

Consultation on proposed changes to Home to School Transport and Post-16 Transport

Information Pack



Hampshire
County Council

www.hants.gov.uk

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Introduction

The County Council is seeking residents' and stakeholders' views on proposals to change its offer of Home to School Transport and Post-16 Transport to continue to meet the statutory requirement but to limit any discretionary provision.

The consultation is open from midday on 16 January 2018 and closes at 23:59pm on 13 March 2018.

Background

By April 2019 the County Council will be facing an anticipated budget shortfall of £140 million. This is due to national austerity measures, combined with demographic and inflationary pressures. With less money available and growing demand for council services, especially statutory services, tough decisions will need to be made about what the County Council can and cannot do in the future. The County Council is required by law to deliver a balanced budget and therefore cannot plan to spend more than is available. Hampshire County Council plans to address its budget shortfall through a combination of measures including increases in Council Tax and delivering savings from services.

The County Council consulted the public on its financial strategy in the Balancing the Budget Consultation during the Summer of 2017. Details can be found at www.hants.gov.uk/aboutthecouncil/haveyoursay/consultations/balancingthebudget.

The proposed changes to Home to School Transport and Post-16 Transport would contribute to the Children's Services Department's savings target by up to £1.54 million, as well as continuing to provide the level of service that is required by law.

Hampshire County Council's consultation policy

The County Council is committed to five principles of consultation:

- to consult on key issues and proposals;
- to consult in good time;
- to be inclusive but with clear and appropriate limits;
- to consult using clear, simple information; and
- to ensure that responses are taken into account when decisions are made.

Your views are important

It is important to the County Council that the views of all those who may be affected by the proposals, including the children and young people, and their families and carers are carefully considered.

The findings from this consultation will be published and presented to the Executive Lead Member for Children's Services later in 2018. Feedback will help to inform any decision by the County Council on the proposed changes to Home to School Transport and Post-16 Transport.



Hampshire County Council adheres to the requirements of the UK Data Protection Act 1998. Hampshire County Council is registered on the public register of data controllers which is looked after by the Information Commissioner. Under the Data Protection Act the information you have provided in this questionnaire will only be used to understand views on the proposals set out in this consultation. All individuals' responses will be kept confidential and will not be shared with third parties, but responses from organisations may be published in full. Responses will be stored securely and retained for one year following the end of the consultation before being deleted or destroyed.

How to have your say

a. Open public consultation

You are invited to give your views on the proposals to provide a statutory minimum level of Home to School Transport and Post-16 Transport. You can do this by using the online Response Form at: www.hants.gov.uk/home-to-school-transport.

If you require a paper copy of the Information Pack or the Response Form, or if you have any queries about the consultation, please contact insight@hants.gov.uk, or call: **0300 555 1384**.*

You can also email your response directly to Hampshire County Council using the email address insight@hants.gov.uk.

This Information Pack and the Response Form are available in other formats such as easy read, large print, audio and Braille. To obtain an alternative format, or if you have any queries about this consultation, please email Hampshire County Council at: insight@hants.gov.uk, or call: **0300 555 1384**.*

The consultation is open from midday 16 January 2018 and closes at 23:59pm on 13 March 2018. Please note that responses received after this date will not be included in the findings report.

***Calls from a landline will be charged at the local rate, although mobile phone charges may vary.**

b. Virtual Question and Answer session

There will be a virtual session in which the public can ask questions about the proposed changes. Details of this can be found on the consultation web page at www.hants.gov.uk/home-to-school-transport.

Section one

About Home to School Transport

What is it?

Hampshire County Council arranges transport for some children to attend school. This is largely provided to children attending their catchment school as well as specialist Home to School Transport for Hampshire pupils with Special Educational Needs and/or disabilities. In both circumstances transport is arranged where children meet the County Council's eligibility criteria. Information on the service, and how to apply for it, is available at www.hants.gov.uk/educationandlearning/schooltransport.

Whilst parts of the service are statutory, some of the eligibility criteria employed in Hampshire are discretionary. The proposals in this consultation only apply to the discretionary criteria. Hampshire County Council will continue to meet its statutory requirements.

Hampshire County Council currently arranges Home to School Transport for over 15,000 students. Of these, 12,000 attend mainstream school places and 3,000 attend places that meet their Special Educational Needs and/or disabilities. Most are arranged with transport under statutory entitlements, with under 1,000 being provided with transport under discretionary arrangements.

How much does it cost the County Council?

Current expenditure on statutory Home to School Transport is £29 million, and a further £3.4 million is spent on discretionary transport. The County Council is proposing to deliver savings of £1.54 million through the proposals covered in this consultation by reducing the discretionary services including Post-16 Transport for young people with an Education, Health and Care Plan and/or disabilities.

Since 2010, a number of initiatives have been followed to manage costs and the service as efficiently as possible. These include use of school minibuses for Home to School Transport, major procurement exercises, introducing time limits on exceptional transport arrangements and a change to policy that restricted the provision for children living within a shared catchment area which first took effect in September 2012.

Who uses (or is eligible for) Home to School Transport?

Statutory provision

Hampshire County Council is required by law to transport, free of charge, all children of compulsory school age who meet the nationally set distance criteria. The distance criteria are met if:

- the child is of compulsory school age but is under eight years old, and they attend the nearest catchment school or one that is nearer to their home, where the distance (measured by the nearest available walking route) is more than two miles;
- the child is eight years old or over but not above the compulsory school age, and they attend the nearest catchment school or one that is nearer to their home, where the distance (measured by the nearest available walking route) is more than three miles (this is reduced to more than two miles if the child meets low income criteria); or
- parents apply for a place at the designated catchment school and a place is not available. In this situation Home to School Transport assistance will be offered to the next closest school with an available place if the walking distance criteria above are met.

Children of compulsory school age with Special Educational Needs, disabilities and/or mobility problems are eligible for free home to school transport where, for reasons of their Special Educational Needs, disabilities or mobility problems such children cannot reasonably be expected to walk to school.

Children of compulsory school age whose route to school is classified as an 'unsafe walking route' will be entitled to free transport provision.

Discretionary provision

The County Council currently arranges Home to School Transport for the following groups on a discretionary basis:

- nursery children with Special Educational Needs and/or disabilities attending nursery placements;
- reception age children under the compulsory school age, which is defined as the school term after the child's fifth birthday;
- the statutory distance criteria measuring the nearest available walking route increases from two miles to three miles on a child's eighth birthday. The County Council currently delays this changeover until the end of the school year where the child turns eight, at its discretion.

If a child does not qualify for free travel assistance they can apply for the Privilege Seat scheme to be a passenger on school transport. Privilege Seats are available if the vehicle is contracted by Hampshire County Council to transport children and if there are spare seats. A place can be withdrawn at short notice if it is needed for a child who qualifies for free transport. An annual flat

rate, currently £570 per year, is charged per Privilege Seat regardless of the distance travelled or the number of days used per week. If a child qualifies for free school meals due to low income, the fee may be waived.

About Post-16 Transport

What is it?

There is no automatic entitlement to free Home to School Transport once a student is above compulsory school age. In law, the Council is required to provide the support that it deems necessary to facilitate the attendance of young people of sixth form age who are in education or training.

Under this requirement Hampshire County Council currently offers transport to young people of sixth form age with an Education, Health and Care Plan and/or disabilities who meet certain eligibility criteria.

The young person automatically receives help with transport to the education or training provider if it is more than three miles away from their home, or within three miles if the young person is physically unable to walk, or if they need to be accompanied and their parent or carer is unable to accompany them. There is an annual charge of £570 towards the cost of the transport, which does not apply if the young person's family would be eligible for free school meals, or who receive Income Support, Employment and Support Allowance (income based), income-based Job Seekers' Allowance, or Child Tax Credit (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190).

How much does it cost the Council?

Hampshire County Council currently provides this support at a cost of approximately £1.6 million per year. For students over 16 some colleges use their minibus to enable some students to attend their setting, and charges were introduced in September 2012.

Section two of this Information Pack sets out the proposals to change the County Council's offer of Home to School Transport and Post-16 Transport to continue to meet the statutory requirement but to limit any discretionary provision.

Section two

Proposals to provide the statutory minimum level of Home to School Transport and Post-16 Transport

The County Council is proposing to provide the statutory minimum level of Home to School Transport and Post-16 Transport. This would involve changes to the service user groups shown below.

Children with Special Educational Needs and/or disabilities attending nursery placements

What does the County Council currently provide?

Hampshire County Council currently arranges transport for some children with Special Educational Needs and/or disabilities attending nursery placements.

How many children currently receive this?

80

What is being proposed?

To stop providing new Home to School Transport to children with Special Educational Needs and/or disabilities attending nursery placements from September 2018.

Why is this being proposed?

The legislation states that Home to School Transport must be arranged where the child is eligible and is of compulsory school age. Hampshire County Council is therefore currently providing a service above the statutory level. Arranging Home to School Transport to nursery-aged children costs the County Council £340,000 per year which could be saved by not providing this service in the future.

How would this be implemented?

The proposal is that this policy change would be in place for transport arranged from September 2018. Transport would not be removed from any child receiving it under the current policy. Parents would be informed of the Home to School Transport policy for September 2018 when applying for a nursery place.

What would be the impact of this policy?

If approved, parents and carers of children with Special Education Needs and/or disabilities applying for a nursery place in September 2018, once the new policy is in place, would need

to consider alternative ways to take their child(ren) to nursery. There is a small potential for increases in traffic, due to parents dropping off and collecting children from nursery. There may be impacts on parents and carers should they need to change their routines and working patterns to transport their children to nursery.

What support would be provided?

If a child does not qualify for free travel assistance they can apply for the Privilege Seat scheme to be a passenger on school transport. An annual flat rate, currently £570 per year, is charged per Privilege Seat regardless of the distance travelled or the number of days used per week. If a child qualifies for free school meals due to low income, the fee may be waived.

Reception age children

What does the County Council currently provide?

Where a child is eligible, Hampshire County Council currently arranges transport from the beginning of the academic year the child starts school. The statutory requirement is for transport to be provided when the child is of compulsory school age which is the beginning of the term following their fifth birthday. Therefore, the current level of provision by the County Council is beyond the statutory requirement.

How many children currently receive this?

250

What is being proposed?

To only provide Home to School Transport once a child reaches compulsory school age from September 2019.

Why is this being proposed?

This change would bring the Council's level of provision in line with the statutory legal minimum. Hampshire County Council currently arranges the additional level of Home to School Transport at a cost of approximately £500,000 per year, which could be saved by not arranging this in the future.

How would this be implemented?

If agreed, any change in policy would not take effect until September 2019, so applications for 2019 would be made with awareness of the updated policy. The policy change would not affect children who are starting school in September 2018, as they will have applied under the existing policy.

What would be the impact of this policy?

If the proposal is approved, the parents and carers of children applying for 2019 school places, who would have been entitled to transport under the current policy but who will not be

of compulsory school age in September 2019, would have to find an alternative way to take their child(ren) to school until the beginning of the term following their fifth birthday. There is a potential for increases in traffic, due to parents dropping off and collecting children at school. There may be impacts on parents and carers should they need to change their routines and working patterns to transport children to school.

What support would be provided?

If a child does not qualify for free travel assistance they can apply for the Privilege Seat scheme to be a passenger on school transport. An annual flat rate, currently £570 per year, is charged per Privilege Seat regardless of the distance travelled or the number of days used per week. If a child qualifies for free school meals due to low income, the fee may be waived.

Eight year olds

What does the County Council currently provide?

The statutory requirement is that until the age of eight, children are eligible for Home to School Transport where the walking route to school is two miles or over. From their eighth birthday, this distance increases to three miles or over. Hampshire County Council currently delays this walking distance increase until the end of the school year in which the pupil is eight, which is beyond the statutory requirement.

How many children currently receive this?

60

What is being proposed?

To implement the revised walking distance from two miles to three miles on a child's eighth birthday from September 2018.

Why is this being proposed?

This change would align the County Council's level of provision with the statutory requirement. Hampshire County Council currently arranges this support at a cost of approximately £80,000 per year which could be saved by not providing this in the future.

How would this be implemented?

Children currently in year R, 1 and 2 who applied for a school place under the existing policy will receive transport until the end of year 3.

What would be the impact of this policy?

The parents and carers of children applying from 2019, who would have been entitled to transport under the current policy, would have to find an alternative way to take their child(ren) to school once they turn eight. There is a potential for increases in traffic, due to parents

dropping off and collecting children at school. There may be impacts on parents and carers should they need to change their routines and working patterns to transport children to school.

What support would be provided?

If a child does not qualify for free travel assistance they can apply for the Privilege Seat scheme to be a passenger on school transport. An annual flat rate, currently £570 per year, is charged per Privilege Seat regardless of the distance travelled or the number of days used per week. If a child qualifies for free school meals due to low income, the fee may be waived.

Post-16 students with Special Educational Needs and/or disabilities

What does the County Council currently provide?

Hampshire County Council currently assists with travel for some young people with a current Education, Health and Care Plan and/or disabilities to attend courses. This support can include transport to the nearest suitable provider offering a course or programme which is designed specifically to meet their special needs, or a provider further away if the Education, Health and Care Plan states that the course they wish to attend is specifically designed for them, is essential for their job aspirations or is the most suitable placement for their special needs.

The young person automatically receives help with transport to the education or training provider if it is more than three miles away from their home, or within three miles if the young person is physically unable to walk, or if they need to be accompanied and their parent or carer is unable to accompany them. There is an annual charge of £570 towards the cost of the transport, which does not apply if the young person's family would be eligible for free school meals, or who receive Income Support, Employment and Support Allowance (income based), income-based Job Seekers' Allowance, or Child Tax Credit (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190).

How many young people currently receive this?

330

What is being proposed?

To remove the automatic right to Post-16 Transport for new placements from September 2018. Cases would be considered on an individual basis and transport would only be provided where considered necessary to facilitate attendance.

Why is this being proposed?

There is no legal requirement to arrange Home to School Transport for Post-16 students with Special Educational Needs and/or disabilities. Hampshire County Council currently provides this support to pupils meeting the criteria above at a cost of approximately £1.6 million per year. Some of this could be saved by having no automatic entitlement in the future.

How would this be implemented?

This policy change would be implemented for transport arranged from September 2018. Transport would not be removed from any young person receiving it under the current policy for the duration of their existing placement.

What would be the impact of this policy?

Post-16 students with Special Educational Needs and/or disabilities and their families would need to make their own arrangements for transport to providers from September 2018. There could be a limited impact on traffic in the areas around colleges. There could also be an impact through increased demand for Post-16 bursaries that are administered by Post-16 establishments. There may be impacts on parents and carers should they need to change their routines and working patterns to transport young people to college.

What support would be provided?

If exceptional circumstances apply, parents or carers could appeal for transport assistance to be arranged on a discretionary basis. A charge may apply for arranging this.

Charging for exceptions to the Home to School and Post-16 Transport Policies

What does the County Council currently provide?

Where a child or young person is not entitled to Home to School or Post-16 Transport under the current policy, the parent or carer can appeal and ask for transport as an 'exception to policy'. Officers consider the particular circumstances to reach a decision on a case-by-case basis. Exceptions are approved for a limited period and parents can re-apply for the service.

How many young people currently receive this?

200

What is being proposed?

To introduce a charge where transport is arranged as an exception to the Home to School Transport Policy and increase the charge applied under the Post-16 Transport Policy as a contribution to the County Council's cost. It is proposed that the cost would be tiered and based on the distance to the school or Post-16 provider, a change from the current fixed charge of £570 for a Privilege Seat or for Post-16 Transport.

It is proposed that all transport arranged as an 'exception to policy' or as a Privilege Seat would be charged at a rate of £600 per year from September 2018 for journeys up to five miles, with higher charges for longer distances.

It is proposed that the charge would be capped at 10 miles. This charge would account for the higher costs of transport for journeys of greater distance and requiring more time. This would lead to the following charges at different distances from schools:

Distance to travel	Annual charge
Up to 5 miles	£600
5.01 miles to 7.5 miles	£831
7.51 miles to 10 miles	£1,164
Over 10 miles	£1,330

It is proposed that this annual charge would be the same for all receiving transport arranged as an 'exception to policy', regardless of how many days per week the child or young person uses it. However, when transport is arranged for periods of less than a year this annual charge would be calculated based on the number of weeks it was used. So if a child or young person were to receive transport for a single school term they would be charged approximately one third of the annual charge. However, a young person receiving transport to attend a course that a provider delivers over three days per week for a full year would pay the full annual charge.

Why is this being proposed?

Hampshire County Council currently spends £800,000 per year supporting transport through exceptions, and the introduction of a charge if arranging transport as an exception to policy could cover some of the costs.

In the Serving Hampshire – Balancing the Budget consultation undertaken in summer 2017, 68% of respondents agreed that Hampshire County Council should raise existing charges or introduce new charges to help to cover the costs of running some local services. This level of agreement was highest amongst respondents with children in their household, and also amongst respondents from households with higher incomes.

How would this be implemented?

If approved the policy would be implemented on all new transport arrangements from September 2018. As transport exceptions are typically agreed on a fixed term basis, at most the remainder of a school year, any parents or carers re-applying for an exception would be subject to a charge from September 2018.

What would be the impact of this policy?

If approved, parents and carers whose child(ren) receive transport on an exception basis would be charged for transport from September 2018 onwards. This policy may have a greater impact on families in rural areas who are likely to live further from educational settings. Parents not receiving Home to School Transport or Post-16 Transport under the exceptions policy may choose to transport their children in private vehicles, with a potential for increases in traffic around schools.

What support would be provided?

If a child or young person's household meets low income thresholds, defined as those who would be eligible for free school meals, or who receive Income Support, Employment and Support Allowance (income based), income-based Job Seekers' Allowance, or Child Tax Credit (provided they're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190), would not be charged, where they are given transport on an exception basis.

Children attending alternative provision

The County Council currently arranges Home to School Transport for some children who are not permanently excluded but are directed by their school to attend alternative provision through its Education Inclusion Service. The Council is considering restricting transport to permanently excluded pupils who qualify under the distance criteria (about 60 children per academic year) following engagement with schools.

Options which are not being consulted on

The alternative to the proposed policies, to do nothing and to continue to fund discretionary Home to School Transport at the same level as present, has been considered and is not being proposed as it would cause unacceptable strain on other parts of the Children's Services budget. As the County Council is required by law to deliver a balanced budget, any savings not delivered through these proposals will need to be found elsewhere.

Section three

Illustrative case studies

The examples below are illustrative and not actual users. They have been created to describe how different users would be impacted by the proposed changes.

Case 1

Angela is the mother of three children, Ben (aged two), Charlotte (aged three), and Daniel (aged eight). Charlotte and Daniel attend the same primary school, with Ben attending a nursery placement at the same setting. As the school is the nearest to their home, and is located four miles away, Charlotte and Daniel receive free Home to School Transport under the current policy. Both children would continue to receive Home to School Transport until the start of the Autumn 2018 term. Under the proposed new policy the situation for each child would then be as follows:

- Ben would not be entitled to Home to School Transport for his nursery or Reception places until he reaches compulsory school age (the term after his fifth birthday). His parents can purchase a Privilege Seat (currently costing £570 per year) until he becomes eligible for Home to School Transport after he reaches compulsory school age, if a seat is available on existing transport.
- Charlotte, who starts school in September 2018, applied for a school place under the current Home to School Transport policy. She will therefore receive free Home to School Transport from the start of her reception year.
- Daniel would continue to be eligible for free Home to School Transport.

Case 2

Edward and Fiona are parents to Grace, a 16 year old girl with Special Educational Needs who has an Education, Health and Care Plan. Grace hopes to start college in September 2018, and under the current policy she would be entitled to transport assistance to the nearest suitable college offering a course which is designed specifically to meet her special needs. Under the proposed policy Grace would only receive transport assistance if she could establish she would be otherwise unable to attend college.

Case 3

Harry is a 17 year old student with Special Educational Needs who has an Education, Health and Care Plan. He attends a course at a college and receives free transport assistance as he is from a low income background. Under the proposed policy Harry would continue to receive free transport assistance while completing his current course providing his circumstances remain the same, as it was arranged under the current policy.

Case 4

Ian and Jenny have a six year old daughter, Katie, who receives free Home to School Transport because she lives two and a half miles away from school. Katie will turn eight in February 2020. Under the current policy children would continue to receive free Home to School Transport until the end of the school year in which they turn eight.

When she turns eight Katie will continue to receive free Home to School Transport because she applied for and received Home to School Transport under the current policy. However, any child with the same circumstances applying for Home to School Transport from September 2019 would stop receiving it on their eighth birthday.

Case 5

Luke and Mary have a two year old son, Nathan, whose birthday is in November. Nathan has Special Educational Needs. Nathan's parents expect to send Nathan to their nearest school, 2 and a half miles from their home. This school provides nursery places as well as schooling from Reception year.

Under the current policy, because of Nathan's Special Educational Needs, he would receive Home to School Transport from the start of his nursery placement until the end of the school year when he turns eight. At that point he would no longer be eligible for free Home to School Transport as the distance threshold in the current policy increases from two miles to three miles at the end of the school year following a child's eighth birthday.

Under the proposed new policy, Nathan would no longer be eligible for Home to School Transport until he reaches compulsory school age (the beginning of the term after his fifth birthday). He would then receive Home to School Transport until his eighth birthday (as the statutory distance threshold increases from two miles to three miles at this point), at which point transport would be withdrawn unless his Special Educational Needs mean he can not reasonably be expected to walk to school.

Frequently Asked Questions

What would happen to children already receiving Home to School Transport?

There would be no change for existing users unless there is a change of circumstances.

When would the changes happen?

Some are proposed for September 2018 and others would be implemented in September 2019. Existing users will not lose their current provision unless there is a change of circumstances.

How much would it cost to use the Privilege Seat scheme?

The current cost is £570 per year. It is proposed that this charge would increase to contribute to the County Council's costs, based on the distance travelled to the school or course provider.

If a child or young person receives transport as an exception to policy, but attends school or college for fewer than five days per week, would they need to pay the full annual charge?

Yes. The charge is for the provision of transport for up to five days per week, and not broken down as a daily charge. This represents no change from the current policy.

If a child or young person receives transport as an exception to policy, but does not require it for a full year, would they need to pay the full annual charge?

No. Transport is often arranged for periods of less than a year, particularly where this transport is required in exceptional circumstances which can be short-term. In such a situation the charge would be based on the number of weeks that the transport is arranged. For example, a child or young person receiving transport as an exception to policy for one school term would be charged approximately one third of the annual charge.

When will exceptions to policy be agreed?

All exceptions are unique. Each case is assessed on its own merits and will consider the evidenced circumstances that parents or carers have highlighted. The County Council is required to make a decision on appeals for transport within 20 working days of the appeal being lodged.

What are statutory and discretionary services?

A statutory service is one which has to be provided by law. The statutory services described in this document have to be provided by the County Council.

A discretionary service is one which does not have to be provided by law. The discretionary services described in this document have been provided by the County Council beyond their legal responsibilities.

Conclusion

Thank you for reading through this Information Pack.

You are invited to give your views on the proposals to provide a statutory minimum level of Home to School Transport and Post-16 Transport. You can do this by using the online Response Form at: **www.hants.gov.uk/home-to-school-transport**.

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You can also email your response directly to Hampshire County Council using the email address **insight@hants.gov.uk**.

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The findings from this consultation will be published and presented to the Executive Lead Member for Children's Services for consideration of a decision on the proposed changes to Home to School Transport and Post-16 Transport.

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