

## **Cabinet – 14 December 2016**

### **Home to School Transport Consultation**

**Portfolio:** Councillor Burley – Children's Services and education

**Service:** Children's Services

**Wards:** All

**Key decision:** No

**Forward plan:** No

#### **1. Summary**

- 1.1 This report presents the findings from the consultation on the home to school transport policy in the Borough of Walsall. A number of proposals were put forward for public consultation following the meeting of Cabinet on 7 September.
- 1.2 The consultation had two themes. What did people feel about the idea of the Council reducing its home to school transport policies to the statutory minimum (removing discretionary areas such as support for children who were 'rising 5'; the walking distance for children aged 8-11 from 2 to 3 miles and in support for young people with special educational needs and disabilities who are aged 16 or over)? What did people feel about the Council providing home to school transport in different ways, particularly transport for children with special educational needs and disabilities (through the development of personal travel budgets and through independent travel training, for instance)?
- 1.3 There was opposition to the idea of removing transport support for young people with special educational needs and disabilities who were aged 16 or over, though some support for the idea of introducing charging instead. There was some opposition to the idea of removing support for 'rising 5s' and raising the walking distance for 8-11 year olds from 2 to 3 miles. There was support for the idea of developing personal travel budgets and independent travel training for young people with special educational needs and disabilities, with views expressed that it should be for those young people for whom it was appropriate, that it took account of their needs and that parents/carers would be involved in the decision making.

#### **2. Recommendations**

- 2.1 That Cabinet consider the results of the consultation on home to school transport policies in Walsall and the suggested recommendations in Section 3.7 of this report.
- 2.2 That Cabinet receive a revised home to school transport policy at their meeting in February 2017, to be issued for further consultation in the spring in the light of the findings from this consultation.

### **3. Report detail**

3.1 The consultation period ran from 16 September to 1 November. It followed the report to Cabinet on Home to School transport on 7 September.

3.2 The consultation involved:

- A section on the Council website's Consultation pages with a consultation document that could be downloaded and returned; an online questionnaire for residents and parents to complete;
- A consultation document issued to stakeholders- all schools in Walsall via The Link schools newsletter, colleges, dioceses, other local authorities, parents groups etc.;
- Briefing reports to /reminders to schools and governors via The Link and Governors' briefing;
- 700 hard copies of the questionnaire posted to parents of children who use Special Educational Needs transport; plus a separate questionnaire for young people to complete and return;
- 6 drop in meetings across Walsall for parents and others to 'have their say' over the consultation period; these were held at different times of the day and offered nearly 20 hours of potential 'contact time' with officers;
- Two meetings with headteachers of special schools on the transport review (with, at one of which they were encouraged to hold sessions with pupils on 'transport') and Parent Participation groups.

3.3 In response to the consultation:

- 141 questionnaires were completed, either on line or returned by post (20% of those issued);
- 123 young people responded to the consultation and returned questionnaires;
- 10 written returns from organisations, individuals and other interests;
- A composite response from parents' groups - Walsall FACE (Families And Carers Empowerment) and its constituent organisations, including a second survey of parents/carers;
- 21 people attended the drop in sessions. These events yielded valuable qualitative information. There were a number of phone conversations with parents and also written submissions to elected members to which we have responded.

3.4 **Appendix 1** provides an analysis of the responses to consultation.

### 3.5 Summary of findings

#### General Eligibility

1. The first question was, whether to retain the two areas of discretion in the General home to school transport policy or whether to reduce provision to only the statutory requirements. What that means is that, other than in exceptional circumstances, there would be no support for parents/carers of children who are 'rising 5s' and that the 'walking distance' from home to school for children aged 8-11 (Years 5 and 6) be raised from 2 to 3 miles. In 2015/16, no one requested or received this type of travel support from the council.

**Q1a. What do you think about the proposal to remove travel support for Rising 5s? How, if at all, might this impact on you, your child or those you support or work with?**

**Q1b. What do you think about the proposal to increase the walking distance for 8-11 year olds from 2 to 3 miles?**

*In both cases, between 42-50% of people who responded to the parent questionnaire were 'Don't know' or did not respond to these questions. 31% (40) were against the 'Rising 5s' proposal, 19% (25) were in favour. 35% (44) were against raising the 'walking distance' for children aged 8-11, while 22% (28) were in favour.*

*Written or verbal responses tended to support the retention of these policies ("if it's not costing anything, why change?"). Parents of children with special needs pointed to the possible detrimental effects of these proposals on families getting children to a number of schools at the same time, mainstream and special.*

#### Children with Special Educational Needs and Disabilities (SEND)

##### Eligibility

2. The second question centred on the issue of determining eligibility for transport support for children with special educational needs and disabilities. The proposal was that clear special needs criteria for determining eligibility for transport assistance from the Council be published, the presumption being that those children and young people with lower levels of special educational needs would be less likely to qualify for assisted transport support, other than in exceptional circumstances. Further, that continuation of transport support should be conditional on a review and re-assessment annually.

**Q2a. Should a child's transport needs be reviewed regularly? If so how often?**

*The answer was, generally, yes transport needs should be reviewed regularly, annually and/or at transition from primary to secondary. Of parents who responded via the questionnaire, 36% (50) said it should be annually, at the review of the statement of Education, Health & Care plan. 21% (29) said it should be on request of the parent/child; 13% (18)*

***said it should be on transfer between schools; 16 (11%) said it should be every other year, 6% (9) saying at the end of each Key Stage while the remainder gave other views or said 'Don't know'.***

***Parents groups' views were similar to the views of those who filled in the questionnaire. It should be done at the Annual Review. Clear eligibility criteria should be published, but should be co-produced and realistic as not 'one size fits all'.***

***A number of parents made the point in the meetings about 'transport' needing to be more joined up with Education, Health & Care planning so parents would not have to give the same information twice. Eligibility criteria need to be clear. "Consultation should be a conversation with parents about the best form of transport".***

### **Independent Travel Training**

3. The third item for consultation asked people about developing and promoting Independent Travel Training as a central service in Walsall and applying it in particular at transitional stages (e.g. the Year 6 to Year 7 school transfer). Further, to consider whether to make ongoing transport support dependent on the parents/carers/child agreeing to an assessment of the young person's suitability for Independent Travel Training. In addition, whether to offer bicycle loans or grants to successful students instead of a bus pass.

**Q 3a: What do you think about the idea of giving independent travel training to children with special educational need and disabilities for whom it is suitable?**

**Q3b. Should Independent Travel Training be offered to children on transfer from primary to secondary school?**

**Q3c. If parents refuse a travel training assessment, should the council be entitled to withdraw ongoing home to school travel support?**

**Q3d. Should bicycle loans or grants be offered to students who successfully complete independent travel training instead of a bus pass?**

***In summary, there was a mixed response to these questions. More people are in favour of Independent Travel Training (ITT) in principle than are not; but there is quite a lot of concern about ITT not being appropriate for some children with SEND, particularly the more vulnerable children with more complex special educational needs, and concerns over how children will be assessed. There is strong resistance to the idea that if parents refuse an assessment then the council should be entitled to withdraw ongoing support. There is support for the idea of offering travel passes or bicycle loans or grants for travel trained young people.***

***In the parents' questionnaire, in response to Q1a, 54% (76) either Agreed or Strongly Agreed with the idea of providing Independent Travel Training where it is appropriate, 19% (27) either Disagreed or Strongly***

***Disagreed; 27% (38) did not know.***

***The Parents groups' response was more mixed- 31% agreed, 29% disagreed with the idea of ITT. Concern was expressed over how assessments would be carried out, using what criteria. ITT is "an exciting prospect" but concerns over safety, child protection, responsibility and planning needs to be addressed.***

***In some local authorities, ITT is provided on when a young person transfers from primary to secondary school. In the parents' questionnaire, in response to Q1b, 40% (56) Disagreed with the idea of giving ITT on primary/secondary transfer, 31% (43) Agreed, while 29% (41) said Don't Know.***

***For 3b, more people, 44% (61) Disagreed with the idea of making ITT assessments compulsory for children for whom it was suitable than Agreed - 31% (43), while 25% (34) were Don't Know.***

***For 3c, the idea of ongoing home to school travel support being conditional on parents agreeing to a travel training assessment elicited the response of 68% (94) Disagree, 11% (15) Agreed, with 30 (22%) saying Don't Know.***

***Parents groups' responses to 3b and 3c were 'Disagree' - 71% and 83% respectively.***

***There was support from parents who completed the questionnaire to the idea of providing regional travel passes – scored 78% (99) ; or Term time only bus passes – scored 25% (32); bicycle loans or grants – scored 12% (15).***

## **Personal Travel Budgets**

4. The fourth area for consultation was whether to establish a Personal Travel Budget scheme as the Council's principal Local Offer of transport support for families of children with special educational needs in Walsall where ITT is not suitable and other transport solutions do not provide best value for money.

**Question 4: Should Personal Travel Budgets be offered where Independent Travel Training is unsuitable and where other transport solutions do provide best value for money?**

***In the parents questionnaire, 41% (56) Supported the idea of offering Personal Travel Budgets (PTBs), 27% (37) Did not, while 33% (45) Did not know.***

***From the parents' groups, 45% Disagreed, 21% supported the idea, 34% did not know "many stating that it is depended on need and there was not enough information on what a Personal Budget is or what if offered". It could be a backward step for those children travelling quite independently to school in buses, minibuses or taxis.***

***From the drop in sessions, people felt it was right to give people the***

***option of a Personal Travel Budget.***

***So overall, there is support for the idea of PTBs; though a number of responses were made in the drop in sessions that it would not work for them- there were family circumstances, parents at work, other siblings going to school at the same time; complex needs children needing a second adult in the car etc. Also that it would depend on how much the PTB was worth.***

***Those against pointed to the effect of increasing the number of cars on the road and congestion at special schools. A few respondents, including the Information and Advice service, said PTBs should be available even where it does not represent VFM to the council as it was part of the Local Offer.***

**Post 16 Transport Policies**

5. The fifth area for consultation was to remove direct support for students over the age of 16 with special education needs and disabilities by amending the Council's post 16 transport policy through the discontinuation of discretionary travel assistance for post-16 students with SEND.

**Q5: Should the current policy to provide discretionary travel support for young people aged 16+ with special educational needs and disabilities, who are in formal education or training, be removed?**

***There was very little support for this proposal from the questionnaire and the written responses. In the parents' questionnaire, 8% (11) said Yes, 67% (87) said No, while 26% (34) were Don't Know. Walsall College said that parents should be asked to contribute towards transport and that this should be means tested.***

***From the parents' groups, 80% were against, 2% in favour.***

***From the drop in events, no one was in favour. There were some strongly held views that it would be totally wrong and unfair to withdraw financial support post 16. This was about helping vulnerable young people often with complex needs get an education. The proposals were considered by some to be discriminatory and targeting young people with special needs and disabilities. Young people were required to stay on in some form of education post 16. There was a gap in legislation.***

***One school's representative pointed out that the post 16 young people in special schools were not as able as other post 16 students and needed the support to get to school and access their education.***

## **Parental Contributions**

**For Consultation 6:** Whether to request parental contributions towards discretionary post 16 SEND transport as a contribution towards costs savings. Also, that the use of existing family resources including Disability Living Allowance and adapted vehicles be sought on an equitable basis to help some young people with SEND to travel to and from their school.

**Q 6a: Should parents/carers be asked to contribute to the costs of post 16 transport instead of removing it?**

**Q6b: More generally, is it reasonable to ask parents/carers who have a Motability car to use this vehicle to transport their child/children to/from school?**

*From the parents' questionnaire in response to 6a- 21% (29) said Yes in response , 49% (67) said No, while 29% (40) said Don't Know , whether it was reasonable to ask parents to contribute to the costs of post 16 transport rather than removing it.*

*The parents groups' said that removal of Post 16 transport was very strongly disagreed with, however given a choice, it was felt that contributions were a preferable option ("overall, it was seen in a positive light") though urging caution over doing this without consultation, coproduction and legal advice.*

*In the drop –in sessions, there was more agreement to the idea of charging than not if free post 16 transport were removed (it was 'fair enough'), though there was also opposition to the idea on grounds of fairness and ability to pay. The view was expressed that children with disabilities were being hit in other ways too.*

*On Motability, from the parents' survey, more people supported the idea of using motability cars than not – 47% (66) said it was reasonable; 36% (51) said it was not; while 16% (23) did not know.*

*The parents groups' response was that 22% agreed, 36% disagreed with the proposal while 42% said they did not know. As with the use of personal travel budgets generally, it was not practical for parents to make their car available.*

*In the drop in sessions, responses were split as to whether motability cars should be taken into account. There was some sense that the car should be used to take children to school unless there were extenuating circumstances. The local authority cannot require parents to use their cars, it can request them.*

*The IASS (Information Advice & Support Service) response pointed out that a DLA (Disability Living Allowance) is for the increased costs of caring for the child. It does not absolve the Local Authority of their statutory duty to provide transport. The LA can legitimately request, but not require, parents receiving DLA for the child to use this to provide transport.*

### **Plus Q7: Any other comments?**

***A number of those consulted referred to what they saw as the impact of some of the proposals in terms of the effects on individual rights regarding Equality, Disability & Children's Rights, particularly those where they saw that transport support could be removed.***

## **3.6 Young people's views**

Young people who use transport were sent a questionnaire so they could have their say about home to school transport. 123 completed questionnaires were returned, from children and young people aged between 3 and 19.

The largest number of young people go to and from school in a minibus – 53% (65); followed by those who travelled by coach – 19% (23). 16% (20) shared a taxi with others; 8% (10) went in a taxi on their own. The remaining 4% (10) went some other way, including by family car.

73% (90) of young people said they felt “very happy” about how they got to and from school; 17% (21) were “happy”; 7% (9) were neutral; 2% (2) “unhappy”; 2% “very unhappy”.

What would improve their experience of getting to school? There were a few comments about taxis needing to be on time, but most young people said how happy they were with the current service: “Nothing [would improve it]. I love my bus. It makes me laugh”.

The preferred forms of transport were: minibus (48%); coach (17%); shared taxi (12%); solo taxi (10%); family car (6%); independent travel (1%); some other way (4%).

Things that were important to young people in getting to and from school were scored as follows: Safety (91%); friendly driver/attendant (88%); getting picked up on time (74%); a comfortable ride (68%); a clean vehicle (63%); someone to help me get on and off (54%); seeing my friends (44%); room for my wheelchair/school bags (33%); feeling/being independent (30%); something else [such as having the same driver and people who understood their behaviours and disabilities] (2%).

Parents and carers were also asked their views of the service. 77% (113) were “very satisfied” with their child's current home to school transport arrangements; 18% (26) were “satisfied”; 4% (6) were “dissatisfied”; 2% (3) were “very dissatisfied”.

A number of positive comments were made by parents/carers at the drop-in sessions about the transport service, its staff and the quality of service from a number of the contractors. In the parents' questionnaire survey, 73% said they were Very satisfied with the current home to school transport service; 18% were Fairly satisfied; 4% were Dissatisfied; and 2% were Very dissatisfied.



### 3.7 **Summary of issues for consideration**

#### **General Eligibility**

Whether to retain the areas of discretion in the General home to school transport policy or whether to reduce provision to only the statutory requirements. Other than in exceptional circumstances (such as where the walking route was assessed as unsafe), there would be no support for parents/carers of children who are 'rising 5s' and that the 'walking distance' from home to school for children aged 8 -11 (Years 5 and 6) be raised from 2 to 3 miles.

It is recommended that the following be included in the revised policy:

- i. That the area of discretion be retained in respect of children who are 'Rising 5s';
- ii. The 'walking distance' from home to school for children aged 8-11 of age (Years 5 and 6) be raised from 2 to 3 miles.

#### **Children with Special Educational Needs and Disabilities (SEND) – Eligibility**

That clear criteria for determining eligibility for transport assistance from the Council be published, the presumption being that those children and young people with lower levels of special educational needs would be less likely to qualify for assisted transport support, other than in exceptional circumstances. Further, that continuation of transport support should be conditional on a review and re-assessment annually.

It is recommended that the following be included in the revised policy:

- i. That a revised transport policy should make clear how eligibility for support for children with special educational needs transport is determined;
- ii. That, where possible, eligibility for transport support be reviewed annually, ideally as part of the review of a statement of special educational need or an Education Health and Care plan.

#### **Independent Travel Training**

Whether to develop and promote Independent Travel Training as a central service in Walsall and apply it in particular at transitional stages (e.g. the Year 6 to Year 7 transfer). Further, to consider whether to make transport support dependent on the parents/carers agreeing to an assessment of whether Independent Travel Training is appropriate to the young person. And whether to offer bicycle loans or grants to successful students instead of a bus or metro pass.

It is recommended that the following be included in the revised policy:

- i. That the Council expects parents carers of children with special educational needs and disabilities who are eligible for assistance with transport support to consider the offer of Independent Travel Training scheme, where it is appropriate and developed in cooperation with parents.
- ii. That a revised transport policy should include schemes of travel passes, including metro passes, and bicycle loans or grants for those young people who complete independent travel training.

## **Personal Travel Budgets**

Whether to establish a Personal Travel Budget scheme as the Council's principal Local Offer of transport support for families of children with special educational needs in Walsall where there is a financial saving to the Council.

It is recommended that the following be included in the revised policy:

- i. That the pilot Personal Travel Budgets scheme be adopted as part of the local offer of transport support for families with children with special educational needs and disabilities where appropriate and where it represents value for money to the Council.

## **Post 16 Transport Policies**

The proposal is to remove direct support for students over the age of 16 with special education needs and disabilities by amending the Council's post 16 transport policy.

It is recommended that the following be included in the revised policy:

- i. That the proposal to remove direct financial support for transport for students over the age of 16 with special educational needs and disabilities should not be adopted.

## **Parental Contributions**

That parental contributions towards the cost of discretionary transport (post 16 students with SEND) be required as a contribution towards costs savings. Also, that the use of family resources including Disability Living Allowance and adapted vehicles be sought on an equitable basis to help some young people with SEND to travel to and from their school.

It is recommended that the following be included in the revised policy:

- i. That a scheme of charges for transport for young people with special educational needs and disabilities who are aged 16 or over be prepared for consideration and consultation in the revised transport policy in the New Year. Such charges should take account of ability to pay, the nature of the journey and the special educational needs or disabilities of the young person.
- ii. That the use of family resources, such as a motability vehicle, should be considered as a potential contribution to meeting transport needs in cooperation with parents.

## **4. Council Priorities**

### **4.1 Lifelong health, wealth and happiness**

The changes proposed to this service will ensure the continuation of suitable, safe home to school travel assistance for eligible children in accordance with the Council's statutory duties. Independent Travel Training leads to the acquisition of an important life skill. The post 16 transport policy sets out information and sources of direct and indirect support with transport for young people in Walsall. The policy contributes to the Council priority of increasing good education and training opportunities and life chances for all in the Borough.

## **5. Risk Management**

- 5.1 The impact of the possible withdrawal of direct support for the transport of students aged 16 or over and who have special educational needs and disabilities can be mitigated through the availability and claiming of concessionary fares and bursaries or grants that can be obtained via the student's post 16 school or college.
- 5.2 The removal of post 16 transport support by the Council for students with SEND would be phased in. There would be a term's notice of a policy change.
- 5.3 The granting of Personal Travel Budgets to families will not have an impact on any benefits they may receive or their tax position, as the Personal Travel Budget is for the benefit of their child/children.

## **6. Financial Implications**

- 6.1 For 2015/16 financial year, Home to School Transport reported an overspend position of £0.323m against a total budget of £1.861m. Permanent corporate investment identified for demand led children services was included within the 2016/17 budget in order to fund the ongoing pressure within transport services.
- 6.2 As part of the 2016/17 budget setting, saving proposals of £0.250m for 2016/17 and £0.225m for 2017/18 were approved to be delivered via a review and the implementation of a revised Transport policy along with a number of operational efficiencies. The saving proposal for 2017/18 (£0.225m), has subsequently been reduced to £0.100m and is currently included within the Draft Revenue Budget currently in consultation.
- 6.3 Financial modelling has taken place to consider the existing cohort of service users and the impact the revised policy and proposals could have on the current costs. The delivery of savings will depend on the take up of the proposed offer along with the level of support required for existing services users in any transition period. The two identified areas for savings are as follows:
  - Post 16 transport policies –the current cost of providing direct transport support for students with SEND aged 16-18 is c£0.300m for a full financial year. As detailed within the report, services aimed at mitigating the impact of this policy change would be provided to support the affected cohort and therefore some level of costs would remain. Cost reductions of circa £0.200m are identified as a realistic forecast, assuming this policy were to be withdrawn following consultation.
  - Children's Services has reviewed a proportion of existing transport users to determine how the revised policies could impact on transport support going forward along with the associated cost reductions. Cost reductions of circa £0.130m are identified as a more realistic forecast.
- 6.4 The current forecast position for 2016/17 continues to report an overspend position of circa £0.280m associated with the delay in implementing a revised policy and is currently being managed on a temporary basis within Children's Services Action Plan until the savings can be delivered in 2017/18. Should the policy detailed in the report not be fully adopted, with a large proportion of the savings generated through

ceasing post 16 travel policies, then the current level of savings identified cannot be delivered and therefore result in a Council budget shortfall.

## **7. Legal Implications**

- 7.1 The Council has to ensure that Home to School Transport arrangements are set within the context of the Education Act, 1996, Section 509(1). This obliges Local Authorities to make transport arrangements if they consider it necessary to facilitate a pupil's attendance at school. Section 509(2) of the Act states that if the Local Authorities considers transport to be necessary, it must be provided free of charge. Section 508C of the Act gives Local Authorities discretionary powers to make school travel arrangements for other children not covered by section 508B. Such transport does not have to be provided free of charge.
- 7.2 The SEND Code of Practice 2015 says that the Local Offer must include information about arrangements for transport provision, including those up to age 25 with an Education Health and Care plan, and this should include Local Authorities' policy statements. Each Local Authority must have clear general policies relating to transport for children with special educational needs or disabilities that must be made available to parents and young people. Such policies will set out the transport arrangements that are over and above those required by the Education Act 1996 (Section 508B).
- 7.3 Local Authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or otherwise that the authority considers it necessary to make to facilitate attendance of all persons of sixth form age receiving education or training (section 509AA of the Education Act 1996).

## **8. Procurement Implications/Social Value**

Contracts to provide home to school transport are awarded via a framework agreement. Private contractors (bus and taxi services) are largely Walsall based companies. Bids are also received and services are provided by local not for profit community transport organisations. Further, there are contracts with a number of Walsall's schools to provide home to school transport services for their own pupils on behalf of the Council.

## **9. Property Implications**

There are no property implications arising from this report.

## **10. Health and wellbeing implications**

- 10.1 The most relevant Marmot principle is the principle of enabling all children and young people to maximise their capabilities and have control over their lives. The overall intention of the home to school transport duties is to:
- Ensure that learners are able to access the education and training of their choice
  - Ensure that, if support for access to education is required, this will be assessed, provided or enabled where possible.

Ensuring that children and young people get to school safely and on time is a long established responsibility of a Local Authority. Additional home to school transport support is available for children from low income families. Suitable transport enables children with severe, profound and multiple special educational needs or disabilities to access and benefit from education. Proposals in this report to develop Independent Travel Training in Walsall encourage the acquisition of an important life skill.

## **11. Staffing Implications**

There are no staffing implications arising from this report.

## **12. Equality Implications**

- 12.1 The home to school transport helps to ensure that children and young people are able to access education regardless of their ethnicity, culture, religion, family background, learning difficulties or disabilities, gender or ability. Additional support with home to school transport ('extended rights') is available for children from low income families.
- 12.2 Two options for consideration in the consultation are to remove direct support with transport for young people with special educational needs and disabilities who are aged 16-18 or older or to seek financial contributions. To mitigate the impact of this, information is provided in the current policy on a range of concessionary fares that are available to young people aged 16-18 and 18 plus in education. Information is also provided on other support that is available for students with low incomes or other social need to enable them to access education. These include the 16-18 bursaries and the 'Vulnerable' student bursary.
- 12.3 The proposals to develop Independent Travel Training and Personal Travel Budgets will both increase opportunities for children and young people for getting around– travelling independently is an important life skill.
- 12.4 An EQIA assessment has been carried out and is attached. A number of representations have been made in this consultation to the effect that what the Council appeared to be proposing was discriminatory with threats to equality, disability and human rights as a consequence if some proposals were adopted.

## **13. Consultation**

- 13.1 The consultation exercise was described in section 3.2 of this report

### **Background papers**

Cabinet- 7 September 2016 Agenda Item 7: Home to School Transport review and consultation.

#### **Author**

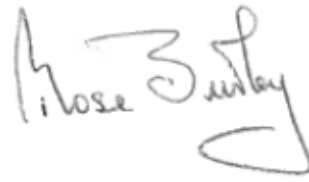
Philip Wells – SEND Interim Assignments

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A handwritten signature in black ink that reads "David Haley". The signature is written in a cursive style with a large 'D' and a long horizontal stroke at the end.

Signed  
David Haley  
Executive Director  
5 December 2016

A handwritten signature in black ink that reads "Rose Burley". The signature is written in a cursive style with a large 'R' and a long horizontal stroke at the end.

Signed  
Councillor Burley  
Portfolio Holder  
5 December 2016

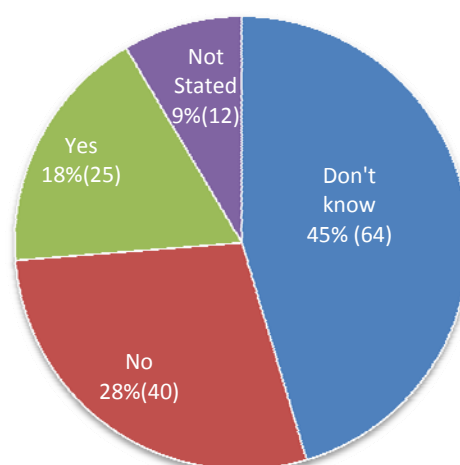
# SEND Transport Parent and Carers Survey 2016

There are 141 parents and carers with 157 children (nearly 80% were children with SEND) completed the survey to SEN transport service.

Use the home to school transport?	Children Aged 4 (2+ Miles)	Children Aged 5 - 16 (2 -3 Miles)	Children Aged 5 -16 (SEND)	Children Aged 16+ (SEND)	Grand Total Children
Yes	5 3%	28 18%	93 59%	31 20%	157

## 1. Rising 5s

Only **18%** said that the current policy to provide travel support to Rising 5s should be removed, while **28%** disagreed and **45%** said "Don't know".

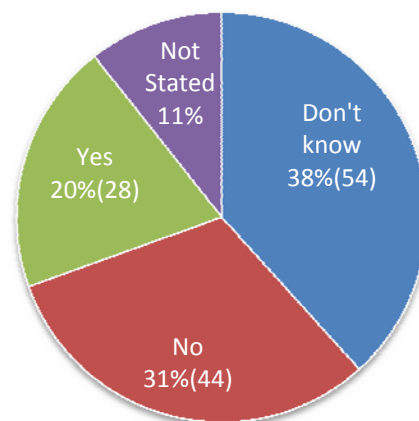


**56 out of 141 (40%)** people commented;

- Only **18% (10 out of 56)** said that as it was not being used, it should be removed.
- **30% (17 out of 56)** referred to the travel needs of children with SEND and the need for support.
- Another **18% (10 out of 56)** expressed views along the lines that it was right to keep the policy as it might have an impact on or be of benefit to some children.
- others pointed out that children under 5 travelled free on buses anyway when accompanied by an adult, while other comments were made that it should be provided for children with 'disabilities' who were below statutory school age.

## 2. Walking Distance

**31% (44 out of 141)** respondents disagreed that the current 2 mile home to school walking distance for children in Years 5 and 6 should be raised to the statutory minimum of 3 miles. Only **20%** said **Yes** it should; and **38%** said **Don't know**.



**56 out of 141(40%)** respondents commented;

- **48% (27 out of 56)** typical comments were that the policy might be needed by some , pointing to the pressures on parents trying to get more than one child to school on time, raised safety concerns and that some children found it hard to walk long distances.
- **30% (17 out of 56)** pointed to, as they saw it, the potential effect on children with special educational needs if the walking distance was increased;
- **5% (5 out of 56)** made comments in support of the proposal to increase the distance, along the lines of '2 miles is a reasonable distance that a child can be expected to walk'.

## 3. Assessments

**35% of 141** people said that home to school transport needs of children with SEND should be reviewed /assessed on an annually basis. But **11** people said "Other;

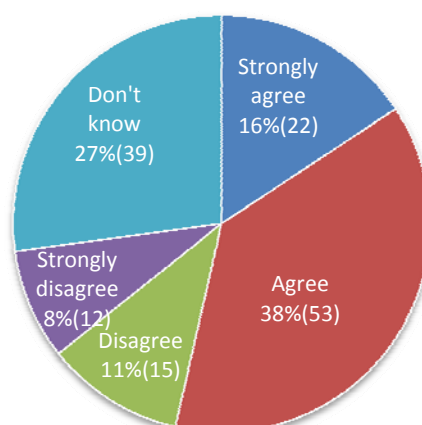
- Should be done on an individual basis
- There were three comments along the lines of – the child's needs will not change over time so there so there was no need to re-assess unless the young person's condition improved
- The feeling s of children and their safety and the wishes of parents should come first.



When	Respondents	%
Annually - at the review of the statement or Education, Health and Care plan	50	35%
On request of the parent / child	23	16%
On transfer between schools e.g. primary to secondary school, secondary to post 16	18	13%
Every other year - at the review of the statement or EHC plan	16	11%
Don't know	13	9%
At the end of each school Key Stage	11	8%
Other, please tell us	9	6%
Not Stated	1	1%
Grand Total	141	

#### 4. Independent Travel Training

**54% (75 out of 141)** strongly agreed or agreed that ITT should be given to suitable children with SEND.



**93 out of 141 (66%)** people responded;

- Around **32% (30 out of 93)** points were made that supported the idea – e.g. “to give independence where appropriate”.
- **27% (25 out of 93)** made points around the assessment process- how children would be identified, how the assessment would be carried out and how and why each young person’s circumstances were different “It’s a good idea, but needs to be on an individual basis. A child with no sense of road safety would be unable to cope”.
- **25% (23 out of 93)** raised questions about the child or young persons’ vulnerability and the risks of ITT and safeguarding concerns – “no, because they are very vulnerable child and can be easily led”.
- **11% (10 out of 93)** comments could be seen as expressing uncertainty about the whole process; it should not be offered for cost cutting reasons.

**Only 30% (42 out of 141)** said that the Independent Travel Training should be given to all suitable children with SEND **when they transfer from primary to secondary school**, while **40% (56 out of 141)** saying “No” and **29% (41 out of 141)** being not sure.

### **When, if at all, should children be given travel training?**

**35% (49 out of 141)** responded;

- Around **48% (20 out of 49)** responses were along the lines of ‘when it is appropriate’ for a particular child and takes account of their needs and circumstances, and where the parents are in agreement and are involved in the process. “It should be based on the child’s needs. This all needs much more discussion and planning”.
- **21% (9 out of 49)** mentioned that the age preference was 16, or aged 18
- **12% (5 out of 49)** said that the younger ages ‘from 12 years on’ or as a phased exercise from 13 onwards, and
- **12% (5 out of 49)** said that it should not be done at all.

**93% of respondents (131 out of 141)** said **that Annual regional travel pass for buses, trains and Metro or Term time regional travel pass for buses only** should be given to children who complete ITT.

There were other suggestions, mainly in terms of:

- Disagree with the idea/won’t save money
- A full transport pass to bus, trains and metro essential in case any one of those modes of transport failed, plus the need for an emergency number
- Whatever the child prefers
- Should restrict to term time only.

Only **31% (43 out of 141)** people said that the ITT assessments should be compulsory for all suitable children, while **43% (63 out of 141)** saying “No” and **24% (34 out of 141)** being not sure.

**Just 10% (14 out of 141)** stated that the Council should withdraw support if the ITT assessment refused. In contrast, there were **67% (94 out of 141)** pointed the Council should keep the support even if the assessment refused. Of which, **66 stated that “removing” the support was not a good idea**, some expressing a great strength of feeling;

- Children would be forced into travel training where it was not appropriate for the child.
- A one size fits all approach appeared to be proposed; the parents would well have a good reason to decline an assessment.

- The parent was in the best position to know their children better than anyone else, “because it is vitally important that both parents and child feel they are not pressured into pursuing this but are shown the benefits.
- The parents are the ones that know and understand their child the most and their views need to be listened to. Both parents and child do not need to become stressed by this”.
- There were concerns over the proposed methods of assessment and how ‘the Council’ would go about it, and the capabilities of staff.
- There were also links made to potential cuts to expenditure in this area and viewing ITT as a cost cutting exercise. It was a parent’s right to (receive) transport for their children if they qualified.

## 5. Personal Travel Budgets

**56 out of 141 (41%)** agreed that the travel support should be offered in the form of a Personal Transport Budget, while **45 out of 141 (32%)** people were not sure whether this should be in a PTB form. Most respondents were either sceptical of the proposal or wanted more information on how they would work.

**81 out of 141 (57%)** people commented;

- **20 out of 81 (25%)** people commented in favour of PTBs – one saying, providing it was not forced on families.
- More than **18% (15 out of 81)** commented that it would not work for them in their family circumstances – work commitments, getting other children to school , whether it was appropriate for some children, particularly those who needed supervision during a journey and so on.
- Another **18% (15 out of 81)** pointed to the benefits of the existing transport arrangements how it would not work for them in particular- parents of children with SEND had enough to deal with; “the way the transport is organised and provided is excellent. I think it would be a logistical night mare for parents to try and fit their requirements with those of another child or family”.
- **14% (11 out of 81)** felt that it would probably not cover the true costs of travel and would present worse value for money compared with the prices the Council could negotiate; they felt there was a risk to the child’s attendance at school; and that the money should go to the child’s school instead so it could not be spent ‘in the wrong way’.
- Others pointed to loss to the child of travelling with friends in a bus or minibus if they switched to a PTB.

## 6. Post 16 SEND Transport

**Only 11 out of 141 (8%)** agreed that the current policy to provide discretionary travel support for young people aged 16+ with SEND, who are in formal education or training policy should be removed. In contrast, more than **66% (87 out of 141)** stated that the policy should be kept. Most of the responses were along the lines that, as the young person was still in education and was required to be in some form of education, transport support should continue.

- *"Removing this support may prevent young people from attending their training or formal education";*
- *"If you remove this, you not only take away our son's right to access education, but you also make him take a step back in his ability to be independent".*

Many of the comments referred to what respondents saw as the Council's legal and moral duty to provide post 16 SEND transport and to the potential discriminatory effects on disabled and vulnerable people of the consultation proposal. Young adults still needed the level of support and younger children and, in many cases, their condition or disability did not change when they became 16. The alternative to assisted transport would probably be public transport, but, there were a number of comments along the lines of *"my child is vulnerable and she has been sent to a school because of her needs and schools closer to us cannot meet her needs. It would take over an hour and two buses"*.

## 7. Parental Contributions

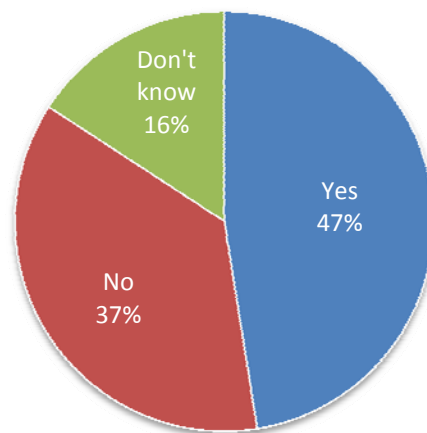
Only **20% of 141** respondents agreed to contribute towards the cost of transport. Around 18 comments could be interpreted as offering cautious support for this proposal, and providing the charge was reasonable and whether the parent could afford it.

Over **49% (67 out of 141)** people stated that parents / carers should not be asked to contribute towards the cost of transport (where the child is aged 16+, has a SEND and is in formal education or training).

**33** respondents made comments in which they objected to the proposal on the grounds of fairness, equalities and the increased costs parents of children with special needs and disabilities faced anyway. Some pointed to the potential use of mobility payments, while other pointed out that benefits such as Disability Living Allowances *"only scratches the surface for what they need"*. A number felt these children were being discriminated against. *"My child has severe needs. I have no choice in his school. It is not his fault". "Why should we need to when it is one of the lowest transport costs in the West Midlands? It goes against the children's human rights and equality laws. Children should be allowed this service if needed to access school and respite"*.

## 8. Motability

More than **47% of 141** respondents said that it reasonable to ask parents / carers who have a Motability car to use this vehicle to transport their child / children to / from school, while **36%** did not think that this is reasonable. However, there were only **one in four** either parents or children have access to a Motability car.



## **CONSULTATION MEETINGS AND CONTACTS - SUMMARY**

### **1. Blakenall Village Centre: 10.00-12.00 Wednesday 12<sup>th</sup> October**

No attendees

### **2. Oakwood school: 16.00-19.00 Wednesday 12<sup>th</sup> October**

4 people attended. Main points made:

- Assessments are more robust, but exceptions need to be considered;
- Rising 5s/distance – as no savings arise, don't change these
- Use of mobility cars – may be considered but probably not practical in a lot of cases; Assessment – should be at annual review;
- Personal travel budgets – a great idea; but decisions on transport should take account of family circumstances
- Charging – worth thinking about;
- Independent Travel Training – issue over assessing; scope to train parents in ITT as well
- Can't imagine some children going more independently because of their condition
- They don't have a mobility car, but think it is fair enough to expect parents to contribute
- Against removal of post 16
- Costs of children going out of borough– must cost more
- Personal Travel budget – fair enough to give people the option
- Parents meeting some of the cost: if it's a choice between putting something in to keep the service going rather than not putting in and lose it
- Current transport is flexible to needs. Worry that this might be lost if there are cuts
- The contractor provides a great service.

### **3. MyPlace 14.30-18.00 Thursday 13<sup>th</sup> October**

No attendees

### **4. Castle school 16.00-18.00 : Tuesday 18<sup>th</sup> October**

4 people attended the meeting.

Points raised in group discussion:

- Motability – the car is for the kids
- Statutory ages – silly to keep it
- Travel budgets- not enough drivers in the family;
- Post 16 – don't take away; possibly charge instead; depends on individual
- Eligibility – the more you ask, the more you get; DLA give money to parents;
- Travel budgets – don't like the idea – risk of the money going elsewhere: give it to schools
- Travel Training- vulnerability worries for her, even if young people are 16-18; Parents know best; trust your instincts; not saying 'never'
- Assessment for ITT – thinks parents couldn't say 'no' just for looking to see whether ITT appropriate
- Current contractor – good; very helpful. Only limit is – no after school clubs/therapies

- The Council shouldn't be spending money on the town centre.
- post 16 young people at special schools are not as able as other post 16 students;
- If free transport withdrawn, then parental contributions – but, how to enforce it and the costs of collection; potential effect on attendance; knock on effect for siblings. More cars and congestion effect on the school(s). A hiding to nothing for special needs kids.
- Respite/transport – threats to these have effect on families, families with more than one child; affect attendance
- Equalities implications/ human rights. 670 parents with SEN transport – an easy target –
- In worst situation, would contribute towards costs.
- Why is the Council attacking disabled children?
- Travel training - there is a vulnerability issue
- Walsall already spending the lowest on transport in the West Midlands – why cut more?
- They keep attacking Respite too- can't be cut; they don't think about the vulnerability issue
- Not happy with idea of parental contributions

**5. EDC (Education Development Centre): Friday 21<sup>st</sup> October 10.00 to 12.00 noon**

10 people attended the meeting.

Points raised in group discussion:

- Some parents were in favour of making contributions to the cost of home to school travel
- How would anyone expect a child to travel 2/3 miles to school
- There was a lot of discussion around the idea of independent travel. Some parents felt that it can take months, sometimes years for children to be deemed competent to travel independently
- Even if a child is travelling independently unforeseen events may adversely affect a child
- No parent would let their child travel alone unless they were 100% confident he/she could do so
- What about if a parent refuses to be assessed? and
- What qualifications do officers have to make assessments
- Some parents may refuse assessments because they are in fear of losing out
- The consultation is not fair as parents already promote independent travelling
- Some parents have tried to promote independent travel but have not succeeded
- Any decisions about transport must be based on the needs of the child
- No changes to the policy must be made. Cuts will cause harm. Any change could have a huge effect on a child
- Consultation should be a conversation with parents about best form of travel
- Risk to parents who may agree to give something up and the impossibility of getting it back
- Some parents have had bad experiences with coaches where the driver has dropped children off without parents being there to collect
- The consultation should have framed the consultation in terms of assistance offered not as currently phrased. Parents are being bullied

- Some parents are simply too tired to come to consultations...some have to work as well as look after a range of needs
- There is more focus on bin collection in Walsall even though parents of children with SEND shout loudest
- Is section G (questions about use of Motability vehicles) in the questionnaire legal?
- There is a gap in national legislation for post 16 travel provision
- Car parking in some schools very difficult
- Need to consult with children, follow through with parents who may not be able to read and follow up with parents who don't attend
- LA needs to look at community resources, e.g., what about students on professional courses offering a buddy scheme to promote independent travel
- Those who make these cuts ( and other cuts) will be held to account
- LA should look at the Community Transport Trust in Birmingham where they have co-produced travel policy with parents.

## 6. **MyPlace : Monday 31<sup>st</sup> October 2.30 -7.00pm**

3 people attended the meeting.

Point raised in group discussion:

- OK on charging for post 16
- Need to reduce out of borough placements – more expensive- not what parents want;
- You should use the DLA allowance/mobility- it's in the child's name; should be mandatory
- Assessment – should use common sense; you can see whether or not people can get around; some people, even with a wheelchair, can get around independently; not an issue
- As a parent [of a disabled child] , I would have loved to have escorted my daughter to school
- If parents chose a school other than the nearest, they should bear the costs of transport
- Need for better links between children and adult transport, post 16 and post 19
- Current transport service is excellent
- Travel budgets – a possibility – but parent works
- Travel training a 'wonderful idea' for children who are able to and if we were sure they were competent and not coming to harm. Parents have to be signed up.
- Eligibility – the Council needs to get better at that. Transport should be done at the same time as the Education Health and Care Plan renewal. Best to build it in as part of the review. Avoid getting parents to go through another assessment for transport. The child's needs change. The teacher should be involved- they know about the child's mobility
- Current taxi provider 'phenomenal'; previously quality of escort and issues of travelling with oxygen
- Use of disability car? - need to consider extenuating circumstances for the non-use of the car.

## **Telephone responses (2):**

- Need to look at individual needs of the child; no two children are the same;
- Some parents with post 16 children have mobility cars yet they use Council transport;



- No qualms about contributions;
- What help can they get, especially for post 16? Should be a range. Personal travel budgets not practical for them, but contributions, travel training ok;
- Assessments – should think about what the child's needs are in the future;
- Parents, schools and the council should work together more. We all have a duty of care. Need to get rid of the vicious circle of (SEND) Tribunals;
- There are (expenditure) cuts in all boroughs. It seems like SEN children are the worst hit.
- Satisfaction with current arrangements- new proposals not options for them

### **Letters/emails/messages**

1. I am a mother of child that uses the home to school transport. For me it is important to have this service as I can't be in 2 places at once. I have 3 children that go to 3 different schools due to their age and one needing to go to a SEN school. My son is 12 years old and cannot communicate or independent enough to go by himself. Even though is he 12 his mind is like a 4 year old and the all the SEN school are far away for us (30 min drive) I can understand the cost factor so I can only suggest that those that are near or can go themselves, or don't really need it then they should not use the service. Or in my case you can say if the schools agree to my child being at least an hour late for school everyday then I could try and take my child to school in this way. I don't drive due to my health but would be willing if other services are willing to compromise.
2. I wish to oppose the proposed changes to the transport service currently in place for my child. If you take away her daily transport to school, you are taking away all of the protection, care and enjoyment of travelling with her friends. You are making her extremely vulnerable and in danger. The idea of a Special Educational Needs school is to provide Care and enjoyment while learning to the best of the child's ability, to protect vulnerable children and young students. To gain confidence in themselves and to have the support needed on a daily basis, when out of the home and the protection of parents and carers. The transport provided is an extension of this care needed.

[Description of current needs and how/why alternatives would not work for them]

Without the continuation of the current transport, our children are being put in danger, being made more vulnerable and unhappy. Cuts must be made from some other area. "Every child matters". Thank you. Plus a note from Mrs B's daughter:

If I could not go to school

- No school means no see my friends
- Not developing social skills
- It will be hard because Mum can't drive and it is too far to walk
- No school means not seeing [things] like plays and shopping
- Basically, if I did not have school transport I could not get to school to learn and be with my friends, I would be bored and lonely. So please keep the transport going.

3. Email to: Councillor Barker. Tuesday, 18 October 2016

Hi, please can you help us they are trying to cut Special educational transport post 16 and 5-16. My son relies on transport in order to be able access school and respite.

My son has a long history of school refusal and would not be in school if this happens nor could he attend his respite centre which he loves and gives us a much needed break. They keep trying targeting services for disabled children as we are an easy target as it only affects a small group of families (voters). They are also targeting short breaks and much needed respite that families depend on. Many thanks. AW

### **Written submission**

4. Submission made at a drop in session (18 October 2016) on potential contributions from mobility allowances towards transport costs.

### **Written Submission from Walsall FACE (Families and Carers Empowerment) – short summary**

A composite response collated using 10 individual or small group discussion involving 15 families and 5 CYP, an open event at The Crossing attended by 9 adults and 1 young person, plus an online survey to gather parent/carer thoughts and feelings regarding the review and proposed changes to Home to School Transport.

#### **1. General Eligibility**

Rising 5s: 27% agreed; 66% disagreed; 8% don't know

Walking distance 8-11 year olds: 22% agreed; 65% disagreed; 13% don't know

Summary: the impact of these actions can be assessed as different for individual cases; however, the effects will be seen around the logistics of getting CYP to different schools, resulting in repeated lateness of one or all the children, attendance figures of the school & Local Authority (LA) OR more importantly in safety of the CYP or parent/carer. From the overall feedback the view is that individual needs must be assessed on an individual basis, but safety must never be compromised.

#### **2. Children with SEND - eligibility**

Various options for review points were given to this question.

40% of the total respondents indicated that Annual Review of Statement/EHCP is the time to review transport needs.

39% indicated that this review should happen if requested by the Parent or CYP.

13% indicated that this should be done every other year.

24% indicated that this review should take place on transfer between Primary to Secondary or School to Post 16 Provision.

22% indicated at the end of a Key Stage.

2% indicated that they didn't know.

Many respondents supported the opportunity for review of transport needs & commented that this review should be of all aspects of transport, not just the needs of the child. It should also, include an opportunity to feedback to the LA on current transport arrangements, as well as the potential for the development of all involved.

It already should be noted that the LA currently pay staff to assess & review needs, via the EHCP Needs Assessment & Annual Review. This should not need to add an extra cost; rather it should be an opportunity to ensure that the process is holistic & robust.

### 3. Independent Travel training

31% Agreed with the IDEA of ITT for CYP with SEND; 29% Disagreed.

Whilst Walsall FACE believe that ITT is an exciting prospect for the CYP of Walsall & their families we currently have serious concerns regarding safety, child protection, responsibility & planning. We urge you to postpone this proposal until further joint work has been carried out. At that point a robust plan can be consulted upon & hopefully actioned.

### 4. Personal Travel budgets

21% supported this proposal. 45% disagreed with it; 34% did not know – many stating that it is dependent on need & there was not enough information on what a PB is or what it offered.

Whilst it is clear that Personal Budgets (PB) are a viable way forward, again, we believe that this question would have gathered greater support with a better understanding of what is being proposed

### 5. Post 16 Transport

2% agreed with the proposal to remove this discretionary travel support for young people with SEND aged 16+; 80% disagreed with this proposal.

There is a significant impact of continuing with this proposal. Individual rights regarding Equality, Disability & Children's Rights will be affected & there is a high probability that Walsall Council will face legal action. Large numbers of young people with SEND will be unable to attend their place of education. Individual Schools & Walsall Council will be criticised strongly by Ofsted, due to falling attendance figures. The LA will embark on an adversary policy of bringing legal action on parents for their CYP not attending school. There will be an even great gap between the LA & dissatisfied parents & the whole participation agenda will be set back even further. Walsall Council who currently have a large number of CYP in out of borough placements (due to lack of appropriate local provision), will not decrease their spending, instead costs will increase as out of borough placements will need to be accommodated residentially.

### 6. Parental Contributions

Charges: 36% of respondents agreed that parent/carers should be asked to contribute to the cost of Post 16 Transport; 52% disagreed with this proposal; 12% did not know. Overall this was seen in a positive light; however as with ITT the lack of information available regarding this contributed has potentially seen a lower response. Again, this is an area that is worth investing time in co-production – it could make a real difference.

Motability: 22% agreed with the proposal to ask parent/carers to transport their CYP. 36% disagreed; 42% don't know. Removal of Post 16 Transport was very strongly disagreed with, however given a choice; it was felt that contributions were a preferable option. However, there MUST caution around doing this without proper consultation & co-production. Walsall FACE urge the Local Authority to seek appropriate legal advice regarding all of the proposals they are making.

School Transport Consultation Log

Respondents - principal consultation document	Q1a. What do you think about the proposal to remove travel support for Rising 5s? How, if at all, might this impact on you, your child or those you support or work with?	Q1b. What do you think about the proposal to increase the walking distance for 8-11 year olds from 2 to 3 miles?	Q2a. Should a child's transport needs be reviewed regularly? If so how often?	Q3a: What do you think about the idea of giving independent travel training to children with special educational need and disabilities for whom it is suitable?	Q3b. Should Independent Travel Training be offered to children on transfer from primary to secondary school?	Q3c. If parents refuse a travel training assessment, should the council be entitled to withdraw ongoing home to school travel support?	Q3d. Should bicycle loans or grants be offered to students who successfully complete independent travel training instead of a bus pass?
Walsall College	This question is not applicable to Walsall College	This question is not applicable to Walsall College	Yes, a child's transport needs should be reviewed on a regular basis as situations and levels of independence may change. We would suggest review should take place on a termly basis.	We feel that this is a very good idea provided it is for children for whom it is suitable.	We feel that this would be beneficial (for children for whom it is suitable) as the earlier independence is promoted the better for the child.	If the individual is able to participate in independent travel training then yes council should be entitled to withdraw ongoing home to school travel support. However, the advice of other professionals should be sought before this step is taken e.g. a Panel discussion/decision.	This would depend on the nature of the training provided and, more importantly, on the capabilities of the individual. Whilst some children would be able to travel independently on the bus this does not, automatically, mean they are able to travel by bike.
Leighswood School Governing Body	Disagree	Disagree	The majority of children who attend Special Schools will not require regular reviews. These will only be needed where a mobility issue is temporary.	Disagree	No	Nio	No

Transport Consultation	Q1a.General Eligibility - Rising 5s	Q1b General Eligibility - 2 to 3 miles	Q2a SEN transport - assessment	Q3a Independent Travel Training - principle	Q3b Independent Travel Training - transition	Q3c Independent Travel Training - refusal	Q3d Independent Travel Training - cycling
RS	Children who have SEND and who have a school named on their EHCP should receive transport unless parents want to transport them themselves.	Children with SEND are likely to have difficulties that mean that walking up to 3 miles to school each day is impractical! They may be physically able to walk but it could be dangerous or it could take hours. I think that attendance would be affected if families had to walk this far. If the school is named on the child's EHCP then the child should get transport.	If the council has the capacity to review transport needs effectively and fairly then yes it should be reviewed regularly perhaps annually alongside the EHCP review.	If families and professionals working alongside children/young people with SEND feel that travel training is appropriate and if the council can provide appropriate levels of care and assessment then yes travel training is an excellent idea as part of supporting children and young people towards independent lives. Not as a cost cutting exercise!	If a child with SEND was at an appropriate developmental level as agreed by families and professionals working with the child then yes. Independent travel training would be useful as a step towards independence. Not as a cost cutting exercise!	No. If parents refuse a travel training assessment the council alongside professionals working with the child should explore the reasons why the assessment has been refused! Most families are working towards independence for their child but within the realms of the child's capabilities and always ensuring the child's well being and safety at all times. By working together "Coproduction" an agreement may be reached and a travel training assessment may be agreed at an appropriate stage of the child or young person development!	If parents/ carers think it is appropriate, they could be offered bicycles as an alternative.

Transport Consultation	Q1a.General Eligibility - Rising 5s	Q1b General Eligibility - 2 to 3 miles	Q2a SEN transport - assessment	Q3a Independent Travel Training - principle	Q3b Independent Travel Training - transition	Q3c Independent Travel Training - refusal	Q3d Independent Travel Training – cycling
AS	I feel that it is unlikely that rising 5s would travel alone anyway, so transport should only be provided in exceptional circumstances.	As this hasn't cost the Authority any extra money in the past year I would prefer to see the discretion remain as I can't see how any saving would be made on it.	Who the heck will be determining the special needs criteria? I agree that needs should be reviewed regularly – maybe annually, but feel that it would be impossible to have a pre determined list of who should/shouldn't qualify based on a checklist system - eligibility should be determined on a case by case basis. There should be no presumption that children and young people with lower levels of SEN would be ineligible – for example, two teenagers with autism may have very different capabilities/difficulties in terms of travelling independently.	A good idea provided it is done by professionals who have knowledge of the needs of the young person – blanket training on road awareness etc would not work. For example the needs of a partially sighted person are different to a hearing impaired or autistic person. Our experience of mobility training has been mixed – very good on the VI side of things – non-existent understanding of the trauma faced by busy traffic/noise levels/dealing with the unexpected on the autism side	Yes – only if the child is ready for it	Yes – provided the assessment was a fair way of determining qualification. My experience of applying for Personal Independence Payments has shown me that some systems aren't fair and an outcome can depend on the person who is doing the assessment	Yes – very good idea if it suits the individual. Great health benefits and road awareness improves too. Would imagine this is also cost effective.

Transport Consultation	Q1a.General Eligibility - Rising 5s	Q1b General Eligibility - 2 to 3 miles	Q2a SEN transport - assessment	Q3a Independent Travel Training - principle	Q3b Independent Travel Training - transition	Q3c Independent Travel Training - refusal	Q3d Independent Travel Training – cycling
SL	This will not impact on me or my child & this age of child can't travel free on buses anyway	I think this should stay at 2 miles as the children are still too young to walk that far alone as feel they are old enough & to help them get ready for high school. If they have health problems like my children that affect them when walking this will cause more problems with getting help.	I feel it should be reviewed regularly only if they do not get DLA or PIP as this show their disability fully so no need to re assess. Plus family situation should be taken into account if their parent are both disabled	I agree	Yes during year 5 & 6	No as they know their own child/children & their ability to understand the training to whether they are safe enough to travel alone	Yes to help them feel more normal by travelling to school with their friends
IASS (SEND) service (summary)	Both these proposals would have little impact on the families we support as the criteria for the eligible child we ..look at is around their SEN rather than eligibility in regard to walking distance		Yes, on a 12 monthly basis	Yes it is a good idea to offer ITT for whom it is suitable and this could be included as part of a EHCP. The criteria for assessment for suitability needs to be clearly defined in the policy and applied on an individual basis with an appeals process being made available	Yes providing they meet the criteria	No as the LA has a statutory duty to make arrangements for all eligible children. If parents refuse a travel training assessment, this does not absolve the LA of that duty and to withdraw transport on this basis would therefore be unlawful	Yes it could be offered ..providing there is evidence of their child's proficiency to use a bicycle on the road and there are no safeguarding issues raised about them doing so.

<b>Respondents - principal consultation document</b>	<b>Question 4: Should Personal Travel Budgets be offered where Independent Travel Training is unsuitable and where other transport solutions do provide best value for money?</b>	<b>Q5: Should the current policy to provide discretionary travel support for young people aged 16+ with special educational needs and disabilities, who are in formal education or training, be removed?</b>	<b>Q 6a: Should parents/carers be asked to contribute to the costs of post 16 transport instead of</b>	<b>Q6b: More generally, is it reasonable to ask parents/carers who have a Motability car to use this vehicle to transport their child/children to/from school?</b>	<b>Q7: Any comments?</b>
<b>Walsall College</b>	Whilst a good idea in theory it would again depend on the capabilities of the individual to manage a budget as well as the capabilities of their parents/carers.	No. This would disadvantage a significant cohort of students who will be unable to access further education or training. This should be linked in with the development of an individual's EHCP Plan. This should be viewed as a social care need as opposed to an educational need.	Yes, parents should be asked to contribute towards transport. Assessment should be carried out on a means testing basis.	Absolutely Yes	The consultation seems to be very school focussed rather than post 16. Further consultation may be necessary with FE Providers.
<b>Leighswood School Governing Body</b>	No. continue with current arrangements.	No	No	No as this will impact on ability of parents of disabled children to work.	Removing "free transport" for children with disabilities will have a negative impact on the most vulnerable children and families in Walsall and is a retrograde step. It will be impossible for many of these children and young people to attend school as both transport and a chaperone are required and this is not practical or affordable for many families. The number of places in special education has reduced access to Special educational provision. These transport measures will reduce access further and in effect reduce equality of opportunity for children with Special Educational Needs.



	Q4 Personal Travel Budgets	Q5 Post 16 SEND support - cessation	Q6a Post 16 SEND - parental contributions	Q6b SEND General - use of Motability	Q7 Other comments
RS	<p><b>Personal travel budgets should be discussed with families but families without access to reliable transport or those who prefer not to be responsible for budgets should not be forced to accept one.</b></p>	<p>No, where a setting is named on an EHCP a young person should be able to access transport to the setting, removing this will result in some young people being unable to attend school or college! EHCP's are supposed to support young people up to the age of 25, if they can't get to school or college then they can't access education.</p>	<p><b>If parents are in a financial position to contribute then this could be a possible solution. Parents should be able to access funding for transport if a contribution will lead to financial hardship. Any contribution should be reasonable and spread across the year. What happens when the young person becomes 18 and benefits are reduced or go direct to the young person! This must be considered when asking parents to fund transport</b></p>	<p><b>Is Walsall council happy to prevent one parent from each family from working? In theory this is a lovely idea but in families where both parents work or single parent families who work or have children in other schools it would not be practical unless Walsall council is going to fund before and after school clubs to care for young people until their parents return from work!</b></p>	<p><b>If Walsall stopped wasting money and saw its young people with SEND as a priority then the problems with funding transport would not be as desperate! If there were appropriate settings within the borough, there would be less children travelling many miles every day in taxis. If mainstream schools were properly inclusive then more young people with SEND could go to their local schools which would also reduce costs! Until Walsall council makes its schools accountable for all children with SEND then the transport bill is likely to rise not reduce. Also if Walsall council didn't waste money on solicitors and barristers for SEND tribunals they could divert that money to transport!!</b></p>

	Q4 Personal Travel Budgets	Q5 Post 16 SEND support - cessation	Q6a Post 16 SEND - parental contributions	Q6b SEND General - use of Motability	Q7 Other comments
AS	<b>Yes. My daughter would be unable to access her college course without a personal travel budget. Having a budget is the first step towards independence – my daughter has just started travelling to college by taxi by herself and it has been good for her to handle money and talk to the driver – this is improving her confidence. I feel that it is also more cost effective for the Authority too</b>	This should not be removed! My daughter doesn't qualify for a college bursary and although she has a free travel pass from CENTRO she is unable to travel independently at this time. To remove discretionary direct support for students over 16 would mean that I would have to bear all the costs of transporting her to college myself. I think it would be fair for parents to contribute to the costs but not have to bear them all. The law now states that young people have to by and large remain in education so college should be seen as an extension of school – it is not a choice to attend college for an obligation.	<b>I think it would be fair for parents to contribute the equivalent of a bus fare – similar to the way the Access To Work system is</b>	Yes	The personal transport budget we have recently been granted is a lifeline to us. I hope that you keep the option to use your discretion on all applications for assistance as one size does not fit all. I would hope that generally people who apply for assistance only do so when they really need it – I am sure that the system is not overly abused and that if cuts are required, they can be made elsewhere.
SL	Yes	No	<b>Only if they are able to &amp; not on benefit</b>	<b>Yes if the car is for the child itself &amp; the parents are not disabled themselves</b>	

	Q4 Personal Travel Budgets	Q5 Post 16 SEND support - cessation	Q6a Post 16 SEND - parental contributions	Q6b SEND General - use of Motability	Q7 Other comments
<b>IASS (SEND) service (summary)</b>	<b>Yes a Personal Travel Budget can be made available but it needs to be offered as an optional alternative.. on the basis of parental choice not best value otherwise it contravenes the principles of the Local Offer</b>	Under the Education & Skills Act 2008, the LA has a duty to encourage, enable and assist the participation of young people with learning difficulties and/or disabilities up to the age of 25 in education and training... If support is removed altogether the LA should include in the policy information on what alternatives are available...A learner with LDD may take longer to complete a programme of learning or training and it is considered good practice for LAs to extend travel arrangements for these learners up to the age of 25...it would not seem good practice to remove this entirely..LAs must have regard to 'the need to support the young person...to facilitate the development of the ..young person..to help them achieve the best possible educational and other outcomes, preparing them effectively for adulthood' (S18 Ch&Families Act )	<b>Yes, parents or the young person (if they have independent means) could be asked to contribute but this must be an option not a requirement</b>	the current advice from national SENDIASS is that if a parent receives DLA then this is for the increased costs of caring for the child and it does not absolve the LA of their statutory duty to provide transport. Therefore the LA can legitimately request, but not require, parents receiving DLA for the child to use this to provide transport.	<b>The LA must publish the process which will be followed if a complaint or appeal is made.</b>

## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	<b>Home to School Travel Assistance Policy</b>		
Directorate	Children's Services		
Service	Commissioning and Special Needs		
Responsible Officer	D DeMay; C Goss		
EqIA Author	P Wells		
Proposal planning start	16/9/17	Proposal start date (due or actual)	1/9/17

<b>1</b>	<b>What is the purpose of the proposal?</b>	<b>Yes / No</b>	<b>New / revision</b>
	Policy	<b>Y</b>	<b>Revision</b>
	Procedure		
	Internal service	<b>Y</b>	<b>Revision</b>
	External Service		
	Other - give details		
<b>2</b>	<b>What are the intended outcomes, reasons for change? (The business case)</b>		
	<p>This policy has been produced in accordance with the requirements of the 1996 Education Act, as amended by Part 6 of the Education and Inspections Act 2006, and subsequent guidance issued by the Department for Education.</p> <p>The current policy sets out the circumstances in which the local authority will provide travel assistance to help children get to and from school.</p> <p>The proposal is to consult on a number of options that include reducing the discretionary areas of service provision. Or that, where appropriate, charges for services be introduced where these are currently 'free'; and that new modes of transport be considered – including personal travel budgets and independent travel training</p> <p>Subject to consultation and subsequent consideration of the findings of the consultation by members, the outcome could be the rationalisation of policy to deliver equality of service that is based on the Council's statutory duty only.</p>		
<b>3</b>	<b>Who is the proposal potential likely to affect?</b>		
	<b>People in Walsall</b>	<b>Yes / No</b>	<b>Detail</b>
	All	<b>No</b>	



	Specific group/s	Y	Increased walking distance for children aged between 8-11 years  Children under 5 years of age eligible for free public transport when accompanied by an adult  Students aged 16 or over with special educational need or disabilities												
	Council employees	N													
	Other														
<b>4</b>	<b>Evidence, engagement and consultation</b>														
<b>4.1</b>	<p>On 7 September 2016, Cabinet approved a consultation on home to school transport in Walsall. The details and a consultation plan were set out in the Cabinet report of 7 September. A number of options were put forward on which customers of the service and stakeholders were able to give their views. There are two themes: what do people think about the Council reducing its provision to the statutory minimum? Second, what do people think about ‘doing’ SEN transport differently – developing Personal Travel Budgets, Independent Travel training, charging for services where this is permitted? The findings of the consultation form the report to members at the meeting of Cabinet on 14 December. Depending on their decisions, a new policy will be brought forward in the new year for further consultation and implementation from September 2017.</p> <p>There was opposition to the idea of removing transport support for young people with special educational needs and disabilities who were aged 16 or over, though some support for the idea of introducing charging instead. There was some opposition to the idea of removing support for ‘rising 5s’ and raising the walking distance for 8-11 year olds from 2 to 3 miles. There was support for the idea of developing personal travel budgets and independent travel training for young people with special educational needs and disabilities, with views expressed that it should be for those young people for whom it was appropriate, that it took account of their needs and that parents/carers would be involved in the decision making.</p> <table border="1"> <tr> <td><b>Type</b></td><td>Questionnaire /stakeholders /student voice</td><td><b>Date</b></td><td>Sept-Nov 2016</td></tr> <tr> <td><b>Audience</b></td><td colspan="3">700 questionnaires to parents/carers of young people with SEND who use home to school transport; 700 questionnaires to young people themselves; stakeholder consultation paper (schools, colleges, dioceses, other local authorities etc.) ; transport consultation webpage and online questionnaire. Alternate formats were made available.</td></tr> <tr> <td><b>Protected characteristics</b></td><td colspan="3">Disabilities/special educational needs</td></tr> </table>			<b>Type</b>	Questionnaire /stakeholders /student voice	<b>Date</b>	Sept-Nov 2016	<b>Audience</b>	700 questionnaires to parents/carers of young people with SEND who use home to school transport; 700 questionnaires to young people themselves; stakeholder consultation paper (schools, colleges, dioceses, other local authorities etc.) ; transport consultation webpage and online questionnaire. Alternate formats were made available.			<b>Protected characteristics</b>	Disabilities/special educational needs		
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<b>Protected characteristics</b>	Disabilities/special educational needs														

### Feedback

141 parent/carer responses; 131 young people responses; 10 stakeholder responses; composite response from Walsall FACE (Families and Carers Empowerment) on behalf of parent/carer groups of young people with SEND Feedback summarised above.

Type	Focus groups	Date	Oct 2016
Audience	Parents/carers of young people with SEND who use home to school transport; young people. 6 'drop in' sessions at venues across Walsall at different times of the day- allowing 19.5 hours of potential 'contact time'.		
Protected characteristics	Disabilities/special educational needs		

### Feedback

21 individuals at the drop in sessions. Sessions timetabled on the advice of Parent Participation group. Plus briefings to meetings of governors, parent participation group about the review and consultation. Also written submissions, telephone calls, emails to officers and members on the consultation

Type		Date	
Audience			
Protected characteristics			
Feedback			

## 4.2 Concise summary of evidence, engagement and consultation

The consultation period ran from Friday 16 September to Tuesday 1 November. This was a consultation period of 33 working days, 28 in term time, 5 in half term- more than the minimum recommended in the statutory guidance.

141 parent/carer responses; 131 young people responses; 10 stakeholder responses; composite response from Walsall FACE (Families and Carers Empowerment) on behalf of parent/carer groups of young people with SEND

21 individuals at the drop in sessions. Sessions timetabled on the advice of Parent Participation group. Plus briefings to meetings of governors, and to parent participation group about the review and consultation. Also there were written submissions, telephone

calls, emails to officers and members on the consultation Findings reported in Cabinet report. Appendix with data set prepared.

The Questionnaire- could be completed on line, but most came in response to a postal survey of all those families who children used 'SEN' transport. 700 q/as were sent out (along with a questionnaire for young people themselves to have their say).

Respondents had a child or children with either a single or multiple needs or disabilities. The most frequently cited were: Speech Language & Communication- 65% (88); ASD 54% (74); Behavioural/SEMH 40% (55); SLD 38% (51); MLD 32% (44); Physical Disability 30% (41); Specific Learning Difficulty 24% (33); Visual Impairment 17% (23); PMLD 15% (20); Multi sensory impairment 14% (19); Hearing Impairment 10% (13)

Ethnic groups of children: White 69% (91); Asian or Asian British 16% (21); Mixed/multiple ethnic groups 7% (9); Black/African/Caribbean/Black British 4% (5); Other 1% (1); prefer not to say 5% (6).

As well as a questionnaire, the principal consultation document was posted on line. It invited written responses to the same consultation questions. This document was distributed to all schools in Walsall via The Link, to colleges and other local authorities; to diocesan boards and other interested parties. Reminders and briefings were issued to schools and to governors of Walsall schools. In the end, only about 10 completed written responses were received, though a number of emails, letters and telephone calls were made to the Council in which people gave their views on the consultation proposals. Officers attended the meeting of the headteachers of special schools on 3 October. The principal consultation document was issues to a number of parent/carer organisations in Walsall. Parents groups' representatives were briefed on the consultation at the meeting of the Parent Participation group on 30 September. A composite and comprehensive response to the consultation was later submitted by Walsall FACE (Families and Carers Engagement). This included results from the questionnaire and information from focus groups held to discuss the proposals in the consultation.

On the advice of the Parent Participation group, the number and timings of proposed drop-in sessions was increased to include morning sessions. 6 events were held at venues across the borough. In some cases, no one turned up. In all, 21 people 'had their say' providing valuable qualitative information on all aspects of home to school transport. The six events allowed for 19.5 hours contact time with officers.

1. Blakenall Village centre, 12 October 10.00-12.00. None
2. Oakwood school, 12 October 16.00-19.00. 4 people
3. MyPlace, 13 October 14.30-18.00. None
4. Castle school 18 October 16.00-18.00. 4 people
5. Education Development Centre 21 October 10.00-12.00. 10 people
6. MyPlace 31 October 14.30 -19.00. 3 people

In the course of the consultation, questions were raised with elected members on how the consultation process has been conducted, and how the consultation was advertised to encourage participation. Towards the end of the transport policy consultation, the Council began its Budget consultation exercise, which included two proposals to reduce expenditure in home to school transport.

In summary, from all the responses, there was opposition to the idea of removing transport support for young people with special educational needs and disabilities who were aged 16 or over, though some support for the idea of introducing charging instead. There was some opposition to the idea of removing support for 'rising 5s' and raising the walking distance for 8-11 year olds from 2 to 3 miles. There was support for the idea of developing personal travel budgets and independent travel training for young people with special educational

	needs and disabilities, with views expressed that it should be for those young people for whom it was appropriate, that it took account of their needs and that parents/carers would be involved in the decision making.			
<b>5</b>	<b>How may the proposal affect each protected characteristic or group? The affect may be positive, negative or neutral.</b>			
	<b>Characteristic</b>	<b>Affect</b>	<b>Reason</b>	<b>Action needed Y or N</b>
	Age	'rising 5s; 8-11 year olds; post 16s with SEND Neutral	Options for consultation include withdrawal of discretionary areas of transport support and/or obtaining financial contributions from parents/carers for post 16 SEND transport. Around 200 young people with SEND a year use free post 16 home to school transport. Were 'free' transport to be withdrawn, the impact can be mitigated by the availability of bursaries and other financial support for young people with transport, as set out in the current post 16 transport policy	N
	Disability	Disability + SEN & medical Neg	Support with transport for young people with disabilities (as defined by the Equality Act 2010), special educational needs and medical needs are covered by the home to school transport policies. The risk to this group – through either the withdrawal of 'free' transport, or the introduction of charging- identified, raised in consultation and reported to members. Other financial support with transport for young people with disabilities identified in the current post 16 transport policy	Y
	Gender reassignment	Neutral	Proposal does not change, remove or reduce	N
	Marriage and civil partnership	Neutral	Proposal does not change, remove or reduce	N



	Pregnancy and maternity	Neutral	Proposal does not change, remove or reduce	N
	Race	Neg	Minority ethnic communities' figures are larger than Walsall make up.	Y
	Religion or belief	Neutral	Proposal does not change, remove or reduce	N
	Sex	Neutral	Proposal does not change, remove or reduce	N
	Sexual orientation	Neutral	Proposal does not change, remove or reduce	N
	Other (give detail)			
	Further information			
6	<b>Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details below.</b>			Yes
	<p>During the transport policies consultation, the Council's budget proposal were published that were also for consultation. These included proposed savings in 'SEN transport' and in 'Short Breaks'. Consultees made the point in meetings and in writing that the Council's proposals on home to school transport were 'attacking disabled children. They were vulnerable and a minority group. It did not affect voting; it happened every year. It broke human rights and equalities.' Those respondents making those points to elected members have received written responses and their concerns and the potential adverse impact are included in the Cabinet report. The report points to sources of financial and practical support that would mitigate the effect of the withdrawal of financial support for types of SEN transport.</p>			
7	<b>Which justifiable action does the evidence, engagement and consultation suggest you take? (Bold which one applies)</b>			
	A	No major change required		
	B	Adjustments needed to remove barriers or to better promote equality		
	C	<b>Continue despite possible adverse impact</b>		
	D	Stop and rethink your proposal		



Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
15 September 2016	Consultation begins. Monitor responses to consultation with particular reference equalities issues identified or reported	P Wells	1 November	Consultation ends. Report responses in Cabinet report for 14 December.
23 November 2016	Report on consultation methods and effectiveness with particular regard to equalities issues	P Wells	23 November 2016	Attach to report to Cabinet for 14 December as part of members' consideration of the consultation. Those respondents making those points to elected members have received written responses and their concerns and the potential adverse impact are included in the Cabinet report.

Update to EqlA	
Date	Detail