

PROPOSED AMENDMENTS TO SPECIAL EDUCATIONAL NEEDS (SEN) HOME TO SCHOOL TRANSPORT POLICY

To: **Cabinet**

Date: **14th June 2011**

From: **Executive Director: Children and Young Peoples Service**

Electoral division(s): **All**

Forward Plan ref: **N/A**

Key decision: **No**

Purpose: **To propose amendments to the Special Educational Needs (SEN) Home to School Transport Policy agreed by the Cabinet meeting on 24th May.**

Recommendation: **That Cabinet approves the proposed changes to the Special Educational Needs (SEN) Home to School Transport Policy.**

<i>Officer contact:</i>	<i>Member contact</i>
Name: Judith Davies	Name: Cllr David Brown
Post: Head of Commissioning Enhanced Services	Portfolio: Cabinet Member for Children
Email: Judith.davies@cambridgeshire.gov.uk	Email: david.brown@cambridgeshire.gov.uk
Tel: 01223 729150	Tel: 01223 699173

1.0 BACKGROUND

- 1.1 When children receive a Statement of Special Educational Needs (SEN) the Local Authority (LA) has to identify what provision is needed to meet the child's needs and then make it available. In order to access some of the specialist provision set out in statements, such as a special school or unit, children have to attend schools that are not their local catchment school. Under these circumstances, the LA will provide transport free to and from school.
- 1.2 At its meeting of 24th May Cabinet agreed a revised SEN Transport Policy which would contribute to achieving planned savings on the SEN Transport Policy over the next five years. Some concerns have been expressed in respect of the detail of the Policy and one error has been identified. This paper sets out proposed changes to the SEN Transport Policy which will provide greater clarity for families.
- 1.3 The changes will not impact on the delivery of savings or the implementation of the Policy. It must be emphasised that children entitled to receive free transport from the County Council will receive that transport. Cabinet also emphasised at their last meeting that the Policy should be implemented flexibly and with discretion in order to ensure that parents were not placed at a significant economic or social disadvantage as a result of the agreed changes. The Service Director: Strategy and Commissioning has delegated powers to vary the application of the policy to reflect the circumstances of individual families. These delegated powers will be applied as necessary.

2.0 Proposed Changes

- 2.1 A revised SEN Transport Policy is included at Appendix 1.
- 2.2 It is proposed to make the entitlement to transport clearer by amending paragraph 8.3 of the Policy from "Free transport may be provided to child/young person with statements of SEN if..." to "Free transport **will** be provided to child/young person with statements of SEN if..."
- 2.3 The requirement that parents submit written evidence of as to why they cannot provide their own transport previously at paragraph 8.4 (iii) of the Policy has been deleted. This requirement was included in the Policy in error. It was not intended that parents should be compelled to transport their children in return for funded mileage.
- 2.4 The approach to transporting children to out county special school placements has been altered at paragraph 8.10 to ensure greater clarity and consistency with transport to in county special schools. Parents will be asked to transport their children to out county placements but will not be compelled to do so.

3.0 ALIGNMENT WITH PRIORITIES AND WAYS OF WORKING

3.1 Supporting and protecting vulnerable people when they need it most

The proposed changes make the entitlement of families to home to school transport clearer and reinforce the fact that parents/carers in families eligible for free transport will not have to transport their children.

3.2 Helping people live healthy and independent lives in their communities

The proposed changes do not impact on this priority

3.3 Developing the local economy for the benefit of all

The proposed changes do not impact on this priority

3.4 Ways of Working

The changes reinforce the expectation as expressed by Cabinet that the Policy will be implemented flexibly and should not disadvantage individual families.

4.0 SIGNIFICANT IMPLICATIONS

4.1 Statutory, Risk and Legal Implications

The legislation relating to the County Council's duty is as follows:

Education Act 1996 509
SEN Code of Practice (2001)

The proposals within this report comply with the above legislation.

4.2 Equality and Diversity Implications

No implications arising from the proposed changes

4.3 Engagement and Consultation

The proposed changes do not impact on the proposal consulted on with parents earlier in the year.

Source Documents	Location
None	