

Oxfordshire County Council's Proposed Post 16 Education Travel and Transport Policy for 2018/19 onwards

1. Introduction

- 1.1 The LA has a statutory duty to arrange free home to school travel for some children of compulsory school age. However, there is no universal entitlement to free or subsidised travel assistance from the council for post-16 students, including disabled students and students who have an Education, Health and Care Plan.
- 1.2 Oxfordshire County Council expects that parents and students will consider how to access the relevant college, school or training prior to seeking and accepting a place. Students are expected to use public transport where this is available and appropriate and, in normal circumstances, young people or their parents are expected to pay for any bus or rail ticket or pass. In cases of financial hardship schools and colleges operate a bursary scheme to assist students (see 1.3 below).
- 1.3 Colleges and secondary schools are provided with bursary funds by the Government to support a student with travel, clothing, books and equipment for a course. Therefore, where there is a financial difficulty, parents should approach colleges or schools for assistance through their bursary scheme.
- 1.4 Except for students attending residential special schools, beyond allowing a parent to purchase a seat on contracted transport through the "Spare Seat Scheme", the council will normally only provide assistance with travel where there is a barrier to accessing or remaining in education and where all other options have been investigated and are not available, as evidenced by the parent. Where travel assistance is provided by the council, a contribution towards costs will normally be required. This contribution is the distance based fare set out in the "Spare Seats Scheme".

2. 16 to 19 Transport Policy Statement

- 2.1 The 16 to 19 Transport Policy Statement covering young people who live in the administrative county of Oxfordshire, and who are under 19 on 31st August immediately preceding the start of the academic year, will be published annually. This document will:
 - contain details of travel provision for this age group;
 - is intended to ensure that young people can make informed choices regarding Post 16 education;

- can be amended in year in response to complaints or a direction from the Secretary of State.

3. Independent Travel Training

- 3.1 Oxfordshire County Council may be able to provide Independent Travel Training, where appropriate, to assist a student. Information on the scheme can be provided by the Supported Transport Service.

4. The “Spare Seat Scheme”

- 4.1 Where transport arranged by Oxfordshire County Council already operates to a school or college there may be an opportunity to purchase a seat under the “Spare Seat Scheme” for those who are aged 16 to 19. In these circumstances the normal charges set out in the “Spare Seat Scheme” will apply.

- 4.2 The “Spare Seat Scheme” operates on contracted routes that are operated for the benefit of those who are entitled to free transport to and from school. The key points regarding this scheme are set out below:

- The council cannot guarantee that a young person will keep the seat for longer than one full term (based on a three-term academic year).
- Fare prices are reviewed annually
- The parent or student, must complete an application form for the Spare Seat Scheme.
- Parents/students are required to pay in advance for one full term’s travel.
- The price charged covers a return journey for every school day of the relevant period.
- There will be no rebates for those deciding to travel for less than the maximum number of possible journeys per term, for example there is no rebate if a young people decides to use his/her bus pass for morning travel and returns by some other private means in the afternoon.
- If a seat is available a bus pass will only be issued on receipt of a completed application form, and correct payment.
- There is no guarantee that the bus will continue to run throughout a young person’s time at a school, or that the place on the bus will not be withdrawn at some future date if the place is required for a young person who is entitled to free travel.
- When there are more requests to pay for seats on a specific route than there are seats available, they will be allocated in the descending order of priority shown in the table “Priority for Spare Seats”.

- If there are more applicants than places a parent will be able to add a child's name to a waiting list. Any waiting list for a specific route will operate for no more than one academic year.

Table 1 - Priority for Spare Seats

Priority	Category
1.	Those with an Education, Health and Care naming the school
2.	Looked After Children
3.	Years 12 and 13 (if there is no available service bus route)
4.	Children in receipt of Free School Meals or whose parent /parents are in receipt of the maximum of Working Tax Credit
5.	Those who travelled on the route the previous term
6.	By year group, in ascending order of priority from Reception to Year 11 (or to Year 13 if there is an available service bus route)

**Where there are more applicants than places in any of the above categories priority will be given to those living closest to the destination school (measured using the shortest designated route on Oxfordshire County Council's Geographic Information System)*

4.3 The charges for 2018/19 and 2019/20 are set out in Table 2.

Table 2 - Spare Seat Fares

Spare Seat Fares 2018/19	
<ul style="list-style-type: none"> • Reception to Year 13 • Less than 3 miles 	£352.99 per annum
<ul style="list-style-type: none"> • Reception to Year 13 • Over 3 miles 	£657.83 per annum
Spare Seat Fares 2019/20	
<ul style="list-style-type: none"> • Reception to Year 13 • Less than 3 miles 	£370.64 per annum
<ul style="list-style-type: none"> • Reception to Year 13 • Over 3 miles 	£690.72 per annum

- 4.4 The council’s Spare Seat Scheme fares for 2020/21, 2021/22 and 2022/23 are shown in Table 3. The fares include an annual 2% inflation increase and rounding to the nearest whole number. The use of the 2% figure reflects the target inflation figure set for the Bank of England. If this target changes or transport inflation rises beyond 2% the council reserves the right to consult on the use of a different inflation figure and the amendment of “Spare Seat Fares”.

Table 3 - Spare Seat Fares for 2020/21, 2021/22 and 2022/23

Spare Seat Fares 2020/21	
<ul style="list-style-type: none"> • Reception to Year 13 • Less than 3 miles 	£ 378 per annum
<ul style="list-style-type: none"> • Reception to Year 13 • Over 3 miles 	£705 per annum
Spare Seat Fares 2021/22	
<ul style="list-style-type: none"> • Reception to Year 13 • Less than 3 miles 	£386 per annum
<ul style="list-style-type: none"> • Reception to Year 13 • Over 3 miles 	£719 per annum
Spare Seat Fares 2022/23	
<ul style="list-style-type: none"> • Reception to Year 13 • Less than 3 miles 	£394 per annum
<ul style="list-style-type: none"> • Reception to Year 13 • Over 3 miles 	£733 per annum

5. Requests for travel assistance

- 5.1 Where there is no suitable public transport, or any available vacant seats on existing contracted transport, and a young person is unable to make his/her own arrangements to attend school or college, an application can be made for transport assistance to the School Admissions Team (Transport Eligibility). Where a young person has an Education, Health and Care Plan (EHCP) in place, liaison will take place between the School Admissions and Special Educational Needs and Disability (SEND) Services to ensure the needs of the child are fully understood, as they relate to travel arrangements.

5.2 Financial and medical information will be needed before a decision on such a request can be reached. In addition, any support agreed will normally be subject to a financial contribution equivalent to the relevant distance related charge set out in the "Spare Seat Scheme".

5.3 To receive any assistance from the council, the student/student's parent must be able to demonstrate that the student attends or is due to attend the nearest suitable establishment for their post-16 education, lives more than 3 miles from the college or school, is in full-time education, and there is satisfactory evidence of:

- an application to the college or school for financial assistance, with details of the level of support offered; and
- the cost to them if they were to make the necessary travel arrangements; and
- any medical condition or other circumstance that would prevent the parent making the necessary travel arrangements; and
- low income, for example proof of receipt of the Maximum of Working Tax Benefit or eligibility for free school meals.

6. Free Travel to Out County Residential Schools for those with an Education, Health and Care (EHC) Plan

6.1 Out County Weekly Boarding

A student is eligible for free travel at the beginning and end of each term and at the beginning and end of each school week to a total of 76 single journeys per year.

6.2 Termly Boarding (3 terms per year)

Students are entitled to free travel at the beginning and end of each term and half term up to a maximum of 16 single journeys per year.

6.3 Termly Boarding (4 terms per year)

Students are entitled to free travel at the beginning and end of each term and half term up to a maximum of 16 single journeys per year

6.4 Out County 52 Week Boarding (Joint placement with another agency)

All boarders are entitled to 12 single trips home per year (broadly relating to term times). Any additional trips will be the responsibility of the other agency.

6.5 Payment of parental journeys for those with children at out county residential special schools

Payment will be made if one of the following applies:

- attendance at their child's annual review;
- attendance at any meeting called by the council at the student's school;
- journeys necessitated by a child's sickness or emergency medical appointments;
- an agreed journey to visit a new school placement;
- to attend up to three additional meetings per year at the school (called by the school or requested by the parents) if sanctioned by the council in advance;
- to travel with the student on train or service bus journeys if the student needs an adult escort.

6.6 Overnight Accommodation

The council will not normally reimburse the cost of overnight accommodation for parents/carers.

7. Transport Appeals/Complaints

7.1 An appeal against a decision to refuse travel assistance to post 16 students will be heard as set out below. Complaints regarding the Transport Statement will also be subject to the same two stage process.

7.2 The Local Authority publishes the appeals process on its website. This sets out the two-stage process (with paper copies available on request) for parents who wish to challenge a decision about:

- the transport arrangements offered;
- the young person's eligibility
- the distance measurement in relation to statutory walking distances; and
- the safety of the route.

Stage 1 Review by the Admissions and Transport Services Manager

7.3 A parent has 20 working days from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision. 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, including information from a child's EHCP they consider relevant to travel needs.

7.4 Within 20 working days of receipt of the parent's written request the Admissions and Transport Services Manager will review the original decision and send the parent a detailed written notification of the outcome of the review, setting out:

- the nature of the decision reached;

- how the review was conducted (including the standard followed, for example route safety assessments that have followed Road Safety GB guidance);
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and
- information about how the parent can escalate their case to stage two (if appropriate).

7.5 Complex Stage 1 cases may take longer than the timescale given above.

Stage two: Review by an independent appeal panel

7.6 A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.

7.7 Within 40 working days of receipt of the parents request an independent appeal panel will consider written and verbal representations from both the parent and officers involved in the case and give a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached;
- how the review was conducted (including the standard followed e.g. Road Safety GB);
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parent's right to put the matter to the Local Government Ombudsman (see below).

7.8 Stage 2 appeals will be heard by a panel of three comprising of one officer, one county councillor and one independent person. All panel members receive specific training prior to undertaking their role. The training includes information to ensure an understanding of the specific needs of children with SEND and EHCPs.

7.9 The Clerk to the Appeals & Tribunals Sub-Committee will not be a member of the Admissions Team, the Transport Hub or the Environment & Economy Department.

7.10 A representative of the Admissions Team will present the LA's reasons for not providing transport and appellants can present a case in writing and /or in person (if the parent wishes, accompanied by a friend). The format of the appeal is set out below:

- presentation of the LA's case by the LA representative;

- committee members and the parent are able to ask questions of the LA representative;
- presentation of the parent's case;
- summing up by the LA representative;
- summing up of the parent's case;
- both the LA representative and the parent/parents friend leave the hearing together;
- consideration of the case by the Appeals & Tribunals Sub-Committee;
- the Appeals & Tribunals Sub-Committee makes a decision as to whether to uphold or refuse the appeal.

7.11 The decision of the Appeals & Tribunals Sub-Committee will be considered binding by the LA and there is no further right of appeal.

7.12 The LA will not consider requests for a further transport appeal within the school academic year unless here there has been a significant change of circumstance.

7.13 Complex Stage 2 cases may take longer than the timescale given above.