



Special Educational Needs and Disability Transport

Consultation Document

16 January 2018

Deadline for responses: 12 February 2018

Introduction

The Council has [recently consulted on a draft strategy for pupils with SEND](#) and wants to work with schools, parents and other interested stakeholders to help address the challenges that we collectively face in this area. One of the key challenges we (and most other Local Authorities in the country) face is a growing number of pupils with SEND at a time when council budgets have been reducing significantly. Since 2010, Government funding to LBS has reduced by about 40% yet this is at a time when the number of pupils with SEND in the Borough has increased by about 40%. As a result of the increase in the number of pupils with SEND, there has been an associated impact on the numbers of pupils for whom we are providing SEN transport services. We are currently spending more money on SEN transport than we have available and therefore we must now consider how we address those issues in partnership with our stakeholders.

The London Borough of Sutton (LBS) is acutely aware of how critical it is to meet the needs of children and young people who have additional needs as set out in statutory guidance. It is also aware of how important it is to support vulnerable pupils and families to ensure that they can lead happy and fulfilling lives, however we must also be mindful to ensure that we provide services in the most effective way and to prioritise those services where they are needed most.

With this in mind, the London Borough of Sutton is considering making some changes to the way it provides SEND transport services in the Borough in the following areas:

1. Operational changes in the way the Council provides SEND Transport as well as how parents can access SEND Transport.
2. Ceasing some non-statutory SEND transport provision for Post 19 pupils where it is appropriate to do so.
3. Investing in alternative ways of supporting some pupils with SEND needs in order for them to be able to travel to their place of learning safely and independently

The section below describes the proposed changes which may have either a direct or indirect effect on a number of stakeholders including pupils, parents and partner organisations.

We want to hear the views of parents, students and other interested stakeholders regarding the changes that we are considering. At the end of the document are some questions that we are seeking views on as well as some information on how you can make those views known. Also, at the end of the document is some background information on SEND Transport in Sutton as well as answers to some common questions.

1. Operational Changes

- 1.1. These changes will affect how the Council provides SEND Transport and how that transport will be accessed. They will not affect the numbers who are eligible for assistance with home to school transport, albeit they may affect the way in which that assistance is offered or the way in which it is delivered. Reducing the individual costs of transport for children and young people allows us to continue to provide assistance to all eligible pupils.

Require annual re-application

- 1.2. At present, once the initial assessment has been made and agreement given, families are required to re-apply for transport provision only when there is a change in circumstances such as a change of home address or a change of school attendance. Moving to annual re-application would allow changes to transport criteria to be applied more quickly by providing more regular reviews of provision, and also ensure reassessment of the type of assistance provided as children grow older.
- 1.3. Approval of applications would be for one academic year only, expiring in July at the end of the Summer term, and being renewed for the following September. Re-application forms will be issued each April, and will be assessed and agreed as they come in until the July deadline. We expect the majority of re-applications to be successful but as the needs of children change so too might the nature of the support that we provide.

Reduce personalisation for college routes

- 1.4. Many colleges provide individualised timetables for students aged 16-19, with staggered start and finish times. Transport is currently tailored to these

timetables, and provides additional journeys during the day rather than only providing transport at the start and end of the day. It is recommended that transport provided to take students to colleges should run at the start and end of the academic day only, and that students should use their unstructured time to study or socialise in the college library, common rooms and study areas. There may be individual circumstances where this is not appropriate or safe. We will always ensure the safeguarding needs of young people/adults are appropriately met.

Reduce single occupancy routes / increase minibus routes

- 1.5. In general, economies of scale can be realised across school transport, with the cost per passenger being lower for vehicles with more passengers.
- 1.6. While there is a requirement for some single occupancy routes (for example, where there is only one student at a school), in other cases single transport is provided because of behavioural needs. Closer involvement of the family, the SEN casework team and the school, led by the transport team, would allow a reduction in the number of such routes.
- 1.7. Similarly, multiple shared taxi routes into a school could be replaced with minibus routes, potentially replacing multiple taxis with a minibus. The SEND transport team will be identifying opportunities to reduce costs where it is appropriate and in line with good practice.

Reduce number of passenger assistants provided on vehicles

- 1.8. Passenger Assistants are provided to ensure the safety of passengers on school transport. The Transport Team will continue to assess needs and make provision of passenger assistants as appropriate.
- 1.9. However, in some cases, passenger assistants have continued to be provided when they are no longer required. A general reassessment of the need for passenger assistants on individual routes, alongside annual re-application, will ensure that assistants are provided where required but that they are withdrawn when no longer necessary.

Extend offer of Personal Travel Budgets

- 1.10. For several years, we have offered a mileage allowance for parents who have been approved for transport, but who have agreed take their own child to school. Families have had to send in claim forms on a regular basis in order to claim this mileage allowance. To simplify this, we are now able to agree an annual Personal Travel Budget which will be paid directly into the family's bank account at the start of each half term. This will reduce the bureaucracy for those parents that would benefit from this option.
- 1.11. A Personal Travel Budget would be agreed for the entire academic year, and would be paid automatically so long as the child continues to attend school regularly and on time. This budget is based on the distance from home to school and the number of school days in the academic year, and would be paid at £0.45 per mile. There is no liability for tax and no effect on any benefits.

2. Ceasing non-statutory SEND Transport provision

- 2.1. The Council must examine all areas of expenditure and consider whether services should continue, taking into account the duties and responsibilities that we have to provide services for vulnerable pupils. There can be no blanket policies when it comes to pupils with SEND and SEND transport, and all cases will continue to be assessed on their own merits. However, the Local Authority has to decide how to use the finite resources that it has in the best possible way and has therefore considered its current provision for pupils of a non-statutory school age.

Cease non-statutory provision for students below statutory school age

- 2.2. SEND Transport is available to those with a Statement of SEND or an Education Health and Care Plan to ensure that students who meet the distance and need criteria can attend statutory education, between the ages of 5 and 16. There is no statutory duty to provide transport for those who have not reached statutory school age.
- 2.3. Currently, Sutton provides transport to pre-school placements for students who have been placed in a specialist nursery setting by the Special Educational

Needs team, and whose families have other children at primary schools where the journey would not be compatible with the provision for the pre-school aged child.

- 2.4. It is considered that to remove this provision would be unreasonable and disproportionately disruptive for this small number of families. We recommend no change to the current policy (which has been uploaded to the consultation page with this consultation document and can be found on this address (https://www.sutton.gov.uk/downloads/file/3095/sen_transport_policy - please note this is dated April 2013 as the last time it was reviewed), but recommend clarifying the wording and reconfirming the expectation that parents of children with SEND who are attending local provision should make their own transport arrangements. This is line with national practice.

Cease non-statutory provision for students of sixth-form age

- 2.5. In relation to pupils of sixth form age in National Curriculum Years 12 to 14, both in school sixth forms and at colleges, the Local Authority is required to decide what arrangements are necessary for transport for students in these age groups and publish an annual policy statement. Our existing post 16 policy has been uploaded to the consultation pages and can be found here https://www.sutton.gov.uk/downloads/download/813/sen_transport_policy.
- 2.6. The Council understands that the DfE is currently considering changes to 16-19 transport requirements to take account of the raising of the participation age and it is therefore not recommended that changes are made to the provision and support for 16-19 transport at present until the Government's position on this is clearer.

Cease non-statutory provision for students in post-19 provision

- 2.7. One element of the transition from Statements of SEND to Education Health and Care Plans has been to extend the upper age limit from 19 to 25 years. Young adults who would previously not have been considered for transport from the education budgets are now requesting assistance. It is expected that this increase in numbers will continue until 2020-21 as the increased upper age limit feeds through. In order to manage this unfunded and increasing demand, it is necessary to consider the provision which should be made for post-19 students.

- 2.8. For adult learners, particularly 19 to 25 year olds with EHCPs, current legislation requires a Local Authority to make such provisions as they consider necessary for the attendance of adults at certain educational establishments. In assessing whether arrangements are necessary in an individual case, the authority must consider, among other things, the adult's age and the nature of the route.
 - 2.9. When assessing applications, we take into consideration whether the student is attending the nearest appropriate education provider, and whether they are eligible or able to use other transport support such as Freedom Passes.
 - 2.10. Whilst each case would continue to be considered on its individual merits, we are considering a difference in approach for students aged 19 and older who are attending mainstream colleges (where the majority of students can be expected to be able to use public transport) and specialist colleges (where in the majority of cases this will not be suitable).
 - 2.11. If this policy were to be agreed it would come into effect in September 2018. Where a student has started a course prior to September 2018, we would honour existing agreements until the end of the course. This will bring Sutton into line with a number of other Local Authorities who have already put in place this policy.
- 3. Investing in alternative ways of supporting some pupils with SEND needs in order for them to be able to travel to their place of learning safely and independently**

Extend Independent Travel Training

- 3.1. At present, a small number of Sutton students are offered Independent Travel Training (ITT) to enable them to gain valuable life skills and become independent travellers. The Council is considering investing in the extension of the current ITT program to cover at least 30% of students in National Curriculum Year 9 (NCY9) and above.
- 3.2. We consider independent travel to be a crucial life skill which gives young people the freedom to fulfil their potential. Travel training runs alongside provided

transport. A young person who is being travel trained will have a number of sessions with their travel trainer, who will work with them to teach them to become a safe and competent independent traveller. This may require more or fewer sessions depending on the young person's confidence, competence and previous experience. As well as these sessions with the trainer, we would continue to provide transport for the young person at the times when they are not being trained, until they have been signed off by the trainer, their parent and themselves as being ready to travel independently. The usual expectation is that this will take around a term (but could be longer), which is why we typically agree a term's transport alongside travel training, but would be extended if necessary.

- 3.3. While the offer would be available for any young person who could benefit from ITT, it should be noted that some schools and young people will be less able to take advantage of the opportunity (for example, Sherwood Park has high numbers receiving transport but in general they have higher levels of need and lower levels of independence). Conversely, some schools with high numbers of students transported but with students with lower impact / higher incidence needs would be likely to be able to make extensive and successful use of the service (for example Carew, The Link, Stanley Park and Wandle Valley).

4. How to make your views known?

- 4.1. Accepting that Local Authorities are under increasing financial pressures, we want to know if you think we are focussing on the right priorities in what we are thinking about doing. The questions we are particularly interested in are:
1. What are your views on the operational changes being suggested in this consultation document?
 2. The Council is not proposing to make changes to pre 5 provision or to post 16 provision but is suggesting there should be a difference of approach for students aged 19 and older between those attending mainstream colleges (where the majority of students can be expected to be able to use public transport) and specialist colleges (where this may not be suitable). What are your views on this?

3. The Council wants to invest in more independent travel training for pupils with SEND to better support those pupils that could travel to school/college more independently. What are your views on this?
 4. Are there any other issues or ideas you think we should be considering as part of this review?
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- 4.2. The consultation has been published on the Council's consultation hub and an online response form can be accessed and completed via the following web link: https://sutton.citizenspace.com/chief-executives-group/proposed-changes-to-london-borough-of-sutton-s-pos/start_preview?token=6d608eaed39b1c00248707213f0fd52b1e4811c5.
 - 4.3. Where possible we would prefer people/organisations to respond online to the consultation. However, if for any reason you would like a hard copy of the consultation document and/or a hard copy of the response form instead. Then please contact Olivia.Mckenna@sutton.gov.uk and these will be sent out first class in the post.
 - 4.4. We have attached a PDF electronic copy of the consultation response below which can be printed and completed manually. All hard copies of the consultation form will need to be sent to Olivia.Mckenna@sutton.gov.uk at the following address by 12 February:

Olivia Mckenna
LBS Support Services Hub
Floor 2, Resources
London Borough of Sutton
Civic Offices
St Nicholas Way, Sutton
SM1 1EA
 - 4.5. We recognise that people who may be affected by any proposals in this document may want to discuss with a member of the SEN transport team. Therefore we are proposing to offer a drop in session on 30 January 2018 at Civic Offices, from 10.00am until 4.00pm. Anyone wishing to attend can turn up

at any time during that window and should report to reception where they will be taken to the correct room. Directions of how to get to Civic Offices are also attached in the consultation pages online.

All responses must be received by 12 February 2018

5. Next Steps

- 5.1. At the end of the consultation period officers will summarise the responses that have been received and consider what, if any, changes need to be made to the proposals above. Officers will set out their views based on the consultation responses received and anticipate taking a report to Children, Families and Education Committee in March for further discussion and a decision.

BACKGROUND INFORMATION / FREQUENTLY ASKED QUESTIONS

How many pupils are there in the Borough that have an EHCP plan or statement?

The number of pupils with an Education Health and Care Plan 'EHCP' or Statement of SEND has increased significantly in Sutton from 1,087 in March 2014 to 1,500 in March 2017 (an increase of 38%), and stood at 1,562 at the end of October 2017.

Are all children who have a statement/Education, Health and Care Plan eligible for Free Transport?

No, not every child with SEND is entitled to transport. Every children with SEND is entitled to have their needs assessed. The Borough assesses whether a child or young person requires transport based on their individual circumstances, which will include their special needs.

How does the Council currently provide SEND Transport?

The local Authority provides free transport in a number of different ways including: (i) funding public transport e.g. through a season ticket, (ii) provision of school buses, (iii) provision of taxis or minibuses, (iv) provision of appropriate adults to walk children to school (v) provision of a mileage payment to parents to cover the costs of home to school transport.

What are the eligibility criteria for SEND Transport?

To qualify as an "eligible child", the child must be of statutory school age (5-16 years old) and attending a qualifying school.

The local authority must make transport arrangements for those children who cannot be reasonably expected to travel to school alone or when accompanied because of

their special educational needs, their disabilities, or health and safety issues related to these needs and disabilities.

Eligibility for transport for these children and young people will be assessed on an individual basis to identify their specific transport needs.

Does this mean that SEND pupils who are outside of statutory school age are ineligible?

Parents have a duty to ensure that their children attend school between the ages of 5 and 16, which is statutory school age. The Local Authority has a duty to assist with home to school transport for children of statutory school age where eligibility criteria are met, to ensure that parents can get their children to school.

For children outside statutory school age, the local authority has more discretion over the assistance it offers. This doesn't mean that they are not eligible for assistance

How many pupils does LBS currently provide SEND Transport for?

The London Borough of Sutton currently provides Special Educational Needs and Disabilities ('SEND') Transport to 657 students on 255 routes to schools and colleges, the majority on a daily basis, together with mileage payments for a further 47 families (as at end-October 2017). In addition, transport is provided to Sutton Alternative Provision (Pupil Referral Units) for 45 passengers on 18 routes, and to the Travellers' Service for 24 passengers on 7 routes.

Has the proportion of pupils with SEND that receive Free Transport changed in recent years?

Not really. The proportion of pupils that have received transport has stayed relatively consistent at about 43%, indicating that the current transport policy has been applied relatively consistently over that period. The issue that the Council is facing is that the number of passengers has increased at a time when the Council's budgets have been cut by 40% since 2010. This growth is expected to continue in the future.



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