

**Report of: Director of Children and Families**

**Report to: Executive Board**

**Date: 17th July 2017**

**Subject: Transport assistance for post-16 students with SEND**



Are specific electoral Wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

## Summary of main issues

1. The provision of transport assistance is a key contribution to our aim in the Children & Young People's Plan for all children and young people to do well at all levels of learning and have skills for life. This includes helping to improve outcomes for those with special educational needs or disabilities (SEND).
2. The provision of transport assistance for post-16 students with SEND is discretionary and when it is provided, it is most often in the form of a private hire vehicle or in-house fleet vehicle transporting young people to their learning settings.
3. The provision of transport assistance in this way is inconsistent with our strategic aim to work restoratively with families (doing things **with** rather than doing things **to** or **for** people) and our aspiration to promote independence wherever possible.
4. Each year about 60 young people with SEND enter post-16 learning and look to Children and Families directorate for transport to their learning setting, and there are currently approximately 280 young people in this cohort, aged 16-25, currently being transported. The cost of providing this discretionary transport is approximately £1.6m per annum. There are increasing numbers of children with special and very complex needs and this trend is expected to continue, placing an increasing demand on Children's Transport. Increased demand for

service must be viewed in the context of the Council's Financial Plan where there are clear financial challenges.

5. However, even without the current austerity measures, the service and its resources would have been reviewed to ensure they serve to support wider plans and strategies for children and adults.
6. Proposals were developed to offer Personal Travel Allowances (PTA's) for eligible students instead of providing transport. This would be aligned with the Children & Young People's Plan to work restoratively with families, and would enable families to manage their own transport arrangements, giving them greater flexibility and control. In doing so we would continue to help young people to do well at all levels of learning and have skills for life.
7. Continuing to offer discretionary assistance in this way would support the Best Council Plan to build a compassionate city with a strong economy whilst tackling inequalities in a way that is fair and sustainable, through a combination of innovation and efficiencies.
8. In December 2015 Executive Board therefore approved a recommendation for consultation to take place around proposals to introduce Personal Travel Allowances for eligible students as an alternative to providing transport. A new offer, based on feedback from the consultation has now been prepared.
9. Financial modelling initially indicated a potential saving of £1m. The latest financial modelling indicates a potential saving of £830,000. The reduction in the potential level of savings is due to changes being made to the original proposals as a direct result of feedback received through consultation. Additionally, it is also now proposed to continue providing transport for a small number of young people with the most complex special educational needs, again following feedback received through consultation.

## **Recommendations**

10. Executive Board is recommended to approve the proposed Children's Transport policy, 17<sup>th</sup> July, at Appendix 1. This details how Personal Travel Allowances will be offered to eligible young people with SEND in post-16 education as an alternative to providing transport. Young people with the very highest level of need, however, will continue to receive bespoke transport. Transport assistance would in future be made available on the following basis, depending on the level of transport need as detailed in the proposed policy and assessed by Children's Transport:

**A:** Independent Travel Training and a free bus pass (or equivalent cost) for a young person who is able to travel independently or could make the journey to their learning setting on public transport accompanied by an adult as necessary.

**B:** A Lower PTA equivalent to £1 per mile for 2 single journeys per day

**C:** An upper PTA equivalent to £1.50 per mile for 2 single journeys per day

## **D: Provision of Bespoke Transport**

11. It is recommended that the new arrangements be introduced from September 2017. Phasing arrangements detailed at paragraphs 3.42 – 3.45 mean that young people with SEND entering post-16 education for the first time from September 2018 onwards will be the first to receive transport assistance under the proposals.
12. Note that the officer responsible for implementation is the Head of Commissioning and Contracting.

### **1 Purpose of this report**

- 1.1 The purpose of this report is to advise Executive Board on the outcome of the consultation, and to seek approval to implement a new transport offer for young people with SEND in Post-16 education.

### **2 Background information**

- 2.2 The provision of transport assistance is a key contribution to Children's Service's aim for all children and young people to do well at all levels of learning and have skills for life. This includes helping to improve outcomes for children and young people with special educational needs or disabilities (SEND).
- 2.3 There is no statutory duty to provide transport for post-16 learners and recent analysis indicates that it will cost approximately £1.6m to transport about 280 post-16 learners in the 2016/17 academic year. These numbers are projected to grow.
- 2.4 Set against a rising demand for transport assistance, core funding from the government fell by around £214m between 2010/11 and 2016/17. For 2017-18 there was a further £25.1m reduction in funding compared to 2016-17, equivalent to a 10.5% reduction.
- 2.5 Over the coming years these conflicting pressures will continue: the council's core funding will continue to fall, while demand for transport assistance will continue to grow. This rising demand for discretionary assistance clearly presents a significant financial challenge.
- 2.6 The budget challenge facing the council continues to demand a fundamental re-design of services for children, young people and families. If we are to continue to support the Children and Young people's Plan, the Financial Plan and the Best Council Plan, the relationship between the Council and families who need support must change and be based on a restorative high support and high challenge way of working to help people be more productive and make positive choices.
- 2.7 Transporting young people to their learning settings in taxis or fleet vehicles is therefore inconsistent with our strategic objectives. It is unsustainable and

creates a dependency upon the council. There is very limited choice, flexibility or control available to families, and it does not promote independence.

- 2.8 In recent years Children's Transport has led the way nationally in developing an Independent Travel Training (ITT) programme for children and young people with SEND. ITT gives young people with SEND the skills to travel independently on public transport instead of being dependent upon the council to transport them. This promotes independence, builds confidence, and improves outcomes in a way that is entirely in keeping with our strategic aims to work restoratively, doing things **with** families rather than doing things **to them** or **for them**.
- 2.9 An opportunity for fresh innovation has now been identified, which will see the continued provision of discretionary assistance for post-16 students with SEND in the form of Personal Travel Allowances (PTA's) instead of providing taxis or fleet vehicle transportation. This is very much in keeping with our restorative practices, and simultaneously supports the need to make efficiencies.
- 2.10 Provision will be made, however, to continue transporting young people with the very highest level of need, such as those with a potential need for in-journey medical assistance or who have very complex needs and exceptionally challenging behaviour. Analysis indicates that, using the current 16-25 year-old cohort as an indicator, 12 young people would continue to be transported every year by the council once the new offer is implemented.
- 2.11 The provision of travel allowances would deliver savings to the council through a reduced need to tender private hire contracts and a reduced need to expend resources on managing arrangements that families can manage independently. Additionally, reducing the number of young people being transported in fleet vehicles would realise savings through reducing the number of routes to be scheduled and/or allowing routes to be scheduled more efficiently.
- 2.12 It is estimated that these proposals would deliver a saving of approximately £830,000 on spending currently forecast at £1.6m, based on the most recent financial analysis. The new arrangements would be applied to young people entering post-16 education for the first time in September 2018. It is therefore anticipated that there will be transition costs whilst the proposals are fully phased in.
- 2.13 The continued spending on this discretionary assistance would continue to support our aim for all children and young people to do well at all levels of learning and have skills for life and to help improve the outcomes for children and young people with SEND.
- 2.14 In addition, implementation of these proposals for young people in post-16 education will create a greater likelihood of independence being achieved and sustained through transition to adulthood. This will deliver, over future generations, a decreasing dependency upon Adults and Health for transport and thus deliver additional savings into the future. There is no foreseeable financial risk to the provision of transport assistance for adults during the phased implementation of the offer, whilst there is a significant long term cost-avoidance opportunity.

### **3 Main issues**

- 3.1 It is currently forecast that the total spending on home-to-school and home-to-college transport in 2017/18 will be in excess of £14m.
- 3.2 A growing population is adding further pressure to the children's transport budget. Set against a rising demand for transport assistance, core funding from the government fell by around £214m between 2010/11 and 2016/17. For 2017-18 there was a further £25.1m reduction in funding compared to 2016-17, equivalent to a 10.5% reduction. With demand for assistance rising and funding falling, the provision of transport assistance is increasingly unsustainable.
- 3.3 In addition to transporting young people being inconsistent with our strategic aims to promote independence, there is no statutory duty to provide transport. Recent analysis indicates that it will cost approximately £1.6m to transport about 280 post-16 learners in the 2016/17 academic year.
- 3.4 The longer we do things for people and wait to facilitate individual learning, the practising of new skills and the promotion of independence, the more dependent a young person or family becomes on the council for support. This in turn makes change increasingly difficult to manage for families as a young person grows into adulthood. It also increases the long-term likelihood of lives being restricted and limited in areas including living options, finding and sustaining employment and engaging with recreation and leisure activities
- 3.5 In the context of our strategic aims to work restoratively, therefore, Children's Transport has significantly increased the Independent Travel Training (ITT) programme for young people with SEND in recent years. In total approximately 600 young people have learned to travel independently over the last 6 years. We expect these young people to enjoy improved outcomes with more independence, and to become increasingly employable and integrated into society. Removing dependency upon the council for transport in this way and replacing it with assistance in the form of a bus pass has also delivered significant savings.
- 3.6 Providing assistance in the least restrictive way like this gives families not just greater independence but more flexibility as well. This is partly because for those dependent upon the council to transport them, it is a necessity that routes must be planned and scheduled well in advance. There are few options for flexibility, for example to allow a later pick-up before or after school when a child has an appointment or ad-hoc after-school activity. Additionally, in order to operate efficiently, many vehicles collect a number of children en route to a setting. This means that the first children to be collected make longer journeys and spend more time being transported than is necessary. Also, for young people being transported to college the staggered nature of each other's timetables frequently means that young people must arrive earlier, or leave later than is needed, and they routinely spend time waiting around college for other student's classes to end. The main reason young people gave us for not enjoying their journey to college was that it can take a long time. These are challenges that families can overcome on a day-to-day basis through handling their own arrangements.

- 3.7 In summary, there is a rising demand for transport assistance at a time of falling funding. The provision of transport for post-16 SEND learners is discretionary and is not consistent with our strategic aim to work restoratively with families in order to minimise dependence upon the council for services. Providing transport does not promote independence and reduces the potential for good outcomes. Children's Transport has successfully implemented an offer of ITT in recent years to promote travel independence.
- 3.8 Whilst it not expected that all young people will be able to achieve full independence, it is recognised that there are degrees of independence that can be achieved. It is therefore intended to maximise further opportunities for the promotion of increased independence through the offer of Personal Travel Allowances (PTA's).
- 3.9 The promotion of travel allowances will support the strategic aims of other service areas. A key aspect of the Children & Families Act 2014 is a strengthened emphasis on improving outcomes for children and young people with SEND. Delivering improved outcomes for young people as they enter adulthood is of great importance locally, and a Preparing for Adulthood strategy is at an advanced draft stage. Travel allowances will support this strategic aim of Children's Services and reduce demand for services from Adults and Health directorate in the longer term.
- 3.10 Executive Board approved a recommendation in December 2015 to consult on proposals to replace transport with Personal Travel Allowances. A consultation exercise was carried out the spring of 2016 with a view to introducing a new transport offer at the start of the academic year in September 2017. A high response to consultation was secured and feedback from families required detailed consideration. This included exploring the potential for a different model for the provision of PTA's. As a consequence, it wasn't possible to present a new offer in time for the start of the 2016/17 academic year, and is instead now being presented for introduction in advance of the 2017/18 academic year.
- 3.11 An excellent response was received from families in the consultation cohort. There were approximately 800 families in the target cohort and meaningful contact was achieved with 42% of them. A full consultation report can be found at appendix 2
- 3.12 The consultation focused on three options:
- A. **Option 1:** A personal transport allowance of the cash equivalent of one or two bus passes, depending on whether a young person needs accompanying on journeys.
  - B. **Option 2:** A flat rate personal transport allowance equivalent to a mileage allowance of £1 per mile, for one outward journey and one inward journey to the learning setting
  - C. **Option 3:** A banded personal transport allowance based on a potential model for assessing level of need

- 3.13 Almost 50% of the respondents either didn't express a preference for any specific option or didn't rank their answers in order of preference.
- 3.14 Option 1 was clearly the least preferred by a large margin, as reflected in both verbal and written responses.
- 3.15 Option 3 ('banded' allowance) was preferred by more families than Option 2 ('mileage' allowance). However, it became apparent during the consultation sessions that a significant number of families were over-estimating which band of allowance they would receive under this model; without being prompted, parents were telling us which band of allowance they would expect, and upon analysis these assumptions were found to be overstated. Additionally, it was necessary during the consultation meetings to provide additional explanation about the banded model. In short, the proposals for a banded allowance were shown to be insufficiently simple and parents were therefore not making fully informed choices.
- 3.16 There were also discussions during open consultation meetings regarding mileage rates and banded allowances, specifically about whether one was inherently fairer than the other. There were views that highlighted pro's and con's of two of the options:
- A banded allowance, as in Option 3, whereby different levels of allowance would be offered broadly according to each young person's type or level of SEND, initially seems logical. However, this would result in two young people with identical transport needs yet significantly different journey lengths receiving the same travel allowance – a young person travelling 10 miles each way would receive the same amount of money as a young person travelling one mile each way.
  - An allowance based on distance with a flat rate equivalent to £1 per mile (as in Option 2) initially seems to address that anomaly; a child with further to travel would receive a higher allowance. However, this would result in a young person with relatively high needs who travels two miles receiving considerably less than a young person with relatively low needs who travels five miles.
- 3.17 In respect of this dichotomy, we were asked whether it was possible to combine the 'banded' option with the 'mileage' option in some way, to provide an offer that takes into account the level of a young person's transport needs the distance travelled. Detailed consideration was given to this suggestion through renewed consultation with professionals across the field of SEND, and further financial modelling was carried out. It was found that such an offer could be achieved through the creation of an upper and a lower Travel Allowance based on the number of miles from home to school and the type of transport needs most frequently met by Passenger Transport Services.
- 3.18 Given the viability of a model providing an upper and a lower 'mileage' allowance, representing the best of each option, this is therefore proposed as the planned approach. Travel allowances would be awarded to eligible young

people according to need, as assessed by SEND Transport Assessors, on the following basis:

- **A Lower PTA equivalent to £1 per mile**

A young person attending college three days per week and living 5 miles away would be awarded 2 journeys/day x £5 x 3 days = £30 per week

- **An upper PTA equivalent to £1.50 per mile**

A young person attending college three days per week and living 5 miles away would be awarded 2 journeys/day x £7.50 x 3 days = £45 per week

- 3.19 Whilst the recommendation of this approach deviates slightly from the consultation proposals, it represents an enhancement of the initial proposals. It is also very much in line with the general principles of the proposals consulted upon i.e. the provision of Personal Travel Allowances. Additionally, this is in keeping with best practice in consultation, in that those being consulted were able to influence the outcome.
- 3.20 Also supporting allowances based on distance was advice from Adults and Health colleagues regarding the difficulties of extending an offer of a 'banded' allowance upon transition to adult services. Supporting the work of Adults and Health to promote greater independence and take a strengths based approach, the principle of an allowance based on the distance from home to school/college is much clearer and easy to understand, and this would be easier for families to relate to through transition from one service to another.
- 3.21 The principle of upper and lower rates is consistent with travel assistance provided through the Mobility Component of Personal Independent Payments (formerly Disability Living Allowance), which has upper and lower levels according to need. Further clarity will also be provided through the initiation of conversations about post-16 education choices whilst a child is much younger – typically in Year 9 once the new arrangements are established (rather than during Year 10 or 11 as is currently the case). In doing this, Children's Transport would add impetus to the growing aim for post-16 education choices to be more generally planned earlier in life.
- 3.22 The provision of Independent Travel Training will continue to be the starting point of the transport offer for eligible young people along with the provision of a bus pass, with an expectation that young people able to travel semi-independently on public transport will be accompanied by an adult as necessary in keeping with our existing policy expectations for children of statutory age.
- 3.23 In addition, again in light of feedback received through consultation, there will be continued bespoke transport provided by the council for young people with the highest transport needs. Using the current cohort of about 280 young people aged 16-25 in post-16 education as a baseline, it is expected that about 12 young people will continue to be provided with transport each year once the proposals are implemented amongst future cohorts.
- 3.24 In households where there is a child with higher needs there is an entitlement to mobility allowances, with the Lower / Higher Rate Mobility Component currently



amounting to £1144 / £3,016 per year. The higher rate mobility component can be exchanged for a Motability vehicle through the Motability Scheme, which supports families with the purchase of vehicles, including:

- Liaising with dealers to arrange payments directly from DWP
- Provision of vehicles including all breakdown, servicing and insurance included in the price
- Assisting with securing adapted and wheelchair accessible vehicles
- The possibility of grants for adapting vehicles, driving lessons, etc, depending on family/individual circumstances.

3.25 In addition to our own PTA's and any mobility allowances, there are also Post-16 Bursary Funds available from post-16 learning settings, which a number of local authorities require young people to apply for as the starting point for securing transport assistance.

3.26 There is also a national disabled person's concessionary fares scheme, providing free public transport after 9.30am. This includes the offer of a second free pass for an assistant where needed, which is transferable between anybody who might be supporting a young person with public travel.

3.27 We know that the majority of families are in households where there is a driver and it is the case that the majority of young people would not need additional assistance, over and above a PTA, if families made their own arrangements in this way. Some young people told us they are already taken to school by their parents/carers and they like this, although several young people said they would prefer to travel by themselves

### 3.28 Comparison with other Local Authorities

3.29 It is difficult to make comparisons between different local authorities' policies, as each is nuanced to local implementation. For example, some authorities provide no assistance to any post-19 learners, whilst we continue to do so in Leeds. Some local council areas do not have a concessionary half-fare scheme on public transport as we do in Leeds. The vast majority of local councils have recently changed their policies or are currently consulting on change, and there has been a very clear national trend toward the removal of discretionary assistance wherever possible. The introduction of PTA's as the primary offer for Post-16 learners with SEND is a recently emerging theme. We are currently aware of two authorities that have introduced a similar offer; Gloucestershire and Sandwell.

3.30 Of possibly more relevance, the Leeds transport offer has been compared to those of our near 'neighbours' in the table (overleaf) according to following criteria:

- The 10 authorities that the DFE suggests should have similar educational performance/outcomes to Leeds

- The 3 Y&H authorities (Sheffield, Calderdale, Kirklees) that are closest to Leeds in terms of educational performance and outcomes
- The 2 core cities (Sheffield & Newcastle) that are closest to Leeds in terms of educational performance and outcomes

Sheffield	<ul style="list-style-type: none"> <li>• Currently piloting personal transport allowances as an alternative to special educational needs alternative provision.</li> <li>• Does not fund travel assistance for SEND learners aged 19-25. Arrangements made for colleges to fund travel.</li> <li>• Consulting on proposals to charge between £540 and £700.</li> <li>• Expects families to use the 16-19 bursary fund</li> </ul>
Darlington	<ul style="list-style-type: none"> <li>• As for statutory age children</li> </ul>
Calderdale	<ul style="list-style-type: none"> <li>• Payments available to parents making own arrangements</li> <li>• Learners in receipt of higher rate mobility allowance will be expected to use motability vehicle if they have one, or will be paid mileage allowance when they don't.</li> <li>• Households with an income above £30,810 will be given reduced assistance (50%)</li> <li>• Different approaches to providing transport assistance will be pursued wherever possible in order to make best use of the limited funds available.</li> </ul>
Stockton on Tees	<ul style="list-style-type: none"> <li>• As for statutory age children</li> <li>• Will provide transport assistance over 19, though in most cases referred to Health and Social Care. If transport provided a contribution is required.</li> </ul>
Newcastle upon Tyne	<ul style="list-style-type: none"> <li>• Support usually a travel pass unless exceptional circumstances apply</li> <li>• Personal travel budget offered for young people with additional needs and is explored as the primary transport offer</li> <li>• Support only available to establishments in Newcastle area except in exceptional circumstances</li> </ul>
Bury	<ul style="list-style-type: none"> <li>• Charges, equivalent to the cost of a bus pass, are required as a contribution.</li> <li>• First two options considered are ITT and PTA or accompanied on public transport.</li> <li>• Only consider transport in exceptional circumstances</li> </ul>
Bolton	<ul style="list-style-type: none"> <li>• ITT offered in first instance.</li> <li>• If inappropriate, then a reimbursement of parents travel expenses where parents have access to a vehicle or assisted transport may be offered.</li> </ul>
Derby	<ul style="list-style-type: none"> <li>• Promote ITT in first instance</li> <li>• Consulted on proposal in 2014 to restrict support to those in receipt of higher rate mobility component and look to offer personal transport allowances</li> </ul>
North Tyneside	<ul style="list-style-type: none"> <li>• Standard [same as for statutory age children children]</li> <li>• All learners assessed for ITT</li> </ul>
Kirklees	<ul style="list-style-type: none"> <li>• Offer ITT and PTA</li> <li>• Standard offer [same as for statutory age children children]</li> </ul>

### 3.31 Children and Families Scrutiny Working Group

3.32 A Scrutiny Working Group was established prior to consultation to provide support and challenge, with a number of items being raised and addressed.

3.33 The working group sought assurance that a high quality consultation would be carried out, and Consultation & Engagement colleagues therefore provided close

support. The four best practice standards that we applied can be found in the consultation and engagement section of this report at paragraph 4.1

- 3.34 In response to feedback from the working group, and others, we factored into our revised modelling the need for, and possibility of, continuing to provide transport for young people with the most complex needs. The provision of continued transport for young people with highest needs has now been included in the recommended proposals. Using the current cohort as a baseline, it is anticipated that about 12 young people in each cohort would continue to be transported by the council.
- 3.35 A recommendation also made by the working group was the need to consider families with limited resources or skills to make their own arrangements. Amongst those who responded over two thirds were two-parent families and nearly two thirds were in households with at least one driver, so we know there is very significant capacity for the independent management of arrangements. However, we will additionally work to stimulate the community transport market, to enable families to find their own solutions, and a member of staff will be deployed in advance of the changes, and for a period afterwards, to support families in establishing new routines in a new environment. Furthermore, we will extend our existing arrangements for the contracting of support services available to families to manage their personal allowances.
- 3.36 Consideration has also been given to parents who may have challenges in juggling conflicting work, social and transport priorities. In common with the children's transport policy for statutory age children, and other policies nationally, it is not intended to provide transport as way of enabling families to fulfil other child care, social or employment priorities.
- 3.37 There will continue to be an appeals process available to parents of young people with SEND, with an independent appeals panel holding the autonomy to exercise discretion in the type of transport assistance to be made available.
- 3.38 The working group asked that consideration be given to the risk of increasing the number of young people not in education or training as a possible result of the changes. In addition to analysing family circumstances and preparing support for the management of personal allowances, we therefore analysed the type of journeys being made by young people in terms of journey length. We did this as we believe that longer journeys could be anticipated to be amongst the hardest to manage independently. We found that the vast majority of journeys (80%) were less than 10 miles, with nearly 20% being less than three miles.
- 3.39 We also found that young people were being transported to 14 different 'out of authority' settings'. In this respect, we received feedback through consultation with other agencies that there are frequent examples of young people making long journeys and spending a lot of time travelling when there were good alternatives available much more locally. It was reported that there are times when better outcomes could be achieved if different decisions were made upon transition to post-16 education.

- 3.40 At this age there is an opportunity for young people to move on from a setting they have been attending for a long time, sometimes for ten years, and start to become more independent. Leeds City College, for example, report that they can meet the needs of any young person with SEND. The aspirations of the college for the promotion of independence are entirely aligned with the council's, with an increasing focus on the provision of courses such as supported internships that increase employability. We expect, therefore, that changes to the transport offer, whilst ensuring that families continue to have choice, will also serve to stimulate an increased likelihood of young people with SEND being 'stretched' with new challenges more locally or more central to Leeds. We therefore believe there will be better choices made leading to better outcomes, and that young people will have shorter journey times.
- 3.41 In keeping with feedback from elsewhere, the working group also asked that consideration be given to young people with the highest needs, which has resulted in the final proposals retaining the provision of transport for those young people assessed as such, typically expected to be about 12 in a cohort.
- 3.42 Phasing Arrangements
- 3.43 It is intended to minimise the impact of change by phasing-in the new arrangements as young people enter post-16 education – a natural change/transition point - rather than during post-16 education. This will involve, as the arrangements become established, opening conversations with families about post-16 education choices when their children are in Year 9, much earlier than is currently the case.
- 3.44 There is a duty on the Authority to make an offer of a post-16 education learning place in the March prior to the September start date, i.e. during Year 11. Families to date have made a post-16 learning choice and then submitted an application for transport assistance shortly before the September. This can result in families learning that transport expectations will not be met when it is has become too late to change their plans. Children and Families services are increasingly opening discussions about post-16 at an earlier age, as part of the process for reviewing Education, Health and Care Plans. The proposals will ensure that families make choices with a full understanding of the transport offer and can include the planning of transport arrangements during the whole Post-16 decision-making process.
- 3.45 Young people currently in post-16 education will continue to receive transport assistance under current criteria until they leave post-16 education or have a material change in circumstances. They will not transfer from the provision of transport to a travel allowance during post-16 education except in a small number of cases, including (but not limited to):
- Following a change of address
  - Following a move to a different learning setting

- If a travel allowance is requested as an alternative to a young person's prevailing assistance (and it is in the council's interests to agree to it)
- If an annual transport review indicates that an alternative to a young person's existing transport assistance should be offered (for example, some young people reach a maturity during post-16 education when they can successfully complete our travel training programme instead of being dependent upon a taxi)

3.46 It is proposed that the new offer will apply to young people entering post-16 education in September 2018. There is a duty on the council to make this cohort a post-16 education offer by 31<sup>st</sup> March 2018. In the vast majority of cases none of the Education Health and Care Plans for this group of young people have reached an advanced stage of the EHCP review process. As the provision of post-16 education at Specialist Inclusive Learning Centres (SILCs) in Leeds has been under review it is anticipated that post-16 choices will be finalised later than usual. If necessary, parents will be offered a further EHCP review if changes to the transport offer for September entrants may have a broader influence on post-16 choice.

#### 3.47 Views of Other Agencies

3.48 There was widespread support for the introduction of Personal travel Allowances, which are very closely aligned to the strategic aims of many other agencies to promote increasing independence.

3.49 An important question that was raised concerned the need for an assessment of the impact on demand for transport from Adults and Health directorate, and the risk of simply transferring demand or cost from one directorate to another with no benefit to young people. It was perceived this could happen through young people seeking to transfer to adult day services as an alternative to continuing in post-16 education. However, there is no framework to transfer to adult services below the age of 18 and it is currently the case that about only 70 young people in post-16 education are aged over 19 - the age at which participation in post-16 learning most comes to an end for this cohort. It is already the case that the numbers in post-16 education aged 19 or over taper off quickly, with some making the transfer to adult services.

3.50 It is now apparent that for those who do transfer to adult services, a coherent and consistent pathway can be available for young people through the transition from Post-16 SEND education into adulthood, and possible entry into adult learning settings or day support. Detailed analysis has shown that a change to the Children's Transport offer as proposed offers an opportunity for continuity of the offer through into adulthood, which would support the work of Adults and Health to also promote greater independence and support their 'strengths-based' approach. By introducing travel allowances during post-16 education, therefore, Children's Transport is very much supporting colleagues in other services to deliver on their own strategic outcomes to build from strengths, promote independence and improve outcomes.

- 3.51 There is expected to be no impact on transport overheads for Adults and Health, whilst the proposals will lead to a long-term reduction in demand for transport, resulting in significant reduction in costs.
- 3.52 It is proposed that payment of allowances would be termly in advance. It is the clear intention that families should exercise full choice and control over how they use travel allowances, and satisfactory attendance at school/college will be used as the measure for appropriate use of allowances. It is initially intended that monitoring will therefore be based on attendance, which is consistent with existing practice in other authorities offering PTA's. This will minimise the administrative demands on parents. However, further consideration will be given to the detail of this in advance of implementation, with a view to ensuring that preparation for the use of personal budgets upon entry to adult services is effective.
- 3.53 We have consulted with colleagues internally and are advised there would be no tax or benefit implications for families. This is consistent with feedback from other authorities where travel allowances are offered.
- 3.54 In other feedback, we were asked to consider the possibility of an increased volume of traffic at some learning settings, and will therefore promote the benefits of vehicle sharing, community transport options, public transport and other sustainable travel methods to families where appropriate. When we consulted young people they told us that the most popular form of transport to travel to school by is minibus, followed by a public bus and then a taxi.
- 3.55 We will communicate effectively with learning settings to assist them in planning ahead for change. We would also anticipate that settings would review their school travel plans to maximise opportunities and safety. Our work to stimulate the market for community transport providers will help to promote journey-sharing, minimising impact. As we expect an increase in the number of young people choosing more local or more central settings, we anticipate a reduction in the total number of journey miles made by this cohort, again mitigating any traffic impact.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 A detailed consultation report is included at Appendix 2

4.1.2 We observed the four best practice principle during the consultation:

- We involved people at the earliest stage, and when it became apparent that the feedback we received warranted closer consideration we postponed the intended September 2016 introduction of changes to September 2017 in order to give full regard to that feedback.
- Engagement was meaningful and honest, meaning that families were able to influence the outcome of the consultation and meaningfully shape the resulting changes

- We made it easy for families to take part: we sent consultation questionnaires and SAE's to all families with children in Year 7 & above receiving transport; we made the consultation available on-line; we took steps to contact by phone every family in years 9, 10 and 11 as the ones for whom post-16 education was closest to hand. We also had a number of face-to-face meetings at drop-ins set up for the consultation.
- We have kept people up to date following consultation through updates on our website and briefings to key colleagues for dissemination among families. It is acknowledged, however, that there has been a longer period than expected when there has been nothing new to report whilst we reworked our proposals in line with feedback from families, and we're now keen to provide families with a clear position.

4.1.3 Children's Transport worked closely with colleagues in Consultation and Engagement to ensure the best standards of consultation were followed. This included ensuring that four key standards were observed, as outlined in the following paragraphs.

4.1.4 Our consultation was a meaningful exercise, with families being able to influence the outcome of consultation. This resulted in an amended offer that blended together the initial proposals and which represents a better, fairer and clearer offer.

4.1.5 We made it possible for families to take part in a range of ways. This included writing to every family with a child with SEND in Year 7 and above who were receiving transport assistance at that time. We enclosed a consultation questionnaire and an SAE, and we also made the consultation questionnaire available on-line. We arranged a number of consultation sessions directly with families in appropriate settings, and ensured interpreters were available where appropriate. We worked with our Parent Partnership Forum, EPIC to ensure that other avenues, such as social media, were used to communicate information about the consultation via an independent and trusted source. A separate consultation with young people with SEND was completed, using an approach that was appropriate to their abilities.

4.1.6 Our initial intention was to introduce proposals that would apply to new entrants to Post-16 education September 2017. Having taken time to give detailed consideration to consultation feedback and to revise the offer in line with that feedback, it is now intended to apply the new offer to September 2018 entrants. Although introduction of the proposed changes has therefore not been as timely as planned, this has served to improve the quality of the consultation. Preparatory work for the consultation commenced in the new year and was subsequently open to the public from 29<sup>th</sup> March to 27<sup>th</sup> May 2016.

4.1.7 A Scrutiny Working Group was established which provided support and challenge in advance of, and during, the consultation process.

#### 4.1.8 **Options Preferences**

- 4.1.9 The consultation focused on three options centred on the provision of a Personal Transport Allowance to empower parents and young people to find their own lasting transport solutions as an alternative to the council doing this for them. Parents/Carers were asked to preference the following options:

**Option 1:** A personal transport allowance of the cash equivalent of one or two bus passes, depending on whether a young person needs accompanying on journeys.

**Option 2:** A flat rate personal transport allowance equivalent to a mileage allowance of £1 per mile, for one outward journey and one inward journey to the learning setting

**Option 3:** A banded personal transport allowance based on a potential model for assessing level of need

- 4.1.10 Preferences expressed in respect of the three options were as follows:

**Option 1:** 18 people said this was their first preference and 24 said it was their second preference

**Option 2:** 28 people said this was their first preference and 66 people said it was their second preference

**Option 3:** 88 people said this was their first preference and 24 people said it was their second preference

- 4.1.11 Almost 50% of the respondents either didn't express a preference for any specific option or didn't rank their answers in order of preference.

- 4.1.12 For the reasons detailed earlier in this report, a model has been adopted that combines options 2 and 3. This was the result of feedback received from families during consultation and represents the best elements of each option.

- 4.1.13 Whilst the recommendation of this approach deviates slightly from the consultation proposals, it represents an enhancement of the initial proposals. It is very much in line with the general principles of the proposals consulted upon i.e. the provision of a Personal Travel Allowance. Additionally, this is in keeping with best practice in consultation, in that those being consulted have a genuine opportunity to influence the outcome.

- 4.1.14 Other feedback from parents related to exploring options for young people with the very highest need, with a view to continuing to provide transport where absolutely necessary. Again, detailed consideration was given to this and further financial modelling took place. This has now also been included in the proposed offer.

- 4.1.15 The Voice of Young People

- 4.1.16 When considering our approach, colleagues in SILCs advised that informing young people with SEND that their transport arrangements may change in the future can cause lots of anxiety and concern. Previous experience also told us



that young people will often worry that their transport arrangements would be changing or stopping immediately. Also the parent/carer consultation focused on seeking parents/carers preference on three different financial models and the potential impact on families of replacing current transport arrangements with a personal transport allowance. Therefore the working group agreed that consulting young people on different financial models would not meaningfully enable them to influence the outcome. The group discussions which took place during this consultation therefore sought the views of young people on what is important about their journey to and from schools/college.

4.1.17 We will work to ensure that information about what is most important to young people is reflected in the potential transport solutions that we'll help families to make in future.

4.1.18 Further detail about our consultation with young people and what they told us can be found in our consultation report at appendix 2

## 4.2 **Equality and Diversity / Cohesion and Integration**

4.2.1 Screening indicated the need for a full impact assessment. Through consultation we gave families opportunities to meet face to face and provide open narrative responses to questions, and we specifically asked families to tell us what impact the new offer would have on them. A full Equality, Diversity, Cohesion and Integration (EDCI) Impact Assessment has been carried out and is included at appendix 3.

## 4.3 **Council policies and Best Council Plan**

4.3.1 The proposals contribute significantly to the Children and Young People's Plan objectives:

- All children and young people do well at all levels of learning and have skills for life
- Improve outcomes for children and young people with special educational needs and/or disability
- Support children to have the best start in life and be ready for learning

4.3.2 The aspirations set out in the Leeds SEND Strategy 2014 – 2017 include the opportunity whenever possible for children and young people with SEND to be educated as close to home as possible, in order to foster and maintain strong supportive networks within their own communities that continue beyond their school years into adulthood.

4.3.3 The proposals support aims set out in the Best Council plan to build a child-friendly city and to become a more efficient and enterprising council. They are consistent with our strategic aim to work restoratively with families, doing things *with* rather than doing things *to* or *for* people, and our aspiration to promote independence wherever possible.

#### **4.4 Resources and value for money**

- 4.4.1 It is anticipated that once phased in, the changes will result in savings to Children's Transport of approximately £830,000 per annum. In addition, as young people make the transition to adulthood with greater preparedness and independence, there will be a significant long-term cost avoidance impact on demand for transport from Adults and Health services.
- 4.4.2 During the phased introduction of change there are likely to be some transition costs for Children's Transport arising from the complexities related to scheduling vehicles and journeys; it is currently the case that children and young people of both statutory school age and post-16 age often attend the same learning settings and travel together on shared vehicles. There may be some delay in opportunities to reschedule fleet vehicles more efficiently, therefore, whilst the numbers of young people in post-16 learning continue to be transported at the same time as new entrants to post-16 learning begin to receive PTA's.
- 4.4.3 However, it is expected that efficiencies will be realised more quickly in other areas, for example through a reduced number of contracts for private hire vehicles. This will have the additional benefit of increasing competition in a decreasingly competitive private hire market. This will be to the benefit of both Passenger Transport and families, who might periodically want to use their travel allowance for that purpose.
- 4.4.4 It isn't possible to fully anticipate what financial impact the proposals will have on transport to adult services, as it isn't possible to predict with certainty what choices young people might make in future. It is anticipated, however, following close engagement with colleagues in Adult and Health, that the initial impact will be at least neutral, with some possible early savings. Advice from Adults and Health services is that young people who receive a Personal Travel Allowance from Children's Transport would most likely be suitable for a Personal Travel Allowance from Adults and Health. Similarly, it is anticipated that young people with the highest level of need who will in future continue to be transported by Children's Transport would be assessed for continued transport upon entry adult services.

#### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 Whilst there is no statutory requirement for the provision of post 16 SEND school transport the authority has historically made a generous discretionary payment. This does not mean that the discretionary provision cannot be changed but the authority has to be mindful of the impact the changes may have. Consultation has been undertaken in accordance with guidance.
- 4.5.2 When making a decision on this matter Executive Board must have "due regard" to its duties under section 149 of the Equalities Act.
- 4.5.3 To assist Executive Board to make an informed decision on these matters a full Equalities Impact Assessment has been carried out and the results can be found at appendix 3.

## **4.6 Risk Management**

- 4.6.1 The proposals being put forward represent a dynamic and radical approach to changing the offer of transport assistance for young people with SEND in post-16 learning. It is known that other authorities eagerly await the direction to be taken by Leeds. Whilst we believe the proposals will result in greater independence and improved outcomes for young people with SEND, change may present families with challenges. We will therefore take steps to monitor the implementation and identify solutions to any issues that arise.
- 4.6.2 We will undertake a communications exercise to ensure that families and key services are aware the changes well in advance.
- 4.6.3 Additional resources have been set aside to support families in planning for change: there will be earlier conversations about post-16 choices, taken with sight of the new transport offer.
- 4.6.4 We will take steps to stimulate the community transport market, increasing the availability and range of transport choices available.
- 4.6.5 We will work with colleagues at the West Yorkshire Combined Authority to increase awareness of disability issues amongst public transport operators, in order to make public transport increasingly accessible.
- 4.6.6 An SEND Transport Assessor will be available to support families in understanding their future transport options and signpost them to support agencies as appropriate.
- 4.6.7 We will extend our existing contract for the provision of support with managing personal allowances.
- 4.6.8 We will work with our independent Parent Partnership group, EPIC, to monitor feedback from families in advance of the changes.
- 4.6.9 An Implementation Group comprising key stakeholders and led by a Chief Officer in Children and Families will be established to oversee the implementation of the new offer. An evaluation exercise, including feedback from young people and families, will be carried out after the first year of implementation to learn lessons and build from strengths.

## **5 Conclusions**

- 5.1 There is a rising demand for transport assistance at a time of falling funding. The provision of transport for post-16 SEND learners is discretionary and is not consistent with our strategic aim to work restoratively with families in order to minimise dependence upon the council for services. Providing transport does not promote independence and reduces the potential for good outcomes. Children's Transport has successfully implemented an offer of ITT in recent years to promote travel independence. Wherever possible, children with the potential to make their education journeys independently are travel trained.

- 5.2 Each year about 60 young people with SEND enter post-16 learning and look to Children and Families directorate for transport to their learning setting, and there are currently approximately 280 young people in this cohort, aged 16-25, currently being transported. The cost of providing this discretionary transport is approximately £1.6m per annum. There are increasing numbers of children with special and very complex needs and this trend is expected to continue, placing an increasing demand on Children's Transport. The rising demand for this discretionary service must be viewed in the context of the Council's Financial Plan where there are clear financial challenges.
- 5.3 There is now an opportunity to continue to support young people in doing well at all levels of learning and have skills for life whilst achieving savings of £830,000. This support will be made available through replacing transport with Personal Travel Allowances.
- 5.4 The voice of young people has been heard during the process. Their feedback about what is most important to them will be reflected in the potential transport solutions that we'll help families to make in future.
- 5.5 The proposals were subject to a full consultation with families, who were able to influence the final outcome. The process benefited from support & challenge by a Scrutiny working group. A Scrutiny Working Group statement is attached at appendix 4.
- 5.6 The proposals are widely supported by professionals in the field of SEND and support the aims of a range of agencies to promote greater independence.

## **6 Recommendations**

- 6.1 Executive Board is recommended to approve the proposed Children's Transport policy, 17<sup>th</sup> July 2017, at Appendix 1. This details how Personal Travel Allowances will be offered to eligible young people with SEND in post-16 education as an alternative to providing transport. Young people with the very highest level of need, however, will continue to receive bespoke transport. Transport assistance would in future be made available on the following basis, depending on the level of transport need as detailed in the proposed policy and assessed by Children's Transport:

**A:** Independent Travel Training and a free bus pass (or equivalent cost) for a young person who is able to travel independently or could make the journey to their learning setting on public transport accompanied by an adult as necessary.

**B:** A Lower PTA equivalent to £1 per mile for 2 single journeys per day

**C:** An upper PTA equivalent to £1.50 per mile for 2 single journeys per day

**D:** Provision of Bespoke Transport

- 6.2 It is recommended that the new arrangements be introduced from September 2017. Phasing arrangements detailed at paragraphs 3.42 – 3.45 mean that young people with SEND entering post-16 education for the first time from September 2018 onwards will be the first to receive transport assistance under the proposals.
- 6.3 Note that the officer responsible for implementation is the Head of Commissioning and Contracting.
- 7 Background documents<sup>1</sup>**
- 7.1 None

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.