

**HAMPSHIRE COUNTY
COUNCIL**

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	14 January 2022
Title:	Proposed changes to Home to School Transport Policy for Home to School Transport Travel provision (2022)
Report From:	Director of Children's Services

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Purpose of this report

1. The purpose of this report is to inform the Executive Lead Member for Children's Services on proposed changes to the delivery of Home to School Transport and Post-16 Transport services for children and young people, including those with special educational needs. The paper seeks permission to consult on the changes to the service and Hampshire County Council's Home to School Transport Policy.

Recommendations

2. That the Executive Lead Member for Children's Services:
 - Gives approval to go out to public consultation on the proposals to make changes to the organisation and delivery of Home to School Transport services with a further report setting out the findings of the consultation to be brought by 12th July 2022.

Executive Summary

3. This paper seeks permission from the Executive Lead Member to consult on proposed changes to the delivery of Home to School and Post-16 Transport services for children and young people, including those with special educational needs.
4. The proposed changes in service form part of a Hampshire County Council wide savings programme (SP23) whereby £80 million savings are required; £21 million from budgets within the Children's Services Department.
5. Current expenditure on the Home to School Transport (HtST) service is approximately £34 million per annum in the 2020-21 financial year. Savings from the Home to School Transport budget are targeted to

deliver £2.5 million of Children's Services savings for SP23.

6. There are no proposals to change the County Council's approach to eligibility for children in its Home to School transport policy. The service provides for children who are eligible for local authority funded transport as specified in legislation. These services are used by children living beyond the statutory distance from their nearest suitable provision or requiring transport because of their special educational needs. The existing policy was last updated following a public consultation in 2020 with first effect in September 2021.
7. It is proposed that the Council improves the efficiency in the provision of its home to school transport services and specifically consults on proposed changes in the delivery of home to school transport services that would provide opportunities for increasing the number of contracts on which there is mixing of pupils across primary, secondary and post 16 age groups, as well as increasing the use of safe, co-ordinated pick up and drop off points for SEND pupils.
8. If the proposals set out in the consultation are implemented following the consultation, any changes may be in effect from September 2022.
9. The County Council will continue to meet its statutory duties in respect of home to school transport.

Contextual and background information

10. The County Council provides transport assistance for some children to attend school. This statutory service is largely provided to children attending their catchment school but living over two or three miles (depending on age) away from school, as well as specialist Home to School Transport (HtST) for Hampshire children with Special Education Needs and/or disabilities. In both circumstances, transport assistance is provided where children meet national eligibility criteria.
11. The County Council has recently sought residents' views on ways in which it could balance its budget. £34 million (2021-22) is currently spent per financial year on providing HtST assistance to around 12,000 students. Of these, approximately 9,000 attend mainstream schools (at a cost of £9.5 million per annum) and 3,000 attend schools and colleges that provide for their Specialist Education Needs and/or disabilities (at a cost of £24 million per annum). The overall spend is under increasing pressure.
12. A key factor associated with the increase in the cost of delivering HtST services is the national growth of EHCPs following a change in legislation in 2014. In Hampshire, EHCPs are currently increasing at a rate of 10% per annum. Transport eligibility rules mean that the growing numbers of children with EHCPs results in increased demand for transport and, on occasions, more complex travel services. EHCP

growth, combined with a limited number of local specialist school places are often cited as key factors leading to additional costs.

13. At the Executive Lead Member for Children's Services Decision Day, on Friday 17th September 2021, it was agreed that a proposal to achieve cost savings from the current Home to School Transport budget could be developed.

Regulation/Statutory Duties

14. It is the responsibility of the Local Authority under the Education Act 1996 to provide home to school transport, free of charge to the user, for children of compulsory school age in certain circumstances as prescribed by the legislation.
15. Since the start of national austerity measures in 2010, central Government has significantly reduced its funding to the County Council. In response, the County Council has worked diligently to maximise efficiencies and cost savings, delivering sustainable services with less money. Through the Council's Transformation strategy, £560 million in recurring savings has been achieved over the past 10 years, whilst protecting the quality of services as far as possible and keeping Council Tax low. The savings programme (SP23) requires the Council to save a further £80 million; with the Children's Services Department required to make savings of £21 million.

Financial Context

16. Since 2008, the County Council has been changing the way it works to respond to continuing pressures on local government funding. In total, this has resulted in savings of over £560 million being removed from the budget in the last 13 years. The County Council predicts it will need to find a further £80 million in the next two years, bringing the cumulative recurring saving to £640 million.
17. Each successive transformation programme has become more difficult to deliver, as the potential to achieve further permanent cost reductions through early intervention, demand management and prevention approaches is reduced. Given the level of savings already achieved and the shortened timescales for delivery, the Saving Programme to 2023 (SP23) will focus primarily on services that may be reduced or stopped across the council.
18. Prior to the Coronavirus pandemic, the County Council was already under financial pressure following a decade of national funding restrictions. Over the upcoming two financial years (2022/23) and (2023/24) the County Council faces a further budget shortfall totalling at least £80 million. However, demand for local services, particularly social care, is increasing.

19. Local authorities are required to deliver a balanced budget and it is necessary for the authority to decide what services the County Council provides, and how these services are provided, whilst meeting assessed needs and statutory obligations. It is now more challenging to maintain the full range of services that residents have previously accessed at a reduced cost.
20. This proposal seeks to save £986,000 by re-organising the way transport provision is provided to SEND children as outlined in section 4 below. The proposals form part of a wider SP23 Home to School Transport programme aiming to achieve £2.5 million savings.

Permission to consult on the following proposals

Permission is sought to consult on the following two proposals:

21. Proposal One: Consolidation of Pick Up and Drop Off Points
- Children attending mainstream schools are collected at pick up points and returned to drop off points. Some children with Special Educational Needs and Disabilities do access their school transport from a designated pick up and drop off point but most arrangements for children with Special Education Needs and Disabilities are arranged door to door, i.e. to and from their home address.
 - Approximately 3,000 children with SEN have a local authority funded transport arrangement which in turn requires the use of thousands of individual pick-up points every day.
 - It is proposed to increase the number of children with SEND who are collected and returned to a shared designated safe place in situations where there are multiple children who commence their journey in a local area.
 - This type of travel arrangement is more closely aligned to mainstream transport and may support a strength-based approach enabling more independent travel amongst young people.
 - This would require most children using this service to join their transport at a designated safe pick-up point. They may need to be accompanied, as necessary, by parents/carers. The pick-up point could be up to a maximum of 1 mile from the home address.
 - The Home to School Transport Policy would be amended to reflect that the HtST service offered will be either from a designated pick up and drop off point or a child's home. [The draft policy is provided annexed as appendix 1 of this report]
22. Proposal Two: increased number of journeys serving multiple schools (and age groups), including routes that serve both mainstream & special schools and colleges
- At present the majority of journeys (approximately 1,540 out of 1,600) service a single designated school/college. There are instances where primary, secondary and post 16 schools/colleges are co-located, or are located a short distance from one another.
 - There are instances where primary, secondary and Post 16

schools/colleges are either on a shared campus or are located just a short distance from one another.

- The proposal is that future transport is to be arranged based on the geographical origin and destination of a number of children. This could mean that a single vehicle would pick up children who live in one area but are travelling to multiple schools and colleges. Those schools and colleges may be a mix of mainstream and specialist settings.
- The children on these journeys may be at different stages in their education, and the revised journeys could service primary, secondary and post 16 schools/colleges.
- For some service users this may mean the duration of the journey or distance to and from school may change. All journeys would be planned applying the maximum recommended journey times of 45 mins for a primary age pupil and 75 minutes for a secondary phase pupil.
- The re-organisation of transport, with a greater emphasis on geography, could/would increase the value for money that is achieved by the County Council in its contracting arrangements. This is because there would be fewer vehicles needed and maximising the use of purchased capacity of vehicles.

23. The two proposals outlined above would assist the County Council to reduce the cost per child to provide school transport. A focus on unit cost is necessary because:

- The County Council provides transport to school for approximately 12,000 eligible children in Hampshire. Although overall numbers using the service have not increased, the unit costs of HtST have increased.
- The County Council currently spends £34 million on HtST, of which 70% relates to transport for SEN children. In order to make the £986,000 savings required in HtST, the County Council must look at ways to deliver mainstream and SEN transport more efficiently.
- The Association of Transport Co-ordinating Officers (ATCO) passenger transport survey 2020 identifies that whilst mainstream travel (compulsory school age) spend across all English counties has increased on average 0.2% between 2019/20 and 2020/21, SEN travel has seen the average cost per child increase by 12% during the same period.
- A key factor associated with the increase in cost is the national growth of EHCP's, which are currently increasing at a rate of 10% per annum and is anticipated to continue until 2025.
- Demand for HtST in Hampshire arises from a combination of demand for mainstream transport in the general population and the rise in children with EHCPs. The current forecast contained within HCC's Medium Term Financial Strategy predicts that requests for HtST will increase by 194 children with an EHCP (a growth rate of 7%) in 2021/22.
- Growth of 194 children would add further costs of approximately £1.5 million per annum.
- The findings based on unit cost analysis (based on ATCO report

2019/20) place Hampshire 10th out of 17 Local Authorities with a unit cost of £7,501 per SEN child against an average of £7,349.

- Authorities such as Kent and Essex County Council are achieving significantly lower unit costs of £5,568 and £4,590 respectively.
- Essex County Council is a comparable Local Authority to Hampshire, with a similar number of mainstream and children with SEN in receipt of HtST provision, a similar rural and urban demographic and similar number of districts.

24. An Equality Impact Assessment (EIA) will be carried out with the consultation findings report. The initial EIA is available online at: www.hants.gov.uk/childrens-services/about-cs/cs-equality-diversity.htm. Link to SP23 EIA.

Other Efficiency Savings

25. The HtST service has been developing SP23 proposals to secure savings of £2.5M following learning and insight gained from other lower cost local authorities. The proposed changes may include:
- A shift to a commissioning model that would include customer contact from families, schools and children being handled by the operator rather than the HtST service.
 - Reduction in directly contracted suppliers (potential reduction from 1,300 to 300).
 - Greater use of supply chain to provide school escorts rather than escorts employed by the County Council.

Engagement and process for consultation

26. The consultation would seek views on the proposals to make changes to the way that the transport needs of eligible children are met by the County Council. These changes would affect eligible children and young people, including those attending mainstream schools, and those attending special schools.
27. It is proposed that an eight-week consultation be undertaken, commencing from 31st January 2022 to 27th March 2022. During this time, views would be sought, including those of service users, their parents or carers, staff, providers, schools and other stakeholders.
28. The consultation would gather views through both online and paper questionnaires. The consultation would be published on the County Council's website at: www.hants.gov.uk/consultations. An Easy-Read version of the consultation document would also be made available.
29. Children and young people, their parents or carers, and other stakeholders would also have the opportunity to attend consultation events. These events would be advertised on the County Council's consultation webpage, in press releases and using the County Council's social media channels.

30. Providers of school transport and other stakeholders would be contacted by the County Council about the consultation to make them aware of the proposals.
31. If it is agreed to undertake a public consultation on the proposed changes to Home to School Transport, findings would be published in a report to the Executive Lead Member for Children's Services, for a decision by 12th July 2022. Outcomes from the consultation would also be used to update the Equality Impact Assessment, presented to the Executive Lead Member for Children's Services.
32. Further details of the proposals and public consultation information pack can be found in Integral Appendix Two.

Legal implications

33. The Home to School Transport statutory guidance published by the Department for Education states that Local Authorities should consult on changes to policy. A consultation is proposed that will meet that requirement and would introduce changes from September 2022.
34. The Post 16 Home to School Transport Policy Statement includes the use of pick-up and drop-off points when organising transport for students with Special Educational Needs. That must be consulted upon and determined each year; that consultation will be carried out to meet the statutory timetable to establish the 2022/23 Post 16 Policy.

Recommendation(s)

35. That the Executive Lead Member for Children's Services:
 - Gives approval to go out to public consultation on the proposals to make changes to the organisation and delivery of Home to School Transport services with a further report setting out the findings of the consultation to be brought by 12th July 2022.

Climate Change Impact Assessment

36. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does. The tools would be applied following the outcome of the consultation.

**CORPORATE OR LEGAL
INFORMATION:**

Links to the Corporate Strategy

Hampshire safer and more secure for all:	Yes
Maximising well-being	Yes
Enhancing our quality of place:	No

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Executive Member for Children's Services		
Proposed changes to the Home to School Transport Policy (2021)	https://democracy.hants.gov.uk/ieDecisionDetails.aspx?ID=1415	18/03/2020
Cabinet		
Children and Young People's Select Committee		
Direct links to specific legislation or Government Directives		
<u>Title</u>		<u>Date</u>

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.)

Document

Location

None

**EQUALITY IMPACT
ASSESSMENT**

1. Impact on Crime and Disorder:

1.1. There are not considered to be impacts on crime and disorder.

2. Climate Change:

2.1. There are not considered to be impacts on climate change.

HAMPSHIRE COUNTY COUNCIL

PROPOSED HOME TO SCHOOL TRANSPORT ENTITLEMENT POLICY

EFFECTIVE FROM SEPTEMBER 2022

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1. BACKGROUND AND SCOPE OF THE POLICY

- 1.1. The policy sets out the legal responsibilities that Hampshire County Council (HCC) has in order to provide assistance with transport to school or other education setting for children living in the HCC local authority administrative area. It also supports HCC's sustainable school travel strategy ¹.
- 1.2. This policy reflects the requirements of the Education Act 1996 and the Education and Inspections Act 2006. It also complies with the Department for Education's statutory guidance issued in July 2014².
- 1.3. The changes to the previous policy (September 2014 (Updated)), effective from September 2018, are:
 - Withdrawal of free transport for nursery children with SEN attending nursery placements; and
 - Implementation of charges where transport is provided as an exception to the policy.

Further changes that are effective from September 2019 are:

 - *Removal of free transport for Reception age children until they are of compulsory school age (term after fifth birthday); and*
 - *Removal of free transport where this applies to the increased walking distance from two to three miles with effect from a child's eighth birthday.*
- 1.4. Charges for transport arrangements are set out in Appendix 1.
- 1.5. The process for appeals is set out in Appendix 2.
- 1.6. Arrangements for post-16 age (sixth form) student transport are set out in a separate annual transport policy statement that is published by 31 May each year.

2. LEGAL RESPONSIBILITIES FOR TRANSPORTING CHILDREN TO/FROM SCHOOL

¹ <http://www3.hants.gov.uk/school-travel-strategy>

² Home to school travel and transport guidance

- 2.1. Most parents/carers take their children to and from school. Where their child has a school place parents have a legal duty and a responsibility to make the necessary arrangements to ensure that their child of compulsory school age attends school regularly.
- 2.2. Hampshire County Council (HCC) has a statutory duty to make arrangements to provide **free** home to school transport for '**eligible children**' (**defined in para 3.1) only.**

3. DEFINITION OF 'ELIGIBLE CHILDREN'.

3.1. Eligible children are defined³ as children of compulsory school age (defined in para 4.3):

- who attend their nearest or catchment school which is beyond the statutory walking distance.
- who, because of their special educational needs, disability or mobility problems cannot reasonably be expected to walk to their school.
- whose route to the nearest suitable school is unsafe.
- children entitled to free school meals or whose parents receive the maximum level of Working Families Tax Credit (subject to a distance requirement).

3.2. All eligible children are entitled to free transport to/from school at the beginning and end of the normal school day.

4. 'ELIGIBLE CHILDREN' - EXPLANATION OF RELEVANT FACTORS.

4.1. As a general rule, HCC will only make provision for **free** transport for the children referenced set out above.

4.2. The following paragraphs explain the eligibility for free transport for **eligible children only** in more detail.

Compulsory school age

4.3. Children are of compulsory school age from the beginning of the term following their fifth birthday (*or from their fifth birthday if it falls on 31 August, 31 December or 31 March*) until the last Friday in June of the academic year in which they reach 16 years of age.

³ Schedule 35b of the Education Act 1996

(N.B. Transport will continue to be provided (throughout academic year 2019/20) for children in Year R who aren't yet of compulsory school age but, with effect from September 2019, transport will only be provided for children in year R who are of compulsory school age.)

Statutory walking distances⁴

4.4. For pupils of compulsory school age, transport is provided if their nearest suitable or catchment school, measured from the child's home to the nearest available entrance to the school grounds', is:

- Beyond two miles (if below the age of eight); or
- Beyond three miles (if aged between eight and 16).

4.5. An eight-year old living between two and three miles from their school ceases to be an eligible child on their 8th birthday. Transport will continue to be provided for such children to the end of the 2019/20 academic year but with effect from September 2019 transport will be withdrawn on their 8th birthday.

4.6. These are the statutory walking distances prescribed by legislation. However, different walking distances apply in respect of children who are entitled to free school meals or whose parents receive the maximum level of working tax credit (see paragraph 4.8).

4.7. When determining whether a non-catchment school qualifies as a nearer school distances greater than the statutory walking distances will be measured on 'road routes', passable for a suitable motorised vehicle.

Extended rights eligibility

4.7 Children entitled to free school meals or whose parents receive the maximum level of Working Families Tax Credit

The following distance criteria will apply:

- The nearest suitable school is beyond two miles, by the nearest walking route (for children over the age of eight and under 11); or
- The school is between two miles (nearest walking route) and six miles (by road) (if aged 11 to 16 and there are not three or more suitable nearer schools); or
- The school is between two miles (nearest walking route) and 15 miles (by road) and is the nearest school preferred on the grounds of religion or belief (aged 11 to 16).

Unsafe routes

⁴ Statutory walking distance defined in Section 444(5) of the Education Act 1996

4.8. Transport arrangements will be made for children of compulsory school age who cannot reasonably be expected to walk to the nearest suitable school because the nature of the route is deemed unsafe to walk.

4.9. National Road Safety Guidelines are in place for the assessment of routes. Officers apply the guidelines to determine the nature – safe or otherwise - of any walking routes.

Special educational needs (SEN), a disability or mobility problems

4.10. A child of compulsory school age with special educational needs, a disability or mobility problems **who cannot reasonably be expected to walk to school**, will receive free school transport, regardless of distance.

4.11. Eligibility is assessed on an individual basis, which includes the following:

- The child must be attending the nearest designated catchment area school, a nearer school, or the nearest school with a place or is attending the nearest appropriate school as determined by the Special Educational Needs (SEN) service.
- By reason of their SEN, a disability or mobility problem (including temporary medical conditions) the child cannot reasonably be expected to walk to school
- Eligibility will be assessed on an individual basis and any evidence submitted e.g. from a medical practitioner will be taken into consideration.

Primary Age Siblings

4.12. In the case of children with SEN, a disability or mobility problems (see paragraph 4.10), transport will be provided where there is a need for primary age sibling(s) to be taken to other school(s), provided that the school(s) is/are the catchment area school(s), or a nearer school or next nearest school. Also, it would need to be shown that the timing of the school day or the direction of the other school(s) would prevent the parent or carer from accompanying the child(ren).

Accompaniment

4.13. In determining whether a child cannot reasonably be expected to walk for the purposes of 'special educational needs, a disability or mobility problems eligibility', 'unsafe route eligibility', **or to utilise a specified pick up and drop off point**, HCC will consider whether the child could reasonably be expected to walk if accompanied and, if so, whether the child's parent/carers can reasonably be expected to accompany the child. This will take into account the age of the child and whether one would ordinarily expect a child of that age to be accompanied on that journey.

4.14. The general expectation is that a child will be accompanied by a parent or carer where necessary, unless there is good reason why it is not reasonable to expect the parent or carer to do so.

4.15. If a parent or carer submits evidence that they are unable to accompany their child to school this will be assessed on an individual basis and any evidence submitted e.g. from a medical practitioner will be taken into consideration.

4.16. Any transport provision made will be reviewed to take into account the age of the child and the parent/carer's medical condition.

Definition of Home address

4.17. The home address will be that at which the child resides and spends the majority of his/her time. Occasionally a child will have more than one address, for example, because they live with parents who have different addresses. In this situation the address used for determining transport will be the one at which the child spends most of their time including weekends and school holidays as well as during the week. When the child lives at the other address they will not qualify for any transport arrangements other than the one provided from the primary home address.

Qualifying schools

4.18. The schools covered by this policy statement are: -

- community, foundation and voluntary schools including special schools;
- non-maintained special schools;
- pupil referral units (education centres)⁵;
- city technology colleges (CTC), city college for the technology of the Arts (CCTA), or academies, including free schools and University Technical Colleges (UTC); or
- for children with SEN, an independent school if it is the only school named in the child's Education, Health and Care Plan (EHCP), or if it is the nearest of two or more schools named in the EHCP as is not named on the basis of parental preference.

School choice

4.19. Where parents/carers apply for the designated catchment or a nearer school and the school is unable to offer a place, free transport will be offered to the next nearest school with a place available providing the distance criteria are met.

4.20. The pupil will remain entitled to transport to the next nearest school with a place until they leave the school or they move address.

Permanent exclusion

⁵ Where they are receiving education by virtue of arrangements made under section 19(1) of the Education Act 1996

4.21. Transport is provided for pupils who have been permanently excluded from school who attend a new school or Education Centre, subject to the statutory walking distance criteria being applied.

Suitability of arrangements

4.22. Transport arrangements will allow the child to reach school without undue stress, strain or difficulty. Shorter journey times are desirable in achieving this. As a guide, maximum journey times should be 45 minutes for primary school age children and 75 minutes for secondary school age children. An escort will be provided on SEN transport when required, based on the needs of the students travelling.

4.23. The most economic form of transport available will be provided, having due regard to the availability of the transport as determined by the Passenger Transport Group (PTG) of HCC and the maturity, health or special needs of the pupil, as determined by the Head of Transport in Children's Services Department.

4.24. In certain circumstances, the most suitable arrangement with parents' consent might be for the parents/carers to provide the transport, for which an allowance, currently 35p per mile, will be paid.

4.25 **Transport will either be provided from designated pick-up and drop-off points or from a child's home address, a decision as to which will be made using the criteria in 4.22 and 4.23. Designated pick-up or drop-off points will be no further than 1 mile walking distance from a child's home address.**

5. DISCRETIONARY TRANSPORT ARRANGEMENTS – CHARGEABLE

5.1. This section sets out the limited circumstances in which HCC will use its discretionary powers (under Section 508C of the Act) for children who are not entitled to free transport (as set out under Section 4 of this policy above).

5.2. Where this discretion is used there will usually be a charge for the transport provided, as shown in Appendix 1

5.3. All arrangements within this section will be time-limited. At the end of the specified period, parents will need to re-apply.

Concessionary travel (privilege place scheme)

5.4. A spare place on a contract vehicle may be offered to a child who is not entitled to transport assistance. It will be withdrawn if it becomes clear that it is needed by an entitled child or if re-tendering or re-planning changes the route or reduces the number of concessionary seats. A flat rate charge will be made, (set annually by HCC), except where the child being transported is entitled to free school meals or the family is in receipt of the maximum level of working tax

credit. Parents must make their own arrangements for the pupil to travel to the nearest existing pick-up point on the route.

Part-time attendance

5.5 This will not normally be supported with a transport arrangement. Transport may be provided to facilitate part-time attendance where a child is convalescing following medical treatment or illness. The child's progress will be reviewed at least on a termly basis. This is a discretionary arrangement and may be subject to the charge in Appendix 1.

Journey times of more than 75 minutes

5.6 Unusually there may be situations where a journey time of more than 75 minutes is required, These may occur in transport:

- to church secondary schools;
- to special schools;
- to pupil referral units (Education Centres);
- for pupils attending their next nearest school with an available place because no place available at designated catchment area school or nearest school; and
- for pupils attending out of county residential schools.

Religion or belief

5.7 Under the extended rights eligibility (para 4.7), there is entitlement to free transport for children aged 11 to 16 attending the nearest school preferred on the grounds of religion or belief. Where this criterion does not apply, other arrangements, in line with policy or as an exception may be made.

6 CIRCUMSTANCES WHERE TRANSPORT WILL NOT BE PROVIDED

6.1 Transport will not be provided in circumstances other than those set out above for eligible children and where discretionary arrangements are made.

6.2 Specific examples of where transport will not be provided are:

- Temporary address. Transport will not be provided from a temporary address to a school that is not the designated catchment area or nearest school for that address.
- Journeys to and from other destinations. Transport is not offered to or from points other than the school/ education centre and home or pick up/drop off points.
- Victims of bullying. Dealing with bullying should be fully explored with the current school. If parents decide to move their child's school due to

dissatisfaction with their current school then there is no entitlement to free school transport

- To or from pick-up and drop-off points. Except as outlined in paragraph 4.25.
- Unacceptable behaviour of a pupil, as determined by the transport provider/operator and/or escort (where applicable).
- To take account of work/business commitments or domestic difficulties of parents/carers.
- To accommodate attendance at after school activities or for arrival at start times other than the usual start time for the school.

7. OTHER ISSUES

Withdrawal of Assistance

7.1. Where the home to school transport policy is changed and the level of discretionary provision reduced, transport may be withdrawn from children who are currently receiving assistance. In these cases, a reasonable notice period will be given, i.e. in optimum time to enable parents to make informed decisions about their children's education. Any change of policy will be subject to a period of consultation with those affected.

Delays

7.2. Where a delay occurs in providing transport which is over and above the normal operational timescale for doing so and the application for transport has been submitted in good time (with full information), reimbursement may be made to cover expenses incurred (upon production of evidence of expenditure) from the date from which transport would otherwise have been provided. Such reimbursement will be for use of the most cost effective type of transport.

7.3. In the case of entitlement being granted upon appeal, reimbursement may be made of expenses incurred upon production of evidence of expenditure from the date upon which the appeal was lodged or, if this falls within a school holiday period, from the start of the following term or half-term.

Errors

7.4 Where assistance is found to have been granted in error, notice of one full term will normally be given that assistance will be withdrawn to allow families to make other arrangements.

7.5 Where entitlement has been denied in error, transport will be arranged as soon as possible and consideration will be given to reimbursing parents retrospectively, with a time limit of the start of the academic year in which the error was discovered.

Complaints/Appeals

- 7.6 The County Council takes all complaints seriously and has a complaints procedure to ensure they are investigated and, where possible, resolved. A copy of the procedure is available upon request.
- 7.7 People are encouraged to raise their concerns using the appropriate contacts. Where necessary, complaints will be considered at a more senior level to ensure every effort is made to resolve the issue.
- 7.8 Parents wishing to make an appeal regarding a transport entitlement decision or subsequent transport arrangements should write to the Head of Information Transport and Admissions, Children's Services Department, Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UG. The appeals process is provided in Appendix 3

Contacts

- 7.9 Please visit the Home to School Transport page on the County Council's website (Hantsweb) for up to date contact information.
<http://www3.hants.gov.uk/education/schools/school-transport.htm>

Schedule of Charges for Exceptional Arrangements

Concessionary travel (privilege place scheme)

To be reviewed annually:

Distance to travel	Annual charge
Up to 5 miles	£600
5.01 miles to 7.5 miles	£831
7.51 miles to 10 miles	£1,164
Over 10 miles	£1,330

Waived for families when the travelling child is in receipt of FSM on the grounds of low income.

Exceptions to Policy

To be reviewed annually:

The following charges apply based on the price of the arrangement. The arrangement will be time limited and so the charge for exceptional arrangements can be related to the offer. The annual charges presented below can be pro-rata based on the length (in weeks) of the actual arrangement. The charge will be waived for families when the travelling child is in receipt of FSM on the grounds of low income

Distance to travel	Annual charge
Up to 5 miles	£600
5.01 miles to 7.5 miles	£831
7.51 miles to 10 miles	£1,164
Over 10 miles	£1,330

Appendix 2

Home to School Transport - Review/Appeals Process

Parents who wish to challenge a decision about:

- the transport arrangements offered;
- their child's eligibility;
- the distance measurement in relation to statutory walking distances; and
- the safety of the route

may do so by writing to The Transport Team, Elizabeth II Court North (2nd Floor), Children's Services Department, Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UG.

In the first instance a case will be reviewed by a Senior Officer.

In cases against refusal of a transport service there may be a further appeal to an Independent Appeal Panel.

For concerns about the transport arrangement offered a senior officer outside of the School Transport Team and holding a comprehensive understanding of the transport policy and legislative framework will make decisions on appeals against offers of transport.

Stage one: Review by a Senior Officer

- A parent has 20 working days from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision.
- The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.
- Within 20 working days of receipt of the parent's written request a senior officer reviews the original decision and sends the parent a detailed written notification of the outcome of their review, setting out:
 - the nature of the decision reached;
 - how the review was conducted (including the standard followed e.g. Road Safety GB);

Stage two: Review by an independent appeal panel, where it applies.

A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.

Within 40 working days of receipt of the parents request an independent appeal panel will consider written and verbal representations from both the parent and officers involved in the case and give a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached;
- how the review was conducted (including the standard followed e.g. Road Safety GB);
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parent's right to put the matter to the Local Government Ombudsman (see below).

The independent appeal panel members will be independent of the original decision making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the local authority), to ensure a balance is achieved between meeting the needs of the parents and the local authority, and that road safety requirements are complied with and no child is placed at unnecessary risk.

Local Government Ombudsman There is a right of complaint to the Local Government Ombudsman, but only if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal has been handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply for judicial review.

Consultation on proposed changes to Home to School Transport, including a change to policy

Public Consultation

31 January 2022 – 27 March 2022

Version 6

This information, the questionnaire and report can be requested in alternative languages and formats such as easy-read, large print and Braille, by e-mailing:

school.transport@hants.gov.uk

or by calling: Tel: 0300 555 1384

03 calls are usually included in most landline and mobile call packages and if not, are charged at no more than calls to normal home or business landlines

When you have finished with this document, please share it with someone else so that they too can respond

Introduction

Hampshire County Council is seeking residents' and stakeholders' views on proposed changes to the delivery of Home to School Transport Services for children and young people, including those with Special Educational Needs and Disabilities (SEND).

These changes may affect pupils of all ages, attending both mainstream and specialist schools. The proposed changes reflect best practice by other local authorities and would provide opportunities for mixing of pupils across different age groups, and those in mainstream and specialist settings, as well as increasing the use of safe, co-ordinated pick-up and drop-off points for pupils with SEND.

While the Council is not proposing changing the eligibility criteria for receiving Home to School Transport, or removing the service from existing service users, it is proposing changes that would affect new applications for transport from September 2022 and affect existing arrangements in the future.

The Council is required by law to consult on any changes to its Home to School Transport policies. Post-16 Transport policy is consulted on annually through a separate process and is not covered by this consultation.

The consultation is open from Monday 31 January 2022 and closes at 11:59pm on

Sunday 27 March 2022.

Background and Context

In Summer 2021 the Council consulted the public on how it could balance its budget (www.hants.gov.uk/aboutthecouncil/haveyoursay/consultations/balancing-the-budget). Subsequently, the savings programme to 2023 (SP23) was agreed by the Council's Cabinet in October 2021. It requires the Council to save at least £80 million by April 2023, including £21 million in savings from the Children's Services Budget. The proposed changes in the organisation and delivery of the Home to School Transport Service aims to contribute £2.5 million towards this target.

Some suggestions were made in the Budget Consultation around the School Transport Service, including improving service efficiency by increasing capacity of vehicles, making greater use of public transport, the voluntary sector, and private operators, and increasing charges and means testing for service users. It was also suggested that eligibility criteria for the service could be changed. The Council has considered these suggestions, some of which would not be permissible under legislation, when developing the proposals in this consultation.

In the 2021 financial year £34 million was spent on providing Home to School and Post-16 Transport to around 12,000 children and young people. Of these, 9,000 attended mainstream schools (at a cost of around £10 million per year) and 3,000 attended schools and colleges that provide for their SEND (at a cost of around £24 million per year). Service demand, and costs, are increasing and the County Council wishes to use this budget more efficiently.

Cost comparisons in the table below⁶ show that other local authorities, including Kent and Essex County Council, arrange transport for children and young people with SEND at a lower cost. This is achieved through more cost-effective models of transport delivery including:

- increasing the number of co-ordinated pick-up points where it is safe to do so;
- arranging transport that serves pupils of different age groups together (mixing primary, secondary, and post-16 pupils); and
- arranging transport that serves both mainstream pupils, and pupils with SEND, together.

Comparative costs are shown below:

Authority	Annual transport cost per pupil with SEND 2019/20
Hampshire County Council	£7,501
National Average	£7,286
Kent County Council	£5,568
Essex County Council	£4,590

Essex County Council and Kent County Council are comparable local authorities to Hampshire County Council, as they are similar in terms of supporting significant numbers of children with and without SEND, with Home to School Transport provision. They also have a similar rural and urban population mix, and a similar number of districts.

⁶ Association of Transport Coordinating Officer (ATCO) benchmarking unit cost analysis 2019/20.

Nationally, the number of Education Health and Care Plans (EHCPs) for children with SEND are currently increasing at a rate of 10% per annum. This is leading to higher demand for Home to School Transport and, on many occasions, for more complex support being necessary. This, combined with higher demand for specialist school places, is leading to additional costs.

Hampshire County Council's consultation policy

The County Council is committed to five principles of consultation, which are:

- to consult on key issues and proposals;
- to consult in good time;
- to be inclusive but with clear and appropriate limits;
- to consult using clear, simple information; and
- to ensure that responses are taken into account when decisions are made.

Why your views are important

It is important to the County Council that the views of parents, carers, and children and young people who may be affected by the proposals are carefully considered to ensure that the service continues to meet the needs of its users. Feedback is also sought from Hampshire residents and other interested stakeholders.

The findings of the consultation will be published and presented to the Executive Lead Member for Children's Services and Young People later in 2022. Feedback will help to inform any decision by the County Council on the proposed changes to the Home to School Transport policy and how transport assistance is delivered.

How to have your say

Open Public Consultation

You are invited to give your views on the proposals to changes to the way in which transport assistance is arranged and delivered. You can do this by using the online Response Form at www.hants.gov.uk/school-transport-consultation. The Information Pack and Response Form, along with Easy Read versions of both documents, are available to download and print from the consultation webpage.

If you require a paper copy of the Information Pack or the Response Form, a copy in another language or format (such as audio, large print or Braille), or if you have any queries about the consultation, please email school.transport@hants.gov.uk, or call: 0300 555 1384*.

You can also email your response directly to Hampshire County Council using the email address school.transport@hants.gov.uk. You can also use the pre-paid envelope if you have been provided one to respond; if you do not have a pre-paid envelope then you can send your response by post to Freepost HAMPSHIRE. (Please also write IEU FM09 School Transport Consultation on the back of the envelope).

You can view the Privacy Notice for this consultation, which explains how we will use your information, how this will be stored, and for how long we will keep it, on the consultation web page at www.hants.gov.uk/school-transport-consultation.

The consultation is open from 31 January 2022 and closes at 11:59pm on 27 March 2022. Please note that responses received after this date will not be included in the findings report.

*03 calls are usually included in most landline and mobile call packages and if not, are charged at no more than calls to normal home or business landlines.

Consultation information events

Children and young people, their parents and carers, and other stakeholders will also have the opportunity to attend consultation events to get more information on the proposals. These events will be advertised on the County Council's consultation webpage (www.hants.gov.uk/school-transport-consultation), in press releases and using the County Council's social media channels.

About the School Transport Service

Home to School Transport Service

The County Council currently arranges daily Home to School Transport for about 12,000 children and young people. Of these, 9,000 attend mainstream school places and 3,000 attend places that provide for their SEND.

Information on the Home to School Transport Service, eligibility criteria, and the application process is available at:

www.hants.gov.uk/educationandlearning/schooltransport.

The County Council is required by law to provide Home to School Transport support, free of charge, to all children and young people of compulsory school age who meet the nationally set distance criteria, where any of the following apply:

- The child is of compulsory school age but under eight years old, and they attend the nearest catchment school or one that is nearer to their home, and the shortest available walking route is more than two miles.
- The child is eight years old or over, but not above compulsory school age, and they attend the nearest catchment school or one that is nearer to their home, where the shortest available walking route is more than three miles (this is reduced to more than two miles if the child meets low-income criteria).
- Parents or carers apply for a place at the designated catchment school and a place is not available. In this situation, Home to School Transport assistance would be offered to the next closest school with an available place if the walking distance criteria above are met.
- The walking route to school is classified as an 'unsafe walking route'.
- The child or young person has SEND and meets the distance criteria described above for Home to School Transport. This also applies where, for reasons of their Special Educational Needs, disabilities or mobility problems, such children and young people cannot reasonably be expected to walk to their nearest suitable school.
- The child or young person is entitled to free school meals or their parents are in receipt of maximum Working Tax Credit and either:
 - the nearest suitable school is beyond 2 miles (if aged 8-11);
 - the school is between 2 and 6 miles (if aged 11-16 and there are not three or more suitable nearer schools); or
 - the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (if aged 11-16).

Discretionary provision can also be provided for some exceptional circumstances.

The proposals in this consultation

There are two proposals that are being put forward to deliver Home to School Transport more efficiently. These are to:

- increase the use of safe, co-ordinated pick-up and drop-off points; and
- arrange journeys to more commonly serve multiple schools, colleges, and age groups, including journeys that serve mainstream schools, special schools, and colleges.

These changes would allow for increased use of efficient transport planning modes and a review of door-to-door pick-ups, with potential to move to greater use of co-ordinated safe collection points where appropriate. They would also allow for the mixing of children and young people in primary, secondary, and post-16 phases of education, in both mainstream and special school settings, where this could be safe and appropriate.

The proposals in this consultation would deliver around £986,000 of the £2.5 million total savings target for the School Transport Service, with other savings to administrative and back-office functions (that are not part of this consultation) delivering the rest.

Proposal One: Increasing the use of safe, co-ordinated pick-up and drop-off points

What is the current situation?

Transport for children and young people with SEND is currently arranged on a door-to-door basis in most cases, although collective pick-up and drop-off points are used in some services to secondary-phase special schools. A consequence of these arrangements is that there are 2,400 individual pick-up points used every day, to collect 3,000 pupils with SEND.

In contrast, transport for children and young people in mainstream settings is generally arranged from safe, co-ordinated pick-up and drop-off points.

What is being proposed?

It is proposed that children and/or young people are picked up and dropped off at a single nominated and designated safe location, instead of their home address, where:

- multiple children and/or young people in receipt of transport assistance are living in close proximity, or
- the child or young person lives within a mile of a more efficient place for the transport provider to use as a pick-up and drop-off point.

Why is this being proposed?

The proposed change would allow for more efficient school journeys by combining multiple pick-ups and drop-offs. This would lead to a reduction in the total number of individual journeys organised and estimated cost savings of approximately £200,000 per year (based on cautious estimates). The proposed change would also reduce school transport traffic congestion.

This type of travel arrangement would be more similar to mainstream transport provision and may support more independent travel for children and young people with SEND, promoting healthy lifestyles and wellbeing, and preparing them for adulthood.

How would this be implemented?

If this proposal is agreed, it is anticipated that changes would be introduced from the beginning of the Autumn Term in September 2022. All new Home to School Transport arrangements made after this date would be made under this policy. Existing transport arrangements with pick-ups and drop-offs at home addresses would be reviewed over the 2022/23 school year, and where appropriate would be moved to consolidated pick-up and drop-off points, with an estimated 300 current service users affected by this review.

A change to the Home to School Transport Policy is proposed to specify that Home to School Transport could be provided either from designated pick-up and drop-off points, or from a child's home address. The decision would be based on the needs of the child or young person with the aim of arranging the most economically efficient means of transport using the criteria in 4.22 and 4.23 of the Home to School Transport Policy, at www.hants.gov.uk/educationandlearning/schooltransport/parent-carer/eligibility.

It is proposed that designated pick-up or drop-off points would be no further than 1 mile walking distance from a child's or young person's home address. The journey from the home to the pick-up point would be considered for safety and whether it is reasonable to expect the pupil to walk that distance, accompanied as necessary by an adult.

What would be the impact of this change on service users?

There would be a greater impact on children with SEND, as they more commonly receive transport from their home address. In contrast, children in mainstream schools tend to already use safe, co-ordinated pick-up and drop-off points for their school transport, as detailed in this proposal.

More children and young people would join their transport arrangement at a designated safe pick-up point (such as a bus stop, or other suitable location). The pick-up point could be up to 1 mile from their home address and parents / carers would need to consider how their child could travel safely to the pick-up point.

Proposal Two: For journeys to more commonly serve multiple schools and colleges and age groups, including journeys that serve both mainstream and special schools and colleges

What is the current situation?

At present, the majority of journeys (approximately 1,540 out of 1,600) serve a single designated school or college. However, there are instances where primary, secondary,

and post-16 schools/colleges (including both mainstream and specialist settings) are either on a shared campus, or are located just a short distance from one another. In some cases multiple establishments could be served by a single journey.

What is being proposed?

That routes may visit multiple pick-up points and schools or colleges on the same journey, rather than taking the most direct route between a child or young person's pick-up location and their school address. This could mean that a single vehicle would pick up multiple children and young people who live in an area, but who are in different age groups and are travelling to multiple schools and colleges, both in mainstream and specialist settings, where it is deemed safe to do so.

Why is this being proposed?

The re-organisation of transport, by planning journeys to serve areas rather than individual schools and colleges, would increase the value for money that is achieved by the County Council in its contracting arrangements. This is because there would be fewer vehicles needed, with each carrying, on average, more children and young people.

This proposal would deliver an estimated cost saving of around £786,000 per year to the school transport budget (based on cautious estimates) while still providing the service to the same children and young people.

How would this be implemented?

This proposal would be implemented by changing how journeys are planned, allowing journeys to visit multiple pick-up points and schools or colleges on the same journey. The changes would be introduced from September 2022. These would apply for any new transport arrangements from this point, and over time existing transport arrangements would be reviewed where appropriate in line with this added flexibility, with an estimated 2,200 children and young people affected by this review.

What would be the impact of this change on service users?

Journey times and distances for some children's and young people's journeys to and from school may increase if more than one school or college are to be served by a single journey. However, all journeys would stay within the statutory guidelines around the maximum acceptable duration - of up to 45 minutes for children in primary education, and up to 75 minutes for children and young people in secondary education. This merging of journeys to serve areas, rather than individual schools and colleges, may lead to a mixing of age groups (primary, secondary, and post-16 students) on a single journey. In addition, children and young people with SEND could mix with mainstream pupils on merged journeys.

Options considered, but not currently proposed

There are a range of statutory obligations which the County Council must meet in relation to the provision of Home to School Transport, which have restricted the options that could be considered in this consultation.

The County Council is not allowed to charge for, or to means test, the provision of school transport for eligible children and young people where the service is provided under the Council's statutory duty.

Eligibility criteria are also set by central government, and as such cannot be considered for service changes.

Frequently Asked Questions

1. If these proposals are agreed when would changes be implemented?

The findings of this consultation will be reported back to the Executive Lead Member for Children's Services later in 2022. Following the results of the public consultation, if agreed, the changes may take effect from September 2022.

2. When would I know how these changes could impact my child(ren)?

If these proposals are agreed, and if your child(ren)'s transport is likely to change through their implementation, you would be advised by the Home to School Transport Team. You would be given a minimum of one month's notice of any changes.

3. What would happen if I could not get my child to a pick-up point, like a bus stop?

It would be the parents' or carers' responsibility to ensure they can get their child or young person to the designated pick and drop-off point, where it is safe and reasonable to do so based on the circumstances of the child or young person and the safety of the walking route.

4. What benefits would there be for my child in changing from home pick-up arrangements to a designated pick-up point?

The proposals would align transport for pupils with SEND with mainstream travel arrangements, which would enable children and young people, where suitable, to develop greater independence when travelling, provide more opportunities for social interaction during journeys, and help them to prepare for adult life.

Conclusion

You are invited to give your views on the proposals to changes to the way in which transport assistance is arranged and delivered. You can do this by using the online Response Form at www.hants.gov.uk/school-transport-consultation. The Information Pack and Response Form, along with Easy Read versions of both documents, are available to download and print from the consultation webpage.

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The findings from this consultation will be published and presented to the Executive Lead Member for Children's Services for consideration of a decision on the proposed changes later in the year.

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如果您希望以其他语言或格式接收本信息，请发送电子邮件至 insight@hants.gov.uk 或致电 0300 555 1375

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Jeżeli potrzebują Państwo dostępu do tych informacji w innym języku lub formacie, prosimy o kontakt na adres email: insight@hants.gov.uk lub pod numerem telefonu: 0300 555 1375

Daca doriti informatii intr-o alta limba sau intr-un alt format, va rugam sa trimiteti un mesaj la adresa de e-mail: insight@hants.gov.uk sau sa sunati la numarul de telefon: 0300 555 1375