

## APPENDICES

### Appendix A - Current PCC Policy on Home to School/College Travel Assistance

The Council has a statutory duty<sup>1</sup> to arrange suitable and free travel to:

- children in Year R to 8 years old who live at least 2 miles from the school and attend their catchment school;
- children aged over 8 years old to Year 11 who live at least 3 miles from the school, and attend their catchment school;
- children aged 8 years old to Year 6 who live at least 2 miles from the school, attend their catchment school and meet means testing criteria;
- children in Year 7 to Year 11 who live at least 2 miles and under 6 miles from the school and attend one of their three nearest schools and who meet means testing criteria;
- children with a Statement of Special Educational Needs in Year R to 8 years old who live at least 2 miles from the school and attend their nearest qualifying school;
- children with a Statement of Special Educational Needs aged over 8 years old to Year 11 who live over 3 miles from the school and attend their nearest qualifying school;
- children with a Statement of Special Educational Needs who attend their nearest qualifying school (or designated school if not nearest) which is within walking distance, but who are unable to walk to that establishment (accompanied as necessary) by reason of their SEN and/or disability and;
- children who live under the statutory walking distance but whose route to school is considered unsafe.

Portsmouth City Council also currently provides free transport over and above these legal requirements to children and young people:

- who attend a specialist nursery, and live more than 1 mile from that nursery
- who have been permanently excluded from a school and need to attend a different school allocated through the Inclusion Support Panel.
- who change their home address during Years 10 and 11
- with special educational needs attending specialist provisions and who live over 2 miles for primary aged children and 3 miles for secondary aged children
- who has a statement of special educational needs and attends after-school activities
- over statutory school age, with special educational needs in the opinion of the Local Authority attend the nearest college to offer an appropriate course, but live over 3 miles from the college
- who attend the nearest post 16 college, which in the opinion of the Local Authority offers an appropriate course, who live over 3 miles from the college and who meet means tested criteria
- who are Looked After and have a statement of special educational needs when they move out of the area for the first two weeks

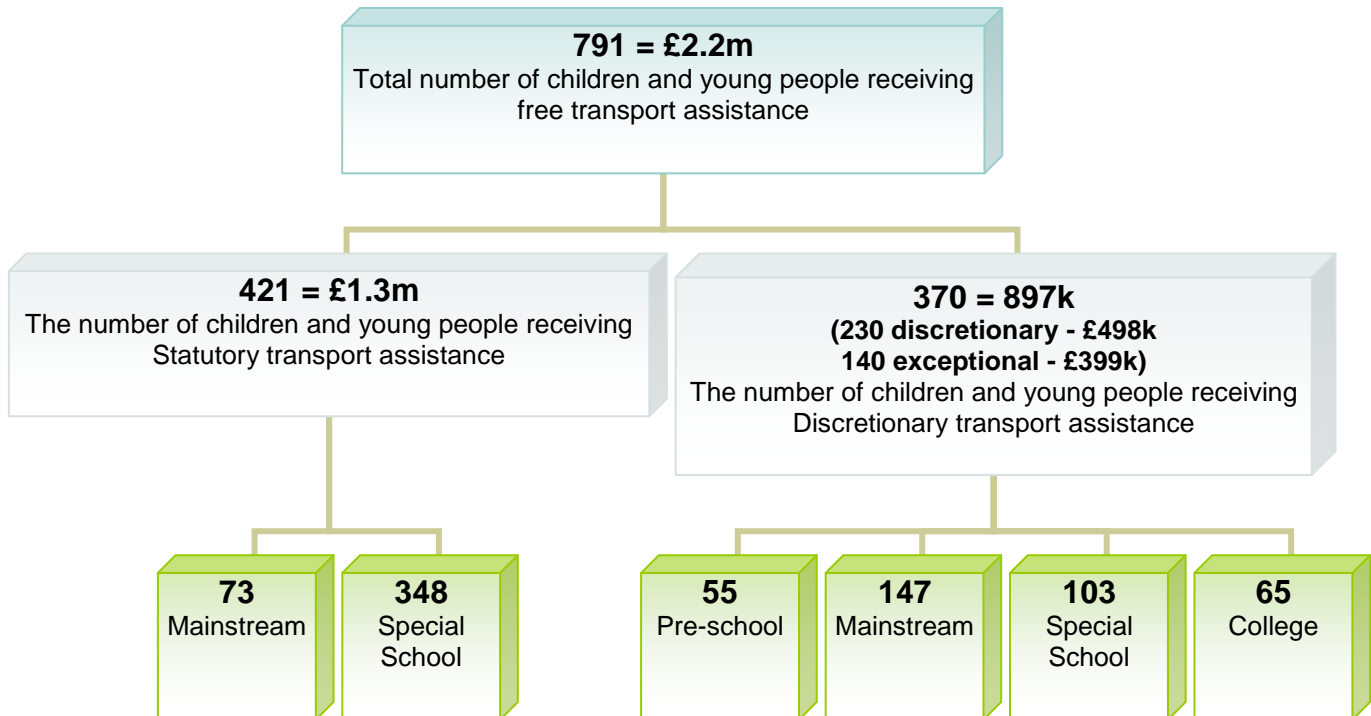
Portsmouth City Council's Home-to-school Transport Policy sets out the eligibility criteria for transport assistance, and comprises of both statutory and non-statutory elements. A separate, entirely discretionary policy applies to post-16 pupils. In addition to the above discretionary criteria, Portsmouth City Council offers free transport assistance to children and young people in exceptional circumstances. There is no policy on what constitutes an exceptional circumstance and applications are considered on a case by case basis by the Special Educational Needs team depending on the need of the child and their parent/carer.

---

<sup>1</sup> Set out in Schedule 35B of the Education Act 1996

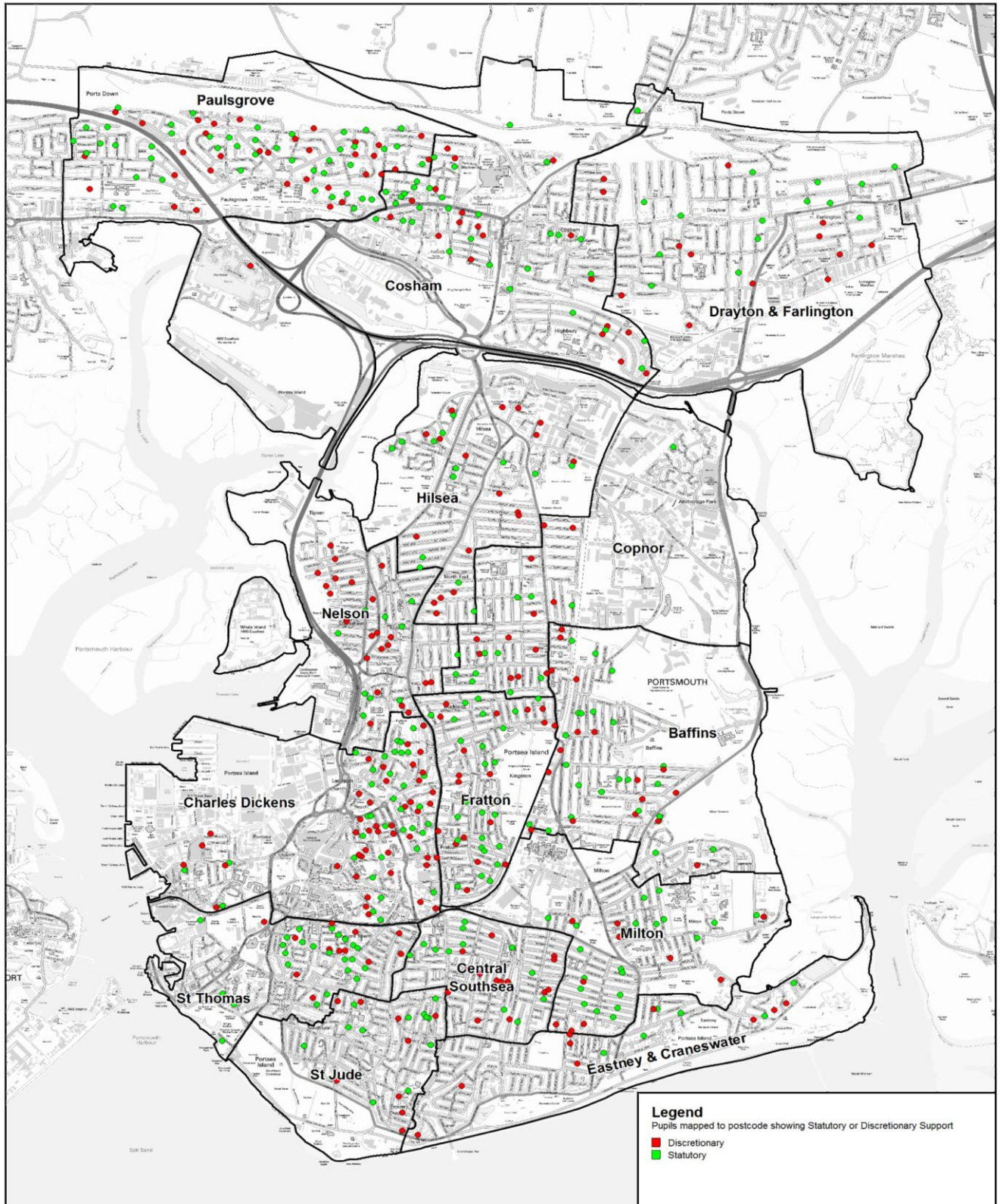
## Appendix B - Supporting Data

**Figure 1 - Breakdown of Numbers of Children and Young People Receiving Statutory/Discretionary Transport Assistance**

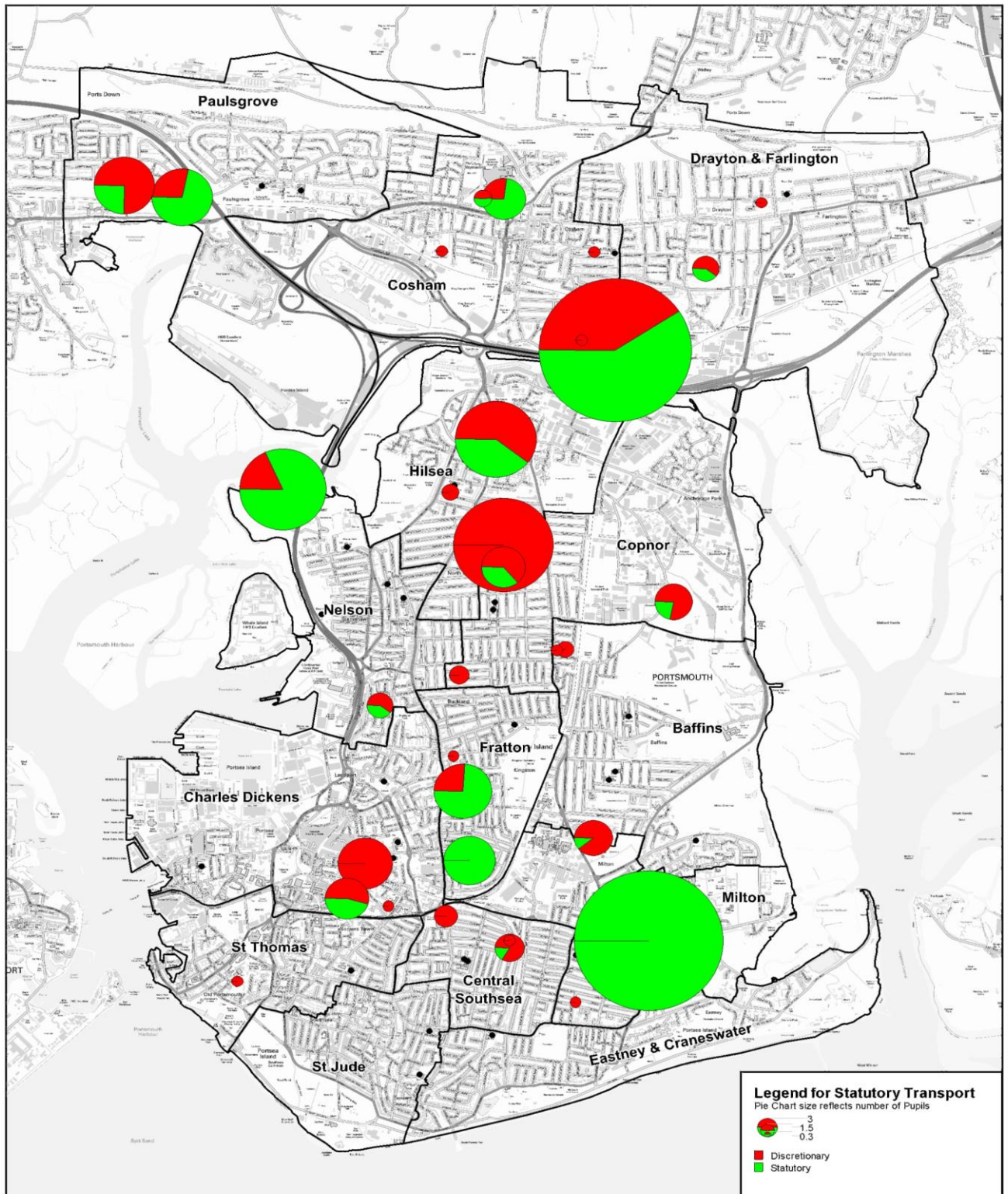


**NOTE:** A detailed breakdown of expenditure by eligibility criteria can be found on pages 6-10 below. Figures correct at the end of January 2014.

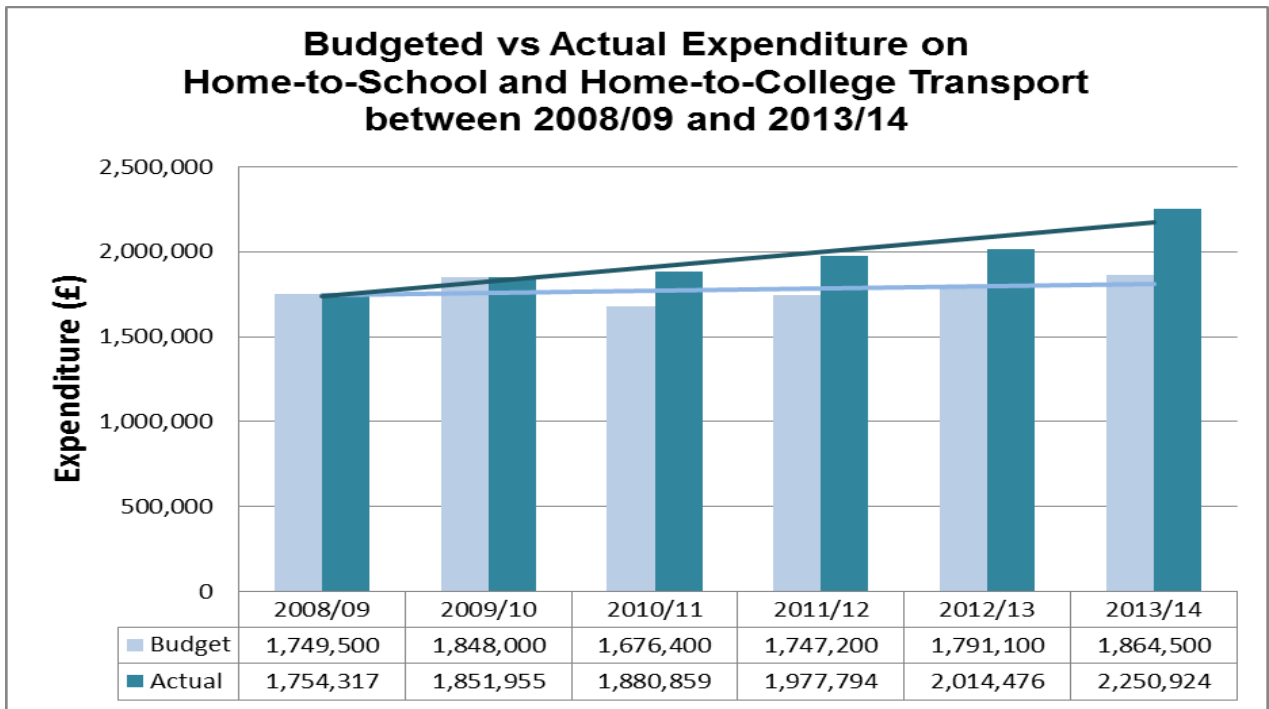
**Figure 2 - Where Children and Young People Receiving Transport Assistance Live**



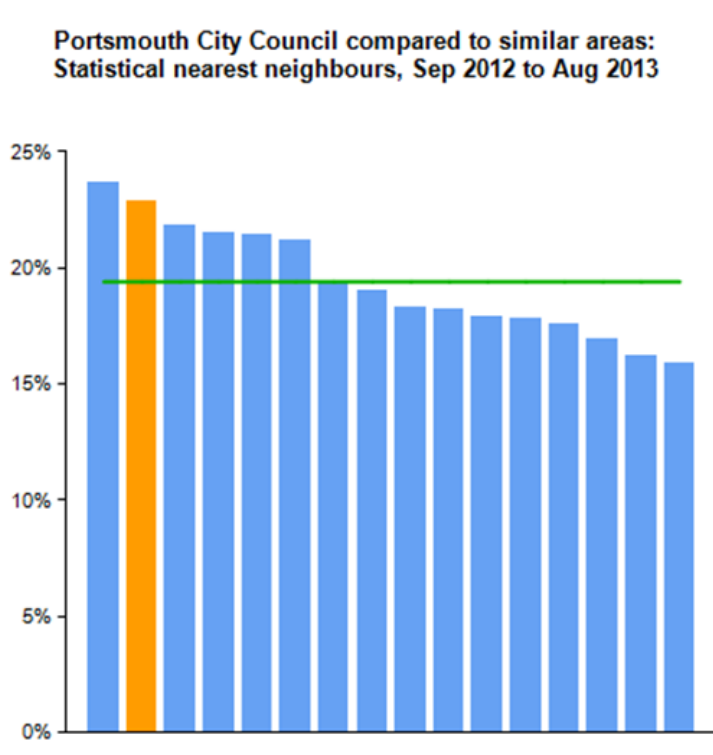
**Figure 3 - Where Children and Young People Receiving Transport Assistance are Travelling to**



**Figure 4 - Expenditure between 2008/09 and 2013/14**



**Figure 5 - Audit Commission's Value for Money Profile Chart Comparing the Number of Children and Young People with Special Educational Needs in Portsmouth Primary and Secondary Schools with Statistical Nearest Neighbours**



**NOTE: Figures correct at the end of January 2014.**

**Expenditure on Statutory Transport Assistance**

**Table 1- Expenditure on Criteria 1**

<b>Criteria 1 - Statutory</b>	<b>Distance:</b> For those who live over the statutory walking distance from their school and catchment school
<b>Number of primary school aged pupils</b>	8
<b>Number of secondary school aged pupils</b>	60
<b>Current budget % or cost</b>	£70k
<b>Example:</b> Typically this is where a child's nearest school is over the statutory walking distance.	

**Table 2- Expenditure on Criteria 2**

<b>Criteria 2 - Statutory</b>	<b>Distance/ Low Income :</b> For those who live over the statutory walking distance from their school and catchment school and meet the means testing criteria
<b>Number of primary school aged pupils</b>	0
<b>Number of secondary school aged pupils</b>	37
<b>Current budget % or cost</b>	£32k
<b>Example:</b> Typically all primary aged pupils are within walking distance so eligibility is rare. Transport assistance for secondary school age is provided to one of the three nearest schools	

**Table 3- Expenditure on Criteria 3**

<b>Criteria 3 - Statutory</b>	<b>Distance/SEN:</b> Children who live over the statutory walking distance from the school and attend their nearest qualifying special school
<b>Number of primary school aged pupils</b>	100
<b>Number of secondary school aged pupils</b>	108
<b>Current budget % or cost</b>	£589k
<b>Example:</b> Typically this is where a child with a statement of special educational needs are met in a special school.	

**Table 4- Expenditure on Criteria 4**

<b>Criteria 4 - Statutory</b>	<b>Eligible Child /SEN:</b> Children who attend their nearest qualifying school which is over statutory walking distance but are unable to walk by reasons of their SEN and /or disability
<b>Number of primary school aged pupils</b>	50
<b>Number of secondary school aged pupils</b>	33 + 25 Post 16 with statements which have not ceased
<b>Current budget % or cost</b>	£662k
<b>Example:</b> Typically this is where a child will need to be accompanied because of their SEN or disability, usually by a Passenger Assistant (often trained nurse) . For example a child who has a tracheotomy or is a wheel chair user and attends the Mary Rose School. These are low in number but high cost.	

**Table 5- Expenditure on Criteria 5**

<b>Criteria 5 - Statutory</b>	<b>Safe Route:</b> Children who live under the statutory walking distance but whose route to school is considered unsafe
<b>Number of primary school aged pupils</b>	0
<b>Number of secondary school aged pupils</b>	0
<b>Current budget % or cost</b>	0
<b>Example:</b> Rare for this to be provided but transport assistance would be provided where a risk assessment has shown that the route to school has become unsafe because of road works.	

### Expenditure on Discretionary Transport Assistance

**Table 6- Expenditure on Criteria 6**

<b>Criteria 6 - Discretionary</b>	<b>Specialist Nurseries:</b> Children who attend a specialist nursery and live more than 1 mile from that nursery
<b>Number of children</b>	55
<b>Current budget % or cost</b>	£124k
<b>Example:</b> Typically this is where a placement at the Willows Nursery has been identified as the appropriate placement and on occasions the Mary Rose Nursery ( these children would be highly likely to meet the eligible child statutory criteria when they reach statutory school age).	

**Table 7- Expenditure on Criteria 7**

<b>Criteria 7 - Discretionary</b>	<b>Permanent exclusion</b> : Children and young people excluded from a school and who are allocated a different school through the Inclusion Support Panel
<b>Number of primary school aged pupils</b>	0
<b>Number of secondary school aged pupils</b>	Less than 5 (details available to Members on request)
<b>Current budget % or cost</b>	£7k
<p><b>Example:</b> Typically this is where the Inclusion Support Panel has placed an excluded pupil at a new school and they do not meet all of the eligibility criteria for transport (i.e. distance and designated catchment school). This may include families on low income who do not meet the eligibility criteria for low income.</p>	

**Table 8- Expenditure on Criteria 8**

<b>Criteria 8 - Discretionary</b>	<b>Change of home address in year 10 and year 11</b>
<b>Number of secondary school aged pupils</b>	13
<b>Current budget % or cost</b>	£5k
<p><b>Example:</b> Typically this is where a child moves home or events outside of the young person's control such as family breakdown means that they have to move home. It is only provided in Years 10 or 11 because the young person will need to complete their GCSE syllabus and course work. Often these children move into Portsmouth from other LAs and need to complete their studies at schools outside of Portsmouth e.g. Crookhorn or Warblington.</p>	

**Table 9- Expenditure on Criteria 9**

<b>Criteria 9- Discretionary</b>	<b>Specialist SEN provision</b> A child who needs to attend SEN Specialist provision and meets the distance criteria
<b>Number of primary school aged pupils</b>	44
<b>Number of secondary school aged pupils</b>	51
<b>Current budget % or cost</b>	£196k
<p><b>Example:</b> Typically this is where it has been agreed that a child or young person needs would be best met in a resourced provision such as Speech and Language Unit based in the Victory School in Paulsgrove and the home address is over 2 miles for a primary child and 3 miles for a secondary school.</p>	



**Table 10- Expenditure on Criteria 10**

<b>Criteria 10 - Discretionary</b>	<b>After school activities</b> : Where a child who has statement of SEN requests to attend after school activities
<b>Number of primary school aged pupils</b>	0
<b>Number of secondary school aged pupils</b>	0
<b>Current budget % or cost</b>	0
<b>Example:</b> Typically this is where there is a request for a child to attend an after school activity as part of a Short Break. This is only provided when there is no cost to the local authority i.e. that is it is already on route.	

**Table 11- Expenditure on Criteria 11**

<b>Criteria 11 - Discretionary</b>	<b>Post 16/SEN</b> - Where in the opinion of the Local Authority the nearest appropriate college course is over 3 miles from the college
<b>Number of young people</b>	57
<b>Current budget % or cost</b>	£156k
<b>Example:</b> Typically this is where a request for a young person with SEND (has Moving On Plan) to attend and Independent Living Course at either Highbury College or Southdown's and where the journey is over the distance criteria.	

**Table 12- Expenditure on Criteria 12**

<b>Criteria 12 - Discretionary</b>	<b>Post 16/Low Income</b> - Where in the opinion of the Local Authority the nearest post 16 college course is over 3 miles from the where the young person lives.
<b>Number of young people</b>	Less than 5 (details available to Members on request)
<b>Current budget % or cost</b>	£2k
<b>Example:</b> Typically this is where there is a request for a pupil to attend a course not available locally and evidence is presented that they meet the qualifying benefits e.g. Parents on maximum working credit.	

**Table 13- Expenditure on Criteria 13**

Criteria 13 - Discretionary	Looked After Children/SEN : Who move out of area for the first two weeks
Number of primary school aged pupils	0
Number of secondary school aged pupils	0
Current budget % or cost	0
<b>Example:</b> Typically this is where a child is placed with a foster carer in Hampshire and given transport assistance to maintain the child's education on a temporary basis until they return to their home address.	

**Table 14- Expenditure on Criteria 14**

Criteria 14 - Discretionary	Medical Grounds of parent
Number of primary school aged pupils	Less than 5 (details available to Members on request)
Number of secondary school aged pupils	Less than 5 (details available to Members on request)
Current budget % or cost	£8k
<b>Example:</b> Typically where a parent of a primary school child lives within the statutory walking distance and is unable to accompany the child due to short term medical issues. This is also provided when one of the adults is an adult carer and it would be unreasonable to expect the child to walk to school unaccompanied.	

### **Expenditure on Transport Assistance Due to Exceptional Circumstances**

In addition to the transport assistance provided to the 230 children and young people who meet the discretionary transport eligibility criteria above, the Council provides 140 children and young people with transport assistance in exceptional circumstances due to a large range of reasons. The spending on transport assistance to children and young people who have exceptional circumstances was estimated in January 2014 to be £399k for 2013/14.

## Appendix C - Consultation Document

### The current approach

Before we talk about how transport assistance could be provided, we thought it would be helpful to remind you of the current arrangements.

At the moment parents and carers who want to be assessed for transport assistance for their child are asked to fill in one of three application forms (depending on their circumstances). Children who are offered a place at a specialist school are automatically assessed for free transport assistance.

Like all councils, Portsmouth City Council has a **statutory** responsibility to provide free travel assistance to:

- Children in Year R to 8 years old who live over 2 miles from the school and attend their catchment school
- Children aged 9 years old to Year 6 who live over 3 miles from the school, and attend their catchment school
- Children aged 9 years old to Year 6 who live between 2 and 3 miles from the school, attend their catchment school and meet means testing criteria.
- Children in Year 7 to Year 11 who live over 3 miles from the school and attend their catchment school
- Children in Year 7 to Year 11 who live over 2 miles and under 6 miles from the school and attend one of their three nearest schools and who meet means testing criteria.
- Children with a Statement of Special Educational Needs in Year R to 8 years old who live over 2 miles from the school and attend their nearest qualifying school.
- Children with a Statement of Special Educational Needs aged 9 years old to Year 11 who live over 3 miles from the school and attend their nearest qualifying school.
- Children with a Statement of Special Educational Needs who attend their nearest qualifying school (or designated school if not nearest) which is within walking distance, but who are unable to walk to that establishment (accompanied as necessary) by reason of their SEN and/or disability. (As set out in Section 35B of the Education Act)
- Children who live under the statutory walking distance but whose route to school is considered unsafe

There is no legal requirement to provide school transport for nursery aged children or post 16 children. However, Councils can provide **discretionary** transport assistance, over and above the statutory requirements set out above. We currently fund transport for children and young people:

- who attend a specialist nursery, and live more than 1 mile from that nursery
- who have been permanently excluded from a school and need to attend a different school allocated through the Inclusion Support Panel.
- who change their home address during Years 10 and 11
- with special educational needs attending specialist provisions and who live over 2 miles for primary aged children and 3 miles for secondary aged children
- who has a statement of special educational needs and attends after-school activities
- over statutory school age, with special educational needs in the opinion of the Local Authority attend the nearest college to offer an appropriate course, but live over 3 miles from the college
- who attend the nearest post 16 college, which in the opinion of the Local Authority offers an appropriate course, who live over 3 miles from the college and who meet means tested criteria
- who are Looked After and have a statement of special educational needs when they move out of the area for the first two weeks

Requests for transport assistance which do not meet the above criteria can be considered by a panel of council officers. If a request is refused it can be considered by an appeal panel of councillors. Free transport assistance above the current policy is only awarded in **exceptional circumstances**, when there is evidence of need.

Schools and colleges may make their own arrangements to provide transport. These arrangements are outside the council's provision and will not be affected following this consultation.

### **A new approach**

We are suggesting a new approach to transport assistance, which affects everyone receiving assistance now and anyone who applies in the future.

#### **Summary of suggested changes**

We would only provide free transport assistance over and above the statutory requirement if there were exceptional circumstances.

Applicants who wish to be considered under exceptional circumstances would need to provide a recent summary of the child and family's history and information about their needs on a new form called a Common Assessment Framework (CAF). A medical, educational or social care professional could help the family complete the CAF.

Any transport assistance offered would always be the most suitable lowest-cost option.

All applicants would need to go through the same process, using the same single application form.

Applications would need to be made annually, and would need to include an up-to-date assessment of need that considered the child and the family's circumstances.

Free transport assistance would be offered according to these principles.

1. Generally, parents/carers are expected to transport their child to/from school children.
2. Transport assistance is only offered to pupils who live in Portsmouth and who attend a school designated by Portsmouth City Council.
3. Transport assistance will only be provided if the child/young person is eligible against the statutory criteria or in exceptional circumstances where there is evidence of need.
4. For young people over 16 at the start of their proposed programme of study, transport will only be provided outside of Portsmouth if the course or suitable equivalent is not available in Portsmouth.
5. If an applicant has mobility allowance or a mobility car, this should be used for transport to school or education placement.
6. Transport assistance offered will always be the most suitable lowest-cost option.
7. Parents and carers must accept the terms and conditions on which the transport assistance is offered (set out on pages 10-13 of the current home to school transport policy. Search 'school transport policy' at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk))

## Implementation timeframe and impact

Families who wish to be considered for free transport assistance from September 2014 would need to submit an application form between April and June 2014.

The suggested changes mean that that transport assistance would continue to be provided if families meet the statutory criteria above, but would not automatically be provided otherwise. However, applications for assistance would continue to be considered in exceptional circumstances where recent, relevant and robust evidence of need had been submitted.

If new applicants were not eligible for free transport assistance, parents and carers would need to make their own arrangements.

If a child had been getting free transport assistance but was no longer eligible under the new policy the council would continue to provide free assistance until the child or young person reached the end of their current key stage phase, summarised below.

<b>Current key stage phase</b>	<b>Child's current year</b>	<b>When will transport assistance end if my child is no longer considered eligible?</b>
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

We think the suggested changes would enable the council to:

- achieve better control of the budget by applying a fair and consistent application and assessment process
- ensure the children and young people who are most in need receive assistance
- ensure a reasonable, realistic and sustainable approach

However, before any decisions are made, we need your views to get a better understanding of how the suggested changes may impact on your child and your family.

## Have your say

We hope you will tell us what you think of our proposals. You can do this by:

- completing a survey at [www.surveymonkey.com/s/home-to-school-transport-consultation](http://www.surveymonkey.com/s/home-to-school-transport-consultation)
- filling in the form on the next page and posting it to: School Transport Consultation, FREEPOST PT705, PO1 2YX or
- filling in the form, and emailing it as an attachment to: [school-transport-consultation@portsmouthcc.gov.uk](mailto:school-transport-consultation@portsmouthcc.gov.uk)

Please let us have your responses by Friday 24 January 2014.

You can also come along to one of the following drop-in sessions:

- 12 December Banqueting Suite, Guildhall, Guildhall Square, 10am-12pm
- 15 January, Willows Centre for Children, Battenburg Avenue, North End 1.30pm- 3pm

Please email us or write if Please email us or write if you have any queries.

## Consultation survey

**Q1. What support would your family need to ensure your child/ren get to/from school/college?**

**Q2. 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. Examples might include: parents, carers, school staff, and council staff. Please also explain why you think they should sit on the panel.**

**Q3. What do you consider *exceptional circumstances* should include?**

**Q4. 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?**

**Q5. In what capacity are you completing this survey?**

- |  |   |
|--|---|
| <input type="checkbox"/> Parent/Carer  | <input type="checkbox"/> Governor               |
| <input type="checkbox"/> School Staff  | <input type="checkbox"/> Transport Provider     |
| <input type="checkbox"/> Post-16 Staff | <input type="checkbox"/> Other (please specify) |

***Please continue on another sheet if necessary.  
Thank you for taking part in this consultation.***

## Frequently asked questions

**Q1. Where can I find more information about the council's statutory duties to provide transport assistance?**

These are set out in schedule 35B of the Education Act 1996. See:  
<http://dera.ioe.ac.uk/17400/1/DFE%20home%20to%20school%20transport.pdf>

**Q2. Where can I find a copy of the council's current policies?**

Search 'school transport policy' at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

**Q3. What will happen to the existing policies if any of the proposals are put into effect?**

The policies will need to be updated to reflect any changes.

**Q4. Is there a legal obligation to consult on changes to the provision of free home-to-school transport assistance?**

Yes. Councils are required to consult widely on any changes and consultations should run for at least 28 days during term time. We are going further, and will be consulting for 54 days, 40 in term-time.

**Q5. When would the changes come into effect?**

From September 2014. Application forms would be available from April 2014 and would need to be returned by the end of June 2014.

**Q6. What is the Common Assessment Framework (CAF)?**

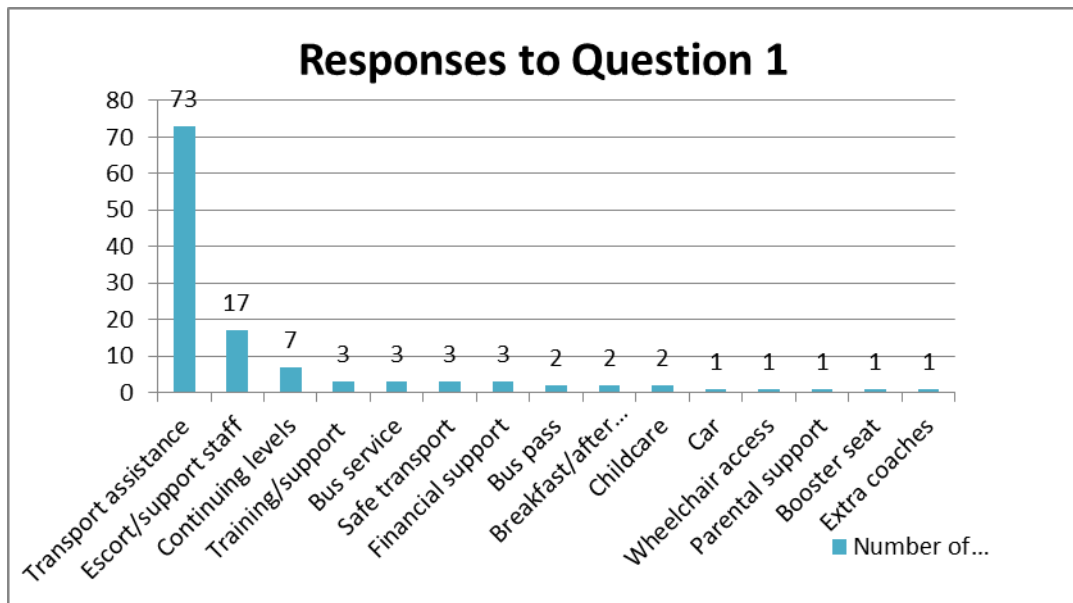
This would provide a recent summary of the child and family's history and information about their current needs. It is important that the family's needs are fully understood and assessed in order to understand if there are exceptional circumstances that need funded transport assistance.

Please note this information has also been made available online at:  
<http://www.portsmouth.gov.uk/yourcouncil/24793.html>

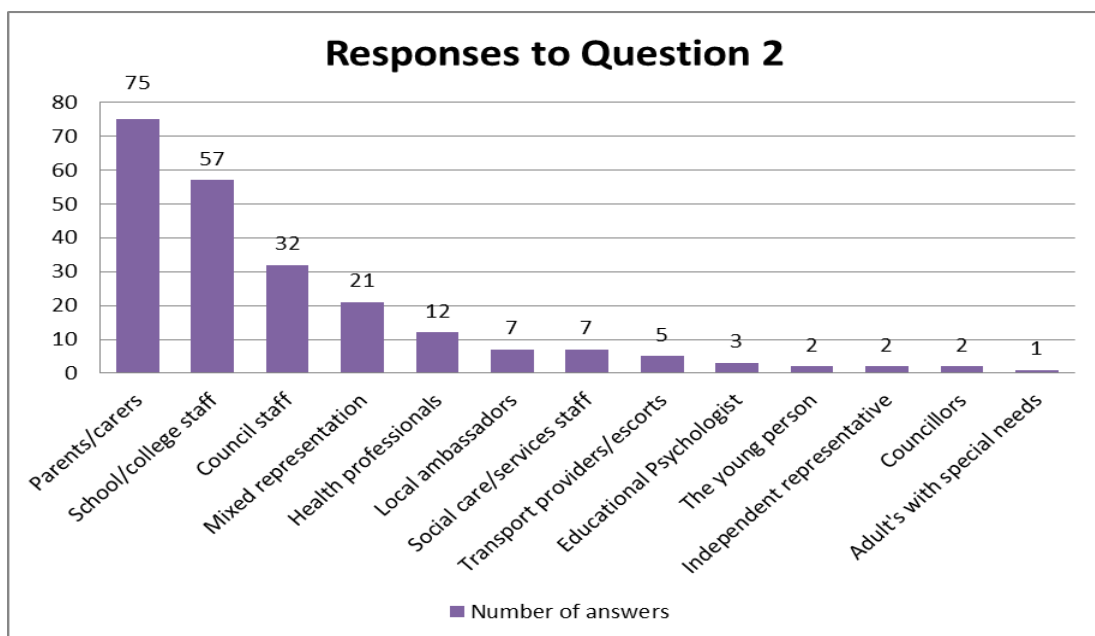


## Appendix D - Consultation Responses

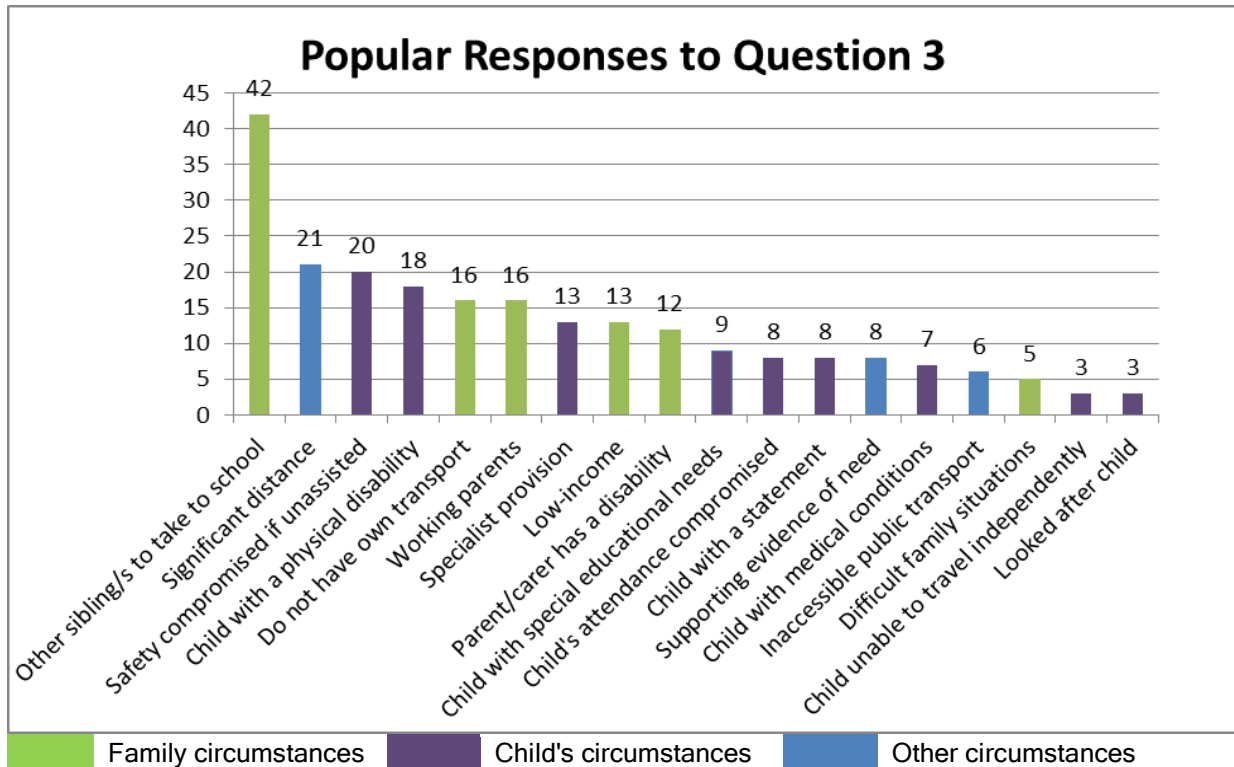
**Figure 6 - Responses to Question 1 - What support would your family need to ensure your child/ren get to/from school/college?**



**Figure 7 - 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?**



**Figure 8 - Responses to Question 3 - What do you consider exceptional circumstances should include?**



**Table 15 - Common Themes Emerging from the Consultation Responses**

Theme	Examples
Safe travel	'By far the most important consideration is the welfare and safety of children with special needs'. 'HEALTH AND SAFETY is the biggest issue for all kinds of reasons: - children's lack of road safety awareness - getting out of cars in the road - current state of public walk ways for children with a wide range of physical disabilities (including unsteady walkers) poor gross motor skills, multi-sensory impairment. - no pedestrian crossing at some of the schools'.
Independence	'As a vulnerable young adult, our son will need training and support to travel from our house to college'. 'Our son is physically disabled and cannot independently use public transport. In using a taxi or minibus he feels at least he is being independent as possible by not having to rely on his parents'.
Conflicting parent/carer demands	'Without receiving transport, this would mean that either one of our children would be late for school and I would be late for work. My husband works unsociable hours so is unable to do the school run'. 'We currently benefit from school transport due to exceptional circumstances - we have children at three schools in the city and both teach ourselves, which means we have to be in school by 8.30am'.
Restrictive factors	'My son and I would need to get 2 buses (public transport) one I am reliably told goes passed at 8.20am as full up and other every 1/2 hour. I don't think my son would be able to get to school on time'. 'The school is not big enough to accept that amount of cars alone and there is no parking'.
Affordability	'I would be happy to pay if it meant I got to keep transport. Why not charge a fee to go towards the cost of transport'. '[if removed] we would have reduced income and would struggle to get him to school'.

## Appendix E

### Summary of Full Equalities Impact Assessment (copies of the full EIA are available on request)

- 1.1. The proposed changes to home to school and home to college transport assistance are not envisaged to discriminate against any of the protected groups under the Equality Act 2010. They aim to bring about a reduction in expenditure whilst ensuring that families who are most in need / most vulnerable are provided with necessary transport support.
- 1.2. The proposals have been consulted on with the families who currently receive home to school / college transport assistance as well as schools, colleges and groups in the city (including disability groups and organisations). The council has listened to the views of the parents / carers and others who took part in the consultation and has developed the exceptional circumstances criteria on the basis of what many parents and carers have said is important to them. The new exceptional circumstances criteria are fairly wide and could therefore include a variety of circumstances. Whilst this should ensure that the families with the highest need / who are most vulnerable continue to be supported, some may be negatively affected. Children and young people with disabilities and parents / carers have been identified as groups of people possessing 'protected characteristics' who may experience a particular detrimental impact.
- 1.3. It is important to note that the Equality Act 2010 explicitly recognises that disabled people's needs may be different from those on non-disabled people. Therefore, public bodies need to take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people more favourably than non-disabled people in order to meet their needs.
- 1.4. A number of mitigating measures have been proposed to minimise any potential negative impact on persons who may not be eligible for home to school / college transport assistance under the new criteria, namely the supporting strategies to remove barriers to parents/carers taking their children to school, the introduction of the Education, Health and Care Plans and personal budgets under the SEND reforms, and a phased implementation of the changes to the transport provision. The Education team will conduct a review of the exceptional criteria within 6 months of the implementation to assess whether the new system is achieving its aims. This will assist in identifying and tackling any issues including any significant and / or disproportionate impact on disabled children / young persons and their parents / carers.