

Title of Meeting: Cabinet
Date of Meeting: 3 March 2014
Subject: Supporting children and young people to attend school/college through the provision of transport assistance
Report From: Julian Wooster, Director of Children's & Adults' Services
Report By: Meg Southcott, Strategy Adviser and Julia Katherine, Child Support Services Commissioning Manager
Wards Affected: All
Key Decision: Yes

1. Purpose of Report

- 1.1. In the context of diminishing funding from Central Government, the report makes recommendations to enable the City Council to reduce expenditure on home-to-school and home-to-college transport assistance whilst ensuring that vulnerable families in the City are protected and a fair and consistent process is applied to all families requesting transport assistance.
- 1.2. The recommendations take into account the Special Educational Needs and Disabilities (SEND) reforms¹, which will mean that from September 2014:
- Statements of special educational needs will be replaced with Education, Health and Care Plans (EHCPs) for children and young people aged 0 to 25.
 - Families with an EHCP will have the right to request a Personal Budget, giving young people and their parents/carers greater control over their finances and choice in decisions.
 - The new system will require improved cooperation between services that support children and their families, particularly requiring local authorities and health authorities to work together.

2. Recommendations

- 2.1. It is recommended that Members:
- Note the consultation process that has been undertaken (set out in **Sections 6 to 9**);
 - Acknowledge the consultation feedback (summarised in **Sections 10/11**);
 - Approve the recommendations set out below (detailed in **Sections 12/13**):
- a) Create a fairer and more consistent system by:
- i- Introducing a single application process that provides a holistic assessment of the child and their family's need.
 - ii- Providing transport assistance appropriate to the assessed need of the child/young person and their family.
 - iii- Expanding the current Inclusion Support Panel to take on the role of a new and more representative Transport Appeal Panel.

¹ Support and aspiration: a new approach to special educational needs and disability - progress and next steps

- b) Protect and support vulnerable families in the City by:
- i- Continuing to provide transport assistance to families with statutory entitlement.
 - ii- Increasing the current offer of support to pupils/students aged 0-25 whose families are assessed as in need.
 - iii- Introducing new exceptional circumstances criteria, which will replace the current discretionary criteria and will be based on an assessment of family need.
- c) Bring about reductions in expenditure by:
- i- Providing transport assistance at the lowest cost compatible with the Council's duty to safeguard and promote the welfare of children/young people.
 - ii- Providing subsidised transport for parents who can afford to contribute towards the cost of travel assistance i.e. means tested parental contributions.
 - iii- Increasing the mileage allowance provided to eligible parents/carers who transport their child to school, from 19p to 50p per mile.
 - iv- Exploring and implementing, where appropriate, a range of supporting strategies to remove the barriers to parents/carers transporting their children to school, including:
 - Offering independent travel training;
 - Working with schools to increase the number of breakfast/after school clubs where possible;
 - Introducing less expensive forms of travel such as 'Walking buses';
 - Selling 'privilege places' on existing home to school transport;
 - Exploring the child/young person's and parent/carer's eligibility to receive a blue badge. If entitled, a blue badge would give the parent/carer the ability to park close to the educational provision they are attending.
- d) Bring the new arrangements into effect alongside the SEND reform programme starting in September 2014.
- i- Give parents/carers the opportunity to have a Personal Budget. For example a family may be given an annual mileage allowance, which could be taken as a Direct Payment.
- e) Phase in the implementation of the new arrangements based around when the annual review of the statements takes place or when the child/young person finishes their current key-stage phase.
- f) Increase the support available to successfully implement the above recommendations.

3. Background

- 3.1. The legal responsibility for ensuring a child's attendance and transport to and from school/college rests with the child's parent or carer and in Portsmouth 98% of transport is arranged by the child's parent or carer. However, the remaining 2% (791 children and young people) receive free transport assistance, which is currently costing the Portsmouth City Council (PCC) in excess of £2million a year.
- 3.2. PCC's current Home-to-school Transport Policy sets out the eligibility criteria for transport assistance. It comprises both statutory and non-statutory elements and complies with the Department for Education's guidance issued in March 2013. A separate, entirely discretionary PCC policy applies to post-16 pupils. The Department for Education issued statutory guidance on post-16 transport in February 2014, which sets out the Local Authority's responsibility to support post-16 pupils to get to their place of education or training.
- 3.3. In addition, PCC offers free transport assistance to children and young people in exceptional circumstances. A summary of the statutory/discretionary eligibility criteria can be found on **Page 1 of Appendix A**.
- 3.4. With regards to the 791 children and young people currently receiving transport assistance, 421 children and young people have a statutory entitlement to free transport assistance, whilst the remaining 370 children and young people receive discretionary transport assistance (which the Council does not have to provide) either because they meet the Council's discretionary eligibility criteria, or because the child and their family have exceptional circumstances (as shown in **Figure 1 in Appendix B**).
- 3.5. Children and young people are transported from all parts of the City to specialist provision. **Figure 2 in Appendix B** indicates where the children and young people requiring assistance reside, while **Figure 3 in Appendix B** shows the range of education provision where transport to pupils is currently provided². The maps distinguish between statutory and discretionary (non-statutory) support.

4. Expenditure on Home-to-School/College Transport

- 4.1. The combined 2013/14 budget for home-to-school/college transport equates to £1,864,500 (£1,767,900 for school transport and £96,600 for college transport). December 2013 budget monitoring indicated a projected total overspend of £386,424 (£255,328 for school transport and £131,096 for college transport), bringing the total annual expenditure to £2,250,924. Actual expenditure on home-to-school/college transport has been increasing year on year and this can be seen in **Figure 4 in Appendix B**. A detailed breakdown of expenditure against each criteria (statutory/discretionary) can be found in **Tables 1-14 in Appendix B**.

² Some children and young people are travelling outside of the City and these have not been included.

- 4.2. **Figure 5 in Appendix B** shows that Portsmouth has a high percentage (22.9%) of pupils with special educational needs in Primary and Secondary Schools when compared with statistical neighbours. The number of maintained statements has increased year on year between 2010 (845) and 2013 (894). The percentage of Portsmouth pupils with statements is 3.1% and has remained above the national average for the last five years. As many pupils with a statement are entitled to home-to-school transport assistance, this increase is likely to be one of the contributory factors in driving the increased expenditure.
- 4.3. The SEND reform programme brings into force a number of changes from September 2014 (as outlined in **Section 1.2**). It is predicted that the introduction of personal budgets as part of the SEND reforms will put an additional pressure on the statutory element of the budget. However, there is no additional long term funding to meet this increased demand.

5. Reasons for Reviewing the Allocation and Provision of Free Home-to-School/College Transport Assistance

- 5.1. On 11 November 2013 a report outlining the current issue of overspend and options to reduce spending was taken to Cabinet. Analysis indicated that PCC's discretionary criteria for transport assistance is more generous than neighbouring authorities. However, direct comparisons (particularly with regards to expenditure) are difficult, given the different population sizes and differences in the range of specialist provision available. The report also acknowledged that there was scope to streamline the current application and assessment process to ensure a more consistent approach.
- 5.2. Cabinet has already agreed that action must be taken to achieve reductions in expenditure and that the Council should consult widely on suggested changes to the allocation and provision of transport assistance. It was agreed that any changes should:
- a) Create a fair and consistent system (based on assessment of need);
 - b) Protect and support vulnerable families in the City;
 - c) Help to achieve reductions in expenditure;
 - d) Be brought into effect alongside the SEND reform programme;
 - e) Be phased in, based around when the child/young person finishes their current key-stage phase to minimise the impact on families currently receiving support.

6. Consultation Timescale

- 6.1. The Council has a legal obligation to consult for 28 days during term-time on any changes to the pre-existing provision. PCC consulted from 2 December 2013 until 24 January 2014. In total the consultation lasted 54 days (40 within term-time).

7. Consultation Methodology

- 7.1. A consultation document (which included a letter, detailed summary of the suggested changes, a set of frequently asked questions and a consultation survey and can be found attached as **Appendix C**) was sent to pre-schools; primary, secondary and special school Headteachers/Chairs of Governors; post-16 colleges in Portsmouth; and Parents/Carers of children who were receiving transport assistance prior to the consultation start date.
- 7.2. The same information was placed on the PCC external website. Individuals were given the option to return paper copies of their completed survey to a free postal address or complete the survey online. A dedicated inbox was also set up to receive additional comments/answer any queries. Two consultation drop-in sessions were arranged (one on 12 December 2013 at the Guildhall and one on 15 January 2014 at Willows Centre for Children) for anyone wishing to discuss the proposals on a face-to-face basis. Key stakeholders were made aware of the consultation through a range of existing meetings and given the opportunity to respond.

8. Consultation Proposals

- 8.1. 5 key changes to the current process were suggested and consulted on. These can be summarised as follows:

- a) All applicants would need to go through the same process, using the same single application form.
- b) Applications would need to be made annually, and would need to include a recent summary of the child and family's history and information about their needs completed as part of a Common Assessment Framework (CAF).
- c) The Council would only provide free transport assistance over and above the statutory requirement if there were exceptional circumstances.
- d) Any transport assistance offered would be the most suitable lowest-cost option.
- e) Free transport assistance would be offered according to a number of principles.

9. Consultation Questions

- 9.1. Recipients were asked to comment on 4 key questions (outlined below). Due to the nature of the open-ended questions asked, a lot of qualitative data has been collected. Although this free flow approach provides challenges for analysis, the decision was taken not to use closed questions, as it can restrict respondents' answers. Where possible, answers to each of the questions have been quantified and key themes that run across all answers have been identified.

- **Question 1** - What support would your family need to ensure your child/ren get to/from school/college?
- **Question 2** - Our proposal is that exceptional cases for transport support would be decided by a transport appeal panel. Who do you think should sit on the appeal panel? We would suggest that it should include mixed representation.
- **Question 3** - What do you consider exceptional circumstances should include?
- **Question 4** - Please use the following box for any additional comments, or suggestions as to alternative arrangements, or to describe any ways in which you consider the proposals will have a particular impact on you?

10. Consultation Response Rate

10.1. In total, 125 completed surveys were returned (51 online submissions and 74 paper submissions). 112 of the surveys were from parents/carers (3 of whom were also Governors), 12 were from school staff, and 1 was from a transport provider. In addition to the survey responses, 4 phone calls and 2 emails were received. There were no attendees at the first drop in session at the Guildhall. However, 14 parents and 2 school staff attended the 2nd drop-in session at the Willows Centre for Children. Verbatim feedback has been collated into a single spreadsheet, which is available on request.

11. Key Findings

11.1. Responses to Question 1 - What support would your family need to ensure your child/ren get to/from school/college?

11.1.1. As expected, the majority of respondents indicated that they would need travel assistance/support in order to get their child to/from school (see **Figure 6 in Appendix D**).

11.1.2. However, a number of other factors that would reduce the need for travel assistance were identified. These include: travel training (i.e. teaching children the skills to travel independently to school) and breakfast/after-school clubs (i.e. flexible start/finish times - particularly useful for parents with more than one child attending school).

11.2. Responses to Question 2 - Our proposal is that exceptional cases for transport support would be decided by a transport appeal panel. Who do you think should sit on the appeal panel?

11.2.1. As can be seen by **Figure 7 in Appendix D** the top 3 popular responses were parents/carers, school/college staff and Council staff (although 5 respondents explicitly stated that they do not want Council staff to sit on the panel). The least popular answers were adults with special needs, Councillors, an independent representative and the young person.

11.3. Responses to Question 3 - What do you consider exceptional circumstances should include?

11.3.1. As can be seen by **Figure 8 in Appendix D**, a large proportion of respondents stated that where parents have more than one child attending school/college, this should be considered an exceptional circumstance. Other frequent answers included: significant distance between home and school; if the child would be unsafe without transport assistance; children with a disability; parents/carers who do not have their own means of transport; and working parents. The types of answers can be categorised into exceptional circumstances relating to three areas - the family, the child and other circumstances outside of the parent/carer's control.

11.4. Responses to Question 4 - Please use the following box for any additional comments, or suggestions as to alternative arrangements, or to describe any ways in which you consider the proposals will have a particular impact on you?

11.4.1. With regards to additional comments, responses focused on the impact removing transport assistance would have on their family. These can be summarised as follows:

- Reduced attendance rates/persistent absence from school and subsequent impact on attainment;
- Child's safety jeopardised;
- Negative emotional impact on the child;
- Detrimental financial impact on the family;
- Loss of employment;
- Detrimental impact on health and wellbeing of the family;
- Increased traffic congestion/impact on the environment.

11.4.2. A number of suggestions were made about how savings could be made, income could be generated and the process could be done differently. These can be summarised as follows:

- Give parents/carers the option to make contributions towards the cost of transport assistance;
- Offer alternative modes of transport - walking bus, bus pass, carers etc.
- Ensure minibuses are full;
- More competitive tendering of transport providers;

- Approach local community groups to see if they can provide transport;
- Schools contribute to the cost of transport assistance for their pupils;
- Provide children and young people with training to enable them to safely and independently travel to school/college;
- Set up breakfast and/or after-school clubs to allow more flexible drop-off/pick up times for those with multiple siblings/work commitments.

11.5. Themes

11.5.1. A number of consistent themes/phrases emerged from the answers. These include:

- Safe travel - 65 references
- Independence - 18 references
- Conflicting parent/carer demands - 128 references
- Restrictive factors (out of parent/carer control) - 93 references
- Affordability - 43 references

11.5.2. Examples can be seen in **Table 15, Appendix D**. The frequency of key words/phrases can help the Council to better understand what is important to parents/carers.

- 11.5.3. Clearly safe transport to/from school is of upmost importance to parents/carers as is the ability to maintain/increase a young person's independence where possible. The Council needs to consider how it can support parents with conflicting demands and how it can reduce some of the restrictive factors highlighted in the consultation responses. Affordability of transport assistance is clearly an issue for some families; however, others have stated that they are willing to contribute.
- 11.5.4. The report seeks to address the points that have been made in the consultation by considering options that take on board suggestions of how transport assistance could be provided to reduce expenditure, whilst addressing the key concerns.

12. Recommendations

12.1. Options to create a fairer and more consistent system

- 12.1.1. It is recommended that the Council introduces a single application form that makes use of the Common Assessment Framework (CAF). The CAF is already used by many professionals and enables a holistic assessment of the child and their family's need. This means that all families will be completing the same application form and will go through the same assessment of need based around the common assessment framework. The application form will set out the principles on which transport assistance is offered and these will be consistently applied to all children/families requesting transport assistance thus ensuring that the process is fair and equitable to all.
- 12.1.2. It is recommended that the transport assistance provided must be appropriate to the assessed need of the child/young person and their family. This means taking into account the family's capacity to transport their child to school, and offering personalised support, to best meet the family's needs.
- 12.1.3. It is recommended that the Inclusion and Support Panel (ISP) is expanded to take on the role of a new and more representative Transport Appeal Panel. Consultation feedback indicated that respondents felt that it was important to have a representative panel, which included parents/carers, school staff, Council staff (including representation from social care), all of which are currently represented on the ISP. It is also recommended that Elected Members of the Council do not sit on the new Transport Appeal Panel as this was the least mentioned preference from respondents.

12.2. Options to ensure vulnerable families are protected and supported

- 12.2.1. It is recommended that in addition to continuing to provide statutory transport assistance in line with current legislation, the current offer is increased to support pupils/students up to the age of 25, in line with the SEND reforms.
- 12.2.2. Parents/carers have highlighted through the consultation, the importance of continuing to support the most vulnerable families in the City. Although the Council could remove all discretionary transport assistance, this option has therefore been rejected.

- 12.2.3. It is therefore recommended that the PCC continue to provide discretionary travel assistance in very exceptional circumstances in order to ensure that support is provided to the most vulnerable. In practice this will mean that the Council will no longer provide transport assistance if the child or young person meets the current discretionary criteria (outlined on **Page 1 of Appendix A**) but will continue to provide transport assistance if the child or young person is considered eligible against a new exceptional circumstances criteria, based on an assessment of need of the family.
- 12.2.4. Through the consultation suggestions were sought on what might constitute exceptional circumstances. Responses have been aligned to the three domains (parent/carer, child and young person or environmental factors) within the CAF to help inform the development of the of the Exceptional Circumstances criteria. The responses have also been given a score which considers the frequency the circumstance was mentioned in the consultation (examples in the table below) and banded into high, medium and low need categories. Each application will be considered against the new scoring system and there will be one of three outcomes:
- Cases that exceed the minimum points score for the high need category of the Exceptional Circumstances Criteria will have transport assistance granted.
 - Cases that fall in the medium points score range will be taken through Inclusion Support Panel (ISP) (see **Section 12.1.3**) for a multi-agency recommendation. Where the ISP makes a recommendation not to support the application the applicant will be offered the opportunity to appeal to the Director of Children's Services to review the decision in line with the Department for Education's two stage appeal guidelines.
 - Where the point score is low, the Exceptional Circumstances Criteria will not be met and the applicant will be advised.

CAF Domains	Top two issues raised by parents in the consultation
Parent and carer factors	<ul style="list-style-type: none"> • Family capacity to take child to school • Family's access to own transport
Child and young person factors	<ul style="list-style-type: none"> • Child's disability/learning difficulties • Needs assistance in participating in education or training
Environmental factors	<ul style="list-style-type: none"> • Significant distance to travel (over the statutory distance) • Safety of child/young person compromised if unassisted

12.3. Options to bring about reductions in expenditure

- 12.3.1. Over the last 3 years (2011/12 to 2013/14) Central Government funding to Portsmouth City Council has reduced by over £35m. However, the combined budget for home-to-school/college transport has not been reduced. In the next 3 years the Council needs to make an additional £37m of savings and all services

will need to contribute to this total. Not changing the existing policy is not an option, as it is likely that the budget would continue to be overspent.

- 12.3.2. It is recommended that the Council provide subsidised transport assistance to children and young people who meet the exceptional circumstances criteria. A considerable number of parents/carers indicated through the consultation that they would be happy to contribute towards the cost of transport assistance. It is recommended that parental contributions towards the cost of transport assistance are sought from those who are not on a low income. Clearly, this will need to involve means testing to determine those who are/are not on a low income.
- 12.3.3. It is recommended that the package of support offered to those who are eligible either through the statutory criteria or the new exceptional circumstances criteria for transport assistance is provided at the lowest cost compatible with the Council's duty to safeguard and promote the welfare of children/young people. In many cases this is likely to be providing parents/carers with a mileage allowance. However, the Council will also need to look at providing high cost transport assistance at a lower cost where possible, as explored in **Section 12.4.3**.
- 12.3.4. It is also recommended that the Council explore and implement where possible a range of supporting strategies, which aim to remove the barriers preventing parents/carers from transporting their children to school/college. These include:
- Making available independent travel training for children and young people who could learn to travel to school or college independently, with training/support. The requirements of the recently issued 'Post 16 Transport to Education and Training Statutory Guidance for Local Authorities' increases the need to provide Independent Travel Training for young people post 16.
 - Working in partnership with schools to explore the introduction of breakfast and/or after-school clubs where they are currently not available;
 - Working in partnership with schools to set up walking buses, e.g. school staff collecting children from a nearby transport drop-off point;
 - Selling privilege places i.e. sell spare minibus seats (on the proviso that should an eligible child require the seat, the purchased seat will be withdrawn) to ensure that all minibuses are full (where possible);
 - Exploring the child/young person's and parent/carer's eligibility to receive a blue badge³. If entitled, a blue badge would give parents/carers (who have a car) the ability to park close to the educational provision they are attending. In addition to this, the availability/suitability of school/college drop-off zones would need to be considered.
 - Support available from other professionals e.g. a family advocate such as Parent Partnership.
- 12.3.5. In addition to the above supporting strategies, a separate piece of work will be undertaken in the coming months by the Transport and Environment Service to ensure the Council's tendering processes deliver best value for money transport contracts.

³ The blue badge scheme is for those who have a permanent and substantial disability which means they are unable to walk or have very considerable difficulty in walking.

12.4. Options to bring the new arrangements into effect alongside the SEND reform programme starting in September 2014.

- 12.4.1. One of the new statutory duties included within the SEND Reforms is that parents will have the right to request a Personal Budget and in some cases a Direct Payment for aspects of the support they are entitled to as specified in their Education, Health and Care Plan. It is therefore recommended that parents/carers are given the opportunity to have a personal budget which would give them more choice and control over the way in which they receive support. This may be the offer of a Personal Budget in the form of a mileage allowance which could be taken on a monthly, termly, or annual basis as a Direct Payment.
- 12.4.2. It is recommended that the mileage allowance offered to parents/carers who can transport their child to school is increased from 19p to 50p per mile in line with neighbouring authorities.
- 12.4.3. There are currently 11 cases where the cost of transport provided by PCC is over £10k per individual. This is often when the child or young person has to travel out of the city to access specialist provision. Plans are in place to further develop PCC's SEN provision within the city, which will reduce the need for children to be placed in specialist schools and colleges outside of the city and reduce expenditure. Whilst PCC has a statutory duty to provide travel assistance in these cases, it is recommended that the Council explore more creative and less expensive solutions to meet the child's transport needs. The following examples look at how expenditure could be reduced if a mileage allowance was offered to families.

Example Case Study 1

Assistance is currently provided to an out of city school by specialist adapted taxi for a pupil to attend a specialist provision because of the young person's physical disability. The annual cost is £16,200. If an annual mileage rate was offered it would cost £2,280.

Example Case Study 2

Assistance is currently provided for a pupil to remain at an out of city specialist provision as the family now reside in Portsmouth and there is no comparable provision available. The annual cost of the taxi is £11,157 (including Passenger Assistant costs). If an annual mileage rate was offered it would cost £1,520.

- 12.4.4. Take up of either of the above options, would be dependent on a number of factors including: parent/carer access to a reliable/suitably adapted car; siblings who may need escorting to different schools at the same time; and parent/carer work commitments. However, it is anticipated that some of the supporting strategies outlined in **Section 12.3.4** above, would remove some of these barriers.

13. Implementation of the new arrangements

13.1. A phased approach

13.1.1. Parents/carers highlighted concern in the consultation about the impact on school attendance if transport assistance was withdrawn. Therefore, it is recommended that changes to the current transport offer are phased in from September 2014. The new arrangements will be brought into effect when the child or young person finishes their current key stage phase (as set out below). This will minimise disruption to the child and young person during their current key stage phase and give most families time to make alternative transport arrangements if they are no longer entitled. Both new applicants and those children and young people who will be changing key stages at the end of the academic year 2013/14 will be assessed against the new criteria from April 2014.

Current key stage phase	Child's current year	When will transport assistance end if my child is no longer considered eligible?
Pre-School	At Pre-school	At the end of their current pre-school
Early Years Foundation Stage	Year R	At the end of Year R
Key Stage 1	Year 1	At the end of Year 2
	Year 2	
Key Stage 2	Year 3	At the end of Year 6
	Year 4	
	Year 5	
	Year 6	
Key Stage 3	Year 7	At the end of Year 9
	Year 8	
	Year 9	
Key Stage 4	Year 10	At the end of Year 11
	Year 11	
Post-16	At College	At the end their current post-16 course

13.2. Capacity to implement the proposed changes

13.2.1. It is recommended that support available within the Education and Strategic Commissioning Service is increased in order to successfully implement the above changes. Additional capacity will be needed to:

- Support the reassessment process
- Initiate CAF assessments where they are not in place
- Co-ordinate existing assessments with lead professionals, parents and young people
- Provide training and build capacity in the wider workforce so that other professionals and parent advocate groups can support the application and assessment process.
- Make home visits to families who are unable to travel (because of their disability) to undertake an assessment of need
- Provide a programme of independent travel training, where appropriate

14. Next steps

14.1. Once implementation plans are agreed, the following actions will need to be undertaken:

- 17 March 2014 - Agreed changes are communicated to parents/carers, schools, transport providers, internal staff (and all other groups engaged with as part of the consultation process).
- 1 April 2014 - New applications begin to be assessed under the new criteria's and reassessment of children and young people currently in receipt of transport assistance takes place.
- 31 May 2014 - The new home-to-school/college transport Policies are uploaded onto PCC's external website.
- 1 September 2014 - Changes begin to be implemented for new applicants and phased in for children and young people currently in receipt of transport assistance.

15. Equality Impact Assessment (EIA) and Other Implications

15.1. A full EIA has been completed, which suggests that the recommendations are not envisaged to discriminate against any of the protected groups under the Equality Act 2010. A high level summary of the findings are available in **Appendix E** and a copy of the full EIA is available on request.

16. City Solicitor Comments

16.1. Relevant obligations in relation to school-transport are that Local Authorities in England must:

- a) have regard to the Secretary of State's guidance and publish information about travel arrangements (section 508D, Education Act (EA) 1996, as inserted by Education and Inspections Act 2006);
- b) have regard to any parental choice of school based upon the parent's religion or belief (section 509AD, EA 1996) or, in relation to a person of sixth form age, that person's choice based on their religion or belief (section 84, EIA 2006);
- c) provide free transport to and from school for "eligible" children (that is, children with special educational needs, disabilities, where the necessary route would be unreasonable to take as a pedestrian or cyclist, where the school is outside of the relevant walking distance (two miles for the under eight, three miles for the over eights), those children who are in receipt of free school meals, and excluded pupils required to attend a place other than their registered school) for whom no (or no suitable) free travel arrangements are provided (section 508B, EA 1996);
- d) prepare for each academic year a "sustainable modes of travel strategy" (section 508A, EA 1996) (see below, Travel strategies); and
- e) prepare for each academic year a transport policy statement specifying travel arrangements for persons of sixth form age and secure that effect is given to such arrangements (section 509AA, EA 1996).

- 16.2. Any change to the pre-existing provision must be consulted upon and must be made with a full consideration of the public sector equality duty - outlined below.

'The Equalities Act 2010 imposes a duty on the Council to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.*
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it*
- c) Foster good relations between persons who share a relevant protected characteristic^[1] and persons who do not share it.*

In order to have due regard, the decision-maker should consider in making this decision whether the proposals disadvantage people with particular protected characteristics or discourages their participation in activities, and to consider how their needs may be met. Where a decision may result in disadvantages, it is important to consider how that disadvantage may be mitigated'

17. Head of Finance Comments

- 17.1. The budget provided for transport support has been overspent in the past few years and is predicted to overspend again in 2013/14. The underlying pupil data suggests that the number of support packages awarded to new year groups have been reducing following an earlier review of arrangements. Consequently, as existing children move beyond education age and are replaced by a new year group with reduced numbers, the total numbers supported should begin to show a reduction. Assuming this is not offset by increased package costs this should lead to reduced spending in future years.
- 17.2. Additional government grant funding for 'Extended Right to Free School Travel' has been provided to the authority and, as part of the budget for 2014/15, Children's Services received a funding allocation for identified pressures, inclusive of new statutory duty requirements.
- 17.3. Substantial assumptions are involved in any predictive financial figures for the provision of transport packages to individual clients, which inevitably means that figures incorporated within this report need to be treated with caution. Figures contained within the report represent a full year position. Implementation is intended from September 2014 and so only part year savings will be applicable for 2014/15.

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Signed by: Julian Wooster, Director of Children's and Adults' Services

^[1] The protected characteristics include: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

Appendices:

Appendix A	Current PCC Policy on Home to School/College Travel Assistance
Appendix B	Supporting Data
Appendix C	Consultation Document
Appendix D	Consultation Feedback
Appendix E	Summary of Full Equalities Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972
 The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Home-to-school Transport Policy	PCC Website
Home-to-college Transport Policy	PCC Website
Guidance on home to school travel and transport	DfE, March 2013
Post-16 transport to education and training	DfE, February 2014
Support and aspiration: a new approach to special educational needs and disability - progress and next steps	Online
Full Equalities Impact Assessment	Available on request
Verbatim consultation responses	Available on request