

Travel assistance policy for 0-25 year olds in education consultation

February-April 2019

This document outlines the changes we propose to make to our travel assistance policy for 0-25 year olds in education. Please ensure you read this carefully before responding to the consultation.

Proposal One

The Council's current policies would be combined into a single 0– 25 policy.

Currently the national legislation and statutory guidance details the transport assistance for children and young people across three age groups (4-16, 16-19 and 19+). This can be confusing.

The new policy aims to provide clarity about the application and assessment process for transport assistance for children and young people of all ages. Having a single policy reflects national good practice and the intention is that it would help with transitions and ensure parents are fully informed about the options available to them before children move into a new phase of education.

When would this come into force and who would be affected?

This change would take effect for new applicants for transport for September 2019 if their application is received after the new policy is approved and published.

If a child or young person's circumstances change (e.g. a change of school) and they apply for transport after 1 September 2019, their application will be assessed under the new policy.

Proposal Two

The contribution made by families where travel assistance is awarded for young people of sixth form age would be increased from the current rate paid.

In cases where young people of sixth form age are awarded transport assistance, i.e. because it is necessary due to their needs identified in their EHCP or their circumstances are exceptional, the family is required to make a contribution towards the cost. We are proposing to increase the contribution because it has not been increased since 2013 but the costs of transport have increased.

The costs of transport have increased over the last few years to an average of £4,800 per year for a young person on a minibus. The charge to families is therefore a contribution and does not cover the full cost of transport.

Under the existing policy, the current charge is £600 or £300 for families in receipt of income related benefits. It is proposed that under the new policy the charge would be £780 unless the family is in receipt of income related benefits, in which case a 50% discount would continue to apply and the charge would be £390. In either case, the charge could be paid in up to eight monthly instalments.

When would this come into force and who would be affected?

This change would take effect for new applicants for transport for September 2019 if their application is received after the new policy is approved and published.

If a young person's circumstances change (e.g. a change of school) and they apply for transport after 1 September 2019, their application will be assessed under the new policy.

All transport arrangements are subject to annual review from the date transport is awarded. Annual reviews taking place after 1 September 2019 would be assessed under the new policy.

Proposal Three

Where travel assistance is awarded for children below compulsory school age, families would have to pay a contribution.

The Council does not have, and is not legally required to have, a policy or offer travel assistance to pupils who are below compulsory school age. This includes most children under the age of five who would not be due to start Reception during the 2019/20 academic year.

However, due to the increased number of applications from pupils in this age group who are being placed at special nurseries named in Education, Health and Care Plans, the Council would like to explain more clearly how it will make decisions about those applications. It is proposed that, in line with its legal duties, the Council would not usually provide transport assistance to children in this age group.

In the rare cases where the child has an Education Health and Care Plan, the circumstances are exceptional and the Council decides that it is necessary to make transport arrangements, families would be required to pay a contribution of £780, unless the family is in receipt of income related benefits, in which case a 50% discount would apply and the charge would be £390.

When would this come into force and who would be affected?

This change would take effect for new applicants for transport for September 2019 if their application is received after the new policy is approved and published. If a child's circumstances change (e.g. a change of school) and they apply for transport after 1 September 2019, their application will be assessed under the new policy. For children with existing transport arrangements at pre-school age, the new policy will be used to assess at annual review.

Proposal Four

The new policy outlines the Council's approach to the transport arrangements that it considers necessary to make for young people over the age of 19.

The law requires the Council to publish a policy statement which explains what travel arrangements it considers are necessary to make for young adults aged over 19 to facilitate their attendance at educational institutions.

It is proposed that the Council would not make any general arrangements for the provision of free transport or the payment of any travelling expenses and would only consider applications for transport assistance from young adults aged over 19 if they have an Education, Health and Care Plan or their circumstances are exceptional. Transport arrangements would only be made for applicants where the Council considered that it was necessary, having reviewed the factors listed in the draft policy.

When would this come into force and who would be affected?

This change would take effect for new applicants for transport for September 2019. If a young person's circumstances change (e.g. a change of educational institution) and they apply for transport after 1 September 2019, their application will be assessed under the new policy.

Proposal Five

It is proposed that the second stage of the appeals process would be before a panel of independent Council officers, rather than councillors. Parents would be able to attend the second stage appeal and make verbal representations.

Under the current policies, parents who are unhappy with a decision not to award their child travel assistance, or with the type of assistance offered, have the right to request a review of the decision, which is sometimes referred to as an 'appeal'. The first stage of the appeals process is a review of the decision by another Travel Assist officer, and this part of the process would remain unchanged. Following the first stage review, parents who remain dissatisfied can request a second stage appeal. Currently, second stage appeals are considered by a panel of councillors who read copies of all of the paperwork submitted by the parents and hear from an officer from Travel Assist who explains how the original decision was made.

The new policy proposes that second stage appeals would be considered by a panel of officers who were independent of the original decision and the first stage appeal but have expertise related to decisions of this nature. This reflects good practice nationally.

The new policy proposes a change in line with statutory guidance which recommends that parents be given the opportunity to attend the panel hearing to explain their circumstances to the panel. If parents did not want to attend, the panel would still read all of the parents' paperwork before making a decision.

When would this change come into force and who would be affected?

This change would take effect for any applications received after the new policy is approved and published.

This change would also apply to annual reviews and for changes of circumstances (e.g. changes of school) after the new policy is approved and published.

Proposal Six

It is proposed that there would be greater use of Independent Travel Training.

Birmingham City Council wants to promote and expand a system of independent travel training to give children and young people the skills they need to improve their ability to travel independently, if it is considered that this would be of benefit to them.

If successful, this will mean that some children and young people who previously required highly individualised transport to travel to school or college would be able to take public transport or walk.

The Council proposes that the promotion of independent travel training should be a fundamental part of the new transport policy.

Independent travel training can take many forms and would be bespoke to the child concerned. Some children may only require a short period of training before they are able to travel more independently, but for others this may be an ongoing process. Independent travel training is always age appropriate and is never carried out without discussion with, and the agreement of, parents and guardians.

When would come into force and who will be affected?

Independent travel training is already available to families in Birmingham and would be promoted through the new policy from September 2019.

Proposal Seven

It is proposed that there would be greater use of Personal Transport Budgets.

Personal transport budgets are a bespoke way for families to take control of their transport arrangements and reduce their reliance on both the Council and transport providers to enable their child to get to school. Personal transport budgets can be used in any way that the family wants to make arrangements for their child's transport to and from school. For example, the budget may be used to pay a family member to take a child to and from school, to contribute towards car sharing arrangements or to cover childcare costs for a sibling so that a parent can take their child to and from school. Some Birmingham families are already choosing personal transport budgets as a solution that works for them.

The Council already offers personal transport budgets, but they have not been used as widely and effectively as they could be, therefore it is proposed that they will be offered to the majority of families who apply under the new policy, giving families greater independence and flexibility over decisions relating to transport.

When would this come into force and who will be affected?

Families who are already in receipt of transport assistance may be offered a personal transport budget following their next annual review or change in circumstances if it is identified that this would be an alternative way of making the necessary transport arrangements for their child.

New applicants for transport for September 2019 will be considered for a personal transport budget if their application is received after the new policy is approved and published.

Proposal Eight

The new policy aims to explain more clearly that parents are expected to accompany their children to school wherever possible.

The draft policy aims to clarify the rights and responsibilities of parents towards accompanying their children to school. By law parents are required to ensure that their child receives a suitable education at school or otherwise. Primary age children and secondary age children who cannot reasonably be expected to walk to school, and

require accompaniment, because of their SEN, disability or mobility problems should be accompanied to and from school by their parents unless there is a good reason why that is not possible.

The Council's current policy does not make these expectations as clear as it could. The Council considers that it is important that parents understand what is expected of them and what it is possible to offer to families. This would mean that in most cases where the Council decides that a child needs to be accompanied on their journey to school, this should be by their parent unless there is a good reason why that is not possible.

Any changes made to the accompaniment requirements of children will be subject to a risk assessment.

When this will come into force:

This change would take effect for any applications received after the new policy is approved and published.

This change would also apply to annual reviews and for changes of circumstances (e.g. changes of school) after the new policy is approved and published.

Tell us what you think

Online

By taking the consultation survey and leaving comments at www.birminghambeheard.org.uk/people-1/0-25-policy

In writing

Email education@birmingham.gov.uk
Post Travel assistance policy consultation,
1 Lancaster Circus
PO Box 17550
Birmingham
B2 2PA

In person

Consultation events will take place during the consultation period, details of which are available at www.birminghambeheard.org.uk/people-1/0-25-policy or on request from the email address above.

You can request a paper copy of the survey by using the email address above.

Further information

As a local authority Birmingham City Council collects, holds and processes a considerable amount of information, including personal data about you, the citizens of Birmingham and other website visitors. This allows us to provide our services more effectively.

We understand that your personal data is important to you, and we have a responsibility to you regarding the information we hold about you, to ensure that the information we collect and use is done so proportionately, correctly and safely.

Being transparent with you and providing accessible information about how we use your information demonstrates our commitment to the General Data Protection Regulations, hereafter referred to as 'GDPR'. (Regulation (EU) 2016/679).

We are committed to safeguarding your privacy and in this policy we explain how we will handle your personal data.

Full details about this are available at <https://www.birmingham.gov.uk/privacy>

The closing date for responses to the consultation is midnight on Tuesday 2 April 2019.