

Report to Education, Children and Young People Scrutiny Panel

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Background

1. Revisions to the Home to School and Home to College Transport Policy were made and approved by Cabinet in March 2014. These revisions came into effect at the start of the academic year 2014/15.
2. The policy was revised to ensure that a fair and consistent approach to assessing and granting transport assistance was in place and, in particular, how the Local Authority makes use of its discretionary powers to grant transport support.
3. After consultation with stakeholders, the policy was revised and an Exceptional Circumstances Criteria was introduced. This determined how the Local Authority would use its discretionary powers. The most frequent responses from the stakeholder consultation were used to help weight a points based eligibility grid. (See Appendix: Home to School and Home to College Transport Policy pages 14 -19)

The process

4. Every transport application is assessed by the Entitlement Officer to see if there are statutory grounds for providing transport to school. If there are not, all applications are automatically assessed against the Exceptional Circumstances Criteria. Those that receive in excess of 60 points are granted transport support. Those who accrue 45-59 points are referred to the Inclusion Transport Appeal Panel, although all applicants are made aware of their right to appeal.

Appeals

5. In accordance with DfE guidance there is a requirement for a two stage appeal process, with a time frame of 20 working days within which the appeal should be heard.
6. Stage One of the appeal process is facilitated through Inclusion Transport Appeal Panel which comprises of a parent representative, a special educational needs officer and is chaired by an Education Manager. The panel meets on a weekly basis and parents, or their representatives, are encouraged to make representation, and do so in about half of the cases that are heard.
7. Applicants who make an unsuccessful appeal to the panel have the right to a Stage Two appeal that will be heard by the Lead Member of Children's Services and the Director of Children's Services and Lead Member.

8. The need for a new policy was partly to address the fact that the initial decision making, under the old policy, was not in one place and was not a holistic assessment. Under the old Transport Policy, there was, in effect, one appeal process, to the Members Panel. This means that the current and past approaches to the appeals process is not a like for like comparison.

Table One: STAGE ONE APPEALS	2014/15	2015/16
Appeals to Inclusions Transport Appeals Panel	57	45
Appeals where transport support was granted	29	16

Table Two: STAGE TWO APPEALS	2011/12	2012/13	2013/14	2014/15	2015/16
Appeals to Members Panel *	9	5	10	2	
Appeals to DCS and Lead Member**	x	x	x	4	1

*Of these 26, 4 were approved

**Of these 5 none have been approved.

Table Three	2013/14	2014/15	2015/16
Statutory	421	412	421
Non statutory (exceptional circumstances)	370	348	189*

* Up to November 2015. The number will rise by approx. another 30 across the full year

Projections

9. The implementation of the current Home to School policy was projected to take three years starting in 2013/14. It is projected that
- The number of children and young people receiving statutory transport remains stable. However, given earlier identification of children with SEND and possible pressures on school placements it is projected that the demand for statutory support will rise.
 - The number of children and young people receiving non- statutory support has fallen as the changes to the transport policy have become embedded. Those that were provided with transport support until the end of key stage (up to three years) but have not been eligible under the new policy account for a significant proportion of this fall. It is projected that the number of children and young people receiving support will fall by at least 50 in 2016/17 as they are protected until July 2016.
 - There is likely to be a further impact on both costs and numbers transport by the local authority through greater promotion of personal budgets, especially where arrangements are high cost.