

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Education
Date:	19 June 2017
Title:	2017 Post-16 Transport Policy Statement
Report From:	Director of Children's Services

Contact name: Martin Goff

Tel: 01962 846185

Email: martin.goff@hants.gov.uk

1. Executive Summary

1.1. The purpose of this paper is to inform the Executive Member on the consultation carried out regarding the 2017 Post-16 Transport Policy Statement, taking comments from schools, colleges/post-16 providers, and young people aged 16-19 into account while considering the content of the statement. The paper also presents the detail of the proposed 2017 Post-16 Transport Policy Statement.

2. Contextual information

- 2.1. Statutory guidance from the Department for Education on post-16 transport to education and training requires local authorities to prepare and publish an annual transport policy statement each year specifying the arrangements for the provision of transport for persons of sixth form age in education or training.
- 2.2. Hampshire County Council and its post-16 providers are committed to ensuring transport is available to enable students to access education and training as set out in the policy statement. The support is provided either by the County Council or post-16 providers.
- 2.3. There is no automatic entitlement to free home to school or college transport once a student is over 16. The authority has considered its resources and the travel to college opportunities for students. Students can attend a college of choice and, if needed, apply to their college's student support for assistance.
- 2.4. The County Council does offer, under discretionary powers, a transport service, on receipt of an annual parental contribution, to enable 16+ students with a statutory assessment of their Learning Difficulty or Disability to access a place that is the closest suitable provision for their needs. Currently this discretionary provision costs approximately £1.2m
- 2.5. Students from low-income families, in care, or care leavers may be eligible for a yearly bursary through the 16 to 19 Bursary Fund from the Education Funding Agency. This fund replaced the Education Maintenance Allowance in September

2012 and offers students from the most vulnerable families greater financial support towards the cost of staying in further education. Students and their families apply for the bursary directly through their chosen college/post-16 provider.

- 2.6. Statutory guidance clarifies the duty to consult with stakeholders in developing the statement before publication.
- 2.7. Hampshire colleges and post-16 providers provide travel information for inclusion in the statement; listing transport and travel schemes offered, any college owned bus services, local public transport links and discounted or subsidised season tickets available to students.

3. Outline of proposals being consulted upon

3.1. That the Executive Member approve the proposed 2017 Post-16 Transport Policy Statement with minor amendments. The statement has undergone the required consultation process inviting comment from stakeholders on the following:

- Any comment on the 2016 Post-16 Transport Policy Statement
- Any post-16 travel issues in the stakeholder's respective area

4. 2017 Transport policy statement for students in further education aged 16–18 and continuing students aged 19 (Annexe A)

- 4.1. In February 2017 approval was given to increase the annual contribution paid by families of children with special educational needs and disabilities towards the cost of transport from £555 to £570 for 2017/2018. This is payable by one lump sum or by instalments.
- 4.2. Colleges and post-16 providers were contacted in January 2017 and then at regular intervals to request travel information for inclusion in the statement appendices. Colleges from whom no timely response was received were advised that information previously given in the 2016 Post-16 Transport Policy Statement would be published in lieu of more recent information.
- 4.3. The Home to School Transport – Review/Appeals Process, included as an Appendix within the Post-16 Transport Policy Statement, has been amended to direct appellants to the County Council's Home to School Transport Policy. The process by which Home to School Transport appeals are handled for a young person attending a Post-16 provision matches that detailed in this Policy.

5. Consultation on 2017 Post-16 Transport Policy Statement

- 5.1. The public consultation on the 2017 Post-16 Transport Policy Statement ran from 31 January 2017 to 21 April 2017. Responses were invited by completing a dedicated online survey.
- 5.2. There were 158 responses to the consultation, all of which have been taken into consideration when compiling the statement for publication. Approximately 55% of responses came from young people in post-16 education or due to start in September 2017. The remainder of responses came from parents, schools,

colleges, education providers, governors, and a Parish/Town Council councillor or representative.

- 5.3. 17% of responses to the consultation commented on the high cost of transport to post-16 providers. Colleges work closely with local transport providers to negotiate favourable, discounted and often subsidised season tickets. Many providers also offer financial assistance towards the cost of transport to those meeting eligibility criteria. Students from low-income families, in care, or care leavers can also apply through their chosen college/post-16 provider for additional financial support through the 16 to 19 Bursary Fund. The travel information for each post-16 provider is detailed in the appendices of the Post-16 Transport Policy Statement.
- 5.4. 23% of responses to the consultation came from residents of the Fleet area commenting on the lack of post-16 provision available in the area and that young people had no option but to travel to college and incur costs in doing so. There are several areas in the County where young people are required to travel by car or public transport to their nearest post-16 provision as it is not within walking distance. As mentioned above, post-16 providers work closely with local transport providers and offer discounted season tickets and financial assistance for students towards the cost of travel. Many providers also offer their own dedicated bus services, often subsidised to reduce the cost to students, for students who are required to travel long distances or who live in an area with poor public transport links.
- 5.5. 10% of responses to the consultation commented that as children are now required to remain in education or training until the age of 18 the Local Authority should provide assistance with transport. Recent legislation change required young people of 6th form age to remain in education or employment with training. However, there was no change in transport legislation that sets a duty to provide free transport only to pupils of statutory school age. The legislation requires only that the authority publishes an annual post-16 transport policy statement.
- 5.6. 5% of responses to the consultation commented that it was unfair for the Local Authority to request a contribution from families to provide assistance for those young people with special educational needs or a disability, and that this assistance should be provided free of charge in line with other services provided to a specialist or resourced provision. There is no automatic entitlement to free home to school or college transport once a student is over 16. The authority has considered its resources and the travel to college opportunities for students. The cost and mechanical process of transporting young people with special educational needs is greater and more complex. HCC recognises that families may need a transport service to ensure that 16+ SEN students can access a place that is suitable for their needs and so do offer, under discretionary powers, a transport service that requires an annual parental contribution.
- 5.7. 10% of responses to the consultation commented that the statement was fair and offered assistance with travel to those who needed it most.

6. Impact Issues

- 6.1. No adverse impact in regard to race, culture, gender, or disability arising from this report has been identified. However, to ensure that the 2017 Post-16 Transport Policy Statement allows for the best interests of all young people aged 16-19 to be properly taken into account when applying the published policy an equality impact assessment has been undertaken and is attached to this paper.
- <http://documents.hants.gov.uk/equality-impact-assessments/Post16TransportPolicyStatement2017.pdf>

7. Recommendations

- 7.1. That the Executive Lead Member for Children's Services:
- Notes the process that has been followed (as set out in the report) and the responses to the public consultation that have been received (as summarised in the report).
 - Acknowledges the material changes from the 2016 Post-16 Transport Policy Statement, which are as follows:
 - (i) Revision of the annual contribution to £570 per academic year.
 - (ii) Revision of statement appendices providing up to date travel information for colleges and post-16 providers
 - (iii) Revision of the review/appeals process
 - Approves the 2017 Post-16 Transport Policy Statement set out in Annexe A.

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Section 100 D – Local Government Act 1972 – background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

To ensure that the 2017 Post-16 Transport Policy Statement allows for the best interests of all young people aged 16-19 to be properly taken into account when applying the published policy an equality impact assessment has been undertaken.

1. Impact on Crime and Disorder:

2.1. None identified

2. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?
None identified