

DECISION-MAKER:	CABINET
SUBJECT:	SCHOOL TRAVEL SERVICE AND POST-16 TRAVEL SERVICE POLICY
DATE OF DECISION:	16 APRIL 2024
REPORT OF:	COUNCILLOR WINNING, CABINET MEMBER FOR CHILDREN'S SERVICES AND LEARNING

<u>CONTACT DETAILS</u>			
Executive Director:	Title:	Executive Director – Wellbeing (Children and Learning)	
	Name:	Robert Henderson	Tel: 07468758995
	E-mail:	Robert.Henderson@southampton.gov.uk	
Author:	Title	Service Manager – Service Delivery, Performance and Compliance	
	Name:	Annamarie Hooper	Tel: 023 8083 2181
	E-mail:	Annamarie.Hooper@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY	
N/A	
BRIEF SUMMARY	
<p>The School Travel Service and Post-16 Travel Service Policy 2024-25 updates the previous Home to School Transport Policy 2023-24 and provides a clearer document that will enable service users to better understand Southampton City Council's ("Council") travel service offer and any support that users may be entitled to. The policy applies to children and young people whose permanent home address is within the administrative boundaries of the Council.</p> <p>The policy sets out the Council's:</p> <ul style="list-style-type: none"> • approach to the operation of the School Travel Service in Southampton. • statutory requirements along with local policy, including the criteria for eligibility, the type of travel support the Council may provide and how to appeal a decision. 	
RECOMMENDATIONS:	
	(i) To approve the School Travel Service and Post-16 Travel Service Policy 2024-25.
	(ii) To delegate authority to the Executive Director – Wellbeing (Children and Learning), following consultation with the Cabinet Member for Children's Services and Learning to make minor changes to the policy during its period of effect.
REASONS FOR REPORT RECOMMENDATIONS	
1.	Local authorities must make free-of-charge travel arrangements to facilitate the attendance at school of eligible children of compulsory school age and resident

	in their area. Local authorities must publish their school travel policy for children of compulsory school age by 19 th September each year.
2.	Local authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of travel support to facilitate the attendance of those of sixth form age in education or training. Local authorities must publish this policy statement by 31 st May each year.
3.	Local authorities have a duty to make arrangements for the provision of travel support as they consider necessary in respect of adults (aged 19 or over) for the purpose of facilitating their attendance in education and relevant young adults with an Education, Health and Care (EHC) plan for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
4.	Option one: to do nothing. This option was rejected upon the basis of a need to review the policy and to make the document clearer. Additionally, Southampton City Council is required to have an up-to-date school travel and post-16 travel policy by law.
5.	Option two: to only provide the statutory level of support and not any discretionary elements. This option was rejected due to the Council's approach in utilising its discretionary powers in providing travel support. In accordance with statutory guidance, local authorities have discretionary powers to provide travel support for children resident in their area who are not eligible children. Southampton City Council is committed to identifying sustainable modes of transport for travel support where appropriate and suitable for the needs of the individual child or young person. Therefore, in some areas Southampton City Council opts to use its discretionary powers.
DETAIL (Including consultation carried out)	
6.	<u>Changes to the policy</u>
7.	We are proposing to update the appeals process to bring it in line with government guidance. The appeals process is for disputing a decision made by Southampton City Council against the provision of travel support. In line with government guidance, we propose to introduce a two-stage process for appeals. The first stage would be a review by senior officers within 20 working days of receiving an appeal. Then, if the appellant wishes to escalate the appeal, the second stage would be a review by an independent officer panel within 40 working days of the appeal being escalated. We have added a separate appeals policy as an appendix to the main policy that clearly sets out how the appeals process will work for those appealing a decision.
8.	We are proposing to set out a clear order and hierarchy for how travel support options will be considered by the Council. This aims to improve transparency. The hierarchy applies to new applicants and to those already receiving travel support. If a child/student/adult learner is eligible for travel support, we would consider a range of options, working with pupils, parents and carers pro-actively to establish the most suitable and sustainable approach. Proposed methods of travel support would be considered in a clear order, which is set out below: <ol style="list-style-type: none"> 1. Travel training – Independent travel training (ITT) gives children, students and adult learners the essential skills needed to travel

	<p>independently either on foot, by other sustainable travel option, such as bike or scooter, or by public transport.</p> <ol style="list-style-type: none"> 2. Sustainable travel such as bike or scooter. 3. Bus/rail pass. 4. Personal Travel Budgets (PTBs) – only applicable to children and young people with an EHC plan. Parents or carers can use PTBs in any reasonable way to get their child to school. A PTB will only be offered where it is a more cost-effective option than a suitable alternative option (unless in exceptional circumstances). Provision will be reviewed periodically and if a more economical mode of travel becomes available, the parent will be given notice of a change to the mode of travel, for example, eligibility for ITT or a place becomes available on a shared transport route. 5. Group pick up/drop off. (Where appropriate and reasonable, parents or carers may be expected to take their child to and from a pickup/drop off point. Pick-up/drop-off points will be within 1 mile of the child's home address). 6. Vehicle (taxi / minibus) provision by other Southampton City Council services that have suitable vehicles. 7. Transport – multi occupancy (transportation for multiple children). 8. Transport (taxi / minibus) – single occupancy (transportation for a single child).
9.	<p>We are proposing that parents/carers who wish to apply for school travel support list their nearest school in their school application forms. When an application for travel is considered following the normal admissions round, it can be difficult for local authorities to know whether a child could have been admitted to their nearest school if their parent/carer did not list that school as a preference when they applied for a school place. Whilst parents or carers are entitled to express a preference for any school in the city, individuals who do not apply for their nearest school with places available may not be entitled to travel support. Therefore, Southampton City Council is requesting that parents/carers express their preference of school, as well as separately list whether their first preference is their nearest school on their application form.</p>
10.	<p>We have included a proposed definition of a home address and how this would be defined in the case of dual custody arrangement. We are proposing the following definition: The designated home address will be defined as the address at which the child resides and spends the majority of their time. In cases where a child has a shared living arrangement, such as equal shared custody for separated parents/carers, we would use the address where the recipient of the child benefit lives. If no child benefit is received, we would use the address where the child is registered at their GP surgery.</p>
11.	<p>We have suggested changes to the terminology used within the policy to ensure it is consistent. This includes the service's rebrand from 'Home to School Transport' to 'School Travel Service'. This introduces flexibility to the policy and is a more accurate reflection of the service offer to provide sustainable as well as suitable travel options.</p>
12.	<p><u>Public Engagement Exercise</u></p>
13.	<p>In total, 182 people responded to the public engagement exercise, including 84 respondents who are parents/carers of a child in receipt of school/post-16</p>

	travel support and 9 child/adult learner in receipt of school/post-16 travel support.
14.	<p>The aim of this consultation was to:</p> <ul style="list-style-type: none"> • Clearly communicate the proposed draft policy to residents and stakeholders; • Ensure any resident, business or stakeholder in Southampton that wished to comment on the proposals had the opportunity to do so, enabling them to raise any impacts the proposals may have, and; • Allow participants to propose alternative suggestions for consideration which they feel could achieve the objectives of the policy in a different way.
15.	<p>The consultation was promoted in the following ways:</p> <ul style="list-style-type: none"> • Via schools and the Parent Carer Forum • Southampton City Council's website • Social media posts (including Facebook, LinkedIn, X/Twitter) • Southampton City Council e-bulletins
16.	Overall, 42% respondents felt that the proposals would have a negative impact, including 35% that said they would have a very negative impact. 26% of respondents felt the proposals would have a positive impact. Of those respondents that are recipients of (or parent/carer of) school/post-16 travel support, 16% felt the proposals would have a positive impact and 66% felt the proposals would have a negative impact.
17.	Within the feedback, a section of the policy that individuals found concern was in the setting out of the travel options hierarchy that the Council will be looking to follow when providing travel support. 33% of respondents that are recipient of (or parent/carer of) school/ post-16 travel support agreed, whilst 57% disagreed. Feedback in disagreement were overwhelmingly centred upon concerns regarding the assessments deciding travel options, concerns regarding the individual needs of children with SEND, and relating to this, concerns regarding children travelling to pick-up and drop-off points.
18.	In response to this feedback, the considerations of feedback form that is attached and an appendix to this report sets out that the School Travel Service and SEND team will assess which form of transport is most suited to each child, working with pupils, parents and carers pro-actively to establish the most suitable and sustainable approach. This is ongoing practice and by setting out the order in which different types of transport is considered within the updated policy, the Council is aiming to improve transparency.
19.	Additionally, the consideration of feedback form provides further detail regarding the operational aspects of the option to travel to pick-up and drop-off points. This outlines that the pick-up and drop-off points will be trialled on a pilot basis and only children that would be suited to this method of transport will participate in this trial.
20.	The majority of respondents agreed that the draft policy was easy to understand and provided sufficient information.
21.	The policy has been refined in response to the feedback received from public consultation.

22.	The policy now has a School Travel Service Appeals and Complaints Procedure attached as an appendix. This procedure has been added in accordance with feedback stipulating that there was a lack of information regarding the appeals process within the policy. In further response to feedback, wording has been added to provide for further clarity throughout the document. This now gives clarity on how the safety of walking routes will be assessed, underlines the fact that both the type of transport offered as well as decisions not to provide support provides grounds for appeal, and notes that for individuals that have deferred a year and still attend school beyond aged 16, travel support will be considered on a case-by-case basis. This also provides further information regarding the use of the personal travel budget.
-----	--

RESOURCE IMPLICATIONS

Capital/Revenue

23.	There will be no impact on capital income / expenditure.																				
24.	Southampton City Council currently owns 3-4 minibuses which are used by Adult Services. One minibus is currently proposed for use by the School Travel service as part of a pilot project for utilising the in-house fleet. This will cause no impact on capital expense. However, should the in-house pilot succeed then there will be potential for additional capital investment to expand the fleet.																				
25.	<p>The clear order and hierarchy for how school travel support options will be considered by the Council will support the provision of more sustainable travel support which should provide revenue cost efficiencies in the provision of travel support. For example, the average cost of travel support to a child using a taxi or minibus is approximately £9,000 pa, therefore, for every child for whom independent travel training is successful, it will generate an annual saving of £8,800. The table below demonstrates the approximate current spend forecast and numbers per entitlement.</p> <table border="1" data-bbox="314 1305 1414 1514"> <thead> <tr> <th></th> <th>Number (approx.)</th> <th>Estimate for year (£) (approx.)</th> <th>Average per user (£) (approx.)</th> </tr> </thead> <tbody> <tr> <td>Personal Travel Budget</td> <td>100</td> <td>170,600</td> <td>1,600</td> </tr> <tr> <td>Bus pass</td> <td>800</td> <td>270,400</td> <td>300</td> </tr> <tr> <td>Single Occupancy</td> <td>100</td> <td>2,300,000</td> <td>23,500</td> </tr> <tr> <td>Multiple Occupancy</td> <td>900</td> <td>7,000,000</td> <td>8,000</td> </tr> </tbody> </table>		Number (approx.)	Estimate for year (£) (approx.)	Average per user (£) (approx.)	Personal Travel Budget	100	170,600	1,600	Bus pass	800	270,400	300	Single Occupancy	100	2,300,000	23,500	Multiple Occupancy	900	7,000,000	8,000
	Number (approx.)	Estimate for year (£) (approx.)	Average per user (£) (approx.)																		
Personal Travel Budget	100	170,600	1,600																		
Bus pass	800	270,400	300																		
Single Occupancy	100	2,300,000	23,500																		
Multiple Occupancy	900	7,000,000	8,000																		
26.	Whilst parents/carers are entitled to express a preference for any school in the city, parents/carers will need to separately list whether their first preference is their nearest school on their application form if they intend to apply for travel support. Travel support may not be provided to any school other than the nearest having spaces available at the time of offer. This means the Council may not be required to provide school travel support where the child may have been awarded a place at a school which would not qualify for travel support under the distance criteria, which may lead to a revenue cost efficiency.																				
27.	Although it is unclear how many customers will shift category as a result of the policy changes, the Policy makes clear that we will be assessing travel support based on the most economical, suitable travel option for each child. This will enable the service to more robustly implement changes and will support moving away from taxis and minibuses as customer expectations are managed. Any future arbitration regarding travel support will be managed by																				

	the School Travel Service for mainstream applications, whilst SEND Travel Panels have been set up for SEND children.
<u>Property/Other</u>	
28.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
29.	Under section 508A of the Education Act, local authorities must promote the use of sustainable travel and transport and make transport arrangements for all eligible children.
30.	Local authorities have discretionary power under section 508C of the Education Act 1996 to make travel arrangements for other children.
31.	Local authorities have a duty under sections 508F and 508G of the Education Act 1996, as inserted by section 57 of the Apprenticeships, Skills, Children and Learning Act 2009. Under section 508F, the local authority is required to make such arrangements for the provision of transport as they consider necessary in respect of: <ul style="list-style-type: none"> a) adults (i.e. those who are aged 19 or over) for the purpose of facilitating their attendance at local authority maintained or assisted further or higher education institutions or institutions within the further education sector; and b) relevant young adults with an EHC plan (which can only be maintained up until the age of 25) for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors. For those young adults, the local authority's duty only applies where the local authority has secured the provision of education or training at that institution and the provision of boarding accommodation in connection with that education or training. The adult duty applies only to young people who are attending a course which they started after their 19th birthday, including those with EHC plans.
32.	Local authorities have a duty under the School Information (England) Regulations 2008 to publish information about travel arrangements.
<u>Other Legal Implications:</u>	
33.	The proposals are wholly consistent with and take into account the Equality Act 2010 and the Public Sector Equality Duty set out in section 149 of the Act.
34.	The policy has been fully assessed in accordance with the Council's statutory duties under the Equality Act 2010, including the Public Sector Equality Duty. A detailed Equality and Safety Impact Assessment is included with this report and will be reviewed and updated prior to any future decisions being considered regarding service provision.
RISK MANAGEMENT IMPLICATIONS	
35.	Failure to have a policy in place would be high risk and leave the Council exposed to legal challenge for non-compliance with its statutory duty to have a policy in place, under section 508 of the Education Act and the School Information (England) Regulations 2008.
POLICY FRAMEWORK IMPLICATIONS	

36.	In developing the policy, a review has been conducted to ensure it is in accordance with relevant Policy Framework policies and strategies. The policy is consistent with the Council's corporate objectives as set out in the Corporate Plan 2024 update.
-----	--

KEY DECISION?	Yes
----------------------	------------

WARDS/COMMUNITIES AFFECTED:	All
------------------------------------	-----

SUPPORTING DOCUMENTATION

Appendices

1.	School Travel Service and Post-16 Travel Service Policy 2024-25
2.	ESIA School Travel Service Policy
3.	School Travel Policy Consultation Feedback Report
4.	School Travel Policy Consultation Feedback Considerations

Documents In Members' Rooms

1.	None
----	------

Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes
---	------------

Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
--	-----------

Other Background Documents

Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None