

Committee:	<b>Lead Member for Learning and School Effectiveness</b>
Date:	<b>18 June 2013</b>
Title of Report:	<b>Post 16 Transport for students with Special Educational Needs</b>
By:	<b>Interim Director of Children's Services</b>
Purpose of Report:	<b>To seek the Lead Member's approval to consult on the introduction of a policy to means-test support with transport for post-16 students with Special Educational Needs from September 2014.</b>

---

**Recommendation:**

**The Lead Member is recommended to approve the proposal to consult on providing free transport for only those post-16 students with special educational needs who are from low income families, and to charge families a contribution towards the cost of transport for all other post-16 students with special educational needs who require transport.**

---

**1. Financial Appraisal**

1.1 East Sussex County Council currently provides free transport from home to their educational provision for students aged 16 to 19 who require this support due to their Special Educational Needs or disability. Students aged 16 to 19 without special educational needs or a disability are means tested, and transport (or payment of grants where there is no existing transport) is only provided for qualifying students from low income families (i.e. meeting the criteria for entitlement to free school meals).

**2. Supporting Information**

2.1 The current arrangements for post-16 support with transport are inequitable as students without special educational needs are means-tested and those with special educational needs are provided with free transport (according to their needs) regardless of family income.

2.2 The Home to School Transport Budget in 2012/13 was £9m and under the agreed Medium Term Financial Plan, (MTFP), total savings of 15% for Admissions and Transport have to be made over the financial period from 2013 to 2016. These savings are ambitious and challenging given that there are relatively few discretionary areas. As a result where opportunities exist it is necessary to consider them carefully.

2.3 Charging families of post-16 students with Special Educational Needs or a disability is not a new policy among local authorities in rural areas. The Rural Access to Learning Group (RALG) undertook a survey of local authorities in 2012 to find out how many charged contributions towards transport for post-16 students with special educational needs. There were 41 local authorities who responded, and the number providing free transport to students with SEN had reduced from 35 in 2010 to 24 in 2012. The proposals are therefore in line with a rising number of other rural counties.

2.4 Other rural authorities' annual charges range from £30 to £660 per year. The proposed annual contribution per student living in East Sussex would be the average which would be £370 per year. This would meet the required savings and is considerably less than the projected average cost in East Sussex of £6.2k per student with Special Educational Needs for the 2013/14 financial year. This figure is skewed by a very small number of children who have profound disabilities. The level of parental contribution would still need to be reviewed for the second year in the light of any changes to numbers of post-16 SEN students and any changes to savings requirements. The Lead Member is recommended to agree that consultation is undertaken on this basis.

**3. Financial information**

3.1 The total cost of transport provision for students with SEN in East Sussex was £1,122,555 by the end of the financial year 2012/13.

3.2 As students with Special Educational Needs are not currently means-tested, it is not possible to accurately predict how many families would be eligible to pay a contribution towards their travel costs, and consequently the level of savings to the Home to School Transport Budget. However, an approximate calculation can be made from the number of current Year 9, and Year 10 pupils with statements receiving free school meals, as pupils in these year groups will be entering further education in 2014/15 and 2015/16.

Details are as follows:

<b>Current academic year</b>	<b>Total number of pupils with statements</b>	<b>Number of pupils with statements receiving free school meals (and %)</b>
Year 9	230	56 (24%)
Year 10	220	66 (30%)
Year 11	268	86 (32%)

3.3 The average percentage of SEN pupils receiving free school meals shown above is 29% and based on this calculation, 71% would be eligible to pay a contribution towards their transport. The total number of current post-16 students with SEN receiving transport is 180. The contribution proposed is £370 per student per year which is comparable but not the same as mainstream students who purchase vacant seats on hired coaches. However, if charged the current full vacant seat rate of £720 per year, this would make East Sussex the most expensive rural county for transport for Further Education students with special educational needs based on the 2012 survey.

3.4 Any students whose total annual cost was less than £370 would pay the full cost of their travel.

3.5 Based on these figures, the savings to the County Council in the first year would be £27, 627. The savings over a full year would be £47,360. This amount exceeds the savings target for this area; this was a conservative estimate based on the information that was available at the time.

#### **4. Eligibility criteria.**

4.1 Appendix 1 shows the proposed policy for assessing eligibility for free transport for post-16 students with SEN. With the agreement of the Lead Member, consultation with pupils, students parents and providers on this proposed policy would be undertaken when schools and colleges return in September 2013. The results of this would be reported to the Lead Member early in 2014 with a view to implementation from September 2014.

4.2 The Lead Member is advised the County Council proposes that the charge should be paid on a termly basis, which equates to £61.66 per student per term, based on a six term year. This arrangement already exists for the Vacant Seat Scheme. Application forms would be sent to schools and FE providers in the spring, with a request that they be submitted by early May. After assessing eligibility for transport, a payment form would be sent to the families with a deadline for submission. No transport would be organised until payment is received, and this would apply each term.

#### **5. Paying due regard to the Equality Duty**

5.1 In order to promote equality, fairness, and achieve the required savings, it is proposed the County Council applies a charge that is still treating students with SEN more favourably than mainstream students as a reasonable adjustment. It is proposed that a full equality impact assessment is carried out as part of the consultation process.

#### **6. Conclusion and Recommendations**

6.1 It is recommended the Lead Member approves the proposal to consult on providing free transport for only those post-16 students with special educational needs who are from low income families, and to charge families a contribution towards the cost of transport for all other post-16 students with special educational needs who require transport with a view to implementation in September 2014.

GED ROWNEY

Interim Director of Children's Services

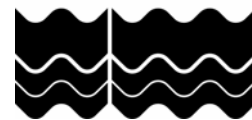
Contact Officer: Sheila Locke, Head of Admissions and Transport

Tel: 01273 335771

Local Member(s): All

Background Documents (None)

Appendix 1 – Suggested eligibility criteria for payment of student grants.



## Appendix 1.

### Post-16 Transport Policy – Assistance with Travel/Transport costs for students with Special Educational Needs – 2014/15

If you are of sixth form age with Special Educational Needs, and you will be attending a course appropriate to your needs in September 2014, you may be entitled to help with transport to your school, sixth form college or college of further education. This will normally mean that you have a statement of Special Educational Needs or a 139a assessment of needs.

**In order to qualify for help from East Sussex County Council, you will need to meet all of the criteria below.**

If you do not meet all four requirements, you may still be able to get help through your establishment's 16-19 Bursary Fund. You should ask at your school or college for further information.

#### Eligibility criteria.

Students with Special Educational Needs will be provided with free transport provided **all** of the following apply:

1. Where the proposed further education course or a course appropriate to the level of needs is at the nearest school/college to the student's home address;
2. The course is full time;
3. The shortest walking route to the nearest school or college is more than three miles or the student has learning difficulties or a disability (evidence will be required) meaning that they are unable to manage the journey;
4. The family is in receipt of one or more of the following (evidence of benefits received must be sent with the application);
  - Income Support
  - Employment Seeker's Allowance (Income Based)
  - Employment and Support Allowance (Income Related)
  - Child Tax Credit with an annual Inland Revenue assessed income below £16,190
  - Guarantee element of State Pension Credit

If a student is able to meet numbers 1 to 3 of the above criteria but not number 4, parents will be charged £370 per year towards the cost of the transport.

Although the County Council expects students to use public transport where this is available, it is recognised that some students are not able to use public transport and some may need independent travel training so that they can use buses and trains.

You may be entitled to a Disabled Person's Bus Pass which gives you free travel on bus services. If so, the County Council will expect you to apply for the pass and use it to get to and from school or college if you are able and there is an available bus service.

Where help with travel is agreed, it will be by one or more of the following, as appropriate;

- a) Free place on a contract or school bus;
- b) A mileage allowance, where travel by car is agreed
- c) By taxi, **in exceptional cases only**, usually only for students with severe disabilities

If you are eligible for support, you will be sent a letter explaining how your support will be provided and

whether you will be charged £370 contribution towards the cost of the transport. You will be charged this contribution if you do not meet the financial criterion (point 4 above). If this applies to you, a payment form will be enclosed with your letter. You will need to complete this, stating whether you want to make your payment monthly, termly (six payments) or for the academic year in full.

Assistance with travel to Programme Led Apprenticeships is not considered under this scheme.

Travel assistance is not normally provided for retakes or repeat periods of study. It does not cover the cost of journeys to placements of any kind; students are expected to meet these costs.

If your family income is too high to qualify for free transport, but your income subsequently falls during the year because of redundancy, illness or divorce, please write to us explaining the circumstances, with professional or official evidence as appropriate, and we will reconsider your case.

If you feel that you qualify for support with transport under this policy, but have been refused help, please write to:

Admissions and Transport Team  
East Sussex County Council  
County Hall  
St Anne's Crescent  
Lewes  
East Sussex  
BN7 1SG

If you are still refused support but want to take your case further, you can appeal to the Transport and Student Support Panel. This panel consists of a small number of elected members who can decide to exercise their discretion and agree support with travel in the light of personal or financial hardship.

**The Transport and Student Support Panel will normally only exercise their discretion and agree transport support in the most exceptional of circumstances, their decision is final, and there is no further right of appeal.**