

Children & Families Scrutiny Board

**Children's Transport Policy: Proposed
changes to transport assistance for post
-16 SEND learners**

Working Group

Date: 24 September 2024





Working Group Aims and Objectives

Working group Attendance

Board Members: Cllr D Cohen (Chair), Cllr N Manaka, Cllr K Renshaw, Cllr R Jones, Cllr D Jenkins, K Blacker, T Britten, A Graham, M Adams

Witnesses: Cllr H Hayden (Executive Member Children and Families), J Longworth (Director of Children & Families), P Evans (Chief Officer Resources, Transformation and Partnerships), S Lowe (Assets & Access lead), Paul McGrath (Project Lead)

Apologies: Helen Bellamy, Nick Tones, Cllr Stephenson, Cllr Edwards, Anas Khitou, Cllr Bowden, Cllr Goodall, Cllr Heselwood, S Pentelow, D Barton

On the 19 June 2024 the Council's Executive Board approved a 4 week public consultation on a range of proposals for post-16 SEND transport assistance. This took place from 24th June – 21st July 2024 and set out four options for possible change. These are as follows:

Proposal 1: Limiting post-16 transport assistance to those living more than 3 miles from their education setting

Under the current Children's Transport Policy, a school pupil aged eight to sixteen and meeting the eligibility criteria for transport assistance ([see section 3 of the transport policy](#) for details of eligibility criteria) transport assistance can be requested if living three or more miles from the nearest qualifying school. This proposal is to apply the same criteria to post-16 learners applying for transport assistance.

Proposal 1 could be introduced on its own or alongside any of the other 3 proposals set out below.

Proposal 2: Offer of a Personal Transport Allowance for eligible post-16 learners with SEND

Under the proposed arrangements, post-16 learners with SEND would receive a yearly flat-rate Personal Transport Allowance (PTA) based on distance from home to their learning setting, to enable them to make their own travel arrangements, as follows:

- ◆ Between 3 and 10 miles – £1,000 per year
- ◆ Between 10.01 and 20 miles – £2,000 per year
- ◆ Over 20.01 miles – £3,000 per year

Personal Transport Allowances enable a young person, or their family, to make their own travel arrangements and are generally significantly better value for money than centrally organised minibuses and taxis. Many families already choose to have a Personal Transport Allowance and find this works well for them.

As a public organisation the Council must make sure that money is spent in a way that is the most cost-effective. Therefore, for some young people it may mean that council-arranged transport is the most cost-effective form of transport assistance. There is also an understanding that for some young people with the most complex needs, council-organised transport arrangements, such as a taxi or a minibus, will be the most effective arrangements for them. In these instances, a PTA would not be offered.

Proposal 2 and Proposal 3 are mutually exclusive and could not be introduced together.



Proposal 3: Introduce a charge as a contribution towards the high cost of council organised transport arrangements for post-16 learners, excluding post-19, with SEND

It may be the case that, due to the complexity of a learner's needs, or because it is assessed to be the most cost-effective option, council-organised transport arrangements, such as a taxi or a minibus, are required for some learners.

Under this proposal, all eligible students who receive Council-organised transport would contribute to the cost. The proposed contribution is £300 per year, the same as the price of a yearly (Zero Fare) School Bus Pass.

The Department for Education states that where learners over the age of 19 would be eligible for transport assistance via adult services, they cannot be charged for transport assistance. For this reason, this proposal does not apply to post-19 learners.

Proposal 2 and Proposal 3 are mutually exclusive and could not be introduced together.

Proposal 4: Transport assistance is limited to post-16 learners only, with eligibility for post-19 learners removed

The local authority does not have a statutory obligation to provide transport assistance for post-19 learners. The DfE states that where learners over 19 would be eligible for transport assistance via adult services, then they are not to be charged for education transport assistance and, therefore, if assistance is provided it must be free of charge.

Proposal 4 is that the existing discretionary transport assistance for post-19 learners is withdrawn.

The Board noted the demand and budgetary challenge faced by the service with in year budget pressures and significant demand pressures driving the need to consider changes in policy.

In order to give the scrutiny board the opportunity to comment on and consider the proposed changes it was agreed that a working group would be formed on 24 September 2024 to consider the proposals for change and to take account of feedback from the consultation process to inform the views of the Board and assist in developing any recommendations the Board may wish to make to decision makers.

The Board understood that any changes would be implemented for young people newly entering post-16 education in September 2025 and onwards with the final decision on any changes expected to be taken at Executive Board on 16 October 2024. It is therefore intended that this summary is appended to the report scheduled to be considered at Executive Board in October.

Following consideration of the proposals and supporting presentations setting out feedback on the consultation and additional detail on the policy proposals the Board has made six recommendations which can be found on the next page.

Key Conclusions

1

Exceptional Circumstances — The Working Group acknowledged that the specifics of how exceptional circumstances will be applied are still in development but welcomed that approach. Members were keen to ensure that exceptional circumstances were applied on a case by case basis, were sufficiently flexible to allow assistance as opposed to a box ticking exercise and that exceptionality was applied fairly, legally and consistently by officers making transport assistance decisions. The Working Group welcomed the focus on developing exceptional circumstance parameters and were keen to see how these will be applied once fully developed. Members also noted that application of exceptional circumstances could lead to challenge and potential legal costs off-setting any savings that may be made by the introduction of the policy changes.

2

Safeguarding — It was noted that if travel allowances were to be one of the options pursued that the responsibility to ensure it is used appropriately would be with the parents and carers. However, members were keen to make sure that support and guidance on key issues such as safety and safeguarding were available to parents and carers to ensure that appropriate transport options were chosen for the young people involved. The Working Group wanted to ensure that signposting, information and support is provided to help parents and carers procure transport safely and effectively and that communication with families will be important to minimise disruption.

3

Personal Transport Allowances Inflation/Indexing — Members noted that the sums proposed for Personal Transport Allowances (PTA) may seem appropriate now but in future years these amounts may seem much smaller due to increases in costs and wider inflationary pressures particularly in a relatively volatile market where transport costs can be quickly affected by, for example, the price of fuel. The Working Group highlighted the recent increases in the costs of living as an example of how quickly inflation can impact on costs and potentially reduce the impact of the PTA.

4

20 Mile Travel Limit — It was noted that 20 miles travel is the upper limit but it is possible that in some cases, potentially for reasons of faith or other relatively unique circumstances, that travel to an education setting may in fact be much further than that. The proposed £3,000 annual payment may be insufficient if the daily travel required is significantly further. The Key issue being it might be that in rare cases consideration of increasing the allowance may be required.

5

Financial Challenge — The Working Group acknowledged the financial challenge facing the authority and the need to look at proposals that ordinarily would not be considered due to the budget pressure. Members sought assurance that market testing on contractual costs particularly with private hire arrangements is undertaken regularly to ensure value for money.

6

Support Arrangements — Given that a central theme in the policy options is around supporting independent travel for young people, members were keen to ensure that in the event of PTAs being offered more widely there was sufficient resource available through Independent Travel Co-ordinators and the Independent Travel Training (ITT) programme to meet growing demand.

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