

SEN Transport options Business Case

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1. INTRODUCTION

The Special Education Needs (SEN) reforms introduced the Education, Health & Care Plan (EHC) to replace the Statement of Special Education Needs (SEN). Central to these reforms is partnership working with EHC plans being developed and reviewed jointly between the agencies representing Education, Health & Care services with an integrated health and care plan detailing a coordinated and comprehensive package of joined up support and services, to meet needs and deliver outcomes for children, young people and families.

The vision is to place parents, children and young people at the centre of the process and deliver a person centred approach in the planning, assessment and review of plans which focus on the achievement of outcomes for children and young people from 0 – 25 years of age. The reforms aim to empower parents, children and young people to have greater freedom and choice with the option of personal budgets for some services.

The Council has identified supporting our children and young people as a priority in its vision statement for Building a Better Bromley. Priority actions within the 2014 -15 Education and the Care portfolio plans are the achievement of good outcomes and maximising independence.

1.1 BACKGROUND

The Council has a statutory duty to make suitable travel arrangements for eligible pupils with a statement of Special Education Needs (SEN) to access the specialist provision named on their statement. The manner in which this duty is discharged is determined by the Council having regard to:

- The Home to School travel and transport guidance issued by the DfE July 2014 *Ref1*
- The health and safety implications of any proposed travel arrangements on the wellbeing of the pupil

It is planned that with the introduction of EHC plans, a holistic and coordinated approach is taken by assessing transport assistance needs contemporaneously with the Education, Health & Care needs of the pupil. This methodology will provide a seamless service to parents and families and sits comfortably with the aims of the reforms. It ensures service delivery and review are aligned to achieve outcomes that provide the optimum opportunities for the individual.

2 BUSINESS CASE

2.1 REASONS

The SEN reforms and the associated introduction of EHC plans necessitate a review of the Council's SEN transport assistance policy, delivery options and modes of travel. (At an operational level a review of the processes and procedures for the assessment, application and review of transport assistance are being developed contemporaneously with the introduction of the SEN reforms within Education). There is the added imperative of ensuring that services are provided as efficiently as possible in light of continuing budgetary pressures.

This business case details ways of meeting new legislation and determining the risks associated with introducing changes. It also investigates delivery options and summarises the potential business benefits and savings. In view of the nature of the subject matter, there

will invariably be both tangible (cashable) and intangible (non cashable) benefits resulting from any changes implemented.

2.2 CURRENT DELIVERY

Geographically Bromley is the largest of the 32 London boroughs and some pupils are required to travel more than ten miles across the borough to reach their specialist provision. Historically Bromley is also in the national top 10% of local authorities with statements in issue per head of population.

Financial year 2013-14 budget	Volume of pupils in receipt of transport assistance Academic year	Pupils travelling to special provision in borough	Pupils travelling to special provision out of the borough
£3,758,760	824	601	223

Transport assistance is currently provided via the Council's contracted providers in a range of vehicles ranging from minicabs to minibuses. Dependent on need and the age of pupils an escort may be present on some vehicles. Where possible and logistically feasible, routes are shared with pupils from other local authorities attending the same schools.

A few young people are able to travel on public transport and receive reimbursement for fares not covered by Transport for London concessionary cards. A small number of parents transport their own children to and from school and have accepted the reimbursement of parental mileage at the Council's current rate of 42.9 pence per mile for the home to school am and pm round trip, or journeys to and from the residential placement for the pupil.

There are two key aspects affecting route planning and allocations:

- new starts or some leavers / movers throughout the year
- transfers in at the start and end of the academic year

This results in regular route changes and amendments during the year and a wholesale annual route planning period from the start of the summer term to the middle of August before the start of a new academic year. The introduction of new transport offers will have to consider any adverse impact on these activities to avoid damaging the Council's relationships with the stakeholders for this vulnerable client group.

2.3 TRAVEL TRAINING

Travel training enables some pupils to be trained to travel independently on public transport. Executive approved an Invest to Save bid to deliver a travel training programme which commenced in 2013 and on 16/7/2014, Executive endorsed report ED15060 and approved the extension of the programme for three years in the increased sum of £120K per annum with a stretch target of 40 pupils trained per year.

This review identified a number of pupils suitable for travel training and these pupils have been excluded from the business case calculations, as they form part of that separate initiative.

3. OPTIONS EXPLORED

This business case review explores the potential to introduce two specific options:

1. Reducing door to door collections by introducing muster point collections.
2. The offer of a personal budget to enable parents to take their children to and from school

3.1 REVIEW METHODOLOGY

In undertaking this business case, the following base data has been used and assumptions made:

- Pupil data was extracted from the 2013-14 SEN transport database of pupils in receipt of transport assistance
- All forecasts are based on the 2014 -15 planned transport costs
- In any estimation a mean average has been used
- An academic year is calculated at 38 weeks
- The lower of the statutory walking distance of 2 miles has been used

The particular circumstances of a pupil determines the feasibility of introducing new transport arrangements for them; the following issues were considered:

- Pupils under the age of 11, and any pupils travelling in a wheelchair are excluded from the option for travel training and muster point collection
- Student file reviews and background information was sought from colleagues and some school professionals. This information endorsed the initial assessments to help identify pupils who could be supported to participate in muster point collections and travel training and or the offer a personal budget
- Public transport options were assessed to ensure journeys would not be onerous or exceed the recommended home to school travel times for Bromley; no more than 1 hour for children in primary education and no more than 1 hour and 15 minutes for children in secondary education. These time limits cannot apply to pupils travelling to schools outside the borough.

Best practice guidance was sought from colleagues in other local authorities who had introduced these options. Colleagues were able to offer comparative data and discuss their experiences which have been included as part of this business case paper .

4. MUSTER POINTS

4.1.1 INTRODUCTION

Muster points require eligible pupils to be taken to, and collected from central points by their parents / carers. Council funded transport then takes them to and from their place of education.

Muster points have been introduced by a number of Councils with varying degrees of success. For those pupils that are able to participate in this initiative, it would provide a similar home to school travel experience as their non-SEN peers who walk or travel to school by public transport. The introduction of muster points would result in the reduction of door to door collection of pupils. It is lawful for the Council to arrange for an eligible child to

be transported to school via a muster point at a reasonable distance from their home. For this exercise they entail collection from a point located no more than 0.6 miles from the home address. Data analysis was undertaken to assess the financial opportunities that could result from the introduction of muster points.

4.1.2 METHODOLOGY

Research was undertaken with colleagues in other Councils who had implemented a muster point collection scheme. Bromley pupil data was analysed as follows:

- A total of 213 routes, planned to operate for the 2014/15 academic year, were reviewed
- Of these, 83 routes were out of borough routes and 130 in borough routes
- Further filtering was undertaken to eliminate pupils who were:
 - potentially suitable for travel training
 - with impaired mobility
 - known to be unsuitable for a muster point collection for other reasons
 - on routes with 2 or less pupils
- The number of remaining routes with potential for introducing muster points was 10 out of borough routes and 51 in borough routes
- The resulting routes were remapped using muster point collection, located within a 0.6 miles radius of the home address.
- Resulting pupil volumes that may potentially be suitable were: 258 travelling to in borough provision and 36 pupils travelling to out borough provision
- An average price was used to calculate the new route cost at the reduced mileage and with a muster point collection of pupils.

4.1.3 REQUIREMENTS (NON FINANCIALS)

- Muster point collection requires a high level of risk assessment. A key requirement would be an increase in staff resources to undertake the Health & Safety risk assessment for each pupil and for each muster point. The officer will need to be readily available to ensure service delivery is not affected as assessments will be necessary during the summer route planning period and throughout the year as new pupils join the service or move between routes due to changes in transport needs
- The route planning and implementation work load will increase substantially due to the annual calculations required prior to the start of each new academic year to compare muster routes with 'standard' routes and determine feasibility and potential savings
- The assessment and review work load will also increase to ensure initial allocation of pupils to the correct transport assistance offer and at annual review to maximise the cost savings opportunities that may arise from the introduction of these new initiatives
- The appeal workload may significantly increase as parents / carers are requested to change their personal arrangements in order to meet the requirements of muster points

4.1.4 PROJECTED FINANCIAL IMPLICATIONS

	£	£
Potential maximum savings using muster points for In borough routes		108,000

Potential maximum savings using muster points for out borough routes		16,000
Possible Gross Savings		124,000
Less:		
20% reduction for pupils who turn out not to be eligible following detailed assessment / appeals won by parents	24,800	
Lost economies of scale (contract impact lower route mileage)	8,000	
Health & Safety Officer (risk assessments) / Qualified Assessor (appx)	35,000	
Additional seasonal staff member during spring / summer planning (BR10)	11,500	
Total Costs		(79,300)
Possible Net Savings		44,700

4.1.5 STRENGTHS & WEAKNESSES

The following strengths and weaknesses relating to muster points are summarised as follows:

Strengths	Weaknesses
<ul style="list-style-type: none"> • Supports the development of independence skills and the transition to public transport • Supports a culture shift of expectations from a door to door service • Reduction in route mileage, reduced journey times and overall cost of routes • Potential environmental benefits with reduced carbon emissions (although many parents may transport their children to muster points in a car leading to increased traffic / pollution) • Case law supports the Councils' introduction of muster points 	<ul style="list-style-type: none"> • Resource intensive for identification, planning, H & S risk assessments, implementation, monitoring and management of responsibilities. Additional staff will be required. • Extensive reassurance and support required to manage stakeholder communication and concerns especially around safeguarding • May lead to vulnerable students open to bullying from other students • Annual review of the transport arrangement could lead to lack of consistency with year on year changes to the route and collection points • May be perceived as not being family friendly and impact upon the Council's reputation for supporting a vulnerable client group • May limit procurement options - as route planning staff must be impartial (remain in house?) to objectively progress muster point

	options
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4.1.6 CONCLUSION & RECOMMENDATION

The introduction of muster points will reduce the number of miles that Council funded operators have to cover. This will result in reduced contractor costs and provide statemented pupils with a transport experience that is more closely aligned with pupils who do not have statements. There is also legal precedent that muster points can be 'the transport offer' and some local authorities have successfully implemented them although the resulting savings have not been clearly identified.

In undertaking this business case, a logical set of assumptions were applied to Bromley data and it was possible to calculate the savings that could result from reduced route mileage. What also emerged was that:

- the level of route planning significantly increased and there was a requirement to ensure it was objectively applied to ensure the most cost effective option for the Council would be chosen
- risk assessments are essential and the resources to undertake them are expensive
- a number of pupils are not suitable for muster point collection (those with behaviours that challenge and those with physical disabilities and health problems)
- Bromley's geographical location of schools and residences reduces the viability of introducing muster points to a limited number of locations
- implementation in other local authorities was not popular with parents and there was an increase in challenge and appeals

It was not possible to identify the level of appeals that could result and whilst a saving of approximately £45,000 per annum is predicted, this could reduce or increase.

On reflection, a potential net saving of £45,000 on a £4,000,000 budget (1.1%) is not considered significant enough to offset the negatives of increased headcount, parental objection and negative publicity. The Council is also about to tender its transport functions and the introduction of muster points would complicate and potentially limit some of the proposed tender options.

In light of the business case findings, the introduction of muster points into Bromley is not recommended.

4.2 Personal Budgets

4.2.1 INTRODUCTION

Fundamental to the SEN reforms is personalisation. Parents have a legal right to request a personal budget where pupils have an approved Education Care & Health Plan. Whilst there is no statutory duty to include transport assistance in the plan, it is considered good practice to offer personal budgets for transport assistance where this achieves value for money. The Council is within its rights to refuse a personal budget where the disaggregation of funding may reduce the overall resources to fund services for the majority of service users .

A personal budget is an amount of money identified by the Council to deliver a service that the parent or young person is involved in securing.

4.2.2 BACKGROUND

The Council currently offers reimbursement of parental mileage where parents transport their children to and from their specialist provision, although this option is offered in a limited number of cases as traditionally, transport assistance has been provided on Council contracted vehicles. However, this option is not fully assessed and is only offered where a pupil may be the sole pupil attending a provision and where it is not at the expense of double funding with empty seats on contracted vehicles. The current mileage rate paid is 42.9 pence per mile for a return journey to and from school each time a child needs to attend or be collected from school.

Feedback from SEN pathfinder boroughs who have more widely (but still selectively) introduced personal budgets have suggested that the rate of payment needs to be pitched at a sufficient level to adequately reimburse parents for their contribution in time and vehicle use. In some Councils the personalisation agenda was the overriding factor and the decision to offer personal budgets to everybody was not dependent on delivering economies over the existing Council contracted transport costs. The view taken was that any variations would be ironed out between the two options and corrected over future years.

The following table details the percentage uptake of personal budgets selectively offered to parents, by other Councils .

LOCAL AUTHORITY	PARENTAL UPTAKE	% UPTAKE
Buckinghamshire	Not known	15%
Croydon	73 out of 456 parents	16%
East Sussex	11 out of 73 parents	15%
Southampton	16 out of 258 families	6.2%
Average		13%

4.2.3 Methodology

The viability and feasibility of introducing personal budgets was tested on current data using a modelling exercise incorporating the (average) 13% take up and an offer at the Council's current rate of 42.9 pence per mile and a proposed rate of 50 pence per mile

- Parental mileage is currently paid for the home to school return journey. e.g. where a pupil lives 7 miles from school and attends on a daily basis, reimbursement would be paid as follows:

$$7 \text{ miles} \times 4 \text{ trips (to and from school am and pm)} = 28 \text{ miles} \times \text{mileage rate}$$

- The testing was undertaken on only those routes where there was a sole pupil travelling in a vehicle as accurate data would not be available to calculate the potential double funding implications that could arise from routes carrying more than one pupil. The financial risks associated with the loss of economies of scale and resultant double funding (Council transport with empty seats and personal budgets) were too great and could not be quantified without actually piloting it (offering it to parents without committing to implement).
- A pupil may be the sole passenger for a variety of reasons. These could be due to their complex SEN needs such that the pupil is unable to share the journey with other pupils or they are the only pupil attending a specific provision.
- A cost comparison, between the cost of the Council provided transport and if the parents accepted a personal budget, was made of the 60 routes where pupils receive sole transport.
- In the last academic year only 16 parents in Bromley have taken up the offer of parental mileage and therefore it is difficult to gauge what take up there would be for any future initiative. The current mileage rate is at the lower end of some councils' offerings and a higher rate may attract more parents to take this transport assistance offer . Anecdotal evidence from colleagues in other Councils also corroborates this thinking. Therefore two models were produced:
- An enhanced rate of 50 pence per mile was also chosen for the projections in alignment with what other councils have paid

4.2.4 WIDER OFFER OF PERSONAL BUDGETS

This business case is focussed upon the offer of personal budgets to a limited cohort of pupils (approx. 8%) in receipt of council funded sole transport. A number of councils have decided to offer personal budgets for transport to all parents as a policy decision as they feel this is best practice and is in alignment with their values. The reality is that this will increase costs in the short term as economies of scale are lost and it becomes more difficult to optimise routes and vehicle types for the most cost effective travel. It is believed that, as take up increases over a number of years, costs will actually reduce.

Given the funding pressures faced by Bromley, this business case has focussed upon the offer of personal budgets to sole transport pupils as it is impossible to quantify what the costs of a wider offer of personal budgets for transport would be unless we went to a full pilot.

Alternative options, such as offering personal budgets to all parents and then undertaking route planning to determine where it would be in the best financial interests of the Council have been considered but have been ruled out due to:

- The admin. resources required to run the process

- The requirement for multiple annual route planning and the time and resources this would entail
- This potentially limiting procurement options (around route planning) that are due to shortly commence
- The way this would be perceived by parents
- The lack of consistency for parents - the offer of personal budgets may change from year to year

4.2.5 PROJECTED FINANCIAL IMPLICATIONS

The following potential savings were identified in consideration of single occupancy journeys to out of borough (OB) and in borough (IB) locations.

Routes	Single Occupancy – Current Cost pa.	Cost if parents accepted personal budget at 50p per mile	Savings if 100% of parents took up offer of personal budgets	Savings if 13% took up offer of personal budgets
Out of Borough	£325,318	£98,134	£227,184	£29,534
In Borough	£285,942	£58,992	£226,950	£29,503
Combined	£611,260	£157,126	£454,134	£59,037

The table demonstrates that if all parents whose children received sole transport were offered and accepted personal budgets at 50 pence per mile, savings of £454,134 could be achieved. If the 13% average were achieved, the council would still benefit from savings of £59,037 per annum.

4.2.6 STRENGTHS & WEAKNESSES

The following table is based upon offering sole transport to all parents and carers whose children travel on sole transport to school or residential education provision.

Strengths	Weaknesses
<ul style="list-style-type: none"> • Personal budgets offer choice and control to parents and is considered good practice • Could lead to savings in the SEN transport budget • Transfer of responsibilities for securing transport services, from the Council to the parents • May lead to a culture change in stakeholder expectations that transport assistance is only delivered via the 	<ul style="list-style-type: none"> • It is not possible to gauge take up and therefore how great the savings opportunities may turn out to be • This will be selective, could be perceived as being discriminatory, and unequal

Councils contracted transport providers • Personal budget payment infrastructure already in place	
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4.2 .7 CONCLUSION & RECOMMENDATION

The information contained within this business case explains why the business case has discounted the offer of personal budgets to all parents of children in receipt of council funded transport unless it is a policy decision and the Council is willing (and able) to bear the probable increased costs for a number of years.

The findings in the business case also identify that the selective introduction of personal budgets, where they are initially proposed to all parents and then limited to where it is in the financial interests of the Council, are prohibitively complicated to administer and unreasonable for parents. It is also impossible to quantify the level of savings that may result unless all parents are actually asked if they would be interested and the route planning be undertaken.

This leads us to the recommendation to offer personal budgets to all parents of children whose children are in receipt of sole transport and, in a very limited number of cases, where the offer of personal budgets to individual parents is in the interests of both the Council and the parent . It is also recommended that consideration is given to increase the mileage rate to 50 pence per mile in light of the success enjoyed by other local authorities.

There are no costs associated with this recommendation.

5. TIMESCALES

The following time line is suggested if the recommendations above are accepted at the PDS Committee:

SUGGESTED IMPLEMENTATION TIME LINE	
Report and Business case to PDS	30/9/2014
PDS approval & call in received	10/10/2014
Stakeholder consultation (SEN Transport Policy incorporating recommendations)	23/2/2015 – 29/3/2015
Evaluation & PDS report	June 2015
Implementation	1/9 /2015

This will provide sufficient notice to all stakeholders to be consulted during school term time and enable the service to plan and pilot any proposed changes before implementation.

6. REFERENCES

Ref 1: <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>

DfE July 2014