

19-25 Home to School Transport Policy 2023-24

1. Clarifications

This policy applies to young adults between the ages of 19-25 with an Education, Health and Care Plan (EHCP), and **who attend** an education/training provider.

If you are an adult between the ages of 19-25, and **do not attend** an educational/training provider, please read the Adult Care Services transport policy at

<https://intranet.hertfordshire.gov.uk/Interact/Pages/Content/Document.aspx?id=5930>

2. Introduction

This document replaces the current Children's Services (CS) 19-25 Transport Policy and comes into effect in September 2023. It provides guidance on how Hertfordshire County Council (the County Council) will meet the transport needs of young adults aged 19-25 with an EHCP attending the education or training provision named in their Plan.

This policy promotes independence and outlines a variety of transport options designed to encourage young people to be as independent as possible. For further information and guidance around transport please contact the Special Educational Needs (SEN) Transport Team at schooltransport@hertfordshire.gov.uk

3. Principles

3.1 Legislation

1996 Education Act s508F (Children's Services)

The 1996 Education Act outlines the responsibilities of local authorities for transporting young people between the age of 19-25. There is no requirement for Local Authorities to provide transport, but they must make arrangements for the provision of transport and otherwise as they consider necessary to:

- Facilitate the attendance of adults with EHCPs receiving education or training at colleges or other institutions providing further or higher education
- Facilitate the attendance of adults receiving education or training at institutions outside the FE & HE sectors but only when the Local Authority has secured the place and boarding accommodation
- Where these criteria are met, transport must be free of charge.

3.2 Aims

This policy aims to ensure that the transport support offered is essential and appropriate to the individual, and their parent/carer.

The policy's main aims are to ensure that transport support:

- is provided for young people who meet the County Council's eligibility criteria for Home to School Transport under the Education Act 1996
- promotes users' independent living skills
- will encourage access to education/training provision as close to home as possible
- will be flexible, respond to changing circumstances and kept under regular review
- eligibility and appropriateness are considered as part of every assessment

Transport support will only be provided if there is no alternative way for the young person to access the education/training provision named in their EHCP and the provision named is the "nearest suitable" provision to the home address.

4. Transport Options

4.1 Alternative Transport Options

A young person, or their parent/carer(s), will make their own arrangements to attend their named education/training provider and those arrangements are expected to be similar to travel arrangements to access the community for other activities such as shopping and leisure activities. Young adults who can travel independently are expected to access services using public transport if available.

There are several options available for those requiring transport assistance. Transport support will only be provided in cases where none of these options are viable and there is no alternative way for the young person to access their named education or training provider. This will ensure that the limited resources available are used to assist those who have no alternative means of traveling to services and activities.

Options to be explored:

- Hertfordshire's Independent Travel Training Scheme
- Hertfordshire's Direct Dial (www.hertfordshire.gov.uk/dialaride)
- Hertfordshire's Lynx Demand Response Bus Service (East & North Herts)
- Hertfordshire's Lift Share Scheme
- Hertfordshire's Spare Seat Scheme
- Public transport (including consideration of what support would be required to use public transport)
- Family and friends' support
- Community Transport (www.communitytransportherts.org)

Individuals in receipt of the following benefits should consider how they can be best utilised to access education and training provision:

- Mobility (PIP) allowance
- School/college Bursary Funds (if low income) – applications must be sent to the education provider direct
- Enhanced Rate of the Mobility Component of Personal Independence Payment (PIP)
- Higher mobility rate of Disability Living Allowance (DLA)

The County Council will take access to benefits, and their potential use, into account in transport decisions. Transport support will only be provided in cases where there is sufficient evidence to show that all other transport options have been explored and there is no other method for the

young person to access the education or training provider named in their EHCP. In these cases, transport support will only be considered necessary if the named provision is the “nearest suitable” to the home address.

4.2 Personal Travel Budgets

If, through the assessment process, it is agreed that transport support should be provided, in most cases that will be through the provision of a Personal Travel Budget (PTB).

PTBs are calculated using the distance between a young person’s home and school/college, at a rate of 55p per mile for four journeys per day.

PTB Example - young person travelling five miles to their education/training provider

Mileage (5) x Journeys (4) x Mileage Rate (0.55) = £11 a day
190 days in every school year = 190 x £11 = £2090 annual payment

The PTB is split equally with three termly payments throughout the year. In this example the three payments are calculated based on the young person attending school/college full time (190 educational days per year) as follows:

Daily Rate (£11) x Days Attended (190) = £2090 (£697 every term)

Payments will be made in advance of travel onto a direct payment card. The card is a debit Mastercard and can be used to fund any travel related expenditure to and from school/college.

For young people with higher level of need, for example higher level Disability Living Allowance (DLA) or Personal Independence Payment (PIP) (mobility) an additional flat rate termly payment of £150 (or proportional to days travelled) is available in recognition of additional transport needs.

4.3 Transport provided by the County Council

Transport services directly arranged and funded by the County Council will only be provided as part of an assessment by a Discretionary Transport Panel when all other transport options have been exhausted and it has been shown that PTB is not suitable or appropriate. Professional medical and social evidence relating to the young person’s ability to travel will be considered by the panel in their decision making.

4.4 Passenger assistants

Passenger assistants will only be provided in line with the County Council’s published policy.

5. Eligibility

5.1 Eligibility criteria for transport support

Transport support may be provided when all the following criteria are met:

- the young person is aged 19-25
- an EHCP is in place and the named provision clearly meets the needs outlined in the EHCP

- the EHCP clearly outlines progressive targets that the course will meet
- the course is full-time (16 hours a week or more)
- the course/training has not been previously undertaken
- the education or training establishment is the nearest facility to the home that offers the course or its equivalent
- the education or training establishment is between 3-10 miles from the home address
- the young person is unable to access or benefit from Travel Training (provided by the County Council) or access any other mode of transport
- without transport support the young person will be unable to access their named education or training provision
- none of the exclusions apply (section 5.3)

If a young person moves home, the young person or their parent/carer must contact the SEN Transport Team to inform them of their new address, by email, at schooltransport@hertfordshire.gov.uk.

If the provision named in the EHCP changes the young person's transport support will be reviewed.

Hertfordshire's Local Offer webpages www.hertfordshire.gov.uk/localoffer provides advice and information on alternative transport options for young people not eligible for transport support.

5.2 Independent Travel Training

Travel training must be explored as part of the planning and review process and independent travel arrangements put in place wherever possible to prepare the young person for adulthood. These considerations should be evidenced in the young person's EHCP and their transport assessment.

If a young person is eligible for Travel Training and they are identified by the County Council's Travel Training Team as suitable for the scheme, three attempts will be made to start the young person on the scheme. Upon three unsuccessful attempts to start the Travel Training programme, transport support will not be offered, and if already in place, will be withdrawn.

5.3 Exclusions

A young person will not be eligible for transport support in the following circumstances:

- Where a young person aged 19-25 is on an apprenticeship course as the young person is in paid employment
- Where the young person is not in receipt of an EHCP
- Where the young person is not attending an education/training provider such as school/college

6. Transport charges

If transport is “deemed necessary” in line with national legislation (Education Act 1996), it will be provided without charge to the family/young person.

7. Complaints and appeals, general matters

There is no statutory entitlement to transport post sixteen. Young people and their families should carefully consider the Post 16 and 19-25 transport policies when considering future pathways beyond sixteen.

Complaints

- 1) If you would like to make a complaint about the service you have received regarding home to school/college transport, information provided through the link below outlines the council’s complaints procedure and provides an on-line complaints form - www.hertfordshire.gov.uk/complaints
- 2) If you believe
 - a. The county council has not applied this policy correctly; OR
 - b. There are compelling reasons to justify making an exception to the policy, you may pursue the two-stage appeal process.

Stage 1: Discretionary Transport Panel

If you feel that your case is as an exception to the 19-25 Transport Policy, you can apply for your case to be considered by a Discretionary Transport panel under the following criteria:

- You or your young person child has not been offered home to college transport support, but you believe your individual circumstances are so exceptional that transport should be provided, OR
- You or young person has been offered transport support, but you disagree with the mode of transport provided. This includes cases where an individual or their parent/carer disagrees with the type of transport provision that has been identified for SEND.

All other transport related issues will be considered through the county council’s normal complaints procedure. Further information is available at www.hertfordshire.gov.uk/complaints

You will be informed in writing of the outcome of your discretionary transport request.

Discretionary transport will only be agreed for a specific period of time, usually for no more than a term. If you want transport arrangements to continue beyond this initial period, you must reapply at least two weeks before the end of the agreement.

Discretionary Transport applications will only be considered once within the same academic

year. An application will only be reconsidered on the following grounds:

- If there has been a **significant and exceptional change of circumstances** since the original application was considered by the Discretionary Transport Panel. An example of this could be a newly diagnosed medical condition that was not previously in existence.
- If new evidence is disclosed which was not reasonably available at the time of the original Discretionary Transport Panel hearing. An example of this could be a medical condition that has changed significantly since the original Discretionary Transport Panel. The Discretionary Transport Panel will only reconsider a rejected case within the same academic year if one or both of these grounds apply.

If the Discretionary Transport Panel accepts an exceptional change of circumstances, the case will be reheard at Stage 1 of the appeal process and the applicant will be notified of the outcome in writing.

Stage 2: Senior Officer Review

If your request for discretionary transport is unsuccessful, you have the right to ask for case to be reviewed by a senior manager. If you believe your young person's transport provision should be reviewed, please contact the Transport Team by emailing schooltransport@hertfordshire.gov.uk or by calling the Customer Service Centre on 0300 123 4043.