

# Essex County Council Post 16 Transport Policy Statement

Academic Year 2020-2021

01.09.20 – 31.08.21

## **Purpose**

*The purpose of the Post 16 Transport Policy is to facilitate access to education for students of sixth form age.*

## **Policy**

The duty placed on local authorities in respect of the provision of transport to post 16 students requires a transport policy statement to be prepared and published in each year, by 31 May, disclosing the provision being made by the County Council for this group. The County Council has a discretion which it can use to offer financial assistance towards a person's reasonable travel expenses.

The Council considers any application for transport assistance for a person of sixth form age against this policy.

Assistance will only be provided where the following circumstances apply, and the student is attending the nearest appropriate maintained establishment offering the majority of the chosen course(s), and that establishment is more than 3 miles by the shortest walking route from the home address:

### **i. Low income families**

Provide transport assistance to qualifying low income families, subject to a contribution from the student/parent of £450 per annum. This being based on 50% of the average cost of post 16 transport provision in Essex. The option will be available to pay this in termly instalments over the academic year. Children from low income groups are defined as those who are entitled to free school meals, or those families whose annual taxable household income is less than £16,190\* and are in receipt of their maximum level of Working Tax Credit (WTC).

### **ii. Students with an Education, Health and Care Plan (EHCP)**

Where a post 16 student has an Education, Health and Care Plan (EHCP) and is attending the school named within their EHCP as the nearest appropriate school for their post 16 education – public transport will be promoted for this group and travel training referrals will be made for all students with the expectation that they will be assessed for suitability for training by the end of the first term of post 16 education. A charge for

transport will be made on a sliding scale based on the income of the family at the time of application. Low income families, as defined in (i) will be required to contribute £450 towards the cost of transport. All other applicants will be required to make a contribution of £900 towards the cost of transport.

### **iii. Students with SEN who no longer have an EHCP**

Those students who had an EHCP in year 11 who will be attending a school or college to continue their education and require additional support to do so. Low income families, as defined in (i) will be required to contribute £450 towards the cost of transport. All other applicants will be required to make a contribution of £900 towards the cost of transport. All applications will be considered based on the evidence provided to support the claim at the time of application.

### **iv. Other Students**

Other students will be able to purchase public transport tickets from the Local Authority but this will be on a full cost recovery basis and only on existing routes, in place at the time of application, where capacity allows. Bespoke transport or individual taxis will not be provided. Families would be able to take advantage of the bulk purchasing power of the County Council and pay a reduced rate for transport on existing services. The cost of transport for this group will be £900 per year, per student.

## ***Amplification of the policy***

### **General terms of provision**

1. Whilst the Council is not required, by law, to provide financial support for the transport of Post 16 students, it continues to provide assistance in this area. Eligibility will be conditional upon the student attending, on a full time basis, the nearest establishment offering the majority of the course.
2. The transport provided to eligible students should be the most cost effective to the County Council and will take the form of a travel pass to use on an existing school contract bus, public bus or train.
3. Taxis will not be provided. The only exceptions to this will be for those students with severe physical or learning difficulties where, upon receipt of sufficient evidence, taxi provision will be considered alongside other options such as Independent Travel Training or a Personal Transport Budget.
4. Connecting transport will not be provided to a pick-up point (e.g. bus stop or railway station) that is less than 3 miles from the student's home address. Where connecting transport is provided it will be in the form of existing public or school contract transport only. Essex County Council will not procure new vehicles in the absence of existing transport routes. Where there is no existing

transport in place students/parents will be responsible for travel arrangements to the nearest pick-up point regardless of distance.

5. In the absence of any existing public or school contract transport to a pick up point, upon request, a fuel allowance of 17p per mile can be considered (to and from that point) providing the journey is over 3 miles. This will be up to a maximum claim of £4.95
6. The legal requirement to provide education transport where the route is deemed unavailable to be walked, accompanied as necessary, only applies to students of statutory school age. Therefore, such circumstances will not confer an entitlement to transport assistance for post 16 students.
7. Where students wish to attend colleges outside of the county e.g. Central London, Ipswich or Cambridge, transport will be provided to the nearest mainline or underground station to the students address. Students will be responsible for making their own arrangements from the mainline or underground station to their respective college/sixth form.
8. Transport services will not be tailored to meet individual timetables but consideration will be given whenever possible to minimise inconvenience to students. Specific transport will not be provided if the public or contract school bus timetables are not in line with that of the student. In such circumstances students are expected to make suitable adjustments to their travel arrangements.
9. In situations where, as a result of the course chosen by the student, the journey time is lengthy, whilst transport assistance will still be provided, the student/parent will be responsible for managing that journey.
10. Transport assistance is not provided to learners undertaking work placements, apprenticeships or traineeships. In these circumstances learners are advised to contact their employer or learner provider.

## **Age**

To be eligible for assistance a student must be under 19 years of age at the beginning of the first year of their course. For courses starting in the autumn term the academic year starts on 1 September. For the avoidance of doubt, a student who has already attained or will attain the age of 19 on or before 31 August before starting their course will not be eligible for support from the scheme. Any student aged 19 or over on 31 August in the calendar year of their application, will only be eligible to apply for support if they can demonstrate explicitly that their course is a continuation of one on which they have already successfully completed the first year of study, having started the course prior to attaining the age of 19. The onus will be on the student to prove continuous study.

If a student is 19 or over and is newly attending a course as part of an Education, Health and Care Plan, they may refer to the following website <http://www.essexlocaloffer.org.uk/listing/adult-social-transport-inc-19-25-year-olds-with-an-ehcp/>.

Where the course the student is studying is on a split site i.e. one day in Colchester Institute (Colchester Campus) and one day at Colchester Institute (Clacton Campus) transport will only be provided to eligible students to the main qualifying campus.

For students with an Education, Health Care Plan, the school named in the EHCP will be considered the appropriate establishment to the students' home address provided the school named in the EHCP was determined by the Statutory Assessment Service. Where parents have asked for a school to be named, transport will remain the responsibility of the parent.

If a student has been entitled to transport to a specialist school for their statutory school years and they are continuing their education at this school they will continue to be entitled to transport (on payment of the charge) as it will be considered that this school is the nearest establishment that offers the course the student is pursuing and that can best meet their needs.

*If the student was originally awarded transport to school as an exception to the usual home to school transport policy, there is no automatic entitlement for assistance to continue. Such cases will be assessed individually under current policies. If additional information is submitted to support such applications, this will be taken into consideration at the time of assessment.*

Where a student has been entitled to transport to a specialist school for their statutory school years and they have decided to move to another establishment to complete their schooling they will not automatically be entitled to transport. Their application will be assessed according to the Post 16 Transport Policy and from the information we have received from their school.

### **Changes to the Policy**

Should any significant changes be proposed to this policy or the associated Education Transport Policy/Post 16 Transport Policy Statement, the Council will carry out the necessary consultation processes in line with the relevant Department for Education guidance; giving schools, parents, colleges and young people the opportunity to comment. Details will, as a minimum, be available on the Council's website.

### **Appeals**

*If a student is refused transport as they are not attending the nearest appropriate establishment they may appeal against this decision on the basis that the cost to Essex County Council for transport to the establishment of the student's choice is the same or less than the cost of provision to the nearest appropriate establishment. In these cases the charge will still be payable.*

Furthermore they will also be able to appeal where the student is attending the nearest establishment offering a specialised course despite other elements of the course being available at a nearer establishment. In all instances, each case will be

considered on its merits as part of the appeals process. Not all requests will be agreed in these instances. There is no precedent set in these cases.

Staff in Education Transport and Awards will provide in writing the reasons for the rejection of an application at the point of assessment. If you wish to appeal against this decision an appeal must be made in writing, which should include documentary evidence to be produced to support the appeal. All appeals against a refusal of assistance should be made to Education Transport and Awards. Appeals will be considered by senior officers in this team. It is our target to reach a decision on all appeals within 10 working days of receiving all of the required documentary evidence.

Each appeal is considered on its individual merits and is not intended to set a precedent for any similar case. Once the appeals procedure has been exhausted, that decision is final and other than communication of the decision and the reason behind it, no further correspondence will be entered into, unless the appellant produces further evidence to be considered.

Any concerns about the way in which transport is provided should be taken up with the Passenger Transport Team.

### **Appeals Procedure**

Staff in Education Transport and Awards will provide in writing the reasons for the rejection of an application at the point of assessment. An appeal is considered to be where an applicant has no further evidence to add to their case but is still unhappy with the decision. An applicant cannot appeal against the Education Transport Policy where there are no circumstances to support the case as the policy criteria itself as it is based on statutory law and decisions made by the elected members of Essex County Council.

All appeals against a refusal of assistance should be made in writing or e-mail to Education Transport and Awards. Each appeal is considered on its individual merits and is not intended to set a precedent for future cases.

The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.

All appeals against a refusal of assistance or the suitability of the transport provided should be made in writing or e-mail to Education Awards via [educationawards@essex.gov.uk](mailto:educationawards@essex.gov.uk). Each appeal is considered on its individual merits and does not set a precedent for future cases.

The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed. Appeals will be considered by an officer senior to the previous decision maker in a two part process:

- Stage 1 - consideration will be made by an officer more senior than the previous decision maker.
- Stage 2 - a full and final decision will be made by an officer more senior than the officer that considered the first stage appeal.

Where a parent feels he or she is unable to fully and clearly make their case in writing at the second stage of appeal, they may request a telephone or in person appointment with the second stage decision maker to explain their case orally.

Any in person appointment would normally be at County Hall, Chelmsford. In all circumstances, there will still need to be a written appeal submitted by the parent (or their representative) as their grounds for reconsideration at the second stage of appeal. It is our target to reach a decision on all appeals within 10 working days of receipt.

At each stage of appeal, the officer considering the case will have had no previous involvement in the case. Having exhausted the two stage appeal process, parents may make a complaint to the Local Government Ombudsman (LGO) if they believe that their application or appeals have not been correctly handled. The website for the LGO is [www.lgo.org.uk](http://www.lgo.org.uk).

### ***Change of address***

Where a student changes address during their Post 16 course they must re-apply to the scheme and will be re-assessed using their new address details. All the policy criteria will continue to apply. E.g. if the chosen establishment is no longer the nearest offering the course the student will no longer be entitled to assistance. If there are exceptional reasons why the move is necessary an application may be made for special consideration (see appeals)

### ***Payment of charges***

Students who fulfil the County Council's criteria for assisted transport will have to contribute to the cost of their transport. All participants in the scheme will be required to pay an annual charge dependent on their circumstances. This can be paid termly in advance or in full for the year.

For low income families the charge will be £450 and for all others the charge will be £900.

The following criteria will qualify the family as a low income family:

- The household is in receipt of Child Tax Credit/Working Tax Credit with an annual income of less than £16,190,
- Income Support
- Jobseekers Allowance (Income Based)
- Pension Guarantee Credit equivalent to/less than Jobseekers Allowance (Income Based).
- Income Related Employment and Support Allowance

- Universal Credit with an annual income of less than £7400.

The assessment is based on household income. There are no grounds on which an individual is exempt from the charge. For the purposes of the assessment of household income, this includes all sources of income to the household as a whole and only Disability Living Allowance will be disregarded. Documentary evidence demonstrating income and benefit entitlement must be provided to support such a request.

If you qualify under low income criteria your circumstances change part way through the year you must let us know.

### ***Hearing Impaired Students***

Students with Hearing Impairments will be eligible to transport assistance to the nearest educational establishment to their home address that can offer them a deaf peer group as well as the nearest establishment that offers their course. Other needs, such as visual impairment would be considered on an individual basis, based on the needs of the student. The charge will still be applicable in these cases unless the student is in receipt of benefits or the income level outlined above.

### ***Parental Choice***

Where a parent has decided that they do not wish for their child to go to the school or college that the Statutory Assessment Service has decided can meet the student's needs and decide to seek a placement at an alternative establishment further away, transport will not be provided. The implications of transporting their son/daughter to an establishment other than the school which has been assessed as nearest school that can meet a child's needs should be considered and alternative arrangements should be made.

### ***Independent Travel Training***

Students who are assessed as able to receive Independent Travel Training with the County Council's Travel Trainers will be offered this training. This will help the students become more independent and confident in their everyday lives and give them skills for life. If the training is successful the student will be provided with the appropriate ticket for the transport and route they have been trained on and will be expected to use this method to get from home to school/college. Taxis will not be provided to students once successful training has been completed.

For more information about this scheme please visit [www.travel-training.co.uk](http://www.travel-training.co.uk)

### **Residence**

To qualify for assistance from the scheme a student must ordinarily be resident in the UK with settled status, living within the administrative boundaries of Essex County Council at the time of their application.

The DfE has determined that asylum seekers and refugees and their children must be provided with transport in accordance with policy to access provision

appropriate to their age, abilities and aptitudes. Such applicants will be considered for assistance under the terms of the scheme provided they are living within the administrative boundaries of Essex County Council at the time of their application.

### **Deadline for applications**

For Post 16 Transport Applications an application window will operate between 1 March until 30 September each year for new starters which then reopens for 1 January to close again on 31 January in each academic year. We will consider circumstances of applications made outside of this window where someone's circumstances changed unexpectedly (eg a house move or drop in income).

### **Progression**

It is not necessary for students to demonstrate academic progression to qualify for assistance under the scheme.

### **Reimbursement of the Charge**

If transport assistance is no longer required part way through a term, a partial reimbursement of the charge may apply, provided all tickets/passes have been returned and are received within the timescales stated in the table below. When calculating a reimbursement for tickets/passes received after the first day of a term an administrative charge of £60 will apply. The following levels of refund will be payable after the administration charge has been taken:

<b>Length of time ticket/pass has been used</b>	<b>Refund Due</b>
Up to 4 weeks	75%
4 to 8 weeks	50%
Over 8 weeks	0%

No reimbursement will be paid during the summer term.

### **Petrol Reimbursements**

The County Council may offer the parent/carer of an entitled student petrol reimbursement to transport their child(ren) from home to school/college instead of providing the student with a taxi or public transport ticket. Parents/Carers can indicate their interest in petrol reimbursement on their application form. An assessment will be made at the time of allocating transport and where it is appropriate an offer will be made to the parent/carer. If the parent/carer is in a position to assist with all or part of the journey reimbursement will be paid.

Reimbursements are paid to the parent/carer for the return journey, i.e. the journey to the school or college with the student and the return journey home and vice versa. If the parent/carer receives reimbursement the contribution

applicable will be deducted from the final payment. They will be reimbursed once the claims exceed this amount. For example if the applicant is due to receive £700 in reimbursement for the year they will receive £250 (£700 - £450 (low income charge)). If they were required to pay £900 we would suggest family undertake transport themselves as the reimbursement would not cover the charge for transport.

If a parent/carer requests reimbursement but there is a suitable County Council contract vehicle that the student would be able to travel on, the student would be allocated the contract vehicle and reimbursement would not be considered unless suitable evidence to support the case was provided or the County Council contract was discontinued. It is important to note that reimbursement will only be considered where the cost to the County Council of providing reimbursement is the same or less than the cost of organised transport.

Where a fuel allowance is provided, renewal forms are sent out to parents towards the end of the payment period to collect attendance information. The school/college is required to approve the form. A payment period will usually be for one or two terms at a time.

Upon receipt of the completed form, the Council will then adjust the next payment to take account of absent days during the previous payment period.

It is important that students and parents address any enquiries related to the assessment of applications to Education Transport and Awards ([educationawards@essex.gov.uk](mailto:educationawards@essex.gov.uk)) and queries about the arrangement of transport to Passenger Transport ([passenger.transport@essex.gov.uk](mailto:passenger.transport@essex.gov.uk)).

### **Independent Travel Training**

Travel Training helps students become more independent and confident in their everyday lives and give them skills for life.

Officers within Education Transport & Awards or the Passenger Transport Team may refer children for an assessment of their ability to undertake training where public transport would be the most cost effective form of transport, but their special educational needs (or other exceptional circumstances) mean, that they are not ready to travel independently. In this circumstance a contract vehicle will be provided in the interim whilst training is undertaken as well as the appropriate public transport ticket.

Prior to undertaking the training, the child will meet the travel trainer for an initial assessment and to discuss the journey. If the training is successful the student will be provided with the appropriate ticket for the route they have been trained on, provided they have an entitlement to transport. Contract transport will not be provided to students once successful training has been completed.

Where a child resides under the statutory walking distance to school but is awarded a short term transport award due to their SEN or mobility needs, a referral to training may also be made to learn the walk to school.

Referrals for training can also be made direct to the Travel Training Team at any time by parents/carers, schools or centres even when a child isn't entitled to home to school transport. The parent/carer will be required to purchase the public

transport ticket where this is the case.

For more information about this scheme please visit:

<http://www.essex.gov.uk/education-schools/travel-school/travel-training>

## **Additional Transport Information**

### **Essex College Travel Schemes**

Some Further Education Colleges within Essex have their own travel schemes and parents and students are strongly advised to contact their preferred college in the first instance before deciding if the ECC Scheme is the right scheme for them.

Contact details for some of the main Essex colleges and a link to their websites can be found below.

#### **Chelmsford College**

Tel 01245 265611 x3404.

<http://www.chelmsford.ac.uk/support/travel-schemes/>

#### **Colchester Institute**

Tel 01206 712078

<http://www.colchester.ac.uk/students/travel/>

#### **South Essex College (Basildon, Thurrock, Southend Campuses)**

Tel 0845 52 12345.

<http://www.southessex.ac.uk/student-services/student-services/student-services>

#### **Harlow College**

Tel 01279 868000

<http://www.harlow-college.ac.uk/student-services/financial-support>

#### **South Essex Sixth Form College(SEEVIC)**

Tel 01268 756111

<http://www.seevic-college.ac.uk/16-19/getting-here.aspx>

#### **Writtle College**

Tel 01245 424200

<http://www.writtle.ac.uk/transport>

## **Transport to Sixth Form Schools**

For those students wishing to continue at their current school, parents are advised to contact the operator responsible for the transport directly before approaching Essex County Council as the local transport costs may be better value.

## **Other Transport Providers**

Many transport companies in the local area offer student discounts on travel tickets and passes. These may include but are not limited to:

Essex County Council Passenger Transport Scholars Tickets

Tel 0845 2004134

[publictransport@essex.gov.uk](mailto:publictransport@essex.gov.uk)

Greater Anglia discounted scholar's season rail tickets:

[www.greenrailtravel.co.uk](http://www.greenrailtravel.co.uk)

Arriva online discounts for monthly

tickets: [www.arrivabus.co.uk/south-east](http://www.arrivabus.co.uk/south-east)

Oyster cards:

[www.tfl.gov.uk/tickets](http://www.tfl.gov.uk/tickets)

Ensignbus discounted monthly tickets:

[www.ensignbus.com](http://www.ensignbus.com)

First Essex Bus Student Bus Travel:

[http://www.firstgroup.com/ukbus/essex/tickets/student\\_bus\\_travel/](http://www.firstgroup.com/ukbus/essex/tickets/student_bus_travel/)

NIBS Buses

[www.nibsbuses.com](http://www.nibsbuses.com)

Stephenson's of Essex

<http://www.stephensonsofessex.com/>

Parents and students can also find out which transport operators cater for their preferred colleges by visiting the Public Transport Travel Information and Journey Planner at [www.travelinesoutheast.org.uk](http://www.travelinesoutheast.org.uk)

Parents are encouraged to contact the travel providers direct for further details.

## **Financial support - The 16-19 Bursary Fund**

The Department for Education has made funding available to educational institutions to support the most financially disadvantaged 16- to 19-year-olds and those young people who most need help with the costs of staying in education.

The 16 to 19 Bursary Fund is distributed in 2

distinct ways: Central allocation to eligible young people

A yearly bursary of up to £1,200 is available to young people in one of the four defined vulnerable groups:

- young people in care
- care leavers
- those on Income Support or Universal Credit
- disabled young people (in receipt of both Employment Support Allowance and Disability Living Allowance (or Personal Independence Payment)).

Institutions are responsible for verifying that young people meet the criteria for vulnerable student bursaries. Institutions must complete a 16 to 19 Bursary Fund vulnerable students funding claim form in order to request funding to be released to them for vulnerable students

Discretionary awards made by institutions

Educational institutions are also allocated funding from which they can make discretionary awards to young people. Discretionary awards are for any students who are facing genuine financial barriers to participating. Individual institutions determine eligibility criteria and the frequency and conditions of payments.

More detailed information on the 16-19 Bursary Fund can be found on the Department for Education website at [www.education.gov.uk](http://www.education.gov.uk)

To find out if you qualify, and how to make an application for the Bursary Fund please contact your education institution's Student Support Team.