

Title: Haringey Travel Assistance Policy 5-16 and Haringey Travel Assistance Policy 16+

Report authorised by: Ann Graham, Director: Children's Services

Lead Officer: Jackie Difolco, Assistant Director: Early Help, Prevention and SEND

Ward(s) affected: All

Report for Key Decision

1. Describe the issue under consideration

- 1.1 Following public consultation over a period of 12 weeks from the 9 May to 31 July, this paper reports on the proposed changes made to the current policy for home to school transport for children and young people with special, education, needs and disabilities (SEND).
- 1.2 Consultation responses have informed the final draft of the Haringey School Travel Assistance Policy (CYP Children and Young People up to 16 years of age in compulsory education) and Haringey School Travel Assistance Policy Post 16 which are subject to Cabinet approval for implementation. This report contains a summary of findings and recommendations.

2. Cabinet Member Introduction

- 2.1 This report asks Cabinet to approve the suite of final draft policies which set the framework and underpin Home to School travel for children and young people including those 16- 25 with special educational needs and disabilities (SEND). The Council has a statutory duty to provide transport in accordance with the Education Act 1996, and a policy review has been very timely.
- 2.2 These policies, set out in Appendices 2 and 3 of this report, have been developed over a significant period. A review process was initiated in 2019 but was then delayed and suspended due to the pandemic. As soon as possible, post-pandemic, an initial policy review was held with a group of key stakeholders, including special school representatives, a member of the Haringey Parent/Carer Forum and SEND officers.
- 2.3 Following the review, a set of draft policies and policy changes were brought to Cabinet on March 8, 2022, where it was agreed to proceed to a full public consultation. This ran from 9th May 2022- 31st July 2022. The proposed changes are set out in para 4.3 of the report.
- 2.4 Consultation was very extensive using as many avenues as possible to engage and communicate with partners, families and stakeholders, (see para 4.5). Detail of the process and responses is included in the report.

2.5 The two final draft policies have resulted from this process and are designed to clarify the council's duties and responsibilities of schools and families. The key aim

has been to create a fair, open and transparent set of criteria and expectations for all parties regarding provision of home-school transport, working within the statutory framework.

2.6 This work has been very detailed and focused, and I am pleased to bring these final drafts for Cabinet approval.

3. Recommendations

3.1 To note the response to the consultation and findings of the equality impact assessment as set out in **Appendix One: School Travel Assistance Policies Consultation process and full responses.**

3.2 To note the Equality Impact Assessment School Travel Assistance Policies set out at Appendix 5.

3.3 To approve the final draft policies: School Travel Assistance Policy (CYP Children and Young People up to 16 years of age in compulsory education and Haringey School Travel Assistance Policy Post 16 for implementation as set out at **Appendix Two and Three** respectively.

3.4 To delegate authority to the Director for Children's services to make any required non material and minor amendments required to the Policy, in consultation with the Cabinet Member responsible for Children.

4. Reasons for decision

4.1 Haringey Council has a statutory duty for the provision of home to school transport for children and young people up to 16 years and post 16 years and adults learners in accordance with the Education Act 1996, not just children and young people with SEND (although the vast majority of learners do have SEND).

4.2 Local policies must have due regard to The Home to School Travel and Transport Statutory Guidance for Local Authorities July 2014 and Post 16 Transport and Travel Support to Education and Training Statutory Guidance 2019. Under the Act and the Guidance, the Council must consult widely with interested parties on any proposed changes to their home to school travel arrangements policy statements for children, young people and adult learners.

4.3 Proposed changes within the policies were as follows:

- a) creating a specific policy for young people aged 16-25, including information about external travel support.
- b) renaming the current policies to be clearer on their purpose and remit to 'School Travel Assistance Policy (Children & Young People up to 16 years of Age)' and 'Post-16 School Travel Assistance Policy'.

~~c) consideration of sustainability, focusing on the environment, emissions reduction, and promotion of independent travel options.~~

- d) introduction of behavioural standards for children and young people using transport commissioned by the Local Authority.
- e) detailed explanation of the transport decision making process.
- f) standardisation of disputes and appeals process in accordance with statutory guidance.
- g) clarification regarding 'personal travel budgets' and how they are calculated.
- h) comprehensive application procedure and guidance.
- i) clarity around breakfast/ after school clubs and times when Haringey Council will provide transport.
- j) cut off deadlines for applications with exceptional circumstances included
- k) COVID-19 information in relation to home-school transport.

4.4 These policy changes were subject to a full public consultation from 9th May 2022- 31st July 2022. A summary of consultation responses can be found at: **Appendix One: School Travel Assistance Policies Consultation process and full responses.**

4.5 The consultation was promoted extensively via the SEND Local Offer and through a number of mechanisms including the Council's website, hard copies in libraries, social media, including Twitter, Instagram, and Facebook. Engagement events were also provided within Special Schools with parents and carers. An 'in person' engagement event was held with the Markfield Project alongside four online consultation sessions.

4.6 Despite the extensive promotion, there was a low uptake for the in person and online consultation sessions, organised, with 98 formal responses to the consultation form. The SEND service is planning to have an event for young people, parents, and partners to highlight the key changes in the policy and respond to any questions. It is acknowledged that the responses were not as high as the Council would have liked, therefore officers will take the opportunity at this event to discuss suggestions of how the Council can engage with the local community and partners more effectively.

4.7 Consultation responses were mainly received from parents and carers of children and young people using home to school transport (approximately 15% of the total cohort). A summary of the key responses are outlined below. Refer to: **Appendix Four: Consultation feedback and responses** which provides a response where relevant, highlighting changes to be made in the policies.

- a) Overall, respondents indicated that whilst it was understood how decisions were made, the considerations informing these processes are, by their nature lengthy and can present a barrier in having a full and comprehensive understanding of the home-school transport system. Most of the changes to the final draft policies provide clarification.
- b) Many of the responses were in relation to individual circumstances and as such were out of the scope of the wider consultation. However, responses did suggest that the length of the documents could create a barrier to understanding the decision making processes. As a result, 'easy-read' guides to both policies will be

developed to ensure that parents and carers can find information easily and that the documents are succinct and easily translated into other languages.

- c) Consultation responses indicated that parents and carers understood and were sympathetic towards the need for both 'cut-off dates' for applications and behaviour standards and expectations when using transport.
- d) Parents and carers also recognised and supported the shift within the policy to more environmentally friendly transport arrangements.
- e) Respondents also highlighted operational service issues, particularly in relation to communication with the SEND Transport team. The service is aware of these issues and as a result has increased the capacity to support improved and timely communication through the recruitment of a Transport Liaison Officer.

4.8 The consultation was also informed by an equality impact assessment which resulted in some clarifications made within the policies. Refer to:

Appendix Five: Equality Impact Assessment School Travel Assistance Policies

4.9 The two policies have resulted from this improvement work and are designed to clarify the duties of the council, the responsibilities of schools and families and to create a fair, open, and transparent set of criteria and expectations regarding the provision of home-school transport. Changes to the policies post consultation are highlighted in yellow.

4.10 Once the policies are approved, a follow up session will be offered to parents and carers to go through the key changes in the policies with easy read guides published.

5. Alternative options considered

Not applicable

6. Background information

6.1 Haringey Council began a review of home-school transport arrangements in 2019 with a series of public meetings and review led by the, then Assistant Director for

Early Help Prevention and SEND. The focus of the review was to respond to the dissatisfaction of SEND parents in relation to the following:

- a) Lack of clarity and flexibility within the policy.
- b) Lack of involvement of parents with decisions made in relation to their child's transport.
- c) Lack of a clearly described dispute resolution process for Home School Transport.

6.2 The review was suspended during the coronavirus pandemic as home-school transport services were reconfigured during periods of school closure and lockdown.

6.3 Service improvement work in relation to provision of home-school transport continued throughout the pandemic with the introduction of new software to support the service and a staffing review. In 2021, the Council in-sourced the Transport

Buddies service (who support young people by training them to travel to school and post 16 provision independently).

Refer to [Cabinet decision 22 July 2021](#)

6.4 Subsequently, following an escalation of concerns regarding disruption to home-school transport in September 2021, the current Assistant Director for Early Help, Prevention and SEND chaired a learning review of home-school transport arrangements with key stakeholders including schools, parents, carer representatives, governors, transport providers and council officers from Procurement and the SEN Transport Team. The learning review identified a series of recommendations regarding operational and strategic service improvement including the following which have all been completed:

- a) Revision and up-dating of the Travel policy with clarity given to the transport issues for those under statutory school age and those aged 16+.
- b) Consideration of a revision of policy to 'Transport Assistance Policy'.
- c) Commissioning of transport providers for 3-5 years to create stability and sustainability.

6.5 As a result of service improvements made, home to school transport arrangements for the start of the academic year went very smoothly with minimum disruption.

7. Contribution to strategic outcomes

7.1 The objectives of the Assisted Travel policies are aligned with the priorities within Haringey's Early Help Strategy and the 'Borough Plan – Priority 2 (People)' specifically:

- Happy childhood: all children across the borough will be happy and healthy as they grow up, feeling safe and secure in their family, networks, and communities
- Every young person, whatever their background, has a pathway to success for the future.
- All adults are able to live healthy and fulfilling lives, with dignity, staying active and connected in their communities.

7.2 Haringey has published a Draft Walking and Cycling Action Plan (WCAP) for 2022-2032. Two key aspirations within the WCAP are to promote walking and cycling as natural choices and to improve the wellbeing of residents. The Assisted Travel policies will contribute to these outcomes by promoting both walking and cycling as beneficial independent travel choices for children and young people who no longer require support and able to travel to their place of learning independently.

8. Statutory Officers comments

Finance

8.1 The Travel Assistance budget for 2022/23 totals £4.7m and as at Quarter 1 is showing a pressure of £2m where there are significant rises in fuel costs, inflationary pressures and more eligible children requiring transport. The ongoing financial consequences of the policy and delivery of the policy are being taken into account and factored via the MTFS.

Procurement

8.2 Strategic Procurement notes the contents of this report and confirms there are no procurement related matters that would prevent the Council agreeing the recommendations stated in this report.

Head of Legal & Governance

8.3 The Head of Legal and Governance (Monitoring Officer) has been consulted on the content of this report. The proposed draft policies are compliant with the Education Act 1996, the Public Sector Equality Duty and relevant law. The proposed amendments to the policies were drafted pursuant to a fair consultation process undertaken by the Haringey Council in accordance with relevant law. The Head of Legal and Governance sees no bars to the Cabinet approving the policies as recommended at section 3.1 of this Report.

8.4 The proposed decision is to approve a public consultation on the proposed changes to the current SEN Transport Policy (to be renamed as the Travel Assistance Policy), which ensures that the Local Authority delivers home-school transport in accordance with national guidance. In particular it promotes and supports transport, which is sustainable, creates a greener environment and wherever possible supports young people to be independent and achieve their education outcomes. Where young people require assistance due to their SEND needs the proposal is for this to be supported based on an assessment of individual needs in accordance with the policy.

8.5 This will affect:

- a) all children and young people who require support with transport to school
- b) children and young people with SEND
- c) parents and carers with disabilities who are prevented by virtue of their disabilities from transporting their children to school
- d) workforce capacity to respond to providing travel assistance.

8.6 Accordingly, this policy will affect the following groups who have protected characteristics: Children and young people; Children and young people with SEND and Adults with disabilities.

8.7 The objective of the proposed decision is to improve the Council's policies and processes in relation to the provision of home-school transport by providing clear guidance and formal dispute resolution processes in accordance with national guidance.

8.8 This will lead to better access and support for Home-School transport for children, young people and adults with disabilities, helping address difficulties they may face in travelling to school by virtue of their protected characteristics, in particular if they or their parents or carers have SEND.

8.9 The proposed decision therefore represents a measure to:

- a) support access to education for all children and young people including those with SEND.
- b) ensure children and young people of parents with a disability who cannot otherwise transport their children to school have access to home-school transport.

- 8.10 An EQIA has been undertaken (Appendix 5) to understand the key groups who will be affected by the policy, how they will be impacted by it, and any mitigations that might be needed in order to ensure that the public sector duty is met. This will be finalised and brought for approval alongside the final Travel Assistance Policy.
- 8.11 The Council has taken steps to collect demographic data on service users in order to identify any inequalities in service provision that may arise and to inform future equalities analysis. The outcome of the public consultation is attached in **Appendix One**.

Equality

- 8.12 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act,
 - advance equality of opportunity between people who share protected characteristics and people who do not,
 - foster good relations between people who share those characteristics and people who do not.
- 8.13 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. The first part of the duty applies to marriage and civil partnership status only.
- 8.14 Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socio-economic status as a local protected characteristic.
- 8.15 The proposed decision is to approve a public consultation on the proposed changes to the current SEN Transport Policy (to be renamed as the Travel Assistance Policy), which ensures that the Local Authority delivers home-school transport in accordance with national guidance. In particular it promotes and supports transport, which is sustainable, creates a greener environment and wherever possible supports young people to be independent and achieve their education outcomes. Where young people require assistance due to their SEND needs the proposal is for this to be supported based on an assessment of individual needs in accordance with the policy.
- 8.16 This will affect:
- all children and young people who require support with transport to school children and young people with SEND,
 - parents and carers with disabilities who are prevented by virtue of their disabilities from transporting their children to school
 - workforce capacity to respond to providing travel assistance
- 8.17 Accordingly, this policy will affect the following groups who have protected characteristics: Children and young people; Children and young people with SEND and adults with disabilities.

- 8.18 Among these groups, people of Black African/Caribbean descent, as well as boys, are significantly overrepresented, and consequently will be disproportionately impacted by these changes.
- 8.19 The objective of the proposed decision is to improve the Council's policies and processes in relation to the provision of home-school transport by providing clear guidance and formal dispute resolution processes in accordance with national guidance.
- 8.20 This will lead to better access and support for Home-School transport for children, young people and adults with disabilities, helping address difficulties they may face in travelling to school by virtue of their protected characteristics, in particular if they or their parents or carers have SEND.
- 8.21 The proposed decision therefore represents a measure to:
- d) support access to education for all children and young people including those with SEND
 - e) ensure children and young people of parents with a disability who cannot otherwise transport their children to school have access to home-school transport.
- 8.22 An EQIA has been undertaken (Appendix 5) to understand the key groups who will be affected by the policy, how they will be impacted by it, and any mitigations that might be needed in order to ensure that the public sector duty is met.

This will be finalised and brought for approval alongside the final Travel Assistance Policy.

- 8.23 The Council has taken steps to collect demographic data on service users in order to identify any inequalities in service provision that may arise and to inform future equalities analysis. The outcome of the public consultation is attached in **Appendix One**.

9. Use of Appendices

- Appendix One: School Travel Assistance Policies Consultation process and full responses
- Appendix Two: School Travel Assistance Policy (CYP Children and Young People up to 16 years of age in compulsory education)
- Appendix Three: Haringey School Travel Assistance Policy Post 16
- Appendix Four: Consultation feedback and responses
- Appendix Five: Equality Impact Assessment School Travel Assistance Policies

10. Local Government (Access to Information) Act 1985

N/A