability affecting vision	7.3%	3
A learning disability	43.9%	18
Other disability	34.1%	14
<b>Total</b>	<b>-</b>	<b>41</b>



4.5.12 **Q22** What is your ethnic group?

Asian/Asian British	1.7%	5
Black/Black British	0.7%	2
Mixed	1.0%	3
Other	1.4%	4
White	95.1%	274
<b>Total</b>	<b>-</b>	<b>288</b>



## **6 Discussion**

6.1 The results from the consultation show that the main impact of the proposal will be financial with many families stating they will not be able to afford to pay for home to school transport or that the policy will put their families under financial pressure. The impact of this for many children and young adults would be that they are no longer able to attend education settlements; this is according to the consultation responses.

6.2 Responses from the consultation also indicate how children and young adults attending special schools often have to travel further due to the limited number of provisions available and that this means parents would be unable to transport their children without giving up work.

6.3 In total 321 responses were received to the consultation but it is worth noting that whilst this was a very robust consultation survey with a significantly high number of respondents there seems to be some confusion with the questions.

6.4 Firstly some respondents have answered the same comment for all four sections, this makes it more difficult to determine which age group they are concerned with. Secondly some respondents have clearly answered the wrong question, for example said about this would impact their child who goes to college but under the section for pre-school children.

6.5 Lastly there has been some misunderstanding of the question relating to children between the ages of 8-11 who live more than two miles but less than three miles from their normal area school. Some respondents have thought this means all

6.6 8-11 year old students will not be provided with any transport which is not the case and actually only covers a very small number of students.





## **Appendix 3**

### **Post-16 Transport Policy Statement**

**Academic Year 2015 – 2016**

**DERBYSHIRE COUNTY COUNCIL**

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If you would like this document in another language or reading format e.g. large text, please contact us on 01629 536771

## **Post-16 Transport Policy Statement - Academic Year 2015 - 2016**

Derbyshire County Council's transport and travel assistance arrangements for young people of sixth form age; including Post-16 learners subject to a Statement of Special Educational Needs, a Learning Difficulty Assessment or an Education, Health and Care plan.

Department Responsible: Children and Younger Adults

Document first release: May 2015

Policy applicable from: 1 August 2015 to 31 July 2016

### **Introduction**

Eligibility for Post-16 transport and travel assistance arrangements for learners of sixth form age is not prescribed by statute and a local authority must decide what discretionary transport and travel arrangements it considers necessary as a response to local needs. In doing so, however, a local authority must have regard to statutory guidance from the Department for Education: 'Post-16 transport to education and training - statutory guidance for local authorities (February 2014)'.

The Raising of the Participation Age under the Education and Skills Act 2008, requiring young people to participate in education or training up to their 18<sup>th</sup> birthday, has not created any new entitlement to transport beyond age 16.

This Post-16 transport policy document specifies the discretionary transport and travel support arrangements that Derbyshire County Council ('the Authority') considers necessary to facilitate the attendance of Learners of sixth form age; and for Post-16 Learners subject to a Statement of Special Educational Needs, a Learning Difficulty Assessment or an Education, Health and Care plan.

Local authorities must publish their Post-16 Transport Policy Statement by 31 May each year. Exceptionally, it may be necessary for the local authority to amend and republish this policy in-year in response to complaints, or a direction by the Secretary of State, or to provide for additional arrangements / payments / concessions.

The only significant changes to the post-16 transport policy for 2015/16 are those affecting the b\_line concessionary fares scheme (see section 3.1). These changes were the subject of public consultation from 28 January to 29 March 2015. As part of this process, key stakeholders were consulted including young people and their families; local authorities; other council departments; schools, colleges and training providers; bus and train operators; and other organisations representing young people's interests using a variety of methods. Further details of this consultation are available at:

[www.derbyshire.gov.uk/images/2015-05-26%20B\\_Line\\_tcm44-264947.pdf](http://www.derbyshire.gov.uk/images/2015-05-26%20B_Line_tcm44-264947.pdf)

## **1.0 Aims and Objectives**

Derbyshire County Council ('the Authority') has the following aims and objectives regarding its Post-16 Transport Policy:

- to ensure, wherever reasonably possible and having regard to the cost of transport, that learners of sixth form age are able to access the education and training of their choice; and
- to assess and provide transport / travel assistance which is appropriate to meeting eligibility and/or needs, having regard to the cost of transport and any alternative means of facilitating attendance; and
- where travel support is deemed necessary, priority will be given to solutions that will help maximise the development of the young person's independence, for example through independent travel training.

## **1.1 Definition of terms for the purpose of this policy document:**

- The '**Authority**' refers to Derbyshire County Council;
- '**Post-16**' refers to young people (over compulsory school age) aged 16-18 who are attending further education or training; and those 'continuing learners 19-24' (as defined further below) who started their programme of learning before their 19th birthday;
- '**Learner**' refers to a person attending education or training - and in the context of this policy refers specifically to a Post-16 Learner attending further education or training at a school, college or training provider;

- **'Full time course'** refers to an education or training course which meets the definition of full time education (as defined below) and is being delivered by either: an education provider receiving education funding support from the Education Funding Agency ('EFA'), such as a school (including academy) sixth form or a college of further education; or a specialist Post 16 institution delivering a course arranged by the local authority;
- **'Full time education'** - The Department for Education 'Participation of Young People Statutory Guidance; Annex 1, Defining Participation (March 2013)' defines full time education / participation as a minimum of 540 hours of guided learning per academic year. The Authority considers this total number of hours to be met by a course with at least 15 taught hours per week, scheduled to be delivered over 36 or more weeks per year - and all courses for which Post-16 transport or travel assistance is given must meet this requirement. In exceptional circumstances, for example where a break in learning is required for medical needs, a lower number of hours might be considered;
- **'Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities'** - for the purposes of this policy Learners with Learning Difficulties and/or Disabilities includes Post-16 Learners with: a Statement of Special Educational Needs; a Learning Difficulty Assessment (conducted under Section 139A of the Learning and Skills Act 2000); or (from September 2014, as part of the Derbyshire 'Local Offer') an Education, Health and Care plan (Children and Families Act, March 2014).
- **'Continuing Learners 19-24'** refers to Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities aged from 19 to 24, for whom the Authority has arranged a Learning Difficulty Assessment (139A), or who hold an Education, Health and Care plan, which sets out provision for a course of Post-16 full time education or training at: an institution maintained or assisted by the Authority; an institution within the Further Education sector; or a specialist Post 16 Education institution where education together with boarding accommodation has been secured by the Authority.

## **2.0 Overview of eligibility criteria for transport / travel assistance:**

Academic Year 2015/16:

- commences 1 August 2015 and ends 31 July 2016

The Learner must be:

- aged 16-18 and in educational Year 12 or 13 or
- aged 16-19 with a Statement of Special Needs, a Learning Difficulty Assessment (139A of the Learning and Skills Act 2000) or an Education Health and Care plan and attending a special school in educational Year 12, 13, 14; or
- aged 19-24 with a Learning Difficulty Assessment (139A) or an Education Health and Care plan, enrolled on a course before their 19<sup>th</sup> birthday; or
- aged 19-24 with a Learning Difficulty Assessment (139A) or an Education Health and Care plan, where the Authority has deemed it necessary they enrol on a course after their 19<sup>th</sup> birthday; and

The learning establishment the Learner is attending must be:

- a sixth form at an Authority maintained School, Academy School or Special School; or
- a state funded College of Further Education; or
- An establishment where a course of further education has been secured by the Authority, including those with boarding accommodation.

Type of course:

- The Learner must be enrolled on a Study Programme scheduled to provide at least 15 taught hours per week, over 36 or more weeks. In exceptional circumstances, for example where a break in learning is required for medical needs, a lower number of hours might be considered;
- Please note, the Authority does not provide transport or travel assistance for part time courses; higher education; or non-state funded education, unless the Learner is on a course which has been arranged through the Authority.

Residence:

- the Learner's permanent home address must be in the county of Derbyshire (not including Derby City) and will normally be the home address enrolled/registered with the school or college; and
- where a Learner subsequently moves address the eligibility will be re-determined; and
- Where a Learner shares equal time between different parental addresses eligibility will be assessed from the property nearest to the school or college attended.

## **2.1 Overview of transport / travel support:**

Support for Learners in educational years 12 & 13 includes:

- 'b\_line2' - Derbyshire County Council's travel concession card for young people
- 'spare seats' - school sixth formers may purchase a seat (where available) on a contract school bus service;
- College bus services (arranged by colleges; not the Authority);
- student fares offered by public transport operators;
- financial assistance from the 16-19 Bursary Fund (and other funding) may be available from Schools, Academies and Colleges; and

Support for eligible Learners with Learning Difficulties and/or Disabilities, in educational years 12, 13, 14; and up to age 24, includes:

- Independent Travel Training;
- Parental car mileage re-imbursement;
- Bus / rail pass (including disabled person's Gold Card);
- Minibus - shared occupancy (with escort if deemed necessary);
- Taxi - solo or shared occupancy (with escort if deemed necessary);
- Specialist vehicle, e.g. one with medical support equipment and/or staff;
- financial assistance from the 16-19 Bursary Fund (and other assistance) may be available from Schools, Academies and Colleges.

## **2.2 Apprenticeships and Traineeships:**

The Authority does not provide transport for Apprenticeships or Traineeships. The Authority does, however, contribute towards 'Wheels to Work' in Derbyshire, a low cost scooter hire and travel support scheme, providing affordable transport to individuals who are unable to access training, employment or education due to a lack of suitable public or private transport. To find out more call 01629 821923 or go to [www.ruralactionderbyshire.org.uk/wheels-to-work.html](http://www.ruralactionderbyshire.org.uk/wheels-to-work.html)

## **3.0 Concessions / 'Spare Seats' / College bus services / 16-19 Bursary:**

### **3.1 b\_line travel concession card:**

All young people up to their 19<sup>th</sup> birthday, who live in Derbyshire, are eligible for a free 'b\_line2' card issued by the Authority. This includes young people in full time education and on training courses, apprentices and young people looking for work.



To qualify for 25 per cent b\_line discount, young people have to be over 16 years of age. Under 16s will qualify for the bus or train operators' own cut-price tickets. In most cases these are currently better than or match the b\_line discount. For further information about b\_line please visit Derbyshire County Council's 'Youthinc' website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

Production of a 'b\_line2' card issued by the Authority, when purchasing a fare on a bus or train can reduce the cost of travel by up to 25 per cent on ordinary singles / returns and day returns. The b\_line2 card can also be used to obtain 25 per cent off some saver, season or multi-journey tickets.

Young people can use a 'b\_line2' card for travel on:

- normal scheduled bus and train services between any two points in Derbyshire;
- a bus service going outside the county, provided that the journey starts or finishes in Derbyshire;
- train services going outside the county as far as Sheffield, Nottingham, Burton, Uttoxeter or Manchester (and intermediate stations on these lines), as long as one end of the journey is in Derbyshire.

There are no restrictions on the times for use of 'b\_line2' travel cards – card holders benefit from concessions on any day of the week and at any time of the day.

Lost or defaced b\_line cards: If a 'b\_line2' card is lost, becomes damaged or defaced the full travel fare must be paid until a replacement card is obtained. £5 is charged for all replacement cards.

For further information about b\_line please visit Derbyshire County Council's 'Youthinc' website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

### **3.2 'Spare Seats' available on Derbyshire County Council school transport:**

Sixth form learners may be able to purchase a pass that allows them to travel to and from a school or Academy on a contract school bus, minibus or specialised

transport service, which does not have a fare paying facility - i.e. not on public buses that call at or near schools.

### **3.3 Cost of Spare Seat Assistance:**

The annual charge per student is **£360** for the 2015-2016 academic year. Parents have the choice of making payment on an annual, monthly or school term basis. A range of payment methods is available. To make enquiries, please see section 8.2 further below.

Please note that Spare Seat Assistance is offered on a first come first served basis. The Authority will endeavour to accommodate all applications for Spare Seats, but the number of Spare Seats may vary each term and places cannot be guaranteed (priority will be given to providing seats for eligible pupils of compulsory school age).

### **3.4 College bus services:**

A number of colleges in Derbyshire provide/arrange bus services for students and some offer a wide network of routes. College buses may be available to students free of charge, whilst others require the purchase of a travel pass from the college at a cost set by the college and not the Authority. Most college bus passes are restricted to specified college services, but some passes also allow subsidised travel on certain public service buses during term time. For further information contact the College directly – see College contact details at section 11.0 further below.

Depending on where the Learner lives and their choice of college, the Learner might need to travel to the college on regular public transport. In this case the b\_line2 card will help to reduce the cost of public transport to the college.

### **3.5 Gold Card for persons with disabilities:**

The Derbyshire Gold Card is a free bus travel pass, generally issued to older people who have attained state pension age for women. Younger persons of any age with particular disabilities may also be eligible for a Gold Card. Gold Card is operated under the terms of the English National (ENTCS) Concessionary Travel

Scheme and allows free travel on local buses anywhere in England after 9.30am and up to 11.00pm on weekdays, and at weekends and on bank holidays at any time. Any travel before 9.30am on weekdays will be charged at the normal fare.

For further details please phone Call Derbyshire on 01629 533190 or go to [www.derbyshire.gov.uk/transport\\_roads/public\\_transport/tickets\\_passes/concessionary\\_fares/goldcard/default.asp](http://www.derbyshire.gov.uk/transport_roads/public_transport/tickets_passes/concessionary_fares/goldcard/default.asp)

### **3.6 Financial support from the ‘16 -19 Bursary Scheme’:**

If the Learner is aged 16-19 and studying or starting a full time course they may be eligible for financial support from the Government funded 16-19 Bursary Scheme. Schools and colleges are responsible for awarding bursaries from the scheme to students who are facing difficulties in meeting the essential education-related costs of their course, including transport to school or college. Further information is available at [www.gov.uk/1619-bursary-fund](http://www.gov.uk/1619-bursary-fund)

Please make enquiries regarding support from the 16 -19 Bursary Scheme direct to the school / college the Learner is, or will be, attending.

### **4.0 Support for learners who reach 19 whilst continuing on a course:**

**4.1** The b\_line2 student travel concession scheme is only available up to the young person's 19<sup>th</sup> birthday. Some public transport operators, however, offer their own young person / student concessions that help reduce travel costs for learners aged 19 and over. Please make enquiries direct to your local bus or rail operator.

**4.2** For Continuing Learners 19-24 (as defined in section 1.1 above) who have Learning Difficulties and/or Disabilities, transport arrangements may be provided until their relevant course is completed. Please see section 5.0 below for further eligibility details.

### **5.0 Transport assistance for Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities, including those over 19:**

**5.1** Where it is possible to do so without detriment, learners who have a Statement of Special Educational Needs or a Learning Difficulty Assessment (139A of the Learning and Skills Act 2000) or an Education, Health and Care Plan, will be expected to access the general Post-16 travel arrangements; and

**5.2** Where this is not possible, learners with a Statement of Special Educational Needs or a Learning Difficulty Assessment (139A) or an Education, Health and Care Plan, which sets out their individual transport provision/needs, may be provided with transport assistance to the nearest suitable school, further education college or independent specialist provider (and this may be in a neighbouring local authority area) which, in the opinion of the Authority, provides an appropriate Post-16 full time course and is suitable to make provision for the Learner's learning difficulty and/or disability.

In determining transport provision/needs, the Authority will, in the first instance, explore if a parent is able to provide transport and receive a mileage reimbursement. If this is not possible the Authority will consider alternative transport arrangements.

This work is undertaken by the Youthinc Personal Adviser. Should the student not have a Personal Adviser then please contact Service for Teenagers on 01629 536786/536156.

**5.3** As part of the needs assessment process, the potential for the Learner to take part in Independent Travel Training will be discussed where appropriate (see section 7.0 below).

#### **5.4 Charges:**

From September 2014, sixth form Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities for whom transport assistance is provided by the Authority have been subject to a contribution towards the cost of the transport. Additionally, continuing Learners aged 19-24, including those subject to a Learning Difficulty Assessment (139A) or an Education, Health and Care plan, who begin a study programme course of education or training before the age of 19 and continue to attend that course, will be charged for transport arrangements made by the Authority.

The contribution will be charged at the same rate as the Spare Seats Assistance charge for other Learners of sixth form age; with a lower rate for those Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities who meet low income family criteria (see section 5.6 below). However, existing students will be protected from the charge while they complete a course started in September 2013 or before.

The charge for academic year 2015–2016, applicable from September 2015, is **£360** normal rate; and **£240** lower rate for those who meet the low income family criteria in section 5.6 below.

Parents have the choice of making payment on an annual, monthly or school term basis. A range of payment methods is available.

Where the higher rate mobility component of Disability Living Allowance is received for the young person, and is taken in the form of a vehicle, it would be expected that the vehicle be used to transport the young person to their place of learning. If it is not used, the charges would apply.

## **5.5 Low income criteria**

For the purposes of charges in section 5.4 above, low income family criteria will be met if the Learner's household is in receipt of one or more of the following benefits:

- maximum level of Working Tax Credit;
- Income Support;
- Jobseekers Allowance (Income Based);
- the Guarantee element of Pension Guarantee Credit equivalent to/less than Jobseekers Allowance (Income Based);
- Support under part VI of the Immigration and Asylum Act 1999;
- Income Related Employment and Support Allowance.

Documentary evidence demonstrating benefit entitlement must be provided to support the low income criteria.

If you qualify under low income criteria and your circumstances change part way through the year you must let us know.

**5.6** Whilst the Authority encourages the participation in education and training by persons who are over compulsory school age but under 19, and persons aged 19-24 subject to Learning Difficulty Assessment (139A), or Education Health and Care plan learners are expected to meet the cost of travel between home and the establishment at which they are receiving education or training except in the circumstances set out in section 5.8 below. The Authority will offer support and assistance by providing information about: any schemes under Section 93 Transport Act 1985 providing travel concessions; local transport providers and services; and other sources of additional support.

**5.7** The Authority will make such transport arrangements as it considers necessary. If a Learner and their parents choose attendance at an education or training institution which does not fall within the Authority's Post-16 policy arrangements, transport assistance will not normally be given.

## **5.8**

The Authority will provide free transport to young adult learners aged under 25 (not being persons of statutory sixth form age) in the following circumstances only:

- A. Where the Authority had secured the provision of education or training and the provision of boarding accommodation under Section 514A Education Act 1996 for an adult learner aged under 25 and subject to a Learning Difficulty Assessment (139A), or Education Health Care plan and the Authority considered that the provision of transport by the Authority was necessary to facilitate that person's attendance at the place where the education or training was being provided.
- B. Where an adult learner subject to a Learning Difficulty Assessment (139A), or Education Health Care plan was receiving education at an establishment maintained or assisted by the Authority and providing Further Education, or at a College of Further Education or specialist Post 16 institution, and the Authority considered that:
  - a) that person's attendance on that course was reasonably necessary; and

- b) it was necessary for the Authority to provide transport to facilitate that person's attendance on the course.

In deciding whether it was necessary for the Authority to provide free transport for a learner aged between 19-25, the Authority would, amongst other things, have regard to:

- The adult learner's age, ability and aptitude
- Any learning difficulties the person may have
- The quality of the education or training
- The locations and times at which the education or training is provided
- The nature of the route, or alternative routes, which the learner could reasonably be expected to take.

For the purposes of deciding whether to provide free transport the Authority would not consider it necessary, other than in exceptional circumstances, for an adult learner to attend a Further Education course where the learner had previously attended a course at an establishment within the Further Education sector.

## **6.0 Review of Refused Transport Request:**

Where Post-16 transport assistance is refused there will be an opportunity for the parent/carer to have their circumstances reconsidered. A parent/carer has 20 working days from receipt of the Authority's transport decision to make a written request asking for a review of the decision by completing a Review Form, obtainable from the Student Services office:

Tel: 01629 533260 or email [admissions.transport@derbyshire.gov.uk](mailto:admissions.transport@derbyshire.gov.uk)

The written request should detail why the decision should be reviewed and give any details of exceptional family circumstances, attaching any necessary supporting evidence.

Within 20 working days of receipt of the Review Form, a senior officer panel will review the original decision and inform the parent/carer of the decision in writing. The panel will comprise of officers not party to the original decision.

## **7.0 Independent Travel Training:**

The Authority recently introduced Independent Travel Training for young people who might face difficulty with using public transport, to help them live more independently. This service is being delivered in partnership with National Star Foundation and is currently only available for Learners with Learning Difficulties and /or Disabilities who are eligible for transport assistance.

For further details please contact:

Gemma Crammond, Travel Trainer (National Star Foundation)

email [gcrammond@natstar.ac.uk](mailto:gcrammond@natstar.ac.uk) or call 07805 745341; or

Claire Howells, Programme Manager (Derbyshire County Council)

email [claire.howells@derbyshire.gov.uk](mailto:claire.howells@derbyshire.gov.uk) or call 01629 535731.

## **8.0 When and how to apply for transport assistance:**

**8.1** b\_line2 cards are issued through Derbyshire schools and colleges and through direct applications to the Authority. For further information about b\_line please visit Derbyshire County Council's 'Youthinc' website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

**8.2** Applications for 'Spare Seats' for the following academic year can be made from Easter onwards. To enquire about Spare Seats, bus routes and places served please contact the School Transport Team:

Please email [schooltransport@derbyshire.gov.uk](mailto:schooltransport@derbyshire.gov.uk) or telephone 01629 536740.

**8.3** Applications for travel assistance for Learners with a Learning Difficulty and/or Disability for the following academic year should be made to the Student Services team during the preceding summer term.

Please email [Admissions.transport@derbyshire.gov.uk](mailto:Admissions.transport@derbyshire.gov.uk) or telephone 01629 533260.

## **9.0 Travel to a course beyond the local authority area:**



**9.1** The b\_line 2 card is valid for journeys to and from some destinations just outside Derbyshire, provided the journey starts or finishes in Derbyshire. For further information about b\_line please visit Derbyshire County Council's 'Youthinc' website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

**9.2** Where the normal area school sixth form is located in a neighbouring local authority area, Spare Seat Assistance on school buses may be available.

**9.3** For Learners with a Learning Difficulty and/or Disability please refer to section 5.0 above and section 10.0 below.

**9.4** Colleges located in Derby city and in neighbouring local authority areas may provide college bus routes for students travelling from Derbyshire – please see section 11.0 for contact details

**10.0 Learners who attend a further education institution which is beyond daily travelling distance and they need to stay away:**

The Authority does not normally provide transport assistance for residential placements. We may, however, provide assistance for Post-16 learners with Learning Difficulties and/or Disabilities for whom a residential placement has been arranged by the Authority.

**11.0 Points of contact and sources of information:**

**Derbyshire County Council's website** [www.derbyshire.gov.uk](http://www.derbyshire.gov.uk)

**Call Derbyshire** Tel: 01629 533190 or 08456 058 058  
or email: [contactcentre@derbyshire.gov.uk](mailto:contactcentre@derbyshire.gov.uk)

**Derbyshire County Council's School Admissions and Transport Team**  
office: Tel: 01629 533260 email: [admissions.transport@derbyshire.gov.uk](mailto:admissions.transport@derbyshire.gov.uk)

**Colleges with dedicated bus routes serving Derbyshire:**

**Bilborough Sixth Form College** [www.bilborough.ac.uk](http://www.bilborough.ac.uk) Tel. 0115 851 5000

For information on **dedicated college bus routes** go to:  
[www.bilborough.ac.uk/about/transport](http://www.bilborough.ac.uk/about/transport)

**Burton and South Derbyshire College** [www.bsdc.ac.uk/](http://www.bsdc.ac.uk/) Tel. 01283 494400  
For **transport information** go to:  
<http://www.bsdc.ac.uk/student-life/learner-services/getting-here>

**Buxton & Leek College** [www.blc.ac.uk](http://www.blc.ac.uk) Tel: 0800 074 0099  
For **college bus information** go to:  
<http://www.blc.ac.uk/student-handbook/transport/buses/>

**Cheadle and Marple Sixth Form College** [www.camsfc.ac.uk](http://www.camsfc.ac.uk)  
For **transport information** go to:  
<http://cheadle.cmcnet.ac.uk/contact/and> <http://marple.cmcnet.ac.uk/contact/>

**Chesterfield College** [www.chesterfield.ac.uk](http://www.chesterfield.ac.uk) Tel: 01246 500500  
For **college bus information** telephone 01246 500522,  
or go to: <http://www.chesterfield.ac.uk/bus-pass>

**Derby College** [www.derby-college.ac.uk](http://www.derby-college.ac.uk) Tel: 0800 028 0289  
For **travel options** go to: [www.derby-college.ac.uk/index.php/travel-options.html](http://www.derby-college.ac.uk/index.php/travel-options.html)  
For **inter-site shuttle bus information** go to:  
<http://www.derby-college.ac.uk/index.php/travel-options/bus.html>

**Macclesfield College** [www.macclesfield.ac.uk](http://www.macclesfield.ac.uk) Tel 01625 410002  
For information on **dedicated college bus routes** go to:  
[www.macclesfield.ac.uk/support/transport.aspx](http://www.macclesfield.ac.uk/support/transport.aspx)

**Vision West Nottinghamshire College** [www.wnc.ac.uk](http://www.wnc.ac.uk) Tel. 0808 100 3626  
For information on **dedicated college bus routes** go to:  
[www.wnc.ac.uk/Under-19s/Getting-to-college.aspx](http://www.wnc.ac.uk/Under-19s/Getting-to-college.aspx)

### **School and College contacts:**

#### **Secondary Schools:**

A list of Derbyshire secondary schools with contact details is available on the Derbyshire County Council website at

[http://www.derbyshire.gov.uk/education/schools/search\\_schools/secondary\\_schools/default.asp](http://www.derbyshire.gov.uk/education/schools/search_schools/secondary_schools/default.asp)

#### Special Schools:

A list of Derbyshire special schools with contact details is available on the Derbyshire County Council website at [http://www.derbyshire.gov.uk/education/schools/search\\_schools/special\\_schools/default.asp](http://www.derbyshire.gov.uk/education/schools/search_schools/special_schools/default.asp)

#### **Sources of information on Public Transport:**

Comprehensive **information on all public transport** serving Derbyshire (and Derby city) is available from the public transport section of the **Derbyshire County Council website** at [www.derbyshire.gov.uk/buses](http://www.derbyshire.gov.uk/buses)

Alternatively, constantly updated **online bus timetables** are available at [www.derbybus.info](http://www.derbybus.info) This website includes **online bus route maps**.

For **online train information** go to [www.nationalrail.co.uk](http://www.nationalrail.co.uk)

For information on public transport by phone for Derbyshire or further afield call Traveline 0871 200 2233 or go to [www.travelineeastmidlands.co.uk](http://www.travelineeastmidlands.co.uk)

Many **bus operators** serving Derbyshire have websites with details of fares, timetables, mobile phone apps, etc. Some are listed here:

- Trent Barton [www.trentbarton.co.uk](http://www.trentbarton.co.uk)
- Stagecoach [www.stagecoachbus.com](http://www.stagecoachbus.com)
- Arriva Midlands [www.arrivabus.co.uk/midlands](http://www.arrivabus.co.uk/midlands)
- High Peak Buses [www.highpeakbuses.com](http://www.highpeakbuses.com)
- TM Travel [www.tmtravel.co.uk](http://www.tmtravel.co.uk)
- Hulleys [www.hulleys-of-baslow.co.uk](http://www.hulleys-of-baslow.co.uk)
- Midland Classic [www.midlandclassic.com](http://www.midlandclassic.com)
- Notts & Derby [www.nottsderby.co.uk](http://www.nottsderby.co.uk)
- Yourbus [www.catchyourbus.co.uk](http://www.catchyourbus.co.uk)



Transport Policy For Children and  
Young People

DERBYSHIRE COUNTY COUNCIL

May 2014

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## 1. Introduction

This policy explains the entitlement to travel assistance for Derbyshire children and young people, and in some cases their families, including those who have additional needs such as children with learning difficulties or disabilities. It sets out the criteria for eligibility for travel assistance, how parents may apply, how decisions are made and the type of assistance that may be available and how parents and carers may have decisions they are unhappy with reviewed.

In developing and implementing this policy, the following principles are applied:

- The policy should be applied fairly, and consistently;
- Wherever possible, independence for children, young people and families should be promoted;
- Value for money should be secured.

The policy is intended to provide clarity for parents and carers in a wide range of circumstances, and to ensure that children with additional needs are appropriately supported. However, it is the legal responsibility of parents to ensure that their children of compulsory school age are educated at school or otherwise.

Extensive consultation with parents, carers, children and young people has informed this policy, and in support of the policy an Equality Impact Assessment has been undertaken to ensure that it does not unfairly disadvantage any group or individual.

The scope of this policy includes all travel assistance provided by Derbyshire County Council (the Authority) for children, young people and families to services, schools and places of learning.

The Authority has a duty to ensure that all arrangements make the best use of the Council's resources.

This policy applies to all children and young people who are resident in Derbyshire, excluding those living in the Derby City Local Authority area, and includes all children looked after by Derbyshire County Council.

## **2. Home to school transport for children and young people of statutory school age**

Home to school transport is provided for statutory school age children whose circumstances meet the Authority's home to school transport criteria as explained below.

Statutory school age starts at the beginning of the term following the child's 5th birthday and lasts until the last Friday in June in the school year the child becomes 16. In law, there is no requirement to assist with education transport for children younger than statutory school age.

The Raising of the Participation Age (RPA) legislation, requiring young people to participate in education or training until the end of the academic year they turn 17 from 2013 (and up to their 18th birthday from 2015), has not created any new entitlement to transport for post-16 learners.

### **2.1 Choice of School**

The offer of a school place does not give a guarantee of home to school transport assistance from the Authority. Parents have a right in law to state a school preference for their child but that does not automatically carry with it a right to assistance with transport to get the child/ young person to and from school.

Unless the circumstances fall into one of the *General Eligibility Criteria* (section 2.2) or the *Home to School Transport for Low Income Families criteria* (section 2.3), the child's parents or carers will be required to make their own arrangements to get their child to school.

### **2.2 General eligibility criteria**

In Derbyshire, provision is made for eligible pupils, at the beginning of the academic year in which their fifth birthday falls, and who live over statutory walking distance from the normal area school attended full time, until they finish school in year 11.

Children and young people of compulsory school age are entitled to assistance with transport from the Authority to a maintained school, academy, or other establishment if named in a statement of special educational needs, if they meet the following criteria:

- Attend the normal area school, or a school closer than the normal area school, or the nearest suitable school as determined by the Authority, and;
- Live beyond walking distance from that school.

The walking distance is 2 miles for primary school pupils and 3 miles for secondary school pupils using the 'shortest available walking route', as detailed in section 2.5.

School normal areas are determined by the Authority, or in the case of faith schools, by the diocese in partnership with the Authority. See 2.4 Transport to faith schools.

In the exceptional circumstances of a child being educated outside their normal chronological age group any transport application will be assessed according to the age of the majority of children they are educated with.

Whilst not exhaustive, the list below indicates cases where there will not usually be an entitlement to transport assistance from the Authority, with the exception of children in the care of the Authority:

- To access breakfast or after school clubs including out of school activities;
- To work experience, taster or open days;
- To part-time provision off the school site organised by the school;
- For transfers between educational establishments during the school day;
- To and from temporary addresses including friends and child minders where these arrangements are made by the family;
- To and from medical appointments;
- Following detention;
- At times to suit the convenience of family arrangements;
- For late arrival or early departure, for example due to illness or medical appointments;
- For shorter than normal days e.g. during the exam season;
- For a child whose level of attendance is a cause of concern, but for whom no eligibility criteria are met;
- For students on exchange visits;
- Where the behaviour of a young person is not acceptable to the driver of the vehicle and places other travellers at risk. In these circumstances parents will be required to make alternative arrangements (See Appendix C);



## **2.3 Home to school transport for families with low incomes**

The Education and Inspections Act 2006 introduced additional transport assistance for families with low incomes under the term *Extended Rights*.

Children aged 11-16 who are entitled to free school meals or whose families get the maximum level of working tax credit are entitled to free transport to any one of the three nearest suitable schools where the distance is between two and six miles. Where the school is preferred on grounds of religion or belief the distance is between two and fifteen miles if the school is the nearest appropriate school. Evidence to support religious or philosophical belief will be required.

Distance measurement up to three miles is determined using the 'shortest available walking route', as detailed in section 2.5 below. Any distance measurements over three miles linked to low income entitlement shall be determined using a road route suitable for a motorised vehicle.

In Derbyshire, all children of primary school age (regardless of family income) are entitled to free transport to the nearest suitable school where the 'shortest available walking route' is more than two miles, as detailed in section 2.5. This exceeds the minimum statutory entitlement. Eligibility for transport assistance may be checked annually. If parents are no longer eligible they will be required to meet their child's transport costs. Should a family's circumstances change they will need to inform the Authority at the earliest opportunity in order for their eligibility for assistance to be re-assessed,

## **2.4 Transport to faith schools**

**THE AUTHORITY IS CEASING TO PROVIDE A TRANSPORT SUBSIDY TO FAITH SCHOOLS FROM SEPTEMBER 2015. PROTECTION WILL BE GIVEN FOR PUPILS IN YEARS 6 and 11 FOR THE ACADEMIC SCHOOL YEAR 2015/16. This will mean that the Authority will not contract any buses to provide transport to faith schools from July 2016.**

### **Until July 2015**

Parents choosing a voluntary aided faith school on religious grounds may be eligible to receive assistance with transport if the chosen school is the normal area voluntary school (in most cases the nearest voluntary

school) and the school is outside walking distance (see section 2.2 *General Eligibility Criteria*).

Since September 2011, pupils starting at faith primary and secondary schools no longer receive free travel to their school except for those who are entitled to free travel on distance or low income grounds (see sections 2.2 and 2.3).

The charge for provision of transport to faith schools for non-eligible pupils for the 2013/14 and 2014/15 academic years will be £316 per annum for primary and £349 per annum for a secondary age pupil.

This charge also applies to pupils whose circumstances change, such as a change of home address or change of school. Should a family's circumstances change they will need to inform the Authority in order for their eligibility for assistance to be re-assessed.

In the case of Catholic schools, only Roman Catholic baptised children are eligible to receive assistance with travel. In all such requests, baptismal certificates are required as necessary evidence. For other faith schools or other denominational aided schools applicants must provide a letter from a religious/faith leader evidencing their allegiance to the faith perhaps through worship.

Pupils with disabilities who have chosen a school on faith grounds would be subject to a charge consistent with other charges for local authority provided transport, and subject to any provision set out in a Statement of Special Educational Needs.

Parents will have the facility to pay on an annual, termly or monthly basis. A maximum charge relating to two pupils per household will be observed.

### **September 2015 - July 2016**

Although the provision of subsidised transport to faith schools will cease in September 2015, protection will be offered to pupils in key years - those entering years 5 and 10 in September 2014 (therefore years 6 and 11 in September 2015). Spare seats will be available to all pupils on this transport sold on a first come first served basis. The charge for these seats will be consistent with other charges for local authority provided transport. In September 2015 the spare seat charges will be £325 for a primary pupil and £360 for a secondary pupil.

## September 2016 onwards

Children aged 11-16 who are entitled to free school meals or whose families get the maximum level of working tax credit are entitled to free transport to any one of the three nearest suitable schools where the distance is between two and six miles. Where the school is preferred on grounds of religion or belief the distance is between two and fifteen miles if the school is the nearest appropriate school. Evidence to support religious or philosophical belief will be required. Any distance measurements over three miles linked to benefit entitlement are done using road routes.

The Council is to give a grant to a hardship fund which is to administer by the relevant Diocesan authorities. These grants are intended to be used in support of families and pupils particularly disadvantaged by the changes. In particular those identified as particularly vulnerable which include pupils living some distance from others travelling to the school and without an alternative means of transport, and families with an income just above the threshold for entitlement to free transport on the grounds of low income for whom the costs may be prohibitive. Applications will be dealt with by the relevant Diocesan authority directly.

### 2.5 Distance measurement

Home to school distance is measured from the child's residential address, from the established pedestrian access point for the property - for example, the front gate - to the nearest approved entry point to the school site, using the 'shortest available walking route'.

Measurements are made from one permanent address for a pupil, deemed to be the residence at which the child resides during the normal school week. Where the child subsequently moves address the eligibility will be re-determined. Where the child shares equal time between different parental addresses eligibility will be assessed from the property nearest to the school attended.

The '**shortest available walking route**' is the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads.

Any distance measurements over three miles linked to low income entitlement shall be determined using a road route suitable for a motorised vehicle.

From September 2014 distance measurements for all new applicants will normally be determined using a computerised GIS mapping system using Ordnance Survey information. Distance measurements for existing users may include routes and distance measurements already held on file by the Authority.

## **2.6 Hazardous Routes**

Transport assistance will be provided if the Authority considers that the route a pupil would normally be expected to walk to school is hazardous and the alternative route/s is/are over the statutory walking distance. The assessment criteria are set out in appendix A.

When considering a walking route it is expected that the child will be accompanied by an adult or other responsible person as necessary. Arranging this is the responsibility of the parents/ carers.

## **2.7 Spare Seats**

Where the Authority provides contract vehicles, spare places may be offered on request and on a temporary basis for children who are not entitled to transport assistance based on the criteria in sections 2.2 and 2.3. For 2014/15 where a child takes up a spare seat a charge will be made of £349 per annum for a secondary age pupil and £316 per annum for a child of primary school age. For 2015/16 the charge will be £360 per annum for a secondary age pupil and £325 per annum for a child of primary school age. This charge will increase by the rate of inflation in the September of each year.

The Authority reserves the right to determine the allocation of these spaces based on the demand and space available at the time, and to determine charges.

The Authority cannot guarantee the spare seat place for the duration of the child's attendance at that school and will make every effort to give a minimum of one week's notice should a place have to be withdrawn at any time. There is no appeal against withdrawal of concessionary transport, as from the outset, this offer does not commit the Authority to future assistance.

The facility for children who are not entitled to transport assistance from the Authority to pay to use spare seats, does not apply to buses which charge a daily fare for travel.

## **2.8 Short term medical needs**

In most cases, the Authority will not provide transport assistance when a child has a medical condition or need that is short term. If a short term need affecting mobility means that the pupil cannot be reasonably expected to walk to school, some assistance may be provided, and would be assessed on an individual basis using written evidence from a medical practitioner that includes an expected end date to the temporary condition.

## **2.9 School re-organisation**

If a child has to move school after a school re-organisation or closure, and they lived in the normal area of their former school, they will only be offered transport to their new designated school if they meet the general eligibility criteria. Transport for those who do not meet the general eligibility criteria will only be provided if it has been agreed as appropriate under the school closure/ re-organisation plan.

## **2.10 Applying for school transport**

When a child or young person is due to start full time school for the first time or transfer at the normal transfer time between schools, parents/ carers will receive a letter advising them at which school the child has been offered a place. If a child/young person is offered a place at/attends a primary school in another Authority's area, a letter will be sent to the child's home address from the School Admissions team advising about the process for applying for transport, and where to find more information.

**Primary age children:** Families who believe their child may be entitled to transport assistance should apply online or submit a form X78.

**Y6 pupils transferring from junior/primary school to a secondary school:** Where it is identified that a pupil is entitled to receive transport assistance the Authority will notify parents by letter in April prior to transfer. In this case a separate application is not necessary and parents/careers should only contact the Authority if the transport assistance is not required.

Parent/carers, who do not receive a letter, should apply to the Authority if they believe that their child may be entitled to assistance with travel. The application should be completed by the end of May prior to transfer.

Applications for school transport can be made online at [www.derbvshire.gov.uk/get2school](http://www.derbvshire.gov.uk/get2school) or by completing form X78.

**Pupils attending faith schools:** Following the introduction of revised arrangements for travel to faith schools outlined in paragraph 2.4, all parents requesting transport assistance to faith school should complete an online application form X78 or hard copy.

**Other circumstances:** Applications for transport to support new admissions or changed circumstances at other times of the year should be made using the application Form X78  
(<http://www.derbyshire.gov.uk/images/Application%20for%20school%20transport%20and%20transport%20assistance%20tcm44-21346.pdf>)  
or by contacting Call Derbyshire or Student services (see Appendix C for contact details).

In normal circumstances, when the parent/carer of the student entitled to assistance applies, it may take up to 15 working days before provision is in place and parents/ carers will be expected to make their own travel arrangements during this time. If further information or investigation is required more time may be required.

Transport applications are assessed on the basis of the information supplied, so if circumstances change it will be necessary for the parent/ carer to notify the Authority and re-apply if appropriate. The stored information is verified with schools by the School Transport Section twice yearly.

In the event that the Authority has provided assistance with transport in error the provision will be withdrawn giving 6 weeks notice.

The Authority reserves the right to recover from parents the cost of any transport wrongly provided on the basis of false or inaccurate information given by the applicant, or failure by the applicant to notify the Authority of a change of circumstances.

## **2.11 What type of transport assistance will be offered?**

Transport assistance will normally be provided through a place on a school bus, public bus or train, or by reimbursement of a parent's mileage expenses at 45p per mile based on one return journey a day. A pupil's journey may include one or more changes of transport, where connection times and overall journey times, are reasonable. For complex journeys, the Authority will discuss provision with the family to determine the most suitable arrangements.

Children/young people who have lost their bus/rail pass will have to pay the Authority for a replacement (and may also incur a separate fee from the rail company). Parents/carers must send a letter to school confirming that the pass has been lost and payment will need to be

included. Children will not normally be issued with more than one replacement pass each school year.

Children will normally be expected to walk up to a mile, accompanied as necessary, to meet a service vehicle to school.

### **2.12 Acceptable journey time**

Where transport is provided the recommended maximum journey time is 45 minutes each way for children of primary school age and 75 minutes each way for children of secondary school age. In practice the Authority attempts to minimise these times as much as possible in the interests of the child. Acceptable journey times for children and young people with special needs may be adjusted according to individual need.

### **2.13 Review of Refused Transport Request**

Where transport assistance to school/college is refused there will be an opportunity for the parent/carer to have their circumstances reconsidered.

A parent/carer has 20 working days from receipt of the Authority's transport decision to make a written request asking for a review of the decision by completing a review form (Appendix D) which can be obtained from Student Services (see Appendix C for details).

The written request should detail why the decision should be reviewed and give any details of exceptional family circumstances, attaching any necessary supporting evidence. In the matters of route distance, correction of administrative error and withdrawal of a temporary seat, the final decision rests with the Authority.

Within 20 working days of receipt of the review form, a senior officer panel will review the original decision and inform the parent/carer of the decision in writing. The panel will comprise of officers not party to the original decision.

*Please note this procedure is under review awaiting the results of the DfE's home to school travel and transport consultation.*

### **2.14 Complaints**

If a parent/ carer has a complaint about the individual arrangements for their child, please contact the school transport section (see Appendix C).

### 3. Transport for children and young people with additional needs or special circumstances

#### **3.1 Home to school transport for pupils of statutory school age with learning difficulties and/or disabilities**

Pupils with learning difficulties and/or disabilities (LDD) of statutory school age who qualify under the criteria in sections 2.2 and 2.3 will be provided with free home to school transport.

The majority of Derbyshire pupils who have a Statement of Special Educational Needs (SEN) do not receive or require specialised travel assistance from the Authority. Where a pupil lives within the defined travelling distance, and is able to walk to school, accompanied as necessary, the Authority expects parents of pupils with a statement of SEN to make arrangements for their child in the same way as parents of pupils without a statement.

Where entitled and deemed necessary, free transport will be provided to and from the nearest suitable school where the child cannot be reasonably expected to walk with regard given to his or her individual learning difficulty and/or disability. The child's age will be taken into account, and where transport is provided, the Authority will ensure that children can travel in safety and reasonable comfort and that journey times are kept to a minimum.

If the child is attending a school of parental preference i.e. where the Local Authority considers there is a suitable school nearer the pupil's home, free transport will not be provided. If the parents preferred school is further away from the child's home than another school that can meet the child's needs the local Authority may agree to the named the preferred school on condition that the parents are responsible for all costs relating to travel from home to school.

The provision of transport will be reviewed annually.

A pupil with a statement of SEN who is a registered pupil or has been offered a place at a mainstream school will not be provided with home to school transport unless:

- The nearest appropriate school exceeds the distance criteria (see section 2.2);
- or
- The low income criteria are met (see section 2.3); or
- The pupil has a disability which prevents them from walking to school, accompanied as necessary by a parent or carer.

When a pupil with LDD is entitled to free home to school transport and cannot access the transport generally available to take other children from their local area to school then alternative transport arrangements will be made, the



nature of such arrangements being at the discretion of the Authority, having regards to the needs of the pupil.

If the Authority agrees to provide transport assistance it will be provided in a safe and cost effective manner, taking account of the child's specific needs and with regard to the best use of the Council's resources from the range of options below:

- **Re-imburement of mileage costs-** parents may consent to support their child in travelling to school, either through accompanying their child in place of a passenger assistant or by driving their own car. In these cases the Authority may remunerate the costs of travel by paying a mileage allowance, currently 45p a mile based on one return journey a day.
- **Escorted public transport-** It may be possible for a pupil to travel on public transport if they have some assistance. Where parents are unable to accompany their child, or do not consent to do so, the Authority may provide a passenger assistant.
- **Contract Vehicles-** in exceptional circumstances the Council may provide a contracted vehicle to transport a child to and from school. Vehicles are provided by suitably qualified, registered providers working to contractual standards set by the Council. Whenever possible, pupils will travel together in mini-buses that are adapted to meet the needs of pupils travelling on them. Each route will be planned on the basis of school start and finish times and the shortest possible route for all children travelling on a particular vehicle. Pupils will be picked up and dropped off at a convenient location, within a reasonable distance from their home, in many cases from recognised bus stops.
- **Home pick up-** this will only be made where deemed essential due to the child's significant needs
- **Taxis and private hire vehicles-** under very exceptional circumstances the Council may transport pupils in separate taxis or private hire vehicles based on the assessed needs of the child.

Passenger assistants may be provided at the discretion of the Authority where:

- The child is under 8 years of age;
- The child has a disability which makes it necessary to provide an escort for health and safety reasons or;
- The child has an emotional or behavioural difficulty which would give rise to concerns about the well-being of the pupil, or the well-being of other pupils or staff if there were no passenger assistant present.

### 3.2 Pre-School age children

The Authority may make arrangements for pre-school age children in exceptional circumstance. This will usually be in the form of parental reimbursement of 45p per mile based on one return journey a day.

### **3.3 Independent Travel Training**

The Independent Travel Training scheme is aimed at young people who may face difficulty with using public transport to help them live more independently.

Travel Trainers work on a one-to-one basis with a learner to gain independence on a specific route to and from school or college. A Travel Trainer usually works with a learner for about 10 return sessions, gradually developing their independence through accompanied, close and distance shadowed journeys.

For learners to be eligible they need to:

- Be in Year 8 or above at school or be aged above 16 attending post-16 education
- Being provided with transport to their place of education, paid for by the County Council

Please phone 07805745341 or email [lift-derbvshire@natstar.ac.uk](mailto:lift-derbvshire@natstar.ac.uk) for more details.

### **3.4 Transport to residential placements**

Where the pupil attends a residential school, transport will be arranged by the Authority, or the parents will be reimbursed the cost of making their own arrangements as follows:

- Weekly basis- journeys at the beginning and end of each school week;
- Termly basis- journeys at the beginning and end of each term, up to a maximum of 12 journeys;
- 38 or 52 week placements- a maximum of 12 journeys per school year.

Parents/ carers are expected to make independent transport arrangements when returning pupils to school following illness, for medical appointments and for exclusions where these journeys are additional to normal transport arrangements.

### **3.5 Transport to short breaks**

Transport may be provided by the Authority between school and a short break setting where there is an existing contract that can be utilised at no extra cost to the Authority. If there are additional costs the parents or carers will be expected to meet these costs, or provide transport by their own arrangement for short breaks overnight or longer.

### **3.6 Transport to Delta holidays**

The Authority will support families whose children qualify for a break under the Delta holiday scheme and will provide transport for children from a central point to the venue. It is the parent's responsibility to make and pay for any

arrangements required to get the child to the pick-up point offered. Families benefiting from Delta Holidays will be signposted to sources of support for income maximisation assessments.

### **3.7 Children moving school for reasons other than changing home address**

If a child moves to another school or establishment other than due to a house move, transport assistance will not normally be offered unless the general eligibility criteria (see sections 2.2. and 2.3) are met.

Each request will be considered on its particular circumstance

### **3.8 Children moving to different place of learning due to behaviour issues**

If a child has been placed in an alternative establishment for provision of their education, such as a support centre or a different school, following exclusion, eligibility criteria (as defined in sections 2.2 and 2.3) will apply from the pupil's home to the nearest suitable establishment where instruction or training is being given.

### **3.9 Long term medical needs**

Children and young people with medical needs attending their closest suitable school who are unable to walk to school due to their medical need, and where this need is supported by a medical plan may be considered for transport assistance.

All efforts will be taken to support independence of the child or young person within the context of their medical needs including parents' availability. Transport assistance will only be provided where this is clearly stated as a requirement in the medical plan and the type of travel assistance offered will be dependent on the individual needs of the child. Applications for assistance come from the management of the schools in the form of a medical plan.

### **3.10 Making an application for free transport**

Applications for transport should be made using the application Form TA1, available from Student Services:

Telephone 01629 533260  
or email: [student.services@derbvshire.gov.uk](mailto:student.services@derbvshire.gov.uk)

### **3.11 Home to school transport for children in the care of the Authority**

The educational attainment of children and young people in the care of Derbyshire County Council (children in care) is a high priority, and it is the aim of the Authority to ensure children and young people receive continuity of education where possible and in their best interest. Care will be taken to ensure that travel is not excessive for an extended period (see section 2.12 acceptable journey time).

The majority of children in care will attend a local school, particularly when a placement is identified as long term or expected to endure for more than 6 months.

For looked after children and young people who do not have a statement of special educational needs and who have an assessed need to attend school outside of the normal area where they live, whether in residential or foster care, decisions regarding transport will be taken in the best interests of the child by the Social Worker.

Provision of transport may be considered:

- When the child's care plan is for the child to return home in a specified timescale and there is a need to maintain the child in a school:
- When a child/ young person is at a critical time in their education timetable e.g. SATs, GCSEs, transition;
- Where continuity of education is specified by the Courts in Care Proceedings or by the Children in Care Review Process.

The decision should be made either at the initial care planning meeting or the statutory review.

Where possible and appropriate, the young person is expected to travel independently by walking or cycling, on public or other school transport. For younger children or where other forms of transport are not available, it is expected that where possible, appropriate and in the interests of value for money the foster carer or other carer will transport the child to school and will be reimbursed at the rate of 45p per mile based on one return journey a day.

Where transport by car is difficult due to responsibility for a younger child, the Council may offer support with childcare costs to support the transport of a child in care if this is appropriate and represents value for money.

Only in exceptional circumstances will individually commissioned transport be provided, and all requests must be formally approved by the Safeguarding District Manager.

Transport arrangements will be kept under review by the Independent Reviewing Officer.

### **3.12 Transport to contact and other settings for children in the care of the Authority**

All efforts must be taken to secure best value when arranging transport for children in the care of the Authority, even when a rapid response is required or in the case of unforeseen circumstances.

Where possible, contact visits should be arranged as close as possible to where the child is living and/ or attending school, and transport should be provided to and from contact visits by the Carer with travel reimbursed at a mileage rate of 45p per mile.

In cases where transport provided by the Carer is not possible, the Social Worker should seek an alternative that offers best value.

### **3.13 Transport to contact visits for parents**

The Authority will not provide transport for parents to attend contact visits with their children who are in the care of the Authority. The Authority will reimburse public transport costs for attending contact visits on presentation of a valid ticket or receipt, or will pay a mileage re-imbursement for personal car use at the public transport rate (currently 16.4p a mile).

### **3.14 Transport for parents attending Parenting Courses provided by the Authority**

When the need presents the Authority will identify parenting courses and classes to offer parenting support. Travelling to and from the course/class is a parental responsibility unless safeguarding services identify exceptional circumstances in which case the Authority will reimburse travel expenses for personal car (at public transport rate of 16.4p a mile) or public transport use.

### **3.15 Review of Transport Decisions**

A parent/carers has the right to a review of the Authority's decision to refuse assistance with transport who do not meet the criteria in 2.2 and 2.3. See section 2.13.

### **3.16 Complaints**

If a parent/ carer has a complaint about the individual arrangements for their child, please contact the school transport section (see Appendix C).

## 4. Post 16 Transport

Please note this section gives a brief overview of our Post 16 transport provision.

We publish a separate annual Post 16 Transport Policy Statement which defines our transport policy for learners over age 16. This can be viewed at [http://www.derbyshire.gov.uk/council/policies\\_plans/educ\\_plans\\_and\\_policies/post16-transport-plan/default.asp](http://www.derbyshire.gov.uk/council/policies_plans/educ_plans_and_policies/post16-transport-plan/default.asp)

Statutory eligibility to free home to school transport ends at age 16. Eligibility for Post-16 transport provision for learners of sixth form age is not prescribed by statute and the local authority must decide what arrangements it considers necessary, as a local response to transport needs, which complies with the legislation and public law.

Local authorities have a duty to prepare and publish an annual Transport Policy Statement specifying the arrangements for the provision of transport, or otherwise, that the Authority considers it necessary to make to facilitate the attendance of learners of sixth form age receiving education or training at schools and other prescribed establishments, and for learners with learning difficulties and/or disabilities aged from 19 to 24 who are subject of a Learning Difficulty Assessment or Education Health Care (EHC) plan.

The Raising of the Participation Age (RPA) legislation, requiring young people to participate in education or training until the end of the academic year they turn 17 from 2013 (and up to their 18<sup>th</sup> birthday from 2015), has not created any new entitlement to transport for post-16 learners.

### 4.1 Transport to school and college for students post 16

Post 16 students in full time education qualify for a bline 2 card which provides reduced fares on public transport in Derbyshire up to their 19th birthday, under the Council's bline concessionary fares scheme. The concession includes bus and rail travel across Derbyshire, Derby city and journeys to and from some destinations just outside the county.

Further information about bline, including application forms and details of how to replace a lost or defaced b\_line card, may be obtained from the school office or found on the Derbyshire Youthinc website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

The Council does not make any additional arrangements to convey Post 16 students unable to access public transport unless it is a specific requirement in a Statement of Special Education Needs, in a Learning Difficulty Assessment; or in an Education, Health and Care plan.

Some colleges may provide transport or transport assistance, and more information about this can be obtained from the institutions - see

[http://www.derbyshire.gov.uk/council/policies\\_plans/educ\\_plans\\_and\\_policies/post16-transport-plan/default.asp](http://www.derbyshire.gov.uk/council/policies_plans/educ_plans_and_policies/post16-transport-plan/default.asp)

Post 16 learners may be able to use spare seats available on transport services contracted by the Authority (see section 2.7).

#### **4.2 Post 16 students with learning difficulties and/or disabilities**

Derbyshire County Council provides a b\_line scheme providing discounted travel for young people accessing learning. It is expected that most young people with learning difficulties and/or disabilities will use this to get to their places of learning. Where this is not possible the Authority will, in the first instance, explore if a parent is able to provide transport and receive a mileage reimbursement. If this is not possible the Authority will consider alternative transport arrangements.

A contribution will be charged for transport assistance for sixth form aged pupils. The charge in 2014/15 is £349 per year; the low income charge is £233 per year. For full details see post 16 policy

[http://www.derbyshire.gov.uk/council/policies\\_plans/educ\\_plans\\_and\\_policies/post16-transport-plan/default.asp](http://www.derbyshire.gov.uk/council/policies_plans/educ_plans_and_policies/post16-transport-plan/default.asp)

## **Walking Route Assessment Criteria**

- (a) In assessing the safety of a particular route, consideration will be given only to danger relevant to traffic/highway conditions;
- (b) It is essential that each case be considered objectively on its merits;
- (c) It is assumed that the child is accompanied if necessary by a caring parent or other responsible person and will be suitably clad;
- (d) Where a footway or roadside strip, public footpath or bridleway exists of reasonable width and condition, this will normally be assumed to provide a safe route for that part of the journey;
- (e) Where, on a lightly trafficked or narrow road, a verge exists which is not easy to walk on, but which can be stepped onto by the child and accompanying person when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey;
- (f) Many routes may lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent heavy goods vehicles) and to visibility.
- (g) The absence of street lighting is not in itself a measure of the availability of a safe route although where children are unable to step off the road surface it could become a significant factor;
- (h) Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movement; and
- (i) Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration as should the extent of visibility.

Please note: Any routes found unsuitable for a young person to walk, accompanied as necessary will be referred to the County Highways Authority to look at cost effective adjustments.

## **Assessment:**

Officers of the Authority will use the above factors to assess whether a route is reasonably safe to walk. There will normally need to be a combination of factors present for the route to be unavailable for an accompanied child. A route will not normally be considered unsafe because a short length of it is difficult. It is reasonable to expect special care in particular places



## **Behaviour Code of Conduct for provided transport**

Derbyshire County Council is committed to providing safe and reliable transport to and from educational establishments and places of learning in the County.

A number of bus services now have CCTV fitted and partnerships have been established with some schools and bus operators to help deal with problems. The County Council also works in partnership with Derbyshire Community Safety Forum and will, where necessary, utilise the range of legislative enforcement powers available to help stop anti-social behaviour. Parents are responsible for ensuring their own child understands the consequences of misbehaving on provided transport.

### **Step 1**

Where a child misbehaves, drivers will normally speak to the child about their behaviour. If problems remain the details will be reported to the school or place of learning and to the County Council. Once a pupil has been reported, a verbal warning will normally be given by the school or place of learning. Schools and places of learning should include within their School Behaviour Policy conduct which takes place on the journey to/ from their establishment as well as behaviour within the school or place of learning, and may also impose additional sanctions under the terms of the Behaviour Policy where this is appropriate.

In cases of more serious misconduct, Step 2 will immediately apply.

### **Step 2**

Where a pupil is a persistent offender, or commits a serious offence, a written warning will be issued as follows. Either:

A letter will be sent home informing parents/ guardians of their child's behaviour along with a warning that further misbehaviour will result in the child being banned from the transport provided for a temporary period, or

A letter will be sent home informing parents/ guardians that an immediate ban from the transport provided has been imposed for a specific period. Pupils may also be asked to sign an acceptable behaviour contract before they are allowed to return to the transport provided.

In very serious cases the right to travel on transport arranged by the Authority may be withdrawn completely.

Warning letters may be issued by the School or place of learning, the County Council or the Anti-Social Behaviour Officer.

Parents/ Carers will have a right of appeal to a panel of Council Members, against a withdrawal of transport provision for their child.

A serious offence includes any type of behaviour which endangers the safety of other passengers, drivers and members of the public. It also includes criminal damage or vandalism to the transport vehicle provided.

Serious cases may also be reported to the police, to be dealt with by way of criminal proceedings.

Parents/ carers should be aware that where bans are imposed the travelling arrangements and costs will be the parent's responsibility and the County Council will not offer alternative transport or assistance.

Parents and carers of pupils who cause damage to transport vehicles will be liable for any costs incurred by the company. The County Council will support the transport company and will encourage police involvement if necessary.

**For specialist staff dealing in home to school related matters**

**Student Services**

Tel: 01629 533260 or email [student.services@derbvshire.gov.uk](mailto:student.services@derbvshire.gov.uk)

**Call Derbyshire**

08456 058058

**Family Information Service**

Tel: 01629 535707

**School Transport team** (school bus provision)

Tel: 01629 536739

**Special Needs Transport team**

Tel: 01629 536727

Online applications for transport assistance can be made at  
[www.derbvshire.gov.uk/get2school](http://www.derbvshire.gov.uk/get2school)

**TRANSPORT REVIEW FORM**

Please use BLOCK LETTERS on this page and complete in black ink or type.

Name of Child:

Child's Date of Birth:

Address:

Full Name of Parent or Carer:

Postcode:

Telephone Number (day time):

Home:

Work:

Does your child have a Statement of Special Educational Need? YES/NO  
(Delete as appropriate) \_\_\_\_\_

School to which transport is requested

Any previous School/s attended:

Date started or due to start at above School:

Details of other adults in the family:

Name:

Relationship to

Child

Details of other children in the family (i.e. brothers or sisters):

Name

Date of Birth

School / college attended

Please explain how your child currently travels to school

I understand the Authority may seek advice and information relating to my request from other departments or agencies, including schools, prior to any review.

Date:

**Signature:**

**Full details of request for transport assistance and grounds for review. Please include details of any other agency involvement eg social care, housing and relevant documentation from them.**

Please note financial circumstances or normal parental working arrangements will not usually, by themselves, be regarded as exceptional family circumstances. Where the parent / carer is unable to accompany the child, then the Authority will consider the availability of immediate family members, friends and neighbours, and the provision of any other assistance or benefit to the family.

**Other agency details:**

**Name:**

**Contact telephone number:**

Privacy Notice: The information you release to us will be used for transport related purposes and may be shared, as the law allows, with partner organisations. Further details on the Authority's Data Privacy policies and those of partner organisations can be found on the Derbyshire County Council Website [www.derbyshire.gov.uk/privacynotices](http://www.derbyshire.gov.uk/privacynotices), or a hard copy can be provided on request.' \_\_\_\_\_

Please return this form to: Derbyshire County Council, Student Services, Godkin House, 2 Park Road, Ripley, Derbyshire, DE5 3EF or email to [student.services@derbyshire.gov.uk](mailto:student.services@derbyshire.gov.uk)

## **Appendix 4**

### **Post-16 Transport Policy Statement**

**Academic Year 2016-2017**

**DERBYSHIRE COUNTY COUNCIL**

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If you would like this document in another language or reading format e.g. large text, please contact us on 01629 536771



## **Post-16 Transport Policy Statement - Academic Year 2016 - 2017**

Derbyshire County Council's transport and travel assistance for young people of sixth form age and Post-16 learners who are the subject of a Statement of Special Educational Needs or an Education, Health and Care plan.

Department Responsible: Children's Services

Document first release: May 2016

Policy applicable from: 1 August 2016 to 31 July 2017

### **Introduction**

Eligibility for Post-16 transport and travel assistance arrangements for learners of sixth form age is not prescribed by statute and a local authority must decide what discretionary transport and travel arrangements it considers necessary as a response to local needs. In doing so, however, a local authority must have regard to statutory guidance from the Department for Education: 'Post-16 transport to education and training - statutory guidance for local authorities (February 2014)'.

The Raising of the Participation Age under the Education and Skills Act 2008, requiring young people to participate in education or training up to their 18<sup>th</sup> birthday has not created any new entitlement to transport beyond age 16.

This Post-16 transport policy document specifies the discretionary transport and travel support arrangements that Derbyshire County Council ('the Authority') considers necessary to facilitate the attendance of Learners of sixth form age; and for Post-16 Learners who are the subject of a Statement of Special Educational Needs or an Education, Health and Care plan.

Local authorities must publish their Post-16 Transport Policy Statement by 31 May each year. Exceptionally, it may be necessary for the local authority to amend and republish this policy in-year in response to complaints, or a direction by the Secretary of State, or to provide for additional arrangements / payments / concessions.

The main change to the post-16 transport policy for 2016-2017 relates to the ending of the Learning Difficulty Assessments (Section 139a) which local

authorities no longer have a duty or power to produce or maintain. Young people who have received support as a result of having a Learning Difficulty Assessment and who plan to continue at college in 2016-17 can request an EHC needs assessment.

## **1.0 Aims and Objectives**

Derbyshire County Council ('the Authority') has the following aims and objectives regarding its Post-16 Transport Policy:

- to ensure, wherever reasonably possible and having regard to the cost of transport, that learners of sixth form age are able to access the education and training of their choice; and
- to assess and provide transport / travel assistance which is appropriate to meeting eligibility and/or needs, having regard to the cost of transport and any alternative means of facilitating attendance; and
- Where travel support is deemed necessary, priority will be given to solutions that will help maximise the development of the young person's independence, for example through independent travel training.

## **1.1 Definition of terms for the purpose of this policy document:**

- The '**Authority**' refers to Derbyshire County Council;
- '**Post-16**' refers to young people (over compulsory school age) aged 16-18 who are attending further education or training and where they have an EHC plan, those age over 19 and up to age 25.
- '**Learner**' refers to a person attending education or training - and in the context of this policy refers specifically to a Post-16 Learner attending further education or training at a school, college or training provider.
- '**Full time education**' refers to a full time study programme as defined below and is being delivered by either: an education provider in receipt of funding from the Education Funding Agency ('EFA'), such as a school (including academy) sixth form or a college of further education; or a specialist Post 16 institution delivering a programme arranged by the local authority.

- **‘Full time education’** - The Department for Education ‘Participation of Young People Statutory Guidance; Annex 1, Defining Participation (March 2013)’ defines full time education / participation as a minimum of 540 hours of guided learning per academic year. The Authority considers this total number of hours to be met by a course with at least 15 taught hours per week, scheduled to be delivered over 36 or more weeks per year - and all courses for which Post-16 transport or travel assistance is given must meet this requirement. In exceptional circumstances, for example where a break in learning is required for medical needs, a lower number of hours might be considered;
- **‘Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities’ (LDD)** - for the purposes of this policy Learners with SEND or LDD includes all young people aged 16 – 18 with special educational needs and those aged over 19 and under 25 who are the subject of an EHC plan.
- **‘Continuing Learners 19-24’** refers to Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities aged from 19 to 24, who have an Education, Health and Care plan, which sets out provision for a course of Post-16 full time education or training at: an institution maintained or assisted by the Authority; an institution within the Further Education sector; or a specialist Post 16 Education institution where education together with boarding accommodation has been secured by the Authority.

## **2.0 Overview of eligibility criteria for transport / travel assistance:**

### Academic Year 2016/17:

- commences 1 August 2016 and ends 31 July 2017

### The Learner must be:

- aged 16-18 and in educational Year 12 or 13 or
- aged 16-19 with a Statement of Special Needs or an Education Health and Care plan and attending a special school in educational Year 12, 13, 14; or
- Aged 19-25 with an Education Health and Care plan.

### The learning establishment the Learner is attending must be:

- a sixth form at an Authority maintained School, Academy School or Special School; or

- a state funded College of Further Education; or
- An establishment where a study programme of further education has been secured by the Authority, including those with boarding accommodation.

#### Type of course:

- The Learner must be enrolled on a full time Study Programme scheduled to provide at least 540 directed learning hours over 36 or more weeks; this equates to approximately 15 hours per week. In exceptional circumstances, for example where a break in learning is required for medical needs, a lower number of hours might be considered;
- Please note, the Authority does not provide transport or travel assistance for part time courses; higher education; or non-state funded education, unless the Learner is on a course which has been arranged through the Authority.

#### Residence:

- the Learner's permanent home address must be in the county of Derbyshire (not including Derby City) and will normally be the home address enrolled/registered with the school or college; and
- where a Learner subsequently moves address the eligibility will be re-determined; and
- Where a Learner shares equal time between different parental addresses eligibility will be assessed from the property nearest to the school or college attended.

## **2.1 Overview of transport / travel support:**

#### Support for Learners in educational years 12 & 13 includes:

- 'b\_line2' - Derbyshire County Council's travel concession card for young people
- 'spare seats' - school sixth formers may purchase a seat (where available) on a contract school bus service;
- College bus services (arranged by colleges; not the Authority);
- student fares offered by public transport operators;
- financial assistance from the 16-19 Bursary Fund (and other funding) may be available from Schools, Academies and Colleges; and

Support for eligible Learners with SEND or LDD, in educational years 12, 13, and where they have an EHC plan those aged over 19 up to age 25, whose needs cannot be met by the above the following may be considered;

- Independent Travel Training;
- Parental car mileage re-imbursement;
- Bus / rail pass (including disabled person's Gold Card);
- Minibus - shared occupancy (with escort if deemed necessary);
- Taxi - solo or shared occupancy (with escort if deemed necessary);
- Specialist vehicle, e.g. one with medical support equipment and/or staff;
- Financial assistance from the 16-19 Bursary Fund (and other assistance) may be available from Schools, Academies and Colleges.

## **2.2 Apprenticeships and Traineeships:**

The Authority does not provide transport for Apprenticeships or Traineeships. The Authority does, however, contribute towards 'Wheels to Work' in Derbyshire, a low cost scooter hire and travel support scheme, providing affordable transport to individuals who are unable to access training, employment or education due to a lack of suitable public or private transport. To find out more call 01629 821923 or go to [www.ruralactionderbyshire.org.uk/wheels-to-work.html](http://www.ruralactionderbyshire.org.uk/wheels-to-work.html)

## **3.0 Concessions / 'Spare Seats' / College bus services / 16-19 Bursary:**

### **3.1 b\_line travel concession card:**

All young people up to their 19<sup>th</sup> birthday, who live in Derbyshire, are eligible for a free 'b\_line2' card issued by the Authority. This includes young people in full time education and on training courses, apprentices and young people looking for work.

To qualify for 25 per cent b\_line discount, young people have to be over 16 years of age. Under 16s will qualify for the bus or train operators' own cut-price tickets. In most cases these are currently better than or match the b\_line discount. For further information about b\_line please visit Derbyshire County Council's 'Youthinc' website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

Production of a 'b\_line2' card issued by the Authority, when purchasing a fare on a bus or train can reduce the cost of travel by up to 25 per cent on ordinary

singles / returns and day returns. The b\_line2 card can also be used to obtain 25 per cent off some saver, season or multi-journey tickets.

Young people can use a 'b\_line2' card for travel on:

- normal scheduled bus and train services between any two points in Derbyshire;
- a bus service going outside the county, provided that the journey starts or finishes in Derbyshire;
- Train services going outside the county as far as Sheffield, Nottingham, Burton, Uttoxeter or Manchester (and intermediate stations on these lines), as long as one end of the journey is in Derbyshire.

There are no restrictions on the times for use of 'b\_line2' travel cards – card holders benefit from concessions on any day of the week and at any time of the day.

Lost or defaced b\_line cards: If a 'b\_line2' card is lost, becomes damaged or defaced the full travel fare must be paid until a replacement card is obtained. £5 is charged for all replacement cards.

For further information about b\_line please visit Derbyshire County Council's 'Youthinc' website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

### **3.2 'Spare Seats' available on Derbyshire County Council school transport:**

Sixth form learners may be able to purchase a pass that allows them to travel to and from a school or Academy on a contract school bus, minibus or specialised transport service, which does not have a fare paying facility - i.e. not on public buses that call at or near schools.

### **3.3 Cost of Spare Seat Assistance:**

The annual charge per student is **£365** for the 2016-2017 academic year. Parents have the choice of making payment on an annual, monthly or school term basis. A range of payment methods is available. To make enquiries, please see section 8.2 further below.

Please note that Spare Seat Assistance is offered on a first come first served basis. Places cannot be guaranteed (priority will be given to providing seats for eligible pupils of compulsory school age).

### **3.4 College bus services:**

A number of colleges in Derbyshire provide/arrange bus services for students and some offer a wide network of routes. College buses may be available to students free of charge, whilst others require the purchase of a travel pass from the college at a cost set by the college and not the Authority. Most college bus passes are restricted to specified college services, but some passes also allow subsidised travel on certain public service buses during term time. For further information contact the College directly – see College contact details at section 11.0 further below.

Depending on where the Learner lives and their choice of college, the Learner might need to travel to the college on regular public transport. In this case the b\_line2 card will help to reduce the cost of public transport to the college.

### **3.5 Gold Card for persons with disabilities:**

The Derbyshire Gold Card is a free bus travel pass generally issued to older people who have attained state pension age. Younger persons of any age with particular disabilities may be eligible for a Gold Card. Gold Card is operated under the terms of the English National Concessionary Travel Scheme (ENTCS) and allows free travel on local buses anywhere in England after 9.30am and up to 11.00pm on weekdays, and at weekends and on bank holidays at any time. Any travel before 9.30am on weekdays will be charged at the normal fare.

For further details please phone Call Derbyshire on 01629 533190 or go to [www.derbyshire.gov.uk/transport\\_roads/public\\_transport/tickets\\_passes/concessionary\\_fares/goldcard/default.asp](http://www.derbyshire.gov.uk/transport_roads/public_transport/tickets_passes/concessionary_fares/goldcard/default.asp)

### **3.6 Financial support from the ‘16 -19 Bursary Scheme’:**

If the Learner is aged 16-19 and studying or starting a full time course they may be eligible for financial support from the Government funded 16-19 Bursary

Scheme. Schools and colleges are responsible for awarding bursaries from the scheme to students who are facing difficulties in meeting the essential education-related costs of their course, including transport to school or college. Further information is available at [www.gov.uk/1619-bursary-fund](http://www.gov.uk/1619-bursary-fund)

Please make enquiries regarding support from the 16 -19 Bursary Scheme direct to the school / college the Learner is, or will be, attending.

#### **4.0 Support for learners who reach 19 whilst continuing on a course:**

**4.1** The b\_line2 student travel concession scheme is only available up to the young person's 19<sup>th</sup> birthday. Some public transport operators, however, offer their own young person / student concessions that help reduce travel costs for learners aged 19 and over. Please make enquiries direct to your local bus or rail operator.

**4.2** For Continuing Learners 19-24 (as defined in section 1.1 above) who have Learning Difficulties and/or Disabilities, transport arrangements may be provided until their relevant course is completed. Please see section 5.0 below for further eligibility details.

#### **5.0 Transport assistance for Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities, including those over 19:**

**5.1** Where it is possible to do so without detriment, learners who have a Statement of Special Educational Needs or an Education, Health and Care Plan, will be expected to access the general Post-16 travel arrangements; and

**5.2** Where this is not possible, learners with a Statement of Special Educational Needs or an Education, Health and Care Plan, which sets out their individual transport provision/needs, may be provided with transport assistance to the nearest suitable school, further education college or independent specialist provider (and this may be in a neighbouring local authority area) which, in the opinion of the Authority, provides an appropriate Post-16 full time study programme and is suitable to make provision for the Learner's learning difficulty and/or disability.



In determining transport provision/needs, the Authority will, in the first instance, explore if a parent is able to provide transport and receive a mileage reimbursement. If this is not possible the Authority will consider alternative transport arrangements.

This work is undertaken by the Youthinc Personal Adviser. Should the student not have a Personal Adviser then please contact Services for Teenagers on 01629 536156.

**5.3** As part of the needs assessment process, the potential for the Learner to take part in Independent Travel Training will be discussed where appropriate (see section 7.0 below).

#### **5.4 Charges:**

From September 2014, sixth form Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities (LDD) for whom transport assistance is provided by the Authority have been subject to a contribution towards the cost of the transport. Additionally, continuing Learners aged 19-25, subject to an Education, Health and Care plan, who begin a study programme course of education or training before the age of 19 and continue to attend that course, will be charged for transport arrangements made by the Authority.

The contribution will be charged at the same rate as the Spare Seats Assistance charge for other Learners of sixth form age; with a lower rate for those Learners with Special Educational Needs and/or Disabilities (SEND) or Learning Difficulties and/or Disabilities (LDD) who meet low income family criteria (see section 5.6 below). However, existing students will be protected from the charge while they complete a course started in September 2013 or before.

The charge for academic year 2016 – 2017, applicable from September 2016 is **£365** normal rate; and **£245** lower rate for those who meet the low income family criteria in section 5.6 below.

Parents have the choice of making payment on an annual, monthly or school term basis. A range of payment methods is available.

Where the higher rate mobility component of Disability Living Allowance is received for the young person, and is taken in the form of a vehicle, it would be expected that the vehicle be used to transport the young person to their place of learning. If it is not used, the charges would apply.

## **5.5 Low income criteria**

For the purposes of charges in section 5.4 above, low income family criteria will be met if the Learner's household is in receipt of one or more of the following benefits:

- maximum level of Working Tax Credit;
- Income Support;
- Jobseekers Allowance (Income Based);
- the Guarantee element of Pension Guarantee Credit equivalent to/less than Jobseekers Allowance (Income Based);
- Support under part VI of the Immigration and Asylum Act 1999;
- Income Related Employment and Support Allowance.

Documentary evidence demonstrating benefit entitlement must be provided to support the low income criteria.

If you qualify under low income criteria and your circumstances change part way through the year you must let us know.

**5.6** Whilst the Authority encourages the participation in education and training by persons who are over compulsory school age but under 19, and persons aged 19-25 subject to an Education Health and Care plan, learners are expected to meet the cost of travel between home and the establishment at which they are receiving education or training except in the circumstances set out in section 5.8 below. The Authority will offer support and assistance by providing information about: any schemes under Section 93 Transport Act 1985 providing travel concessions; local transport providers and services; and other sources of additional support.

**5.7** The Authority will make such transport arrangements as it considers necessary. If a Learner and their parents choose attendance at an education or training institution which does not fall within the Authority's Post-16 policy arrangements, transport assistance will not normally be given.

## **5.8**

The Authority will consider transport requirements for young people aged 19 to 25 (who are subject to an EHC plan) in the following circumstances only:

- C. Where the Authority had secured the provision of education or training and the provision of boarding accommodation under Section 514A Education Act 1996 and the young person is the subject of an Education Health Care plan and the Authority considered that the provision of transport by the Authority was necessary to facilitate that person's attendance at the place where the education or training was being provided.

In deciding whether it was necessary for the Authority to provide free transport for a learner aged between 19 and 25, the Authority would, amongst other things, have regard to reviewing continuing progress towards outcomes identified in the EHC plan.

## **6.0 Review of Refused Transport Request:**

Where Post-16 transport assistance is refused there will be an opportunity for the parent/carer to have their circumstances reconsidered. A parent/carer has 20 working days from receipt of the Authority's transport decision to make a written request asking for a review of the decision by completing a Review Form, obtainable from the Student Services office:

Tel: 01629 533260 or email [admissions.transport@derbyshire.gov.uk](mailto:admissions.transport@derbyshire.gov.uk)

The written request should detail why the decision should be reviewed and give any details of exceptional family circumstances, attaching any necessary supporting evidence.

Within 20 working days of receipt of the Review Form, a senior officer panel will review the original decision and inform the parent/carer of the decision in writing. The panel will comprise of officers not party to the original decision.

## **7.0 Independent Travel Training:**

The Authority funds an Independent Travel Training Scheme for young people who might face difficulty with using public transport, to help them live more independently. This service is being delivered in partnership with National Star Foundation and is available for Learners with Learning Difficulties and /or Disabilities who are eligible for transport assistance.

For further details please contact:

Gemma Crammond, Travel Trainer (National Star Foundation)

email [ggrammond@natstar.ac.uk](mailto:ggrammond@natstar.ac.uk) or call 07805 745341; or

Claire Howells, Programme Manager (Derbyshire County Council)

email [claire.howells@derbyshire.gov.uk](mailto:claire.howells@derbyshire.gov.uk) or call 01629 535731.

## **8.0 When and how to apply for transport assistance:**

**8.1** b\_line2 cards are issued through Derbyshire schools and colleges and through direct applications to the Authority. For further information about b\_line2 please visit Derbyshire County Council's 'Youthinc' website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

**8.2** To enquire about Spare Seats, bus routes and places served please contact the School Transport Team:

Please email [schooltransport@derbyshire.gov.uk](mailto:schooltransport@derbyshire.gov.uk) or telephone 01629 536740.

**8.3** Applications for travel assistance for Learners with a Learning Difficulty and/or Disability for the following academic year should be made to the Student Services team during the preceding summer term.

Please email [Admissions.transport@derbyshire.gov.uk](mailto:Admissions.transport@derbyshire.gov.uk) or telephone 01629 533260.

## **9.0 Travel to a course beyond the local authority area:**

**9.1** The b\_line 2 card is valid for journeys to and from some destinations just outside Derbyshire, provided the journey starts or finishes in Derbyshire. For further information about b\_line please visit Derbyshire County Council's 'Youthinc' website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

**9.2** Where the normal area school sixth form is located in a neighbouring local authority area, Spare Seat Assistance on school buses may be available.

**9.3** For Learners with a Learning Difficulty and/or Disability please refer to section 5.0 above and section 10.0 below.

**9.4** Colleges located in Derby city and in neighbouring local authority areas may provide college bus routes for students travelling from Derbyshire – please see section 11.0 for contact details

## **10.0 Learners who attend a further education institution which is beyond daily travelling distance and they need to stay away:**

The Authority does not normally provide transport assistance for residential placements. We may, however, provide assistance for Post-16 learners with Learning Difficulties and/or Disabilities for whom a residential placement has been arranged by the Authority.

## **11.0 Points of contact and sources of information:**

**Derbyshire County Council's website** [www.derbyshire.gov.uk](http://www.derbyshire.gov.uk)

**Call Derbyshire** Tel: 01629 533190 or 08456 058 058

Or email: [contactcentre@derbyshire.gov.uk](mailto:contactcentre@derbyshire.gov.uk)

**Derbyshire County Council's School Admissions and Transport Team**

office: Tel: 01629 533260 email: [admissions.transport@derbyshire.gov.uk](mailto:admissions.transport@derbyshire.gov.uk)

**Colleges with dedicated bus routes serving Derbyshire:**

**Bilborough Sixth Form College** [www.bilborough.ac.uk](http://www.bilborough.ac.uk) Tel. 0115 851 5000

For information on **dedicated college bus routes** go to:

[www.bilborough.ac.uk/about/transport](http://www.bilborough.ac.uk/about/transport)

**Burton and South Derbyshire College** [www.bsdc.ac.uk/](http://www.bsdc.ac.uk/) Tel. 01283 494400

For **transport information** go to:

<http://www.bsdc.ac.uk/student-life/learner-services/getting-here>

**Buxton & Leek College** [www.blc.ac.uk](http://www.blc.ac.uk) Tel: 0800 074 0099

For **college bus information** go to:

<http://www.blc.ac.uk/student-handbook/transport/buses/>

**Cheadle and Marple Sixth Form College** [www.camsfc.ac.uk](http://www.camsfc.ac.uk)

For **transport information** go to:

<http://cheadle.cmcnet.ac.uk/contact/and> <http://marple.cmcnet.ac.uk/contact/>

**Chesterfield College** [www.chesterfield.ac.uk](http://www.chesterfield.ac.uk) Tel: 01246 500500

For **college bus information** telephone 01246 500522,

or go to: <http://www.chesterfield.ac.uk/bus-pass>

**Derby College** [www.derby-college.ac.uk](http://www.derby-college.ac.uk) Tel: 0800 028 0289

For **travel options** go to: [www.derby-college.ac.uk/index.php/travel-options.html](http://www.derby-college.ac.uk/index.php/travel-options.html)

For **inter-site shuttle bus information** go to:

<http://www.derby-college.ac.uk/index.php/travel-options/bus.html>

**Macclesfield College** [www.macclesfield.ac.uk](http://www.macclesfield.ac.uk) Tel 01625 410002

For information on **dedicated college bus routes** go to:

[www.macclesfield.ac.uk/support/transport.aspx](http://www.macclesfield.ac.uk/support/transport.aspx)

**Vision West Nottinghamshire College** [www.wnc.ac.uk](http://www.wnc.ac.uk) Tel. 0808 100 3626

For information on **dedicated college bus routes** go to:

[www.wnc.ac.uk/Under-19s/Getting-to-college.aspx](http://www.wnc.ac.uk/Under-19s/Getting-to-college.aspx)

### **School and College contacts:**

#### **Secondary Schools:**

A list of Derbyshire secondary schools with contact details is available on the Derbyshire County Council website at

[http://www.derbyshire.gov.uk/education/schools/search\\_schools/secondary\\_schools/default.asp](http://www.derbyshire.gov.uk/education/schools/search_schools/secondary_schools/default.asp)

#### Special Schools:

A list of Derbyshire special schools with contact details is available on the Derbyshire County Council website at

[http://www.derbyshire.gov.uk/education/schools/search\\_schools/special\\_schools/default.asp](http://www.derbyshire.gov.uk/education/schools/search_schools/special_schools/default.asp)

#### **Sources of information on Public Transport:**

Comprehensive **information on all public transport** serving Derbyshire (and Derby city) is available from the public transport section of the **Derbyshire County Council website** at [www.derbyshire.gov.uk/buses](http://www.derbyshire.gov.uk/buses)

Alternatively, constantly updated **online bus timetables** are available at [www.derbybus.info](http://www.derbybus.info) This website includes **online bus route maps**.

For **online train information** go to [www.nationalrail.co.uk](http://www.nationalrail.co.uk)

For information on public transport by phone for Derbyshire or further afield call Traveline 0871 200 2233 or go to [www.travelineeastmidlands.co.uk](http://www.travelineeastmidlands.co.uk)

Many **bus operators** serving Derbyshire have websites with details of fares, timetables, mobile phone apps, etc. Some are listed here:

- Trent Barton [www.trentbarton.co.uk](http://www.trentbarton.co.uk)
- Stagecoach [www.stagecoachbus.com](http://www.stagecoachbus.com)
- Arriva Midlands [www.arrivabus.co.uk/midlands](http://www.arrivabus.co.uk/midlands)
- High Peak Buses [www.highpeakbuses.com](http://www.highpeakbuses.com)
- TM Travel [www.tmtravel.co.uk](http://www.tmtravel.co.uk)
- Hulleys [www.hulleys-of-baslow.co.uk](http://www.hulleys-of-baslow.co.uk)
- Midland Classic [www.midlandclassic.com](http://www.midlandclassic.com)
- Notts & Derby [www.nottsderby.co.uk](http://www.nottsderby.co.uk)
- Yourbus [www.catchyourbus.co.uk](http://www.catchyourbus.co.uk)



## **Appendix 4**

### **Transport Policy for**

### **Children and Young People**

**DERBYSHIRE COUNTY COUNCIL**

**May 2016**



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## **1. Introduction**

This policy explains the entitlement to travel assistance for Derbyshire children and young people and in some cases their families, including those who have additional needs such as children with learning difficulties or disabilities. It sets out the criteria for eligibility for travel assistance, how parents may apply, how decisions are made and the type of assistance that may be available and how parents and carers may have decisions they are unhappy with reviewed.

In developing and implementing this policy, the following principles are applied:

- The policy should be applied fairly, and consistently.
- Wherever possible, independence for children, young people and families should be promoted.
- Value for money should be secured.

The policy is intended to provide clarity for parents and carers in a wide range of circumstances and to ensure that children with additional needs are appropriately supported. However, it is the legal responsibility of parents to ensure that their children of compulsory school age are educated at school or otherwise.

Extensive consultation with parents, carers, children and young people has informed this policy and in support of the policy an Equality Impact Assessment has been undertaken to ensure that it does not unfairly disadvantage any group or individual.

The scope of this policy includes all travel assistance provided by Derbyshire County Council (the Authority) for children, young people and families to services, schools and places of learning.

The Authority has a duty to ensure that all arrangements make the best use of the Council's resources.

This policy applies to all children and young people who are resident in Derbyshire, excluding those living in the Derby City Local Authority area, and includes all children looked after by Derbyshire County Council.

## **2. Home to school transport for children and young people of statutory school age.**

Home to school transport is provided for statutory school age children whose circumstances meet the Authority's home to school transport criteria as explained below.

Statutory school age starts at the beginning of the term following the child's fifth birthday and lasts until the last Friday in June in the school year the child becomes 16. In law, there is no requirement to assist with education transport for children younger than statutory school age.

The Raising of the Participation Age (RPA) legislation, requiring young people to participate in education or training until the end of the academic year they turn 17 from 2013 (and up to their 18th birthday from 2015), has not created any new entitlement to transport for post-16 learners.

## **2.1 Choice of School**

The offer of a school place does not give a guarantee of home to school transport assistance from the Authority. Parents have a right in law to state a school preference for their child but that does not automatically carry with it a right to assistance with transport to get the child/young person to and from school in the event they are successful with their preference.

Unless the circumstances fall into one of the *General Eligibility Criteria* (section 2.2) or the *Home to School Transport for Low Income Families criteria* (section 2.3), the child's parents or carers will be required to make their own arrangements to get their child to school.

## **2.2 General eligibility criteria**

In Derbyshire, provision is made for eligible pupils, at the beginning of the academic year in which their fifth birthday falls, and who live over statutory walking distance from the normal area school attended full time, until they finish school in year 11.

Children and young people of compulsory school age are entitled to assistance with transport from the Authority to a maintained school, academy, or other establishment if named in an Education Health and Care Plan or statement of special educational needs, if they meet the following criteria:

- Attend the normal area school, or a school closer than the normal area school, or the nearest suitable school as determined by the Authority; and
- Live beyond the statutory walking distance from that school.

The statutory walking distance is 2 miles for children under the age of eight and three miles for children over the age of eight.

School normal areas are determined by the Authority, or in the case of faith schools, by the diocese in partnership with the Authority.

In the exceptional circumstances of a child being educated outside their normal chronological age group any transport application will be assessed according to the age of the majority of children they are educated with.

Whilst not exhaustive, the list below indicates cases where there will not usually be an entitlement to transport assistance from the Authority, with the exception of children in the care of the Authority:

- To access breakfast or after school clubs including out of school activities.
- To work experience, taster or open days.
- To part-time provision off the school site organised by the school.
- For transfers between educational establishments during the school day.
- To and from temporary addresses including friends and child minders where these arrangements are made by the family.
- To and from medical appointments.
- Following detention.
- At times to suit the convenience of family arrangements.
- For late arrival or early departure, for example due to illness or medical appointments.
- For shorter than normal days e.g. during the exam season.
- For a child whose level of attendance is a cause of concern, but for whom no eligibility criteria are met.
- For students on exchange visits.
- Where the behaviour of a young person is not acceptable to the driver of the vehicle and places other travellers at risk. In these circumstances parents will be required to make alternative arrangements (See Appendix C).

## **2.3 Home to school transport for families with low incomes**

The Education and Inspections Act 2006 introduced additional transport assistance for families with low incomes under the term *Extended Rights*.

Children of primary age who are entitled to free school meals or whose families get the maximum level of working tax credit are entitled to free transport to the nearest suitable school where the distance from home is more than two miles. This distance is measured along the nearest available route.

Children aged 11-16 who are entitled to free school meals or whose families get the maximum level of working tax credit are entitled to free

transport to any one of the three nearest suitable schools where the distance from home is between two and six miles. Where the school is preferred on grounds of religion or belief the distance is between two and fifteen miles if the school is the nearest appropriate school. Evidence to support religious or philosophical belief will be required.

Distance measurement up to three miles is determined using the 'shortest available walking route', as detailed in section 2.5 below. Any distance measurements over three miles linked to low income entitlement shall be determined using a road route suitable for a motorised vehicle.

Currently, in Derbyshire, all children of primary school age (regardless of family income) are entitled to free transport to the nearest suitable school where the 'shortest available walking route' is more than two miles, as detailed in section 2.5. This exceeds the minimum statutory entitlement.

Eligibility for transport assistance may be checked annually. If parents are no longer eligible they will be required to meet their child's transport costs. Should a family's circumstances change they will need to inform the Authority at the earliest opportunity in order for their eligibility for assistance to be re-assessed.

## **2.4 Transport to faith schools**

Following consultation, from September 2015, Derbyshire local authority no longer provides a transport subsidy to faith schools. Protection was given for pupils in Years 6 and 11 for the academic year 2015/2016 but the Authority will not contract any buses to provide transport to faith schools from July 2016.

However, the authority will still have a duty to provide free travel for those pupils who are entitled to free travel on distance or low income grounds (see sections 2.2 and 2.3).

Children aged 11-16 who are entitled to free school meals or whose families get the maximum level of working tax credit are entitled to free transport to any one of the three nearest suitable schools where the distance is between two and six miles. Where the school is preferred on grounds of religion or belief the distance is between two and fifteen miles if the school is the nearest appropriate school. Evidence to support religious or philosophical belief will be required. Any distance measurements over three miles linked to benefit entitlement are done using road routes.

The Council gives a grant to a hardship fund which is to be administered by the relevant Diocesan authorities. These grants are intended to be used in support of families and pupils particularly disadvantaged by the

changes. In particular those identified as particularly vulnerable which include pupils living some distance from others travelling to the school and without an alternative means of transport, and families with an income just above the threshold for entitlement to free transport on the grounds of low income for whom the costs may be prohibitive. Applications will be dealt with by the relevant Diocesan authority directly.

## **2.5 Distance measurement**

Home to school distance is measured from the child's residential address, from the established pedestrian access point for the property nearest to the school - for example, the front gate - to the nearest approved entry point to the school site, using the 'shortest available walking route'.

Measurements are made from one permanent address for a pupil, deemed to be the residence at which the child resides during the normal school week. Where the child subsequently moves address the eligibility will be re-determined. Where the child shares equal time between different parental addresses eligibility will be assessed from the property nearest to the school attended.

The '**shortest available walking route**' is the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads.

Any distance measurements over three miles linked to low income entitlement shall be determined using a road route suitable for a motorised vehicle.

From September 2014 distance measurements for all new applicants are normally determined by means of a computerised GIS mapping system using Ordnance Survey information. Distance measurements for existing users may include routes and distance measurements already held on file by the Authority.

## **2.6 Hazardous Routes**

Transport assistance will be provided if the Authority considers that the route a pupil would normally be expected to walk to school is hazardous and the alternative route(s) is/are over the statutory walking distance. The assessment criteria are set out in Appendix A.

When considering a walking route it is expected that the child will be accompanied by an adult or other responsible person as necessary. Arranging this is the responsibility of the parents/carers.

## 2.7 Spare Seats

Where the Authority provides contract vehicles, spare places may be offered on request and on a temporary basis for children who are not entitled to transport assistance based on the criteria in sections 2.2 and 2.3. For 2016/17 where a child takes up a spare seat a charge will be made of £365 per annum for a secondary age pupil and £330 per annum for a child of primary school age. This charge will increase by the rate of inflation in the September of each year.

The Authority reserves the right to determine the allocation of these spaces based on the demand and space available at the time and to determine charges.

The Authority cannot guarantee the spare seat place for the duration of the child's attendance at that school and will make every effort to give a minimum of one week's notice should a place have to be withdrawn at any time. There is no appeal against withdrawal of concessionary transport, as from the outset, this offer does not commit the Authority to future assistance.

The facility for children who are not entitled to transport assistance from the Authority to pay to use spare seats does not apply to buses which charge a daily fare for travel.

## 2.11 Medical needs

**Short Term:** in most cases, the Authority will not provide transport assistance when a child has a medical condition or need that is short term. If a short term need affecting mobility means that the pupil cannot be reasonably expected to walk to school, some assistance may be provided, and would be assessed on an individual basis using written evidence from a medical practitioner that includes an expected end date to the temporary condition.

**Long Term:** children and young people with medical needs attending their closest suitable school who are unable to walk to school due to their medical need, and where this need is supported by a medical plan, may be considered for transport assistance.

All efforts will be taken to support independence of the child or young person within the context of their medical needs including parents' availability. Transport assistance will only be provided where this is clearly stated as a requirement in the medical plan and the type of travel assistance offered will be dependent on the individual needs of the child.

Applications for assistance come from the management of the schools in the form of a medical plan.

## **2.9 School re-organisation**

If a child has to move school after a school re-organisation or closure, and they lived in the normal area of their former school, they will only be offered transport to their new designated school if they meet the general eligibility criteria. Transport for those who do not meet the general eligibility criteria will only be provided if it has been agreed as appropriate under the school closure/ re-organisation plan.

## **2.10 Applying for school transport**

When a child or young person is due to start full time school for the first time or transfer at the normal transfer time between schools, parents/carers will receive a letter advising them at which school the child has been offered a place. This letter will include information relating to home to school transport.

If a child/young person is offered a place at/attends a primary school in another Authority's area, a letter will be sent to the child's home address from the School Admissions and Transport Team advising about the process for applying for transport, and where to find more information.

**Primary age children:** families who believe their child may be entitled to transport assistance should apply online or submit a form X78.

**Secondary age children:** with the exception of children falling into the following category, families who believe their child may be entitled to transport assistance should apply online or submit a form x78

**Year 6 pupils transferring from junior/primary school to a secondary school:** where it is identified that a pupil is entitled to receive transport assistance the Authority will notify parents by letter in April prior to transfer. In this case a separate application is not necessary and parents/careers should only contact the Authority if the transport assistance is not required.

Parent/carers who do not receive a letter should apply to the Authority if they believe that their child may be entitled to assistance with travel. The application should be completed by the end of May prior to transfer. Applications for school transport can be made online at [www.derbvshire.gov.uk/get2school](http://www.derbvshire.gov.uk/get2school) or by completing form X78.



**Other circumstances:** applications for transport to support new admissions or changed circumstances at other times of the year should be made on line on the Derbyshire County Council website or using the application Form X78.

In normal circumstances, when the parent/carer of the student entitled to assistance applies, it may take up to 15 working days before provision is in place and parents/ carers will be expected to make their own travel arrangements during this time. If further information or investigation is required more time may be required.

Transport applications are assessed on the basis of the information supplied, so if circumstances change it will be necessary for the parent/ carer to notify the Authority and re-apply if appropriate. The stored information is verified with schools by the School Transport Team twice yearly.

In the event that the Authority has provided assistance with transport in error the provision will be withdrawn giving six weeks' notice. The Authority reserves the right to recover from parents the cost of any transport wrongly provided on the basis of false or inaccurate information given by the applicant, or failure by the applicant to notify the Authority of a change of circumstances.

## **2.11 What type of transport assistance will be offered?**

Transport assistance will normally be provided through a place on a school bus, public bus or train, or by reimbursement of a parent's mileage expenses at 45 pence per mile based on one return journey a day. A pupil's journey may include one or more changes of transport, where connection times and overall journey times, are reasonable. For complex journeys, the Authority will discuss provision with the family to determine the most suitable arrangements.

Children/young people who have lost their bus/rail pass will have to pay the Authority for a replacement (and may also incur a separate fee from the rail company). Parents/carers must send a letter to school confirming that the pass has been lost and payment will need to be included. Children will not normally be issued with more than one replacement pass each school year.

Children will normally be expected to walk up to a mile, accompanied as necessary, to meet a service vehicle to school.

## **2.12 Acceptable journey time**

Where transport is provided the recommended maximum journey time is 45 minutes each way for children of primary school age and 75 minutes each way for children of secondary school age. In practice the Authority attempts to minimise these times as much as possible in the interests of the child. Acceptable journey times for children and young people with special needs may be adjusted according to individual need.

## **2.13 Request for review**

Where transport assistance to school/college is refused there will be an opportunity for the parent/carer to have their circumstances reconsidered.

A parent/carer has 20 working days from receipt of the Authority's transport decision to make a written request asking for a review of the decision by completing a review form (Appendix D) which can be obtained from the School Admissions and Transport Team (see Appendix C for details).

The written request should detail why the decision should be reviewed and give any details of exceptional family circumstances, attaching any necessary supporting evidence. In the matters of route distance, correction of administrative error and withdrawal of a temporary seat, the final decision rests with the Authority.

Within 20 working days of receipt of the review form, an officer panel will review the original decision and inform the parent/carer of the decision in writing. The panel will comprise of officers not party to the original decision.

Parents whose review has been refused have the right to request their case as originally presented is considered further by a Senior Officer. A written request should be made via the School Admissions and Transport Team (see Appendix C).

## **2.14 Complaints**

If a parent/carer has a complaint about the individual arrangements for their child, please contact the appropriate School Transport Team (see Appendix C).

## **3. Transport for children and young people with additional needs or special circumstances**

### **3.1 Home to school transport for pupils of statutory school age with learning difficulties and/or disabilities**

Pupils with learning difficulties and/or disabilities (LDD) of statutory school age who qualify under the criteria in sections 2.2 and 2.3 will be provided with free home to school transport.

The majority of Derbyshire pupils who have a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) do not receive or require specialised travel assistance from the Authority. Where a pupil lives within the defined travelling distance, and is able to walk to school, accompanied as necessary, the Authority expects parents of pupils with a statement of SEN or an Education, Health and Care Plan (EHCP) to make arrangements for their child in the same way as parents of pupils without a statement.

Where entitled and deemed necessary, free transport will be provided to and from the nearest suitable school where the child cannot be reasonably expected to walk with regard given to his or her individual learning difficulty and/or disability. The child's age will be taken into account, and where transport is provided, the Authority will ensure that children can travel in safety and reasonable comfort and that journey times are kept to a minimum.

If the child is attending a school of parental preference i.e. where the Local Authority considers there is a suitable school nearer the pupil's home, free transport will not be provided. If the parents preferred school is further away from the child's home than another school that can meet the child's needs the local Authority may agree to the named the preferred school on condition that the parents are responsible for all costs relating to travel from home to school.

The provision of transport will be reviewed annually.

A pupil with a statement of SEN or an Education, Health and Care Plan (EHCP) who is a registered pupil or has been offered a place at a mainstream school will not be provided with home to school transport unless:

- The nearest appropriate school exceeds the distance criteria (see section 2.2); or
- The low income criteria are met (see section 2.3); or
- The pupil has a disability which prevents them from walking to school, accompanied as necessary by a parent or carer.

When a pupil with LDD is entitled to free home to school transport and cannot access the transport generally available to take other children from their local area to school then alternative transport arrangements will be made, the nature of such arrangements being at the discretion of the Authority, having regards to the needs of the pupil.

If the Authority agrees to provide transport assistance it will be provided in a safe and cost effective manner, taking account of the child's specific needs and with regard to the best use of the Council's resources from the range of options below:

- **Re-imbbursement of mileage costs:** parents may consent to support their child in travelling to school, either through accompanying their child in place of a passenger assistant or by driving their own car. In these cases the Authority may remunerate the costs of travel by paying a mileage allowance, currently 45 pence a mile based on one return journey a day.
- **Escorted public transport:** It may be possible for a pupil to travel on public transport if they have some assistance. Where parents are unable to accompany their child, or do not consent to do so, the Authority may provide a passenger assistant.
- **Contract vehicles:** in exceptional circumstances the Council may provide a contracted vehicle to transport a child to and from school. Vehicles are provided by suitably qualified, registered providers working to contractual standards set by the Council. Whenever possible, pupils will travel together in mini-buses that are adapted to meet the needs of pupils travelling on them. Each route will be planned on the basis of school start and finish times and the shortest possible route for all children travelling on a particular vehicle. Pupils will be picked up and dropped off at a convenient location, within a reasonable distance from their home, in many cases from recognised bus stops.
- **Home pick-up:** this will only be made where deemed essential due to the child's significant needs.
- **Taxis and private hire vehicles:** under very exceptional circumstances the Council may transport pupils in separate taxis or private hire vehicles based on the assessed needs of the child.

Passenger assistants may be provided at the discretion of the Authority where:

- The child is under 8 years of age.
- The child has a disability which makes it necessary to provide an escort for health and safety reasons or.
- The child has an emotional or behavioural difficulty which would

give rise to concerns about the well-being of the pupil, or the well-being of other pupils or staff if there were no passenger assistant present.

### **3.2 Pre-School age children**

On the basis that pre-school children do not fall within eligibility criteria as set out in the statutory guidance, the Authority will not normally provide transport assistance for pre-school children. Where children have or are undergoing an assessment of special educational needs and/or disability, provision may be considered but this would only be agreed in exceptional cases.

The decision to make discretionary travel arrangements rests with the Authority, and, if agreed, will usually be in the form of parental reimbursement of 45 pence per mile based on one return journey per day and follow consideration on a case by case basis.

### **3.3 Independent Travel Training**

The Independent Travel Training scheme is aimed at young people who may face difficulty with using public transport to help them live more independently.

Travel Trainers work on a one-to-one basis with a learner to gain independence on a specific route to and from school or college. A Travel Trainer usually works with a learner for about 10 return sessions, gradually developing their independence through accompanied, close and distance shadowed journeys.

For learners to be eligible they need to:

- Be in Year 8 or above at school or be aged above 16 attending post-16 education.
- Being provided with transport to their place of education, paid for by the County Council.

Please phone 07805745341 or email [lift-derbvshire@natstar.ac.uk](mailto:lift-derbvshire@natstar.ac.uk) for more details.

### **3.4 Transport to residential placements**

Where the pupil attends a residential school, transport will be arranged by the Authority, or the parents will be reimbursed the cost of making their own arrangements as follows:

- Weekly basis- journeys at the beginning and end of each school week.
- Termly basis- journeys at the beginning and end of each term, up to a maximum of 12 journeys.
- 38 or 52 week placements- a maximum of 12 journeys per school year.

Parents/carers are expected to make independent transport arrangements when returning pupils to school following illness, for medical appointments and for exclusions where these journeys are additional to normal transport arrangements.

### **3.5 Transport to short breaks**

Transport may be provided by the Authority between school and a short break setting where there is an existing contract that can be utilised at no extra cost to the Authority. If there are additional costs the parents or carers will be expected to meet these costs, or provide transport by their own arrangement for short breaks overnight or longer.

### **3.6 Children moving school for reasons other than changing home address**

If a child moves to another school or establishment other than due to a house move, transport assistance will not normally be offered unless the general eligibility criteria (see sections 2.2. and 2.3) are met.

Each request will be considered on its particular circumstance

### **3.7 Children moving to different place of learning due to behaviour issues**

If a child has been placed in an alternative establishment for provision of their education, such as a support centre or a different school, following exclusion, eligibility criteria (as defined in sections 2.2 and 2.3) will apply from the pupil's home to the nearest suitable establishment where instruction or training is being given.

### **3.8 Home to school transport for children in the care of the Authority**

The educational attainment of children and young people in the care of Derbyshire County Council (children in care) is a high priority, and it is the aim of the Authority to ensure children and young people receive continuity of education where possible and in their best interest. Care will

be taken to ensure that travel is not excessive for an extended period (see section 2.12 acceptable journey time).

The majority of children in care will attend a local school, particularly when a placement is identified as long term or expected to endure for more than 6 months.

For looked after children and young people who do not have a statement of special educational needs and who have an assessed need to attend school outside of the normal area where they live, whether in residential or foster care, decisions regarding transport will be taken in the best interests of the child by the Social Worker.

Provision of transport may be considered:

- When the child's care plan is for the child to return home in a specified timescale and there is a need to maintain the child in a school.
- When a child/ young person is at a critical time in their education timetable e.g. SATs, GCSEs, transition.
- Where continuity of education is specified by the Courts in Care Proceedings or by the Children in Care Review Process.

The decision should be made either at the initial care planning meeting or the statutory review.

Where possible and appropriate, the young person is expected to travel independently by walking or cycling, on public or other school transport. For younger children or where other forms of transport are not available, it is expected that where possible, appropriate and in the interests of value for money the foster carer or other carer will transport the child to school and will be reimbursed at the rate of 45 pence per mile based on one return journey a day.

Where transport by car is difficult due to responsibility for a younger child, the Council may offer support with childcare costs to support the transport of a child in care if this is appropriate and represents value for money.

Only in exceptional circumstances will individually commissioned transport be provided, and all requests must be formally approved by the Safeguarding District Manager.

Transport arrangements will be kept under review by the Independent Reviewing Officer.

### **3.9 Transport to contact and other settings for children in the care of the Authority**

All efforts must be taken to secure best value when arranging transport for children in the care of the Authority, even when a rapid response is required or in the case of unforeseen circumstances.

Where possible, contact visits should be arranged as close as possible to where the child is living and/ or attending school, and transport should be provided to and from contact visits by the Carer with travel reimbursed at a mileage rate of 45 pence per mile.

In cases where transport provided by the Carer is not possible, the Social Worker should seek an alternative that offers best value.

### **3.10 Transport to contact visits for parents**

The Authority will not provide transport for parents to attend contact visits with their children who are in the care of the Authority. The Authority will reimburse public transport costs for attending contact visits on presentation of a valid ticket or receipt, or will pay a mileage reimbursement for personal car use at the public transport rate (currently 16.4 pence a mile).

### **3.11 Transport for parents attending Parenting Courses provided by the Authority**

When the need presents the Authority will identify parenting courses and classes to offer parenting support. Travelling to and from the course/class is a parental responsibility unless safeguarding services identify exceptional circumstances in which case the Authority will reimburse travel expenses for personal car (at public transport rate of 16.4p a mile) or public transport use.

### **3.12 Request for review**

A parent/carers can ask for a review of the Authority's decision to refuse assistance with transport if they do not meet the criteria in 2.2 and 2.3. See section 2.13.

### **3.13 Complaints**

If a parent/carers has a complaint about the individual arrangements for their child, please contact the school transport section (see Appendix C).



## **4. Post 16 Transport**

Please note this section gives a brief overview of our Post 16 transport provision.

We publish a separate annual Post-16 Transport Policy Statement which defines our transport policy for learners over age 16. This can be viewed at [http://www.derbyshire.gov.uk/council/policies plans/educ plans and policies/ post16-transport-plan/default.asp](http://www.derbyshire.gov.uk/council/policies%20plans/educ%20plans%20and%20policies/post16-transport-plan/default.asp)

Statutory eligibility to free home to school transport ends at age 16. Eligibility for Post-16 transport provision for learners of sixth form age is not prescribed by statute and the local authority must decide what arrangements it considers necessary, as a local response to transport needs, which complies with the legislation and public law.

Local authorities have a duty to prepare and publish an annual Transport Policy Statement specifying the arrangements for the provision of transport, or otherwise, that the Authority considers it necessary to make to facilitate the attendance of learners of sixth form age receiving education or training at schools and other prescribed establishments, and for learners with learning difficulties and/or disabilities aged from 19 to 24 who are subject of a Learning Difficulty Assessment or Education Health Care (EHC) plan.

The Raising of the Participation Age (RPA) legislation, requiring young people to participate in education or training until the end of the academic year they turn 17 from 2013 (and up to their 18<sup>th</sup> birthday from 2015), has not created any new entitlement to transport for post-16 learners.

### **4.1 Transport to school and college for students post-16**

Post-16 students in full time education qualify for a b\_line 2 card which provides reduced fares on public transport in Derbyshire up to their 19th birthday, under the Council's b\_line concessionary fares scheme. The concession includes bus and rail travel across Derbyshire, Derby city and journeys to and from some destinations just outside the county.

Further information about b\_line, including application forms and details of how to replace a lost or defaced b\_line card, may be obtained from the school office or found on the Derbyshire Youthinc website at [www.derbyshireyouthinc.com](http://www.derbyshireyouthinc.com)

The Council does not make any additional arrangements to convey Post 16 students unable to access public transport unless it is a specific

requirement in a Statement of Special Education Needs, in a Learning Difficulty Assessment; or in an Education, Health and Care plan. Some colleges may provide transport or transport assistance, and more information about this can be obtained from the institutions - see [http://www.derbvshire.gov.uk/council/policies\\_plans/educ\\_plans\\_and\\_policies/post16-transport-plan/default.asp](http://www.derbvshire.gov.uk/council/policies_plans/educ_plans_and_policies/post16-transport-plan/default.asp)

Post 16 learners may be able to use spare seats available on transport services contracted by the Authority (see section 2.7).

#### **4.2 Post 16 students with learning difficulties and/or disabilities**

Derbyshire County Council provides a b\_line scheme providing discounted travel for young people accessing learning. It is expected that most young people with learning difficulties and/or disabilities will use this to get to their places of learning. Where this is not possible the Authority will, in the first instance, explore if a parent is able to provide transport and receive a mileage reimbursement. If this is not possible the Authority will consider alternative transport arrangements.

A contribution will be charged for transport assistance for sixth form aged pupils. The standard contribution for 2016/17 is £365 per year; the low income contribution is £245 per year. This contribution will increase by the rate of inflation in the September of each year.

For full details see post 16 policy [http://www.derbvshire.gov.uk/council/policies\\_plans/educ\\_plans\\_and\\_policies/post16-transport-plan/default.asp](http://www.derbvshire.gov.uk/council/policies_plans/educ_plans_and_policies/post16-transport-plan/default.asp)

**Walking Route Assessment Criteria**

- A. In assessing the safety of a particular route, consideration will be given only to danger relevant to traffic/highway conditions.
- B. It is essential that each case be considered objectively on its merits.
- C. It is assumed that the child is accompanied if necessary by a caring parent or other responsible person and will be suitably clad.
- D. Where a footway or roadside strip, public footpath or bridleway exists of reasonable width and condition, this will normally be assumed to provide a safe route for that part of the journey.
- E. Where, on a lightly trafficked or narrow road, a verge exists which is not easy to walk on, but which can be stepped onto by the child and accompanying person when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey.
- F. Many routes may lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent heavy goods vehicles) and to visibility.
- G. The absence of street lighting is not in itself a measure of the availability of a safe route although where children are unable to step off the road surface it could become a significant factor.
- H. Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movement; and
- I. Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration as should the extent of visibility.

**Please note:** any routes found unsuitable for a young person to walk, accompanied as necessary will be referred to the County Highways Authority to look at cost effective adjustments.

**Assessment:**

Officers of the Authority will use the above factors to assess whether a route is reasonably safe to walk. There will normally need to be a combination of factors present for the route to be unavailable for an accompanied child. A route will not normally be considered unsafe because a short length of it is difficult. It is reasonable to expect special care in particular places

### **Behaviour Code of Conduct for provided transport**

Derbyshire County Council is committed to providing safe and reliable transport to and from educational establishments and places of learning in the County.

A number of bus services now have CCTV fitted and partnerships have been established with some schools and bus operators to help deal with problems. The County Council also works in partnership with Derbyshire Community Safety Forum and will, where necessary, utilise the range of legislative enforcement powers available to help stop anti-social behaviour. Parents are responsible for ensuring their own child understands the consequences of misbehaving on provided transport.

#### **Step 1**

Where a child misbehaves, drivers will normally speak to the child about their behaviour. If problems remain the details will be reported to the school or place of learning and to the County Council. Once a pupil has been reported, a verbal warning will normally be given by the school or place of learning. Schools and places of learning should include within their School Behaviour Policy conduct which takes place on the journey to/ from their establishment as well as behaviour within the school or place of learning, and may also impose additional sanctions under the terms of the Behaviour Policy where this is appropriate.

In cases of more serious misconduct, Step 2 will immediately apply.

#### **Step 2**

Where a pupil is a persistent offender, or commits a serious offence, a written warning will be issued as follows. Either:

- A letter will be sent home informing parents/guardians of their child's behaviour along with a warning that further misbehaviour will result in the child being banned from the transport provided for a temporary period, or
- A letter will be sent home informing parents/guardians that an immediate ban from the transport provided has been imposed for a specific period. Pupils may also be asked to sign an acceptable behaviour contract before they are allowed to return to the transport provided.

In very serious cases the right to travel on transport arranged by the Authority may be withdrawn completely.

Warning letters may be issued by the School or place of learning, the County Council or the Anti-Social Behaviour Officer.

A serious offence includes any type of behaviour which endangers the safety of other passengers, drivers and members of the public. It also includes criminal damage or vandalism to the transport vehicle provided.

Serious cases may also be reported to the police, to be dealt with by way of criminal proceedings.

Parents/carers should be aware that where bans are imposed the travelling arrangements and costs will be the parent's responsibility and the County Council will not offer alternative transport or assistance.

Parents and carers of pupils who cause damage to transport vehicles will be liable for any costs incurred by the company. The County Council will support the transport company and will encourage police involvement if necessary.

**For specialist staff dealing in home to school related matters**

School Admissions and Transport Team - tel: 01629 537479 or email [admissions.transport@derbvshire.gov.uk](mailto:admissions.transport@derbvshire.gov.uk) for assessment/eligibility queries.

**Family Information Service**

Tel: 01629 535793

**School Transport Team** (school bus provision)

Tel: 01629 536739

**Special Needs Transport Team**

Tel: 01629 536727

Online applications for transport assistance can be made at [www.derbvshire.gov.uk/get2school](http://www.derbvshire.gov.uk/get2school)

# TRANSPORT REVIEW FORM

Please use **BLOCK LETTERS** on this page and complete in black ink or type.

**Name of child:**

**Address:**

**Child's date of birth:**

**Postcode:**

**Full name of parent/carer:**

**Telephone number (daytime):**

**Home:**

**Work:**

**Mobile:**

**Email:**

**Does your child have a Statement of Special Educational Need or Education, Health and Care Plan?**

**YES** ☐ **NO** ☐

**School to which transport is requested:**

**Any previous school(s) attended:**

**Date started or due to start at above school:**

**Details of other adults in the family:**

**Name:**

**Relationship to child**



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**Details of other children in the family (i.e. brothers or sisters):**

<b>Name:</b>	<b>Date of birth</b>	<b>School/college attended</b>

**Please explain how your child currently travels to school:**

**I understand the Authority may seek advice and information relating to my request from other departments or agencies, including schools, prior to my review.**

**Signature:**

**Date:**

**Please give full details of request for transport assistance and grounds for review. You should include details of any other agency involvement e.g. social care, housing and provide relevant documentation from them.**

*Please note financial circumstances or normal parental working arrangements will not usually, by themselves, be regarded as exceptional family circumstances. Where the parent/carer is unable to accompany the child, then the Authority will consider the availability of immediate family members, friends and neighbours, and the provision of any other assistance or benefit to the family.*

**Other agency details:**

**Name:**

**Contact telephone number:**

**Privacy Notice:** The information you release to us will be used for transport related purposes and may be shared, as the law allows, with partner organisations. Further details on the Authority's Data Privacy policies and those of partner organisations can be found on the Derbyshire County Council website [www.derbyshire.gov.uk/privacynotices](http://www.derbyshire.gov.uk/privacynotices), or a hard copy can be provided on request.

Please return this form to Derbyshire County Council, School Admissions and Transport Team, Council House, Saltergate, Chesterfield, Derbyshire, S40 1LF or email to [admissions,transport@derbyshire.gov.uk](mailto:admissions,transport@derbyshire.gov.uk)