

Report to: **Lead Members for Learning and School Effectiveness**

Date: **8 June 2015**

By: **Director of Children's Services**

Title of report: **Approval to consult on a review of discretionary Special Educational Needs and Disabilities (SEND) transport provision for the 2016/17 academic year**

Purpose of report: **To ask the Lead Member for permission to consult between June and September this year on proposed reductions in support for students with SEND**

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## **RECOMMENDATIONS**

- 1) **The Lead Member is asked to approve consultation on the options set out in 2.1 of this report in order to reduce spend on the discretionary home to school/college budget from the start of the 2016/17 academic year**
  - 2) **To note that if approved, two parallel consultations would take place over summer 2015; the first, as set out in this report, on reducing the level of support for students with Special Educational Needs and Disabilities (SEND), and the second on removing travel support for post-16 students from low income families (LIF) and FE link transport**
  - 3) **To note that if agreed, decisions on whether to proceed with these changes following the consultation final report and appropriate Scrutiny meetings, would be taken in the context of wider savings proposals by either the Lead Member or Cabinet in November 2015**
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## **1 Background**

1.1 It is anticipated that East Sussex County Council will need to reduce expenditure by £70-90 million between 2016/17 and 2018/19 and all areas will need to be considered. The Home to School Transport (HTST) budget was overspent in 2014/15, with expenditure of £10.78m against a budget of £10.72m, and approximately £1.5m of that used for discretionary transport.

1.2 During the 2012/13 to 2014/15 Medium Term Financial Plan there has been a systematic review of the HTST budget to reduce costs which included:

- the introduction of financial contributions towards travel costs for Post 16 SEND for families not from a low income household
- the introduction of personal transport budgets for families of Children and Young people (CYP) with SEND, where this provides the most cost effective solution
- recommissioning of the Independent Travel Training service (ITT) so young people with SEND are trained to travel independently to school or college on public transport

1.3 The last remaining areas of discretionary HTST expenditure are pre-school and post-16 SEND transport, post-16 transport for students from low income families (LIF), free link travel for FE students living in highly rural locations to the start of a continuing public transport journey, and a £15k subsidy with Brighton and Hove and West Sussex made to Southern Rail so that they can offer a discount to post-16 learners. This £15k rail subsidy is one of the mitigations for the proposals and will need to be maintained if changes are agreed. The remaining transport provision is statutory and we continue to ensure that delivery is as cost effective as possible.

1.4 If the consultation is not undertaken from June to September it will be too late to implement, if the Lead Member decides to do so, for the 2016/17 academic year.

1.5 If approval to consult is given, the Lead Member / Cabinet will be asked to decide whether to go ahead with the changes following the consultation and final report by November 2015.

1.6 Formal consultation on the proposals is planned with sixth forms and colleges during June and July; an initial meeting to raise awareness occurred on 19 May 2015. The Early Years and Transitions teams are also being consulted.

1.7 It is recognised that the options put forward may have a significant negative impact on people's lives, although every effort will be made to mitigate the negative impact where this is possible.

1.8 The Children's Services Scrutiny Committee will be asked if and how they wish to become involved in the process at their next meeting on 15<sup>th</sup> June 2015.

1.9 **Appendix 1** gives SEND estimated savings and cohort numbers.

1.10 Potential savings per year based on current annual cost estimates accumulate to reach £759k of savings across the three financial years 2016/17 - 2018/19; which by 2018/19 or Year 3 (full impact) constitutes 3.2% of the total expected HTST budget, or 20.1% of the total discretionary budget.

1.11 In making the savings estimates for this report, it has been assumed that implementation will start in September 2016, with young people and their families being informed about agreed changes in November 2015.

1.12 **Appendix 2** shows a HTST budget breakdown to provide context.

1.13 A SEND forecasting model for East Sussex is in development and will be available this autumn. Any increase in the number of children with SEND will translate to pressures on the HTST budget. The number of active ESCC SEN statements / EHC Plans in January 2015 compared with the previous 9 years is shown in **Appendix 3**.

## **2 Supporting information**

2.1 The proposed changes are:

- i. Offering support to those demonstrating the 'highest level of need' only, by introducing tighter 'exceptions' criteria for post-16 SEND students and offering support which is more cost-effective, eg transport at college start/end times, use of Motability vehicle and increased expectation that parents will help to transport their child to college. This would be via a range of strategies which are set out in **Appendix 4** draft policy for Post-16 SEND travel assistance.
- ii. Increasing the current post-16 SEND transport contribution from £370 to £608, which is the annual cost for a Freedom Pass for bus travel (the average charge made by the 16 county councils which currently require a contribution is £525)
- iii. Introducing a 50% rate of contribution for low income families with post-16 students with SEND (£304 per year). These changes would be for all travelling children.
- iv. Introducing an annual contribution for pre-school SEND travel assistance along the same agreed lines as post-16 travel (£608/£304).

2.2 The outcome of the consultation on the Post-16 transport Statement for 2015/16 has recently been approved by Lead Member and will be published on the Connexions 360 website by the end of May. This is an annual activity and the changes made from the previous year for 2015/16 will apply to the cohort of pupils starting in September 2015. For 2016/17 the Post 16 transport statement will need to be amended to reflect the outcome of the proposed consultation set out in 2.1 above.

2.3 Any changes would be phased in with new starters only being subject to revisions from September 2016. Students awarded transport help in the preceding academic years will continue to receive the same support for the agreed duration of their course; up to 3 years. The exception to this is that all SEND students would be subject to the increase in the travel contribution (including low income families) if implemented in September 2016. Any policy which was introduced as a result of this consultation would include an appeals process to consider exceptional cases, and equality issues would be considered at all stages.

2.4 **Appendix 5** details post-16 SEND students receiving travel assistance this academic year.

2.5 Reducing travel support carries with it a number of risks, outlined in a joint document (combined with risks for post-16 LIF students) in **Appendix 6**.

2.6 Although it is regrettable to take this action, the proposed changes are permissible under current legislation and guidance. Comparisons in terms of expected contributions for SEND student travel are set out in **Appendix 7**.

2.7 **Appendix 8** the Equality Impact Assessment will form an essential part of the consultation process as it is likely that these proposals will have a negative impact on pupils with SEND. The consultation process will help us to identify the impacts and look at mitigations.

### **3. Conclusion and reasons for recommendations**

3.1 Given the financial constraints set out in this report approval is requested to undertake the consultation.

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#### LOCAL MEMBERS

All Members

#### BACKGROUND DOCUMENTS

Appendix 1	Finance tables and information
Appendix 2	Home to school transport budget breakdown
Appendix 3	SEND pupil population trends
Appendix 4	Draft Post-16 SEND travel assistance strategy
Appendix 5	SEND cohort information
Appendix 6	Risks
Appendix 7	Comparison with other local authorities
Appendix 8	Equality Impact Assessment