

North Yorkshire County Council

Corporate Director - Children's and Young People Service and Executive Members

21st May 2019

Post 16 Policy Statement – Home to school transport. Contribution Rate for 2019/2020 academic year

1. PURPOSE

- 1.1 This paper provides the rationale for the contribution fee in relation to the Post 16 home to school transport assistance. This is to ensure it remains fit for purpose and provides a sustainable framework for transport into the future.
- 1.2 The policy statement and transport provision must align with budgetary allocation going forward to ensure the Council can still provide travel assistance to those who require this the most, and is in line with the Department of Education Statutory Guidance, published January 2019.
- 1.3 This paper is to highlight the current contribution charge and recommend options for the 2019/2020 academic year, which requires publication no later than 31st May 2019.

2. STATUTORY RESPONSIBILITY

- 2.1 Local Authorities have a responsibility under Section 508B of the Education Act 2014 to make such travel arrangements as they consider necessary to facilitate attendance at school for 'eligible' children.
- 2.2 Schedule 35B of the Education Act defines eligible children as those categories of children of compulsory school age (5-16)
- 2.3 For Students over the statutory school age (end of Year 11.) The local authority can use discretionary powers to facilitate transport assistance, these arrangements do not have to be provided free of charge as is the case with eligible statutory pupils.

3. RATIONALE FOR CHANGE

- 3.1 Following the 2018 policy change in which the focus was to realigned SEND transport with Mainstream. The contribution fee was not reviewed due to the policy realignment. The contribution fee remained at £490 per annum, with a 50% reduction for low income families.

- 3.2 Home to school transport is a demand lead service. This is based on the eligibility criteria stated above. The current Home to School transport budget is £21.7 million with a current expenditure of £24.1 million. This is resulting in a £2.4 million overspend.
- 3.4 The Authority currently spends approx. £2.8 million on post 16 transport provision. In 2018/19 academic year, the authority received £0.5 million in contribution fees.
- 3.5 The average cost of transport that the local authority commissions ranges from approx. £900 for a seat on a coach up to £30k+ for a specialist provision with passenger assistance.
- 3.6 In comparison to all 26 county councils as shown in Appendix 1. NYCC is 20th in the contribution rates. Currently 4 County Councils currently do not charge a fee, however 2 of these are intending/consulting to charge from September 2019 or 2020.
- 3.7 A number of County Councils have made increasing on 2017 fees, ranging from £15 to £203, however the majority have kept this annual increase within £50 per year.
- 3.8 The majority of County Councils are charging in the region of £600 to £700.
- 3.9 The rationale behind the majority of contribution rates is based on local transport equivalent as not to discriminate those who do not have access or the ability to use public transport.
- 3.10 The average cost of a public transport ticket in North Yorkshire is difficult to calculate due to the amount of variable factors. These include:
- Commercial or commission operator
 - Urban or rural area
 - District services
 - Age a young person is viewed as adult fare – (14 – 18yrs)
 - Distance travelled
 - Saver discounts cards
- 3.11 The National daily rate as reported by TAS national bus survey 2017 showed the national rate to be at £4.92 in 2017 with an average increase of 1.9% every 2 years
- 3.12 Based on these average increases the 2019 rate is expected to be £5.013 per day
- 3.13 Current rate of inflation is 1.8%, this is equivalent to £9.80 on the current rate. The option of no increase will place additional £10,000 pressure on the budget for this financial year.

4. OPTIONS FOR DECISION.

4.1 In reviewing the data from appendix 1 and understanding the rationale on how local authorities set the contribution rates, the options are as follows:

1. Increase the contribution to the national bus average of £5 per day
Based on post 16 students attending 3 days a week for up to 38 weeks
This will increase the rate to £570 per annum.
2. Increase the fee to £600 per annum, this will place the authority at the mode rate, and within the majority of County Council current rate of contribution.
3. Increase the fee to the average county council fee of £650 per annum.
4. No increase to the contribution rate.

4.2 The table below shows if these rates were applied to the 2018 actual contribution income;

Full Rate	Average cost per journey	Approx. Income
£490	£1.29	£500,000
£570	£1.50	£600,000
£600	£1.58	£630,000
£650	£1.71	£680,000

4.3 Approx. income figures provided are based on Like for Like and do not take external factors including human behaviours into consideration.

5. INTERDEPENDENCIES

5.1 The LA should pay due regard to other priorities within the Authority on which the outcomes of these proposals may have an impact or influence. These include:

- Current consultation on the Home to school transport policy – for statutory aged pupils, in particular reference to proposal 5, in which the example given was based at the £570 – public transport equivalent to demonstrate the fee is not reflective of other transport options.

5.2 The authority made significant changes to the post 16 policy statement 12 months ago, in which young people with EHCP are now required to pay the contribution charge. We are still implementing this change until 2021, therefore have a number of young people who were exempt last year.

5.3 The Department for Education are currently reviewing the Statutory Guidance for Home to School Transport. A public consultation on the matter was expected in the autumn of 2018. However due to the political priorities of Brexit, This has not yet occurred, with no anticipated date given for the consultation to commence.

5.4 The Department for Education also published statutory guidance for Post 16 Transport in January 2019, on reflection of this guidance, the current policy is compliant with the guidance.

6. TIMESCALE FOR IMPLEMENTATION

6.1 The agreed option will be decided by the Director of Children and Young People service with the Executive Members for Education and Skills, and the Executive Member for Inclusion.

6.2 The agreed option will then be published in the Post 16 transport policy statement by no later than 31st May 2019

6.3 The published contribution rate will be implement from 1st June 2019, for the start of 2019/2020 academic year.

7.0 RECOMMENDATIONS -

The Director of Children and Young People Services in agreement with the Executive Member for Education and Skills will determine the contribution rate for the 2019/2020 Academic Year.

Report written by Gail Chester, SEND Transport Manager and William Burchill, Admissions & Transport Manager

ConsultedExecutive Member

Date:

Action Agreed as above

.....Corporate Director

Date:

Appendix 1

County Council Post 16 transport charges 2018/19

Ranking by Contribution rate	County Council	2018/19 charge	Variance from 2017/18
1	Hertfordshire	Up to £1411.50	No change
2	Essex	£900	No change
3	Somerset	£795	Increased £120
4	Warwickshire	£780	Increased £15
5	Gloucestershire	£750	Increased £294 from 3 years ago
6	Surrey	£699	No change
7	Cambridgeshire	£690	Increased £180
8	Oxfordshire	£690 with a 2%inflation for next 3 years	No figure last year
9	Suffolk	£660	Increased £30
10	East Sussex	£646	Increased £38
11	West Sussex	£630	Increased £203
12	Staffordshire	£625	Increased £50
13	Devon	£600	Increased £20
14	Hampshire	£600 - £1330	offer base on distance, possible legal challenge
15	Kent	First year at £600	No figure last year
16	Northamptonshire	£600	No change
17	Lincolnshire	£570 (£9 more p/a if paying in instalments)	No change
18	Worcestershire	£547 for zone 3	Worcestershire
19	Norfolk	£525	No figure last year
20	North Yorkshire	£495	£495 mainstream only
21	Derbyshire	£390	Increased £16
22	Leicestershire*	Moved to fixed financial grant	Change of offer from £660
23	Buckinghamshire	1st year of charging fee not public at point of asking	free
24	Cumbria	No charge but consulting	free
25	Nottinghamshire	Free	Free
26	Lancashire	Unclear of policy offer	No figure last year

* Legal challenge submitted regarding the offer available