

## **HPCI – Formal response for panel Re Proposed SEND Home-School Transport Policy Changes**

Herts Parent Carer Involvement (HPCI) is the DfE recognised parent carer forum for Hertfordshire working with the Local Authority to ensure the views and experiences of families are kept at the centre of discussions about service development and improvement.

Home to school or college transport arrangements have a significant impact on the lives of children with Special Educational Needs & Disabilities, affecting readiness for learning, anxiety, fatigue, happiness, social opportunities and school choice.

The following is the legislation and guidance used to formulate this, our formal response, on behalf of our membership in our role as the Parent Carer forum for Hertfordshire.

*Local authorities must make travel arrangements they consider necessary to enable eligible children to attend school. These arrangements must be provided free of charge under section 508B of the Education Act 1996.*

*For children of statutory school age with a special educational need, disability or mobility difficulty when attending their nearest qualifying school, statutory walking distances do not need to be considered, the LA must make an assessment based on the child's individual needs. The nearest qualifying school is not necessarily the closest school. This applies to all children with SEND or mobility difficulties not just those with EHC plans or who attend special schools. Some children may not be able to walk to school because of a physical disability or a medical issue; for others it may be psychological or behavioural issues which may put them at risk. Local authorities should consider whether a child can walk alone or with an adult and if it would be reasonable to expect a parent/carer to accompany the child on foot. The age of the child should be considered. The child may be eligible for free transport under the other criteria – distance, safety, or low income – even if they are not eligible under the SEN/disability criteria. These criteria (currently) only apply to children aged 5 – 16 (of compulsory school age). Local Authorities also have the discretion under section 508C of the Education Act 1996 to provide transport for a wider group of children. This could be free or charged for. Other legislation and arrangements apply to those aged 16–18 and 19+.*

The consultation proposals affect several different parts of policy, for ease, we have sectioned our response to represent the way consultation was sought.

### **Proposal 1: Clarifying the role of a passenger assistant on transport contracted by the County Council**

We strongly agree with the need to clarify the role of the passenger assistants which is an area of considerable confusion. We do, however, feel that the proposed policy is not detailed enough.

HPCI feel there should be explicit instruction in any policy, for all involved, and should include:

- Clear expectation of communication between parent/pa/driver/school /setting (which must include vital need for communication of any changes)
- What a PA should be doing with the child or young person, for example, engaging/talking to the CYP; in some extreme cases we have had reports of PA sleeping

***HPCI recommendations – We agree the policy should go ahead but with further clarity to support higher standards, safety, planning and communication.***

## **Proposal 2**

### **Amending the 19-25 transport policy to ensure transport supports the most vulnerable and is aligned with the existing assisted transport policy for Adult Care Services**

HPCI believes that where a young person with SEND aged 19-25 remains in education or training and is unable to travel there independently, transport to travel safely to and from their chosen setting to follow their chosen course remains necessary.

The proposed eligibility criteria for transport do not clarify how or who defines suitability of courses and appear to have distance restrictions. Statutory guidance states that “young people should have a reasonable opportunity to choose between courses available to them and be supported to access their choices, local authority transport policies must be supportive of reasonable choice.

HPCI supports all policies being legally compliant.

***HPCI recommendation: HPCI cannot support any new policy which limits opportunities for Young People (19-25) with SEND in Hertfordshire.***

## **Proposal 3**

### **Amending the charging structure for transport for 16–18-year-olds**

HPCI has been clear that as all CYP need to remain in education and/or training until 18 we strongly feel the law and the local authority should extend the rights of 5–16-year-old to include the learners to eighteen at the least. As a PCF will be pushing for nationally as well as locally.

Regarding the direct recommendations we do not agree with the increase in cost or introducing a flat rate, for many, even at the suggested slightly lower rate than the original consultation, this is still a substantial increase with those travelling the least distance most adversely affected by new proposals.

We know that families with SEND children are disproportionately affected financially.

Routes to low-income families are not clear enough:

Bursary funds, if and when available, are there to support a range of study expenses and are not routinely offered to families to assist in transport costs, many families are not aware of their existence. We do not agree to increasing charges in line with inflation unless this is the case across the SEND Transport department, for example PTB rates.

***Our recommendation- This policy is not implemented.***

***Possible consideration of 2 different flat rates?***

## **Proposal 4**

### **Removing the 16+ Railcard**

#### **Hertfordshire Train Card**

Our membership stated clearly that information was seldom given to them regarding this service and many had been unable to access information due to poor systems (website failure). We do however acknowledge that there are now other options available and would support the promotion of the new schemes being made accessible with the support and funding from PTB.

***Our recommendation – Ensure information on available schemes are well publicised.***

## **Proposal 5**

### **Personal Travel Budgets – to allow parents/carers to arrange their young person’s travel to school or college.**

HPCI has been involved with Transport Teams in various ways over several years. Whilst the original initiative of a personal transport budget was initially welcomed, this was on the basis that it would really reflect truly person centered planning, with transport requirements being individually assessed based on each young person’s choice of setting and course, the travel options available, their PfA outcomes, their own abilities as well as family circumstances. A Personal travel budget would then be provided to enable the young person to safely travel to their choice of setting and course, using the most appropriate method of travel for that individual, at that stage of their development. It appears that Personal travel budgets are in fact a mileage allowance, barely covering fuel costs in many cases. We are aware that some person centred adjustments have been agreed, which is much welcomed, however it is not clear how this may be accessed and with no clear information on how to apply.

The PTB rate has not been representative of the real-life costs of self-transporting CYP home to school, with increasing costs meaning families are becoming less able to provide suitable transport. We feel that the increase to 55p per mile is a step in the right direction.

Regarding additional payments for those with high level needs there needs to be a clear and simple way of assessing the level of need. DLA/PIP criteria are certainly one way of assessing however many families may not claim, for a variety of reasons. A person centered approach, ensuring care and mobility needs, EHCP banding and school type are also taken into account, is needed. HPCI, as always, are keen to support the development of a clear policy.

***Our recommendation – Increase rate for the interim with a view to reviewing the system, including regular rate reviews.***

***Introduce the proposed additional payment which should include reviewing eligibility criteria.***

## **Proposal 6:**

### **Introduction of Spare Seats on vehicles running to Hertfordshire special schools**

We and our membership would like all CYP with SEND to be able to access transport without there being a need for a “spare seats” system. Until this is possible, we feel that spare seats could be made available, however, the proposed charges currently being considered would be out of reach for many families. Spare seats would need to be risk assessed to ensure that the introduction of other CYP is not detrimental to those currently entitled to Home to school transport.

Our membership feels that a minimum of six weeks’ notice of removal of the spare seat would be appropriate.

***Our recommendation – Introduction, but with risk assessments in place and an extended withdrawal time.***

**Proposal 7:**

**Part-Time Timetables**

*We note this proposal has now been withdrawn but would make the following comment:*

Our membership shows that part time timetables are a consistent issue across the county.

We feel that this situation needs to be closely monitored.

A flexible person centred approach is vital; we would request that, as always, policy remains legally compliant with the child or young person at the heart of decisions, whilst supporting families to enable the Children & Young People of Hertfordshire to meet their best outcomes.

**[www.hertsparentcarers.org.uk](http://www.hertsparentcarers.org.uk)**

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