

## **Post 16 Travel Assistance Policy**

***Travel Policy for full time learners aged 16-19 and Continuing adult learners with Education Health and Care Plans aged 19-25***

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# 1. Introduction

This policy sets out the travel schemes and support available, within Cambridgeshire, for the provision of travel assistance for young people/students aged 16-19 or 16-25 for students with Special Educational Needs or Disabilities (SEND).

Independent travel plays a key role in enabling young people to prepare for adulthood, enabling them to access their community and build a skill for life. Where possible, we would expect those attending Post-16 education would be to able to walk or use public transport.

This policy describes the support available for;

- full-time learners aged 16-18 and those learners aged 19 and over, continuing the same course started before they were 19;
- relevant adult learners with Education, Health and Care Plans aged 19-25.

## 1.1 Legislation and Guidance

Through the Education Act 1996<sup>1</sup> and the Apprenticeship, Skills, Children and Learning Act (2009) a Council has a statutory responsibility to consider how it will assist learners to access the appropriate post 16 provision.

Through the Education and Skills Act 2008, from 2014 the age of participation has been raised so that young people will be required to stay in education or training until their 18th birthday. This does not mean that young people must stay on at school once they reach 16; this is still the statutory school leaving age. Instead, they are able to choose from the following:

- full-time education, such as school, college or home education;
- following a full-time work-based learning route (e.g. Apprenticeship); or
- undertaking part-time education or training equal to one day a week if they work, are self-employed or volunteer for at least 20 hours per week.

A Post16 Transport Policy Statement must be in place by 31st May each year.

## 1.2 Policy Aim

This policy document specifies the support that Cambridgeshire County Council (the Council) considers necessary to facilitate the attendance of Post 16 learners in their education or training at;

- a school;
- a further education institution;
- a local authority maintained or assisted institution providing higher or further education;
- a 16 to 19 Academy; or

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<sup>1</sup> Sections 509AA, 508F and 508G of the Education Act 1996

- any establishment (not falling within the above categories) at which the authority secures the provision of education or training under section 15ZA of the Education Act 1996.

It also:

- sets out the criteria against which young people's entitlement to travel assistance will be determined; and
- sets out where discretionary assistance may be provided; and
- sets out the process for reviews and appeals against those decisions.

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## 2. Post 16 Travel Assistance Eligibility Mainstream

- 2.1. Parents/carers and students may be able to purchase passes from bus and rail operators at the same or lower cost than the subsidised rate charged by the Council and are advised to check with operators first before applying to the Council.
- 2.2. For those Students who choose to undertake a **full-time** course of education (a minimum 15 taught hours per week) after the age of 16, the Council will provide **subsidised assistance** to enable them to undertake a course of study at the **nearest appropriate post-16 centre** designated by the Council if they meet **all** the below criteria:
- (a) live within the area where Cambridgeshire is the Local Authority; **and**
  - (b) are under 19 or are on a course of further education which started before they reached the age of 19; **and**
  - (c) are resident at an address which is more than three miles from their nearest appropriate post-16 centre measured by the *shortest available walking route*; **and**
  - (d) either the student or a member of their household are in receipt of one of the following:
    - income support
    - income based Job Seekers Allowance (we do not accept contribution-based job seekers allowance)
    - income related Employment & Support Allowance
    - support under Part VI of the Immigration & Asylum Act 1999
    - guarantee element of State Pension Credit
    - NHS Tax Exemption certificate. (a photocopy/scanned copy of the card stating the expiry date will be required)
    - Universal Credit with a household monthly net income of no more than £935

Copies of original documentation are required as evidence of entitlement to benefits.

**For further details of the subsidised assistance and associated charges, please refer to the Council's current Post 16 Policy Statement.**

### 2.3. Nearest Appropriate Centre (NAC)

The Council defines the Nearest Appropriate Centre (NAC) as the school or college that:

- regardless of county boundaries, is nearest to the student's family home; **and/or**
- where appropriate, named by the Council for travel purposes as the school or college catchment for the student's registered home address; **and**

- offers the main essentials of the course required by the student, both in terms of type and level with regard to higher education and/or career outcomes.

In cases where the nearest centre to the student's home does not offer a particular subject, subject mix (for example at A-Level) or a particular range of module options, travel assistance will not be provided to a more distant centre unless the student is able to provide evidence to demonstrate that their choice of subjects is **essential**, in order to pursue a specific career or higher education pathway.

#### **2.4. Students with a long term medical condition / disability**

A student **may** also qualify for subsidised assistance to their nearest appropriate centre **if** they have a **diagnosed long-term medical or Disability condition** which prevents them from:

- walking to that centre if it is less than 3 miles from their home; **or**
- walking to and from the designated pick up/drop off point; **or**
- accessing the type of free transport provided by the Council (usually a pass for a contract or service bus).

Requests will be considered on a case by case basis and written confirmation from the student's Consultant/GP that transport is **essential** on medical/disability grounds and the period for which is required before consideration will be given to such requests.

#### **2.5. Accelerated School Leavers**

Where a student has progressed through secondary school a year in advance of their chronological age, i.e. is aged 15 when embarking upon a course of further education, the Council will consider them as if they had already reached the age of 16 years for the purposes of determining eligibility for travel assistance.

#### **2.6. Children in Care / Care Leavers**

Children in Care and Care Leavers are eligible for free travel assistance provided they are attending their NAC. Proof of status will be required at the time of application in the form of a letter on headed paper from their Social Worker

#### **2.7. International Baccalaureate (IB)**

The Council will provide subsidised assistance to the nearest centre which offers the International Baccalaureate (IB) if the student meets the criteria set out in section 2.2 above **and** there is an existing transport route.

## **2.8. Apprenticeships**

The Council does not provide travel assistance for apprenticeships on the basis that the young person is earning a wage. The Post-16 Travel Policy is discretionary, and the level of subsidy provided by the Council is for those in full-time education.

## **3. Post -16 Eligibility for Post-16 students with Special Educational Needs, Learning Difficulties and/or Disabilities (SEND) aged 16-25**

### **3.1. 16-19 Travel Assistance**

In addition to the criteria set out in section 2.2, subsidised assistance is available for students who have an EHCP and who;

- attend their Nearest Appropriate Centre (NAC) named within their EHCP; **and**
- live more than 3 miles from this centre **or** are unable to walk this distance as a result of their SEND; **and**
- are unable to access public service travel (bus or train) **or** a service contracted by the Council.

**3.2.** Where a student meets the criteria in section 3.1 and they, or a member of their household meets the income criteria set out in 2.2 (d) **free** travel assistance will be provided.

**3.3.** Where a student does not meet the criteria set out in section 3.1, as they are considered able to travel on public or contacted service, they may apply for subsidised travel assistance under the mainstream criteria outlined in section 2.2.

### **3.4. 19-25 Travel Assistance**

The Council is required to provide free travel assistance, for continuing adult learners aged 19-25 who hold an EHCP, only where it is considered essential to their attendance at their Nearest Appropriate Centre. Students will be required to provide the following evidence supporting why they are unable to make their own travel arrangements:

- other arrangements considered or tried and why they were not suitable;
- whether there is a family member or carer who is able to transport them and, if not, why it would not be possible or reasonable for them to do so;
- whether they are in receipt of higher rate mobility component of the Personal Independence Payment or Disability Living Allowance to assist with their mobility problems, but there are factors limiting its use;
- Whether they have access to a 'Motability vehicle'.

Requests will be considered on an individual basis, taking into consideration the Council's policy, legal duties along with all supporting information provided.

In cases where travel assistance is not considered to be essential, students will be offered subsidised assistance, provide the criteria set out in 3.1 is met.

## **4. Travel Arrangements**

**4.1** Travel assistance is usually provided in the form of a bus pass on a public service **or** contract bus for a return journey to and from the designated pick up/drop off point. at the beginning and end of each official school/college day, during published term dates. Students are expected to make their own way to and from the designated pick up/drop off point.

**4.2** The needs for students with EHCPs are assessed on an individual basis. For those whose needs prevent them from accessing the arrangements set out in section 4.1, assistance will normally be provided by;

- A place on the Independent Travel Training (ITT) Programme.
- A Personal Transport Budget (PTB).
- A place on an existing vehicle/route.

### **4.3 Individual Travel Training Programme**

To support the development of, and to empower learners to become self-reliant travellers, eligible young people with an EHCPs or with special educational needs and/or disabilities, will, where appropriate, be offered a programme of independent travel training.

### **4.4 Personal Transport Budgets (PTBs)**

Where a student with SEND has been identified as being eligible for travel assistance, parents/carers may be offered the option of a PTB. PTBs are discretionary payments made to parents/carers in exchange for full responsibility for transporting the student safely to and from school. PTBs can be used in a variety of ways including;

- Driving the student College school yourself.
- Arranging for a friend or relative to cycle or walk with your child.
- Car share with other parents.
- Getting a bus pass for a friend to accompany the student.
- Paying for a bus pass for the student.
- Paying for childcare for another child – so you can take the student to College.
- Working with the College to join up with other parents.
- Use towards the cost of a taxi or share the cost of the taxi with other parents.

PTB payments are calculated using a flat rate fee of £0.40 per mile for four journeys (home to school and return x 2) per school day. If there is a more cost-effective option (such as a shared transport arrangement), a PTB will not normally be agreed.



All requests are considered on an individual basis and, in exceptional circumstances, an enhanced PTB payment may be agreed by a panel of senior officers, following consideration of all supporting evidence. The following circumstances may be considered, but not limited to;

- Severe medical needs of the student which, during the course of a transport journey, could result in them needing immediate medical attention.
- The student's person's behaviour presenting significant risk to other passengers in the vehicle and/or other transport users.
- The need for a second adult to accompany and support the student.
- The cost per mile of providing a taxi would be considerably greater than paying the parent/carer a PTB despite the home to college journey distance being very short.
- Where there are complex and exceptional family circumstances including the need to get other siblings to and from school, childcare arrangements or working arrangements.
- Other considerations, for example, the age, height and/or weight of the student and their mobility.
- Where an Occupational Therapist or other specialist assessment indicates that a PTB arrangements would be the most appropriate option.

#### **4.5 Individual Transport Arrangements**

Individual transport arrangements will be considered for those students with the most complex needs. Supporting information will be required, evidencing the particular needs which prevent require an individual arrangement, which will be considered by a panel of senior officers.

#### **4.6 Cycle Allowance**

A cycle allowance is available to students who are entitled to travel assistance but who choose to cycle instead of receiving a bus pass. Students can claim £40 per term, payable in arrears. Retrospective payment can only be considered for the current academic year.

#### **4.7 Journey Times**

The Council expects single journey times (excluding the time the student takes to get to and from the designated pick up/drop off point and waiting time between connections) to be reasonable i.e. achievable within a travelling time of 90 minutes.

## 5. Other support available

### 5.1 Bus and Rail Operator Discounts

In Cambridgeshire, bus and rail operators offer discounted travel rates for Post-16 students. These rates may be lower in cost than the subsidised rates offered by the Council. Further information regarding discounts available can be found within the Council's annual Post-16 Policy statement.

### 5.2 Students with Visual Impairments

Students with a visual impairment are entitled to a free concessionary bus pass for travel on public services. Applications need to be made on-line via the Council's webpage - <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/buses/free-bus-pass> . Where travel via a public service is not available due to restrictions on the concessionary pass, the Council may consider providing free travel assistance in this instance if the student meets the low income criteria and is attending their NAC.

### 5.3 16-19 Bursary Scheme

Post 16 centres make discretionary bursary awards to students to help them overcome the individual barriers to participation they face, for example with meeting the cost of travel, or to buy essential books, equipment or specialist clothing. These are items the student would otherwise need to pay for in order to participate.

### 5.4 College run Transport

A number of Post-16 centres across the county operate their own travel routes. Parents/carers and students are advised to contact their Centre directly for further details of arrangements offered, including any associated costs.

### 5.5 Spare Seats on existing council routes

At the Council's discretion, spare seats on existing contract routes, **may** be made available for purchase in order to facilitate access for students who have no other transport means available to them.

Seats on these routes **cannot** be guaranteed and will be subject to availability and the provision of vehicles which meet the Public Service and Vehicle Regulations (PSVAR)

Rates charged are reviewed and published annually. Applications **may only** be submitted from the start of the half-term holiday which immediately precedes the term for which the spare seat is being sought.

It is a condition of acceptance of any offer to purchase a spare seat from the Council that parents/carers confirm their understanding and acknowledge that:

- (a) availability of seats will vary term-by-term;

- (b) availability of seats can only be guaranteed for the term for which payment has been accepted and a bus pass issued;
- (c) changes may need to be made to transport arrangements at short notice;
- (d) seats are offered on a first come/first served basis;
- (e) they and their children must abide by the Council's Code of Conduct for Home to School/College Travel
- (f) the Council is under no obligation to offer spare seats for purchase.
- (g) There is no right of appeal against the Council's decision to not make available the provision of a spare seat.

## **6. Application Process**

For details regarding the application process for Post-16 travel assistance please refer to the Council's Post-16 Policy Statement.

## **7. Review and Appeals Process**

A two-stage travel assistance review/appeals process is available for parents/carers who wish to challenge a decision regarding:

- the type of travel assistance offered;
- their child's eligibility for free or subsidised travel;
- the distance measurement;
- the availability of the route unless the Council has undertaken a review of that route and the parents/carers have been notified in writing that the Council has assessed the route as meeting its criteria as an available route and that it intends to withdraw free travel assistance as a result. In such cases, appeals against such decisions move straight to Stage Two of the process set out below.

### **7.1 Stage 1:**

Parents/carers or students have 20 working days from receipt of the Council's decision to submit a written request asking for a review of that decision.

For students requesting mainstream travel assistance these should be sent to [transportappeals@cambridgeshire.gov.uk](mailto:transportappeals@cambridgeshire.gov.uk)

For students who hold an EHCP these should be sent to [sendtransportappeals@cambridgeshire.gov.uk](mailto:sendtransportappeals@cambridgeshire.gov.uk)

The written request should detail why the parents/carers believe the decision should be reviewed and give details of any personal and/or family circumstances they believe should be considered when the decision is reviewed.

A senior Council officer, independent of the original decision, will review the original request/application within 20 working days of receipt of the parents' written request and write to the parents to inform them of the decision including:

- the rationale for the decision reached;
- how the review was conducted;
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- information about escalation to Stage Two (if appropriate).

## **7.2 Stage Two:**

Parents/carers or students have 20 working days from receipt of the Council's Stage One decision to make a written request to escalate the matter to Stage Two.

- Within 40 working days an Appeals Committee, who have received appropriate training considers, written and verbal representations from the parents/carers, case work officers and/or other relevant council officers and reaches a decision on the case.
- If the appeal is unsuccessful and the parents consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal was handled, they can lodge a complaint with to the Local Government Ombudsman.
- If the parents consider the appeal decision to be flawed on public law grounds, they can apply for judicial review.

A further appeal **will only** be considered if there has been a clear change of circumstances, for example, a change of school or address. A change of year group alone would not constitute a change of circumstances,

### **Please note**

- If a child is under 16 years of age, the right of appeal can only be exercised by a parent.
- If a child is 16 or 17 years old, the parent or the young person can exercise the right of appeal.
- If a child is 18 years old, only the young person has the right of appeal.

## **8. Complaints Process**

Parents/carers or students who, having followed the above review and appeal process, remain dissatisfied with the Council's decision may refer the matter to the Local Government Ombudsman (LGO). The LGO will not usually consider cases unless they have been through the full review and appeal process.

Further information regarding how to make a complaint to the Ombudsman can be found on their webpage [www.lgo.org.uk](http://www.lgo.org.uk).

## **9. General Information**

- 9.1** The Council issues photo identification bus passes and operates a 'no pass, no travel' policy
- 9.2** If a student loses their pass they must immediately inform the Council's Passenger Transport Team. If a student withdraws from their post-16 studies at any stage, they must return their pass immediately to the Passenger Transport Team. If the pass is returned and received.
- (i) before half term, a refund will be issued for the term in question and any subsequent terms for which payment has been made.
  - (ii) after half term, no refund will be issued for the term in question. Payments for subsequent terms will be refunded
- 9.3** If a student changes their post-16 course at any stage, they must submit a new transport application.

### **9.4 Behaviour on Council Contracted Transport**

The Council has a published Code of Conduct which applies to all children/young people regardless of their mode of travel. They are expected to behave appropriately in accordance with the Code.

The Code is available to download from the Council's website [www.cambridgeshire.gov.uk](http://www.cambridgeshire.gov.uk) and copies are available in all schools.

Children/young people travelling to school/college by service or contract vehicle using a pass supplied by the Council who misbehave, cause damage or injury either to the vehicle or other passengers, can expect to have their pass withdrawn either temporarily or permanently by a Designated Senior Officer.

Once a pass is withdrawn, the parents/carers of the child/young person concerned will be responsible for ensuring that they are able to attend school regardless of the grounds on which they qualified for transport. There is no right of appeal against a transport ban.