

WANDSWORTH BOROUGH COUNCIL

EDUCATION AND CHILDREN'S SERVICES OVERVIEW AND SCRUTINY  
COMMITTEE – 13TH NOVEMBER 2012

EXECUTIVE – 19TH NOVEMBER 2012

Report by the Director of Children's Services on the outcome of Consultation with  
Parents / Carers on making changes to the provision of transport for pupils with  
Statements of Special Educational Needs

SUMMARY

The Council has a duty to provide transport for pupils with statements of SEN where specific criteria are met. On 5th July the Executive approved proposals to consult on changes to the provision of transport for pupils with Statements of Special Educational Needs (SEN) (Paper No. 12-326). The proposals were to 1: offer mileage / travel card reimbursement as the standard approach to provision of transport for pupils with statements of SEN, and, 2: for young people in the 16 plus age range, to provide transport by means of mileage / travel card reimbursement or travel support scheme for post 16 students, with bus / taxi transport only provided in exceptional circumstances.

On the basis of the consultation responses received this report seeks approval to implement the proposals and suggests ways that concerns raised through the consultation process might be mitigated through the implementation plan.

The Director of Finance comments that in the 2011/12 financial year the provision of transport for pupils with statements of special educational needs cost the Council's General Fund £2.594m against a budget of £2.508m, an overspend of £86,000. The total cost in 2011/12 is equivalent to £20.21 per annum on Band D Council Tax.

GLOSSARY

DDA	Disability Discrimination Act
ECSOSC	Education and Children's Services Overview and Scrutiny Committee
EMA	Education Maintenance Allowance
EIA	Equalities Impact Assessment
FSM	Free School Meals
GLA	Greater London Authority

## *SEN Transport*

PTB	Personal Transport Budget
SEN	Special Educational Needs
SNAS	Special Needs Assessment Section
SNCwDS	Special Needs and Children with Disabilities Service

### **RECOMMENDATIONS**

1. The Education and Children's Services Overview and Scrutiny Committee are asked to support the recommendations set out in paragraph 3 below.
2. If the Overview and Scrutiny Committee approve any views, comments or additional recommendations on this report, these will be submitted to the Executive for consideration.
3. The Executive are recommended to approve that the following changes are made to the provision of home to school travel arrangements for children and young people with statements of special educational needs (SEN) :
  - (a) offering mileage / travel card reimbursement as the standard approach to provision of transport to pupils with statements of SEN; and
  - (b) providing transport by means of mileage / travel card reimbursement or travel support scheme for post 16 students, with bus / taxi transport only provided in exceptional circumstances.

### **BACKGROUND**

4. The purpose of this report is to report on the outcome of consultation with parents and carers on the proposals to change the provision of transport for pupils with statements of SEN. The aims of the proposals are to:
  - (a) reduce the rising costs of transport for children with SEN; and
  - (b) promote the development of young people's independence in travelling as part of preparation for adulthood.
5. On 5th July the Executive approved proposals to consult on changes to the provision of transport for pupils with Statements of SEN (Paper No. 12-326). At that point there were 1287 pupils with statements of whom approximately 450 currently were receiving travel assistance between home and school.
6. The Council has a duty to provide transport for pupils with statements of SEN where specific criteria are met. Details of the criteria, which include distance between home and school and the level of the child's special needs and the way these might impact on their ability to travel

independently, are contained in Appendix 1. The current budget for SEN transport is £2.5 million and it is anticipated that the overspend against budget on transport overall will potentially grow from £86,000 in 2011-12 to a forecast overspend of £220,000 in 2012-13.

6. If parents or carers or schools request provision of transport for a pupil, the Special Needs Assessment Section (SNAS) assess the need and make a decision based on the criteria in Appendix 1. The need for transport is then reviewed as part of the annual review process.

### **Consultation process**

7. A targeted consultation process was undertaken in September / October 2012. Parents / carers of children and young people with statements of SEN whose children have some form of travel assistance to support the home to school journey (e.g. bus or taxi) were sent a consultation document and questionnaire outlining the proposals and seeking their views. A copy of the consultation document has been placed in the Members' Room. Parents / carers were also invited to attend one of two meetings organised at different times and in different parts of the Borough in order to hear more about the proposals and ask questions or raise concerns. Parents / carers of children who are currently going through the statutory assessment process, but who do not yet have a statement or any travel arrangements in place were also invited to participate in the consultation.
8. If parents were unable to attend one of the meetings but had specific queries they were invited to contact either the Special Needs Assessment Section or one of the managers in the Special Needs and Children with Disabilities Service. Special Schools, Resource Bases and Parent Partnership Service (PPS) supported some parents / carers in understanding the information and PPS attended the meetings with parents in order to support any parents who needed help with completing the questionnaire.
9. Schools and the Parent Partnership Service were also provided with the consultation document and questionnaire and invited to respond as part of the consultation process.

### **Outcome of the consultation process**

10. Questionnaires were sent to 419 families and responses were received and collated from 87, giving a response rate of 21%. The majority responded using the questionnaire format but two responses were in the form of letters to the Head of Special Needs and Children with Disabilities Service (SNCwDS).

11. The table below summarises the answers to the consultation questions:

Question	Yes	No	Not sure	Did not answer
1. Do you support the Council's proposal to introduce a standard application form for travel assistance for pupils with SEN?	32 38%	28 28%	17 17%	10 12%
2. Do you support the Council's proposal to review your child's need for travel assistance at the annual review each year and to apply changes as a result?	45 52%	27 31%	8 9%	7 8%
3. Do you support the Council's proposal to offer mileage / fare reimbursement as its main approach to travel assistance, with bus / taxi transport only provided where there are exceptional circumstances?	18 21%	46 53%	17 19%	6 7%
4. Do you support the Council's proposal to carry out a more detailed assessment of the need for travel assistance for young people over the age of 16?	48 55%	16 18%	14 16%	9 11%
5. Do you support the Council's proposal to offer travel support / mileage / fare reimbursement as its main approach to travel assistance for young people over the age of 16, with bus / taxi transport only provided where there are exceptional circumstances?	23 26%	31 36%	23 26%	10 12%
6. Do you support the Council's proposal to offer mileage reimbursement as a personal travel budget?	24 28%	36 41%	17 19%	10 12%
7. Would you be interested in taking mileage reimbursement as a personal travel budget	4 5%	54 62%	18 21%	11 12%

12. Parents were invited to comment on the proposals and a breakdown of these responses and a summary of the consultation meetings are available in the Members' Room. A brief summary of parents' comments is provided here to indicate what needs to be considered as part of the plan for implementation of any change.

13. Question 1: some parents questioned the need for an additional application form, because assessment information will have been gathered as part of the statutory assessment. They considered it would create more work and form filling. Some were concerned that the concept of applying meant that an application could be turned down. The Special Needs Assessment Section (SNAS) and Transport Section (TS) have reflected on the comments and consider that this element of change does need to take place because it will streamline the application and consideration of

transport requests and should lead to a fairer and more transparent process. Some transport requests are turned down now, so the introduction of an application form does not constitute a change from that perspective. One theme which came in response to several questions was about a process of appeal and this will be considered in more detail below.

14. Question 2: some comments were in full agreement with reviewing transport need more thoroughly at the annual review, others were concerned that professionals involved in the annual review would not have sufficient understanding of a family's home circumstances to judge whether a specific type of travel support continued to be needed. There is already one transport related question in the annual review format and the proposal is to develop some more detailed questions, partly again to ensure consistency of approach. SNAS will need to work with colleagues in schools to ensure that parents / carers feel that their voice is heard in consideration of transport needs and as part of implementation parents / carers need clarity about what they can expect in terms of responding to any recorded changes in need for transport.
15. Question 3: a number of parents gave specific illustrations of children's and families' needs which would make it very difficult to ensure school attendance for a child with a disability if the travel arrangements put in place were mileage / fare reimbursement. A key theme in the consultation meetings was how to ensure that the criteria that would be used to determine whether a child should be transported to school by bus / taxi were clear and transparent enough and covered the appropriate issues. SNAS is reviewing the exception criteria which have been developed so far particularly in relation to parents who are working / siblings attending several different schools and the nature of the child / young person's disability. It was noted that the majority of parents who attended the consultation meetings had children who attend one of the Borough's special schools and from the discussions it was clear that much of the anxiety related to children who have severe and complex needs where bus / taxi travel arrangements are most likely to need to continue.
16. Question 4: comments from parents in relation to this question indicated their concern about their children and young people being able to travel independently, but where they considered they would be safe there was support for this more detailed review. One parent commented that this should be considered at an earlier stage, possibly at secondary transfer. From these comments it will be important to make sure that there is clarity for parents that young people's needs and potential for independent travel will be crucial in any decision making to move from bus / taxi journeys to travel support.

## *SEN Transport*

17. Question 5: themes in the comments to this question were very similar to the themes in response to question 4. One parent commented on the difficulty of co-ordinating journeys to different locations because some children access after school activities and one parent was concerned about potential impact on the child's attendance at school.
18. Question 6: safety whilst travelling was mentioned by some parents in response to this question and some responses showed that not everyone understood the concept of the personal travel budget. In taking this forward a pilot project would probably be the most effective way of ensuring that a robust process could be put in place.
19. Question 7: the majority of respondents did not see how the personal travel budget could work for them, but again the nature of many of the comments suggests that those who responded had children and young people with high levels of need where ongoing travel support through a bus or taxi would be most appropriate.
20. Question 8: Parents / carers were asked to give any ideas they had for promoting independent travel or reducing transport costs, comments included asking parents for a contribution towards the cost, making sure that taxi sharing was considered and where the distance between home and school is not that great seeking solutions to enable children to walk to school.
21. Feedback from schools and PPS: although there were only three responses there were helpful suggestions / areas for further consideration in relation to the application form, for instance the support that parents / carers might need to complete the form; ensuring there is equity in any reimbursement / personal travel budget scheme; the cost of travel training and having a robust appeals procedure. This feedback will be used in planning the next steps towards implementation.

### **Proposals for implementation of a revised SEN Transport Policy**

22. The consultation on implementing changes to the provision of SEN travel arrangements did raise anxieties from parents and carers and it is important to acknowledge that there will be a group of children and young people, who will continue to need to access bus or taxi transport in order to travel safely between home and school. However there are equally families who would be interested in taking up alternative travel arrangements and therefore it is recommended that the original proposals are implemented but that taking note of the feedback summarised above the following steps are taken to ensure that they are applied appropriately and do not cause distress where there is a clear ongoing need for existing travel arrangements to continue.

**From January 2013:**

23. A revised SEN Transport Policy will be put in place to reflect the recommended changes. The policy will include:
  - (a) the new application form and guidance on its completion;
  - (b) detail of the exception criteria and appeals procedure;
  - (c) the process for reviewing transport needs at the annual review
  - (d) the process for reviewing transport needs when the young person reaches 16;
  - (e) the process for managing reimbursement / personal travel budgets; and
  - (f) the process for accessing travel support.
24. For children who are undergoing a statutory assessment and being issued with a statement for the first time, parents will complete an application form for travel assistance.
25. Children with an existing statement will have their need for travel support reviewed at the annual review.
26. It is recommended that Personal Travel Budgets should be trialled with a small cohort of families (between 10 and 20) during the period January to July 2013 in order to evaluate the benefits of this approach.
27. It is also recommended that the current travel support pilot, where a travel buddy assists the young person to travel to school, should be extended to a larger cohort of young people and a fuller evaluation carried out over the same time period to assess how well the scheme promotes independence skills while maintaining school attendance.

**EQUALITIES IMPACT ASSESSMENT**

28. The Equality Act 2010 requires that the Council when exercising its functions must have "due regard" to the need to eliminate discrimination, to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. As such an Initial Equality Impact Assessment (EIA) was undertaken on 16th May 2012. The EIA has been updated on the basis of the consultation and is attached as Appendix 2.

## COMMENTS OF THE DIRECTOR OF FINANCE

29. In the 2011/12 financial year the provision of transport for pupils with statements of special educational needs cost the Council's General Fund £2.594m against a budget of £2.508m, an overspend of £86,000. The total cost in 2011/12 is equivalent to £20.21 per annum on Band D Council Tax.

## CONCLUSIONS AND RECOMMENDATIONS

30. The consultation on SEN Transport has provided some very helpful feedback in shaping the implementation of the proposals for change to the current policy. On the basis of the level of the response and the nature of the feedback it is recommended to proceed with the proposals, but clear communication with families about application and review processes will be critical in allaying potential fears that parents / carers have, whilst still achieving appropriate change.

---

PAUL ROBINSON  
DIRECTOR OF CHILDREN'S SERVICES

The Town Hall  
Wandsworth  
SW18 2PU

5th November 2012

### **Background papers**

There are no background papers to this report.

All reports to Overview and Scrutiny Committees, regulatory and other committees, the Executive and the full Council can be viewed on the Council's website ([www.wandsworth.gov.uk/moderngov](http://www.wandsworth.gov.uk/moderngov)) unless the report was published before May 2001, in which case the Committee Secretary (Rachel Williamson –, 020 8871 7857; email [rwilliamson@wandsworth.gov.uk](mailto:rwilliamson@wandsworth.gov.uk)) can supply it if required.



APPENDIX 1

**Criteria for provision of SEN transport:**

- a. The child is of primary age and lives over 2 miles from the school or is of secondary age and lives over 3 miles from the school, depending on the circumstances of the case;
- b. The child has severe physical or medical needs;
- c. The child has challenging behaviour, including that arising from autistic spectrum disorder and could not safely travel on public transport;
- d. The child is vulnerable and at risk of danger, or would be a risk of danger to others if they use public or other transport;
- e. The child has been placed outside the borough in other borough or independent school provision and there is significant distance involved;
- f. The child's needs mean that they could not travel alone and their parent already has to make arrangements for their other child/children to be taken to school; and
- g. The child has severe problems with school attendance and the provision of transport could significantly improve this.

If children meet one or more of the criteria above the council cannot refuse to provide transport, even if children live within 2 / 3 miles of their named school.

### Initial Equality Impact Assessment – Service Change

The initial equality impact assessment is a quick and easy screening process. It will help you to identify those changes to services which require a full EIA by looking at:

- negative, positive or no impact on any of the equality groups
- opportunity to promote equality for the equality groups

<b>Department</b>	<b>Children's Services</b>
<b>Service</b>	<b>Special Needs and Children with Disabilities</b>
<b>People involved</b>	<b>Carol Payne, Sue Norgate</b>

#### 1. What are the aims of the service and what changes are being proposed?

Special Needs Assessment Section (SNAS) in Special Needs and Children with Disabilities Service (SNCwDS) is responsible for managing the process of statutory assessment for individual children and young people with the most complex and severe special educational needs (SEN), issuing statements of SEN, and ensuring annual reviews of statements are undertaken. As part of the placement of children with SEN the role can entail arranging transport to / from school where there is an identified need for this.

#### 2. What is the rationale behind these changes?

The aim of the service changes which will be consulted on are:

- to reduce the rising costs of transport for children with Special Educational Needs; and
- to promote the development of young people's independence in travelling as part of preparation for adulthood

#### 3. What information do you have on the service and the potential impact of your service change in relation to the following?

	<b>List information you have. Do not put what the information shows you</b>
Race	Ethnicity information has only recently become available for pupils with statements though this is not in relation to those accessing transport at this stage.  Results of consultation with parents.
Gender	This has not been assessed but SEN and disability does affect a much higher proportion of boys than girls and gender information is available

	Results of consultation with parents	
Disability	All the children / young people affected by the service change will have SEN and / or a disability	
	Results of consultation with parents	
Age	The service has the age data in relation to the children accessing transport. The change is specifically targeting young people from age 16-19 to encourage more independent travel where this is appropriate and young people can be safeguarded	
	Results of consultation with parents	
Faith	These areas are not monitored in relation to provision of SEN Transport	
Sexual Orientation		
4. Thinking about each group below please list the impact that the service change will have.		
	<u>Positive</u> impacts of service change	Possible <u>negative</u> impacts of service change
Race	Proposed service change is not expected to have a significant impact in these areas although given the gender split within this group both the positive and negative impact of the proposals will affect more boys than girls No views were raised in relation to race or gender during the consultation with parents	
Gender		
Disability	Children / young people will be encouraged to develop independent travel skills more proactively which will support those who are able to become more independent not just in terms of going to school but in their life outside school and prepare them for adulthood  Families might benefit from a more flexible approach to home / school transport and develop greater independence / resilience for themselves  Those children / young people still requiring transport by bus / taxi owing to their	Some families might view the proposed changes negatively  Any increase in parents transporting children to special schools by car will need to be managed carefully owing to existing congestion around these schools in particular  <b>Feedback from Parents during the consultation has indicated:</b> There has been significant concern from parents whose children have high levels of need / disability that they would no longer be able to access bus / taxi transport, this will not be the case, but

	<p>specific level of need would still be able to access it</p> <p><b>Feedback from Parents during the consultation has indicated:</b>                      55% of parents who responded supported the proposal to carry out a more detailed assessment of travel assistance needs at age 16                      Comments indicated that parents were supportive of young people becoming more independent travellers, but a larger proportion owing to the cohort of families who responded, concluded that their children would not be able to benefit from this.</p>	<p>the need will be reviewed more carefully on an annual basis.</p>
Age	<p>As indicated above the aim is to particularly encourage independence for young people over the age of 16, some parents have enquired whether this could begin earlier and this would be facilitated for secondary age pupils where appropriate. Although all transport needs will be reviewed at 16 this does not mean that where there is a significant need young people will no longer be able to access bus transport to school.</p>	
Faith	<p>Proposed service change is not expected to have a significant impact in this area</p>	
Sexual orientation	<p>Proposed service change is not expected to have a significant impact in this area</p>	

**5. Is a full EIA required? No.**

The following questions should help you decide if a full EIA is required. As a guide if you are a frontline service where the impact is unclear or negative you will need to conduct a full EIA. You are unsure call Clare O'Connor on ext 7816.

- Is the service a frontline service? Yes
- Is it clear what impact the service change will have on all the equality groups? Yes
- Overall will the change have a negative impact on any of the equality groups? Any negative impact should be managed by the policy being put in place to ensure that children / young people with specific needs which mean it is essential they access bus / taxi transport continue to do so.

<b>Comments - Please give the rationale here for not undertaking a full EIA</b>
The consultation targeted all families whose children / young people currently access transport or who are currently going through the statutory assessment process. 21% of those approached responded to the questionnaire. The majority of parents who raised concerns had children who have significant disabilities which would indicate that they continue to need to access bus / taxi transport. The intention of the proposed changes is to continue to provide this where there is a clearly identified need.
<b>6. Through the initial EIA have you identified any actions that needed to be implemented to improve access to the service or monitoring of the service? (please list)</b>
As part of the implementation of the changes the following actions are required: <ul style="list-style-type: none"> <li>• in developing the new travel assistance policy <ul style="list-style-type: none"> <li>➢ the exception criteria by which children / young people would be considered eligible to bus / taxi travel assistance need to be made clearer</li> <li>➢ a clear appeals procedure needs to be established</li> <li>➢ clear information needs to be available about how travel support is provided and how young people are prepared for this</li> </ul> </li> <li>• personal travel budgets will be trialled from Jan to July 2013 in order to evaluate the impacts / benefits of this approach</li> <li>• the travel support pilot will be extended to enable a larger cohort of young people to participate and further evaluation carried out.</li> </ul>

Signed Carol Payne

Date 5<sup>th</sup> November 2012

Approved by: Clare O'Connor

This page is intentionally left blank