

## Urgent Decision Taken on Behalf of Cabinet

Report to the Leader of the County Council and the Cabinet Member for Education and Skills

Report submitted by: Executive Director of Education and Children's Services

Part I

Electoral Division affected:  
(All Divisions);

### Special Educational Needs and Disabilities Home to School Transport Policy Update

Contact for further information:

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#### Executive Summary

The Special Educational Needs and Disabilities (SEND) Home to School Transport policy was last updated in 2013/14. Steps have now been taken to review and update this policy, which resulted in the development of a draft Special Educational Needs and Disabilities (SEND) Home to School Transport Policy. Cabinet gave approval for wider consultation of this draft policy on 10 June 2021. This report provides a summary of the results of this consultation and seeks approval to implement this policy from 1 September 2021.

This is deemed to be a Key Decision and the provisions of Standing Order C21 have been complied with.

#### Reason for Urgency

This decision is urgent and cannot await the next meeting of Cabinet on 2 September 2021. The reason for this is due to the intention to implement the policy from 1 September 2021.

This decision is therefore being taken on behalf of Cabinet by the Leader of the Council and the Cabinet Member for Education and Skills in accordance with the provisions of Standing Order C16(1).

#### Recommendation

The Leader of the County Council and the Cabinet Member for Education and Skills are asked to:

- (i) Receive and note the outcomes of the consultation in relation to the draft Special Educational Needs and Disabilities (SEND) Home to School Transport Policy; and

- (ii) Approve the use of the Special Educational Needs and Disabilities (SEND) Home to School Transport Policy from 1 September 2021 as set out at Appendix 'A'.

This decision should be implemented immediately for the purposes of Standing Order C29 as any delay could adversely affect the execution of the county council's responsibilities. The reason for this is set out in the report.

### **Background and Advice**

The draft Special Educational Needs and Disabilities (SEND) Home to School Transport Policy supplements the Home to Mainstream School Transport Policy. The Home to Mainstream School Transport Policy enables the county council to fulfil its statutory responsibility to provide transport assistance for children of statutory school age.

Free school transport must be provided for any child living outside of the statutory walking distance of the nearest qualifying school. For children between the ages of five and eight years the statutory walking distance is two miles. For children between the ages of eight and sixteen years the statutory walking distance is three miles. For children from low income families the statutory walking distance remains two miles up to the age of sixteen years. A qualifying school is one that has places available and can provide education appropriate the age, ability and aptitude of the child. The statutory distance is measured by the shortest route along which a child, accompanied if necessary, may walk safely. These distances apply to all children of statutory school age whether they have special educational needs or not.

The draft SEND Home to School Transport Policy relates to children who live within the statutory walking distance of the nearest qualifying school but who cannot reasonably be expected to walk to school because of their special educational needs or disability. A copy of the proposed SEND Home to School Transport Policy is set out at Appendix 'A'.

The draft SEND Home to School Policy was written in response to a review of the county council's Passenger Transport & Fleet Services that was undertaken in 2019 by Edge Public Sector Solutions. A few areas for development were identified during this review that included the following:

- greater emphasis on travel assistance and increasing the range of travel options to children and their families.
- better collaboration across services within the county council to support decision-making and the review of transport arrangements.
- refreshing the travel training programme to support greater independence and preparation for adulthood and which might include for example the use of group pick-up points in the first instance.
- providing support and encouragement for walking or cycling with supervision.
- more favourable mileage payments to parents/carers who able to take their children to school.

The main changes that were introduced into the draft policy as a result of the Edge Public Sector Solutions' review are as outlined in the Cabinet report of 10 June 2021 and are provided again below:

- the delivery of a structured independent travel training programme and the provision of free/subsidised travel passes where appropriate for some children.
- encouragement with parents/carers to do all that is reasonable to support their child getting to school.
- the introduction of a Transport Assistant Grant, which is anticipated to be more attractive to parents and carers so they will be able to transport their children, to and from school, in some circumstances.
- officers within the Integrated Transport Service to conduct a rigorous periodic review, with school and parents, of the transport provided.

The draft policy was subject to a period of consultation between 21 June and 18 July 2021. The results of the consultation are set out at Appendix 'B' and an overview of these are provided below.

A total of 24 responses were received during the consultation; nine (38%) respondents agreed with the proposed policy, 12 (40%) disagreed with the policy and three (13%) neither agreed nor disagreed. The reasons respondents gave for not agreeing with the proposed policy tended to be associated with concerns about how children and young people would access education if their existing transport arrangements were discontinued. Some of these respondents referred to the vulnerability of children and young people when using public transport. These concerns were similar to those made by other respondents in relation to the travel training programme even though many who referenced this directly were supportive of the approach. A limited number of respondents were concerned that the overriding purpose of the proposed policy was to reduce costs and a similar number raised concerns about the scope of the policy, for example that it did not extend to young people over the age of sixteen and that transport was not provided for other family members.

There were a limited number of responses to the question about how the draft policy might be improved. Three of these respondents did not think any changes were needed to the draft policy. The others can be grouped into three main themes and which related to the need to give more consideration to the needs of individual children and young people, whether to increase or maintain existing funding levels for transport and SEND services more generally and whether the scope of the draft policy should be extended to include those over the age of 16 years.

Some of the responses provided above indicate that the draft SEND Home to School Transport Policy lacks clarity. Some changes in relation to the wording of the draft version that was submitted to Cabinet in June have been made in order to address this. The new proposed policy is set out at Appendix 'B'. It should be noted however no substantial changes have been made to the content of the policy in addition to those identified above. The policy will enable the county council to take steps to address some of the significant budget challenges that are apparent across core operations, while maintaining the quality and flexibility of services provided in order

to meet the transport needs of children with special educational needs and disabilities.

The Equality Impact Analysis relating to this draft policy is set out at Appendix 'C'.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

There are no significant risks arising from the proposals in the report.

### **Financial**

The service has previously agreed savings of c£1.3m to deliver relating to transport for children and young people with SEND which are budgeted to be delivered from 2022/23. The policy changes proposed within the report alongside service efficiencies through investment in new route planning software are expected to deliver these savings.

### **List of Background Papers**

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

**Urgent Decision Taken on behalf of Cabinet: Declarations**

**Leader of the County Council**

**Special Educational Needs and Disabilities Home to School Transport Policy Update**

Original recommendation, as set out in the report, approved without amendment. Yes/No \*

Original recommendation amended and decision as follows: Yes/No \*

I have a pecuniary/non-pecuniary interest in this matter. Yes/No \*

If an interest is declared please give details below:

.....  
Leader of the County Council

insert date

**Chief Officer**

I certify that this is an appropriate and accurate record within the terms of Standing Order C30(2) and (3) of the decision taken by the Cabinet Member.

.....  
insert title of authorising officer

insert date

\*Delete as appropriate

**This decision is to be taken by more than one Cabinet Member and all relevant Cabinet Members must be in agreement with the decision**

**Urgent Decision Taken on behalf of Cabinet: Declarations**

**Cabinet Member for Education and Skills**

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