

Decision Maker: **Children and Young People Portfolio Holder**

Date: **For Pre-Decision Scrutiny by the Children and Young People PDS Committee on 14 July 2011**

Decision Type: Non-Urgent Executive Non-Key

TITLE: SPECIAL EDUCATIONAL NEEDS TRANSPORT ASSISTANCE POLICY – OUTCOMES FROM CONSULTATION

Contact Officer: Karen Fletcher-Wright, Assistant Director (Access and Inclusion)
Tel: 020 8313 4146 E-mail: karen.fletcher-wright@bromley.gov.uk
Mary Çava, Head of Special Educational Needs & Disability
Tel: 020 8461 4488 E-mail: mary.cava@bromley.gov.uk
Maya Vadgama, Project Manager, SEN Transport
Tel: 020 8461 7633 E-mail: maya.vadgama@bromley.gov.uk

Chief Officer: Gillian Pearson, Director of Children and Young People Services

Ward: Boroughwide

1. Reason for report

- 1.1 To report on the outcome of the stakeholder consultation and strategic review of the Special Education Needs (SEN) Transport Assistance Policy, following report DCYP11014 submitted to CYP PDS 24 January 2011.
 - 1.2 To make recommendations to the Children and Young People Portfolio Holder on the scope and nature of the proposed amendments to the SEN transport assistance policy.
-

2. **RECOMMENDATIONS**

- 2.1 **That Members comment on and note the outcome of the consultation.**
- 2.2 **That Members endorse the proposals for the SEN Transport Assistance Policy.**
- 2.3 **That the Portfolio Holder approves the draft SEN Transport Assistance Policy.**

Corporate Policy

1. Policy Status: Proposed new policy
 2. BBB Priority: Children and Young People
-

Financial

1. Cost of proposal: Estimated cost £Nil
 2. Ongoing costs: Recurring cost
 3. Budget head/performance centre: SEN Transport
 4. Total current budget for this head: £3.3m
 5. Source of funding: Council
-

Staff

1. Number of staff (current and additional) - 3.8
 2. If from existing staff resources, number of staff hours -
-

Legal *Jim to complete*

1. Legal Requirement: Statutory requirement: Education Act 1996 (As Amended)
Special Educational Needs and
Disability Act 2001
 2. Call in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected) 870+
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments:

3. COMMENTARY

Background

- 3.1 The Local Authority has an explicit statutory duty to provide home to school transport assistance to children with Special Education Needs (SEN), to attend their specialist provision, both in and out of borough. There are similar explicit duties across the Children and Young People Services where transport assistance is provided to many children.
- 3.2 Children with SEN are transported between home and their specialist provision through a range of service providers contracted to the Council under SEN transport contracts awarded in August 2010.
- 3.3 In July 2009 the CYP Portfolio Holder agreed that as part of Phase 2 of the project to retender the SEN Transport contracts, a new SEN Transport Policy should be produced. Policy developments were considered by the Member Officer Working Party SEN (DCYP09095) and wider consultation took place over a period of two months, March/April 2011.

Policy Amendments

- 3.4 The Member Officer Working Party SEN at its meeting of 15 December 2010 considered policy changes under the following terms of reference:
- To review the statutory requirements and good practice guidance in relation to transporting this client group.
 - To review options for alternative models of service delivery and current organisation in the context of efficiency, sustainability, inclusivity and demonstration of best value.
 - To update the SEN Transport Assistance Policy, seeking improvements to service delivery and to extend the development of travel skills for employment and adulthood.
- 3.5 The policy review has been guided by the following terms of reference:
- To review and update the SEN Transport Assistance Policy, seeking improvements to service delivery and the development of travel skills for employment and adulthood.
 - To review the statutory requirements and good practice guidance in relation to transporting this client group, to inform the review process.
 - To review options for alternative models of service delivery and current organisation of pick-up and travel routes, in the context of efficiency, sustainability, inclusivity and life skills development and demonstrate best value.

Consultation on Areas of Policy and Practice to be Developed

- 3.6 The Transport Assistance Policy has been developed in the light of changes to the provision to meet the volume and the increasingly more complex range of special educational needs of children within the borough. Services provided are guided by the need to work in partnership with parents, young people and providers to effectively prepare young people for adulthood.
- 3.7 The consultation was guided by the ethos of support for families to ensure young people with SEN are assisted in getting to school safely and are ready to participate and learn within the specialist environment required to support their learning.

- 3.8 The necessity to manage future expectations and ensure the parents, schools and the Local Authority work in partnership to effectively prepare young people for adulthood cannot be emphasised enough as adult services are developed towards choice-based options.

Consultation Methodology

- 3.9 A questionnaire (**Appendix 1**) was sent to all parents of pupils receiving transport assistance in the following groups. The questionnaire was also sent to all special schools and mainstream schools with specialist units, Chairs of Governors of all Bromley maintained special schools, stakeholder colleagues and partner volunteer groups to obtain their perspective on the proposed changes.
- 3.10 Additionally a series of focus group consultations were held at the four special schools and at four venues across the borough (8 sessions in total) offering the opportunity to discuss the proposals with the senior management team for SEN. Information was available on the Parent Voice web site and an on-line facility to complete the questionnaire and add further feedback was also available.

Annex 1: Circular letter and questionnaire

The consultation period ran from 17 February to 7 April 2011.

The analysis is based on 257/868, (30%), completed questionnaires and the following:-

- Discussions held with parents, head teachers, staff, and partnership group representatives who attended the seven consultation evenings.
- Meeting notes from the Pupil Councils from Riverside School, Marjorie McClure and Riverside Schools.
- Formal written responses from volunteer groups; Bromley Mencap and Bromley Parent Voice.
- Discussions with colleagues delivering SEN Transport Assistance in local councils.

Parents of those pupils:

- with a statement of special education needs attending special schools, specialist units attached to mainstream schools and mainstream school with a statement of SEN on a daily basis;
 - attending special schools on a residential basis, weekly, fortnightly, termly or fifty two week basis;
 - aged 16+ with a statement of SEN attending any of the above;
 - attending pupil referral units;
 - aged under 5 without a statement of SEN.
- 3.11 **Findings of Stakeholder Consultation** – Attendance and key messages from each meeting are available at **Appendix 2**.

The most common point made throughout the consultation meetings was the need to consider each application on its own merits and to ensure the Council does not apply a 'one size fits all approach'. Parents felt that this should include balancing the complexities of managing attendance at different schools for a number of children within the household contemporaneously with the daily challenges in meeting the needs of a child with SEN.

Parents also felt that the LA should recognise that some children will always need assistance to travel to school. There was concern about the need to ensure the health and safety of pupils where an escort is not present on a vehicle. Some parents questioned the practicality of pick-up points.

Parents stressed the impact of potentially stressful travel arrangements on the educational development of the pupil.

On a positive note there was support for the Independent Travel Training and pupils at the school Council meeting felt that they wanted to be allowed to embark on the ordinary challenges of life.

Feedback was received regarding the training for escorts and drivers, highlighting the need for the transport team to pro-actively communicate to parents the quality improvements incorporated within the new SEN transport contracts procured in September 2011.

Parents recognised and commented on the purpose of special education and the need to carefully plan to support the child towards independence and adulthood. Therefore, a gradual acclimatisation towards the ordinary challenges of life should be developed, including, for example, waiting at bus stops and railway stations, negotiating queues in busy periods to avoid 'cocooning a child' so that at adulthood they do not have the skills necessary to play as fully an integral part in society as possible.

Parents agreed that the annual review would be the appropriate time to discuss changes to travel arrangements.

One parent commented that, where possible, parents should accept a level of responsibility to ensure their child attends the specialist provision to enable limited Council tax resources to be made available for the most needy and vulnerable.

3.12 Responses to Consultation Questions

Q1: Applying the DfE distance criteria consistently for all schools and units

69% of the respondents either disagreed or strongly disagreed with the proposals to equalise the eligibility criteria for all specialist provision, with 31% agreeing or holding a neutral view. Many parents cited concern that the complexity and the severe needs of pupils attending the special schools and the greater need for transport assistance needed to be taken into consideration. Parents generally felt that individual circumstances need to be taken into account.

Director's Response

Reviewing other local Council policies and best practice guidelines officers found no evidence of automatic entitlement being applied to transport assistance for special schools. It would appear that Bromley Council practice is not in line with other LAs in the standard that is applied for transport assistance. The new policy will include the use of distance criteria for special schools as well as units but when considering eligibility individual circumstances will also be taken into account.

Parental Mileage

Q2: Reimbursement of parental mileage as an alternative to providing a taxi where a child is the sole Bromley pupil at a school

62% disagreed or strongly disagreed with the proposal for parents to undertake the transport arrangements, in place of transport from the Council, where their child was the sole pupil at a specialist provision and where there was a family car. 38% of respondents agreed or held a neutral view on this option.

Again the concern of managing attendance at more than one school was cited as a key concern, when one child has special needs and may take longer to feed, medicate, get ready and prepare for school. Others cited employment commitments for parents and the challenges with which this would present.

Some parents and pupils reported that they did not have a family car and in these circumstances alternative assistance would be required. This was echoed by comments from the School Council at Marjorie McClure School.

Some parents did also comment that in these circumstances and where it was generally possible anyway, parents with cars should undertake the transport to avoid costly sole transport provided by the Council.

Director's Response

The policy will include consideration of parental mileage but this will in most circumstances be restricted to out of borough schools where the child is the sole Bromley pupil and where the LA considers that alternative in borough provision was available to meet the child's needs.

Transport Pick-Up Points

Q3 Introduction of pick-up points where appropriate

The introduction of pick-up points is seen as the precursor to travel training and acclimatisation to the ordinary experience of going to school and generally going out and about. They also aid in reducing journey times and certainly parents commented on the negative impact of lengthy journey times on children's education.

Of all the questions, this caused the most concern. 68% of parents disagreed with the introduction of pick-up points. Some parents had concerns about pupils being left at street corners, waiting in rainy conditions, jostling at bus stops and suffering bullying from other mainstream pupils.

Many cited the vulnerability of pupils, the need for detailed risk assessments to assess their ability to wait at pick up points and the need to consider the location for pick up points. Whilst bus stops were considered a natural choice, parents felt they would also be the busiest spot, at key travel times.

Of the eight attendees at the Children's Council at Riverside, 2 pupils reported they would like a door to door service, 5 would like pick-up points and 1 reported that this would depend on individual needs.

Director's Response

It is accepted that this will not be suitable option for all pupils. However evidence from other local authorities has shown that where successfully implemented (with careful consideration of the children's needs and the actual route taken) this has impacted positively on journey times and the development of the individual. This option requires carefully planning and preparation before implementation and there will be a small pilot in the first instance. The policy will only be amended to include the possibility of a child being picked up from a prearranged point rather than always from their home. It is not expected that children will travel to pick up points unaccompanied.

Clarifying the use of Escorts

The council wishes to take this opportunity to formalise the use of escorts when transporting children with SEN & Disability. The proposals are to ensure an escort is available for all primary aged children (or agreed exception) for all buses and larger multi-purpose vehicles and on a needs basis for pupils of secondary age.

52% of respondents disagreed with this option with 48% agreeing or holding a neutral view.

Concern expressed: health and safety of pupils in an emergency when only a lone driver available. Again comments echoed the recurring theme of individual need determining the application of this travel assistance option.

Young people from Marjorie McClure Children's council expressed a preference for buses wherever possible and welcomed the good relationship with the drivers and escorts. From the Riverside Children's council 5 pupils stated that they felt they required an escort with 3 stating they did not.

Director's Response

The policy will be clarified as proposed but a risk assessment will be carried out before an escort is withdrawn.

Travel Training

Q4 Independent Travel Training

It is widely accepted that independent travel is a key life skill and one that needs to be developed for whom this is a suitable option. Much good practice exists for travel training programmes and the DfE has identified this as best practice.

56% of the respondents either agreed, or strongly agreed, with 15% holding a neutral point that the opportunity for travel training, for those pupils for whom this could be a viable option.

The children's responses were also very illuminating. These were received from the School Council at Riverside School.

Of the 8 children 6 expressed their desire to be travel trained with two pupils describing their knowledge of being able to travel independently on specific routes but not to school, although they felt this could be achieved with training. It is encouraging to note the level of independence sought from pupils with the caveat that this is the 'children's' wish list and consultations with parents and school would be a prerequisite and play a vital role in any plans for travel training.

Director's Response

It is anticipated that any travel training programme implemented will be formulated with a partnership approach between the parent, school and council focusing on the development needs of the young person.

Travel training will be seen as an 'invest to save' initiative. Currently the 'on the road' training is delivered on a 1:1 basis which will require additional funding. However competently trained independent travellers will experience greater independence and life changing benefits and result in reduced demand for transport assistance in both adult and children's services.

Subject to on-going funding the current programme will be completed and evaluated during the summer of 2011. It is hoped that as some success can be demonstrated discussions will take place with a view to securing 'support' from Adult services to undertake a longer and larger programme for the next academic year as their services will benefit substantially from reduced demand upon their transport services in the future.

In the meantime the policy will be altered so that where children have received travel training they can be expected to travel independently and not automatically receive Council transport.

4. POLICY RECOMMENDATIONS

- The DfE distance criteria will be introduced to the policy from September 2011 with a two stage implementation. Initially, the criteria will be applied to all new applications from September 2011.
- Subsequently, the requirement for transport assistance under the distance criteria will be discussed at each child's annual review with a view to bringing many changes from September 2012.
- A clear and transparent appeal system which takes account of individual child and family circumstances will be developed.
- Reimbursement of parental mileage (where this will be the best use of resources) will become the preferred option when considering applications for transport assistance where the pupil is the sole Bromley pupil at their specialist provision.
- The policy will be amended to remove the entitlement to door to door transport in order that pick-up points as an option for delivering transport assistance can be introduced on a small number of routes subject to a successful pilot.
- The policy will include the expectation that where possible children will learn to travel to school independently and the travel training programme will be developed further.
- The policy on the provision of escorts will be formalised as proposed.

A draft of the new policy is at **Appendix 3**.

5. POLICY IMPLICATIONS

- 5.1 The SEN Transport Assistance Policy supports the achievement of objectives under the "Every Child Matters in Bromley" Plan for 2006-2009, to ensure that all young people are given an equal opportunity to achieve their full potential.

5.2 It supports the Bromley Children and Young People Trust's Disability Strategy and the emerging agenda for Aiming Higher for Disabled children.

6. LEGAL IMPLICATIONS

6.1 The Local Authority is statutorily tasked with ensuring that children with a statement of Special Educational Needs (SEN) receive an education that is appropriate and compliant with that set out in the child's statement-In accordance with Sections 312-349 of the Education Act 1996 (as amended).

6.2 The Local Authority is obliged to have regard to parental preference for a child to be educated in either specialist or mainstream provision when supplying SEN provision – Special Educational Needs and Disability Act 2001.

6.3 The Local Authority when dealing with children with Special Educational Needs must have regard to the Secretary of State's published Code of Practice and must not promulgate transport policies that seek to limit parental choice.

Non-Applicable Sections:	Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	Report DCYP09054, SEN Transport Contract Project 30.3.2009 DCYO09134 SEN Transport Contract Project 30.9.2009, and Members' Room document DCYP10053 SEN Transport Contract Project Update 24.3.2010 MOWGSEN 27.4.2011



Proposals for Reviewing Transport Assistance for Pupils with Special Educational Needs



Pupil Support

- ⇒ Special Educational Needs
 - ⇒ Transport

Audience: Head Teachers of all Bromley Maintained Special Schools
 Head Teacher, Kingswood Centre/Grovelands Centre
 Head of Specialist Support and Disability Services,
 Phoenix Children's Resource Centre
 Primary and Secondary Schools with Units
 Chairs of Governors of all Bromley Maintained Special Schools

Action required: Completion of Questionnaire.

Timing: Consultation Questionnaire to be returned by **Friday, 25 March 2011.**

Also sent to: Secretaries of Staff Associations
 Councillor Ernest Noad,
 Executive Member for the Children and Young People Portfolio
 Councillor Brian Humphrys
 Executive Assistant to Portfolio Holder (CYP)
 CYP SMT
 Heads of Unit: Darrick Wood Primary/Secondary HIUs
 Children's Safeguarding and Social Care
 Children's Disability Team
 Manor Oak Nurture Group
 Parent Voice
 Bromley Mencap
 Burgess Autistic Trust

Type: Consultation

Description: Consultation to inform the development of the revised SEN Transport Assistance Policy.

Relates to: N/A

Date Issued: 17 February 2011

Contact: Mary Çava, Head of Special Educational Needs and Disability
 Tel: 020 8461 7633 Email: mary.cava@bromley.gov.uk or
sentransport@bromley.gov.uk

For reader's use:



Proposals for Reviewing Transport Assistance for Pupils with Special Educational Needs

Transport Assistance continues to be an important part of the support services for children and young people with Special Education Needs. Our aim is to see young people access their education and development opportunities that prepare them well for their adult life and fulfil their potential. Bromley Council's Transport Assistance Policy was last reviewed in 2000 and the increasing development of services for Children with Special Needs requires greater flexibility in the provision of Transport Assistance.

What are the issues?

- There have been a number of developments in the provision of transport services and these need to be reflected in the way Bromley provides transport assistance
- Public transport is becoming increasingly more accessible.
- Bromley is one of the boroughs with the highest levels of car ownership, with increasing use of vehicles. This results in pollution and traffic congestion.
- Developing independent living skills is essential to support young people into adulthood and to access employment opportunities.
- Some young people, who are able, are missing out on the opportunity to walk, cycle or use public transport and experience a 'normal' home-to-school journey when this is possible.
- Depending on the levels of disabilities, some children are ready for a level of independence in travel whilst others will require greater assistance and the Council's policy needs to reflect and acknowledge this.

Why are we consulting you?

- The Council welcomes a partnership approach when reviewing our services and values your views.
- The Council has recently recontracted the Transport Service and the next stage is a review of the Transport Assistance Policy.
- Council Members, officers and colleagues from the voluntary sector regularly meet as a working party to review services for Special Education Needs and these proposals come from the meetings and conversations with service users and Best Practice guidelines.
- The Council believes the proposed changes will maintain support to the most vulnerable pupils whilst providing greater opportunities for individual development of independent skills.

What are the proposals?

They are:

- To use the DoE Best Practice guidelines distance criteria consistently for transport assistance to Specialist provision:
 - 2 miles from school for children aged less than 8 years;
 - 3 miles for pupils aged 8 and over.

- Applications for transport assistance to depend on the special educational needs of the child.
- Where appropriate, independent travel training will be offered as part of the transport assistance offer.
- The transport assistance may include collection and return to designated points ranging from home and local pick-up points.
- To review the use of escorts dependent on the special educational needs of the child.

What is the timescale for the proposed changes?

The outcomes of the Consultation will be reported to the Member Officer Working Party Special Education Needs. Decisions about the proposed changes will be made by the Council's Executive in the Summer of 2011 with the new policy to be effective from September 2011.

How can I learn more about these proposals?

You will be welcome to attend one of the public meetings that have been arranged and detailed in **Appendix 1**. If your child already attends one of our special schools you will see that a specific meeting has been arranged for you. The meetings will provide you with a chance to hear more about the proposed changes and an opportunity to discuss and comment on them. Our website will also keep you up-to-date with developments (www.bromley.gov.uk).

Email us at sentransport@bromley.gov.uk.

If you require large-print and audio versions of this letter or you require language translation services, please telephone 020 8461 7538.

Further Information

If you require any further information regarding the content of this Circular and/or its attachments, please contact Mary Çava, Head of Special Educational Needs and Disability, on 020 8461 7633 or by email at mary.cava@bromley.gov.uk.

For the Questionnaire entitled 'SEN Transport Policy Consultation - Draft', please see **Appendix 2**.

**PROPOSALS FOR REVIEW OF SPECIAL EDUCATIONAL NEEDS
TRANSPORT ASSISTANCE POLICY IN BROMLEY**

TIMETABLE OF CONSULTATION MEETINGS SEN TRANSPORT POLICY - MARCH 2011		
Date	Venue	Time/Comments
Tuesday, 1 March 2011	Burwood School	6.30pm
Wednesday, 2 March 2011	Phoenix Resource Centre	1.30pm
	Marjorie McClure School	7.00pm
Thursday, 3 March 2011	The Glebe School	7.00pm
Monday, 7 March 2011	Poverest AEC	7.00pm
Tuesday, 8 March 2011	Riverside School, St Paul's Cray	6.30pm
Wednesday, 9 March 2011	Education Development Centre Hall	7.00pm
Thursday, 10 March 2011	Kentwood Adult Education Centre	7.00pm



SEN TRANSPORT POLICY Consultation

Please return this form to **SEN Transport by Friday, 25 March 2011**

By post: 1st Floor, Stockwell Building, Bromley Civic Centre, Stockwell Close,
Bromley BR1 3UH

By Email: sentransport@bromley.gov.uk

For many children, getting to school will be a reasonable and safe walking experience, usually accompanied by their parents. For some children, attending the special schools and provisions in the Borough, transport assistance is arranged and provided by the SEN Transport Team. Transport assistance eligibility is based on guidelines provided by the Department for Education. We aim to review the SEN Transport Policy in Bromley to ensure a fair service for all, to seek improvements to service delivery and to aid development of travel skills for employment and adulthood for those young people who may be ready to progress to more independent travel.

1. Do you agree that the DoE Best Practice guidelines on walking distances to school (2 miles from school aged under 8 years, 3 miles for pupils aged 8 years and over) should be applied consistently across all schools and units?

Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A small number of children travel by taxi to their school/unit as there are no other children living within their area attending the same school.

2. Do you agree that where the alternative is sole transport by individual vehicle, a parent with a car should be expected to take their child to school if mileage allowance is reimbursed?

Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Do you agree that, in order to shorten journey times where appropriate, children and young people with mild to moderate learning difficulties should be picked up from bus stops or a suitable safe pick-up point?

Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Do you agree that, where appropriate, older children with mild to moderate Special Educational Needs could travel unaccompanied in their regular transport?

Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

As older students with mild to moderate learning needs/difficulties progress through their secondary school career our aim is to develop, where possible, life skills which model similar experiences that students in mainstream schools would experience. The aim is to develop a level of independence for these young people as they progress to adulthood. A pilot Travel Training Scheme is up and running in one of our special schools. This encourages students to develop confidence and skills to travel by public transport. The pilot involves skills training and coaching (involving hands on real life experience) working from escorted travel through to independent travel where appropriate and when the student is ready for this.

5. Do you agree that, where they are able to do so, children and young people with mild to moderate Special Educational Needs should be given the opportunity to access travel training and learn to travel independently?

Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If any of these policy changes are introduced, the child and family's circumstances will always be taken into account and there will be an open and transparent appeal process.

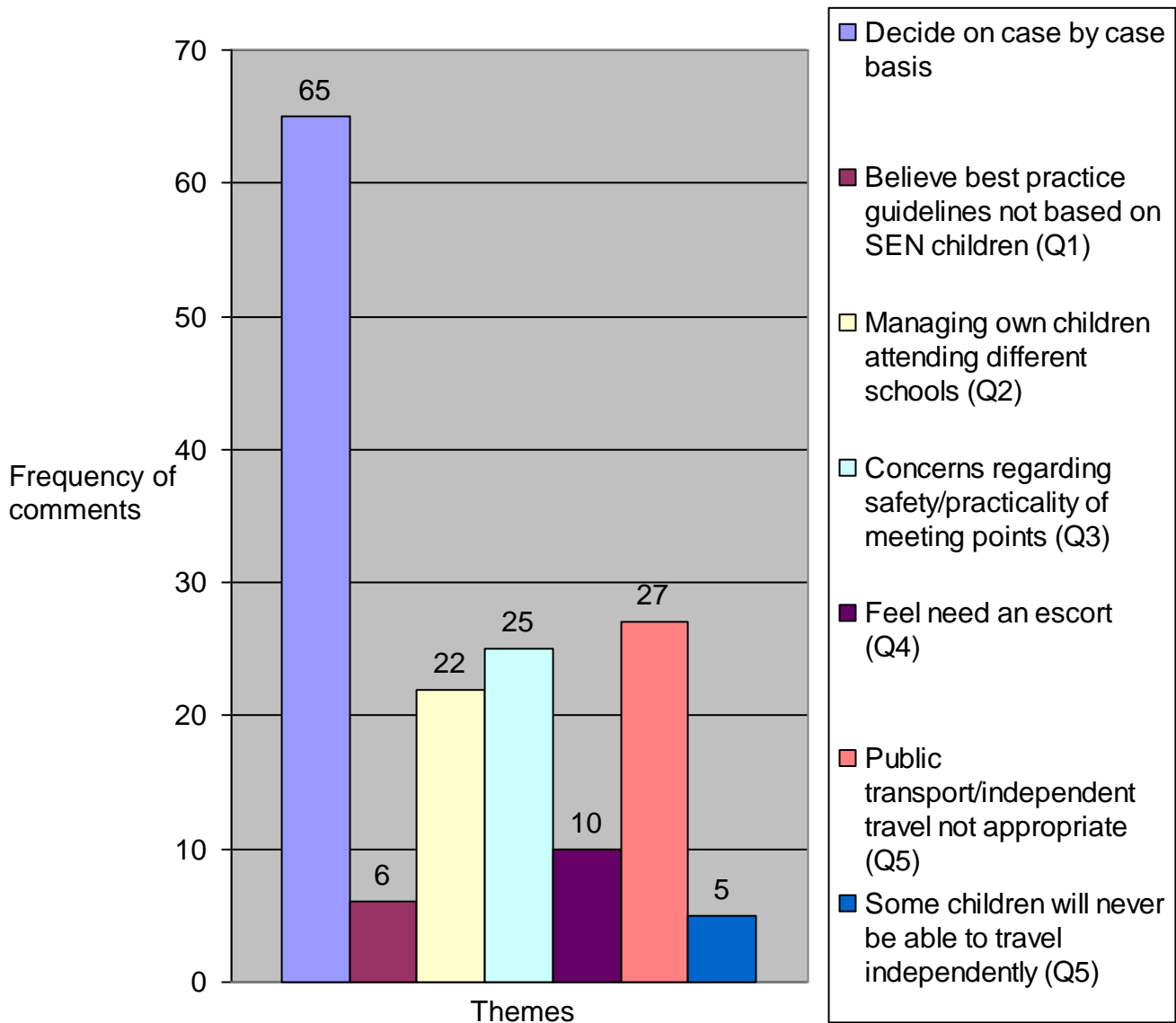
6. Do you have any further comments or proposals that will help to make SEN Transport more efficient, more responsive and more cost effective?

<p>Comments:</p>

SEN TRANSPORT POLICY CONSULTATION

QUESTION RELATED THEMES

Key of Themes



PROPOSED SEN TRANSPORT POLICY REVIEW TIMELINE

(Revised 27.4.2011)

Proposed Timetable	September 2010 – August 2011
Introductory report to MOWGSEN	22 September 2010
Scoping meeting with MOWGSEN	15 December 2010
Report to CYP PDS to receive formal agreement to stakeholder consultation and policy review	20 December 2010
Formal stakeholder consultation	January 2011 – 7 April 2011
Develop plans for pilot end of road / pick up points	May 2011 – July 2011 (SEN lead)
Roll out pick up point pilot project?	Autumn term September 2011 – December 2011 SEN lead
Report findings following stakeholder consultation to MOWGSEN and agree areas for proposed policy changes	27 April 2011
Work with ACS and nominated Special Schools to develop and deliver pilot Travel Training Project	October 2010 – July 2011 (Joint initiative with ACS lead subject to additional funding)
Evaluate pilot travel training project and dependent on findings, ACS & CYP to secure additional funding to formulate, formalise and deliver a full year travel training programme across ACS & CYP	April 2011 – July 2012 (Joint initiative with ACS lead)
Develop new transport assistance policy	May – June 2011
Submit proposed new SEN Transport Assistance policy to MOWGSEN and CYP PDS	June / July 2011
Evaluate pilot pick up point project	January 2012 (SEN lead)
Implement new SEN Transport Assistance Policy	September 2011 for all new applications September 2011 – July 2012 for current pupils

DRAFT

BROMLEY COUNCIL SEN TRANSPORT / TRAVEL ASSISTANCE POLICY

Bromley Council has a duty to provide Transport assistance for pupils of statutory age with a Statement of Educational Needs to access their specialist Provision, under the Education & Inspection Act 2006.

The Legal Context

The Local Authority has a statutory duty to provide home to school transport assistance for children with Special Educational Needs (SEN), to enable them to attend their specialist provision.

The provision of transport assistance for any child, whether a child with special educational needs or otherwise, is governed by section 509 of the Education Act 1996. Now Education Act 2004,6/ The LEA has no duty to provide transport but 'shall make such arrangements for the provision of transport and otherwise as they consider necessary'. This gives the LEA a discretion to provide transport assistance A duty only arises if transport is referred to on a child's Statement of Special Educational Needs or the LEA requires a child to attend a school which is not within walking distance of the child's home.

Introduction

Bromley Council is committed to ensuring that each child can fulfil their potential. The aim of this policy is to support all children and young people with significant SEN to lead lives that are as independent as possible. Children and young people will be supported towards greater independence through the use of public transport where possible.

The Council is committed to reducing traffic congestion, the environmental impact of vehicle journeys and improving road safety by promoting sustainable transport such as walking, cycling and use of integrated public transport. The Council will consider travel solutions that lead to reducing the number and length of vehicle journeys where this is possible.

Parents are legally responsible for ensuring their children attend school up to the age of 16. This policy is designed to provide travel assistance to those children and young people who are entitled to receive this assistance and would be unable to attend their specialist provision without it.

Many Bromley pupils with a statement of SEN do not receive nor require specialised travel assistance. Wherever possible the Council expects parents/carers of children and young people with a statement of SEN to make arrangements for their child to attend school in the same way as for parents/carers of pupils without a statement, as this is an important factor in developing the pupil's independence, social and life skills.

Children of school age (including students in full time education up to the age of 18 years) are entitled to free travel on buses and trams from Transport for London. This is considered suitable for the majority of pupils and young people attending school and sixth forms. Further information is available from: www.tfl.gov.uk.

Some children with SEN may experience problems with mobility or are unable to access public transport safely. This policy is intended to provide clarity regarding eligibility for travel assistance.

Where appropriate travel assistance will be provided in a safe and cost effective manner taking into account the specific needs of the children and young people, the legally recognised walking distances and ensuring the Council as a public body maximises the use of its resources. The SEN Transport Officer will work closely with parents / carers, schools, and where necessary make enquiries of other professionals or agencies, to determine the most appropriate travel solution dependent on individual needs.

Eligibility

The Council will assist parents/carers with travel arrangements where children and young people have significant SEN, a disability or mobility problem such that travel assistance is essential to access their specialist provision. The Council may take family circumstances into account when considering the type of travel assistance to be provided.

Eligibility criteria will be kept under review and subject to consultation with user groups from time to time, and as services are developed.

There are many support services available to manage the conflicting priorities of families. It is expected that parents will have explored these fully before applying for transport assistance. All decisions will be based upon clear medical / specialist advice, evidence of need and parental circumstances.

Travel Assistance for Pupils with a Statement of SEN

The Department for Education distance criteria will be policy from September 2011 for all new applications for Travel Assistance for specialist provision. This is as follows:-

Recognised walking distances

- Children aged up to 8 years old: Over 2 miles from home to school
- Children aged above 8 years old: Over 3 miles from home to school

Where the pupil has a statement of Special Educational Needs (SEN) and the Council has determined and named the special provision in the statement as being the nearest available special provision that is able to meet the child's needs and where the child lives further than the statutory walking distance between home and their specialist provision, travel assistance will be offered.

Transport assistance will be provided at the beginning and end of the normal school day, (or standard attendance times where a reduced timetable has been agreed), and only to the special provision named on the statement.

School Travel Assistance Options

Options that may be offered where travel assistance is agreed:

- An escort to support the parent / carer, help the child / young person to walk / cycle to school.
- Reimbursement of agreed public transport costs.
- Reimbursement of mileage costs at the Council's standard rates for parents / carers to transport their children to their special schools.
- Home to School transport via the Council's / contracted transport providers with or without a passenger assistant. This may be shared with another Council.

Future Travel Assistance Options

Bromley Council support the development of children and Young People's skills and confidence to make journeys safely on their own. Some children and young people who use the home to school transport assistance are already able to use public transport outside of school times. Bromley is currently working towards offering an Independent Travel Training Scheme, to train and support some young people who are deemed to be sufficiently able to cope with travelling independently on public transport for whom this would be a viable option, to travel independently.

Transport assistance is not provided in the following situations

- Where parents choose a school which is not the nearest suitable provision which the Council considers to be appropriate to meet the needs of the child or young person.
- In the event a child has to be taken to school or from school outside of their normal school attendance times due to illness, any type of appointments including Doctors, or any other specialists', exclusion or for any other reason.
- Attendance at school outside of the published School Term Timetable.
- Parental attendance at annual reviews, meetings and school events .

It is the responsibility of the individual school to organise and provide pupil's transport for curriculum activities including examinations, during the school day.

Bromley Council recommends parents consider these and other similar situations carefully when making decisions regarding school choices and be prepared to make suitable transport arrangements should these types of situations arise.

Availability of Escorts

Escorts are provided for all primary school aged children and, depending on individual circumstances for pupils of secondary school age. Any exceptions will be agreed with parents / carers.

Where it would be unsafe for a child or young person to travel without one an escort will be provided. This is usually where a child exhibits severe challenging behaviour or where the child has a severe or complex medical condition requiring continuous support.

Where appropriate we will encourage parents, carers or relatives to act as an escort, in particular when their child is the only passenger. Where children are unable to travel with an escort, especially for pupils at a residential school, a family member will undertake this role.

Journey Times

Journey times for pupils attending primary schools are not normally expected to exceed 1 hour and for pupils at secondary schools no longer than 1 hour and fifteen minutes.

These limits do not apply to schools located out of the borough regardless of the age of the child. Please consider this when making school choices located outside of the borough.

Children attending Residential Special Provision

We encourage parents to take responsibility for taking and collecting their children when they attend residential provision. This strengthens relationships and ensures regular contact with the school is maintained.

The Council will consider all factors and provide suitable transport assistance dependent on need and ability to access and use public transport or other available transport solutions.

Transport assistance for pupils at residential schools may include:

- use of transport service provided by the school to a station or central pick up point. (Parents are responsible for collection and drop off from any designated station / localised pick up points);
- reimbursement of public transport costs;
- reimbursement of parental mileage paid at the Council's standard rates;
- transport provided by the Council or shared with another Council including from designated pick up points. (Parents are responsible for collection and drop off from any designated station / localised pick up points).

Parents may choose to undertake the whole journey themselves and any reimbursement offered will be limited to the lower of the cost the Council would have paid to the School / another Council, parental mileage, or public transport costs.

Where placement is termly residential, transport assistance is provided at the start and end of the school term, half terms, and for periods of whole school closure only. Other journeys are the responsibility of parents, including attendance at annual reviews, additional home visits at weekends or any other time.

Young People Aged 16 – 19 with Special Educational Needs

Most pupils of this age would be expected to use public transport and travel independently because of the beneficial effects this will have on the pupil's life skill development. For a small minority this may not be possible. Applications will be considered against the following criteria:

- The student is aged between 16 and 19 and is on a course of further education at a school or further education college.

- The course is deemed to be suitable and will provide an educational benefit to the student – as assessed by the student’s transition worker and placement officer, nominated by the local authority.
- Where the need for specific travel assistance has been identified in the student’s statement of special educational needs or transition plan.
- Students must live more than 3 miles from school or college and be unable to undertake the journey by free public transport.
- Applications for students who have a disability or learning difficulty that would make it not reasonably practicable or dangerous for them to try to undertake a journey to school or college of less than 3 miles will also be considered. Applications will be assessed on their own merits.
- If a student has been provided with a mobility allowance or vehicle, then additional travel assistance will not be provided.

Students over the age of 19 with Special Educational Needs attending Further Education Colleges

Further education provision is currently under review . At present there is no requirement for local authorities to provide travel assistance to students over the age of 19 except where they are completing a course that they have already started before their 19th birth date.

This area is currently under review and amendments to this policy will need to be considered at a later date. The Director of Children’s Services and or their nominated officer may exercise discretion for any applications where exceptional circumstances are shown.

Appeals

There may be instances where some applications are declined and parents may not agree with the Council’s decision. In these cases the Council will seek professional guidance to assist in the review of their decision. This may include further information from the school and other professionals working with the child or young person.

If parents still remain dissatisfied with the Council’s decision, they have the right to appeal in writing to:

Head of SEN & Disability
 Children & Young People Services
 Civic Centre
 Stockwell Close
 Bromley
 BR1 3UH

If the appeal is unsuccessful, they have the right to appeal to the Assistant Director Access & Inclusion with a final appeal to a panel of 3 Elected Members and a Senior Officer.

In addition, parents continue to have the right to refer to the Secretary of State and the Local Government Ombudsman.