

## The Report of the Executive

The Executive met on Tuesday 20 February 2018. County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

Also in attendance County Councillors John Blackie, Jim Clark, Keane Duncan, John Ennis, Janet Jefferson and Geoff Webber.

The Executive met on Tuesday 13 March 2018. County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

The Executive met on Tuesday 27 March 2018. County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

Also in attendance County Councillor John Blackie.

The Executive met on Tuesday 24 April 2018. County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

**1. Response to Motion to County Council on 8 November 2017 on mental health services:** The Executive on 20 February 2018 considered the response of the North Yorkshire County Council Scrutiny of Health Committee to the Notice of Motion on mental health in-patient services in Northallerton and Harrogate, which was put to County Council on 8 November 2017. The full report considered is attached at Appendix A, pages 21 to 23.

### **The Executive RECOMMENDS:**

That the Scrutiny of Health Committee continues to lead the scrutiny of proposals for changes to mental health services in the county and reports back to Council as appropriate, unless the need arises for an urgent report back on developing issues, whereby a report would be submitted to the Executive.

**2. Amendments to the Constitution:** At the meeting held on 27 March 2018, the Executive considered a number of proposed amendments:

- (a) amending Article 10 (Area Committees) to enable the move to Area Constituency Committees;
- (b) updating the Council's Vision and Ambitions in Article 1;
- (c) re-ordering the Policy Framework list in Article 4 to move the Council Plan to the top of the list to reflect it being the overarching corporate Policy;
- (d) updating the list of Proper Officer Functions in Article 12.06 and the specific delegations in 4.9 of the Officers' Delegation Scheme to reflect that the Assistant Director Library and Community Services is now responsible for Registration Services;
- (e) updating the Officers' Delegation Scheme to reflect changes in nomenclature (post titles, service titles) and delegations;

- (f) clarifying paragraph 16 of the Executive Members' Delegation Scheme to reflect that the Executive Member for Stronger Communities has the power to determine Locality Budget grant *recommendations* (not applications);
- (g) updating the Schedule of Appointments to Outside bodies;
- (h) updating the Contract Procedure Rules regarding EU threshold values;
- (i) updating the Protocol on Members' Attendance at Conferences to remove out of date conference listings.

The report to the Executive including the table of proposed amendments is available at Appendix B, pages 24 to 53.

A number of the amendments relate to the proposed implementation of Area Constituency Committees. A report updating on how discussions have progressed on the proposal is available at Appendix C, pages 54 to 65. This report includes a copy of a map of the area covered by each of the proposed Area Constituency Committees as well as a copy of the completed initial equality impact assessment screening form.

**The Executive RECOMMENDS:**

- (i) That the proposed refocusing of the Area Committees, as set out in paragraphs 4.0-4.12 of the report, subject to the addition to paragraph 4.10 of the ability to provide meaningful scrutiny of social care, children's social care, youth justice and related issues, within their area, complementing the strategic work undertaken by the relevant Scrutiny Committees, be proposed to full Council for approval, including:
  - (a) that Area Committees be renamed "Area Constituency Committees";
  - (b) that the proposed amendments to the Area Committees Terms of Reference as set out by way of track changes on the version attached as Appendix 4 be approved;
  - (c) that the proposed amendments to Article 10 (Area Committees) as set out by way of track changes on the version attached as Appendix 5 be approved; and
  - (d) that the Monitoring Officer make further consequential amendments throughout the Constitution to reflect the agreed amendments and proposals.
- (ii) That, the proposed changes to the Constitution set out in the amendments chart in Appendix 6 be recommended to full Council for approval.

**3. Home to School Transport:** At the meeting held on 24 April 2018, the Executive considered a report of the Corporate Director, Children and Young People's Service, providing an analysis of the feedback received from the 90 day consultation together with recommendations for changes to the Home to School Transport Policy from September 2018.

**The Executive RECOMMENDS:**

That the following proposals be approved from September 2018:-

- a. Proposal 1: Removal of the FREE Transport statement for SEND Post-16 to 18 students with an EHCP from September 2018, to bring it in line with mainstream transport arrangements.
- b. Proposal 2: Recognise SEND Post-19 students as adults in education, and identify unmet transport need in line with Health and Adult Services social care assessment.
- c. Proposal 3: Promote Parental Transport Allowance to SEND sole-occupancy provision with a realistic enhancement to reflect the young person transport need (for those eligible for transport assistance under statutory duty).
- d. That Proposal 2 in the report, to recognise SEND Post-19 students as adults in education, and identify unmet transport need in line with Health and Adult Services social care assessment, is more clearly explained in the Home to School Transport Policy (section 508F of the Education Act).
- e. That the Director of Children and Young People's Services and the Executive Member set a rate for the proposed enhanced Parental Transport Allowance, subject to consultation
- f. That the proposals be recommended to County Council at their meeting on 16 May 2018 for approval.

An additional report is available at Appendix D, pages 66 to 233 to provide an update on the Home to School transport proposals that were considered by the Executive on 24 April 2018 together with a final draft of the amended home to school transport policy recommended for adoption by Full Council.

**4. Appointments to Committees and Other Bodies:** At the meeting on 24 April 2018, Executive agreed that any proposals for the re-allocation of seats, if necessary to achieve political proportionality, or for changes to memberships or substitute memberships of committees, or other bodies to which the Council makes appointments put forward by the relevant political group, prior to or at the meeting of the Council, including those set out below be commended for approval.

**The Executive RECOMMENDS:**

- (a) That the two additional seats, not subject to the rules of proportionality, created for the period of one year on the Employment Appeals Committee, previously agreed at Council on 19 July 2017, be continued for the duration of the current Council through to April 2021. County Councillors John Blackie and Tony Randerson were previously appointed to these seats.
- (b) The Officer appointment of Jane Le Sage as a North Yorkshire County Council trustee of St. Camillus Trust until April 2021 as the replacement for Alan Clifton who has now left the Authority.

An additional report is available at Appendix E, pages 234 to 236 that updates County Council on the current operating arrangements of Employment Appeals Committee and to seek approval for an extension to April 2021 of the two additional seats originally approved by County Council on 19 July 2017.

CARL LES  
Chairman

County Hall  
Northallerton

8 May 2018

**North Yorkshire County Council  
Executive  
20 February 2018**

**Response to Motion to County Council on 8 November 2017 on  
mental health services  
Report of Democratic Services and Scrutiny Manager**

**Purpose of Report**

This report details the response of the Scrutiny of Health Committee and the Area Committees for Harrogate, Hambleton and Richmondshire to the Notice of Motion on mental health in-patient services that was put before County Council on 8 November 2017.

The recommendation is that the Scrutiny of Health Committee continues to lead the scrutiny of proposals for changes to mental health services in the county and reports back to Council as appropriate.

**Background**

A Notice of Motion was put before County Council on 8 November 2017 by Cllr John Blackie and supported by Cllr Geoff Webber, regarding mental health in-patient services in Northallerton and Harrogate. The County Council decided that the motion was to be considered by the Scrutiny of Health Committee and those Area Committees directly affected (Harrogate, Hambleton and Richmondshire).

The Scrutiny of Health Committee met on 15 December 2017 and discussed the Notice of Motion, taking into account the views of the Area Committees and a statement by Cllr Geoff Webber.

**Notice of Motion**

The following Notice of Motion was put to County Council on 8 November 2017 by Cllr John Blackie and supported by Cllr Geoff Webber:

“North Yorkshire County Council deplores the recent decision of the Hambleton, Richmondshire and Whitby Clinical Commissioning Group, supported by the Tees, Esk and Wear Valley Mental Health Trust, to relocate in-patient mental health provision away from the Friarage Hospital, without any genuine public approval, and calls upon them both to reconsider. The County Council further notes the decision not to proceed with development on a site previously purchased in Harrogate to replace facilities in the Briary Wing of Harrogate Hospital, and calls upon the relevant Health Authorities to maintain existing in-patient facilities in the Harrogate area.”

**Scrutiny of Health Committee meeting on 15 December 2017**

Ahead of the meeting on 15 December 2018, the committee received feedback from the Area Committees for Harrogate, Hambleton and Richmondshire, as summarised below.

Regarding the closure of the in-patient wards at the Friarage:

- Concerns raised about the apparently low level of public engagement in the consultation
- Concerns raised about the apparent lack of detail as to the development of the community hub at the Friarage
- A query was raised about the financial assumptions made by Tees Esk and Wear Valleys NHS Foundation Trust (TEWV)
- Further work required on transport and travel options for patients and carers.

Regarding services in Harrogate:

- Consensus that the Brierley Wing at Harrogate Hospital is not able to provide a modern standard of care for patients
- Concern that the delay in developing the Cardale Park site may have an impact upon the County Council's social care services
- Concerns were raised about the quality of the planning processes used by both the Clinical Commissioning Group and TEWV
- A query was raised as to whether the review will mean that no in-patient mental health services are provided in Harrogate and the surrounding area.

Cllr Geoff Webber also attended the meeting to speak to the committee and raised the following issues about services in Harrogate:

- There was an inherent bias towards change and a move away from the status quo
- Concerns were raised that mental health in-patient services in Harrogate could be closed and that in-patient care would be transferred to York, which would impact upon carers and relatives.

Executive Members will be aware that issues relating to the quality, range, development and accessibility of mental health services in the county are of particular interest to the Scrutiny of Health Committee and regularly feature on the committee work programme. The Scrutiny of Health Committee continues to scrutinise the:

- plans that have been developed and consulted on for the closure of the mental health in-patients beds at the Friarage in Northallerton and the transition to more community-based services
- public engagement on the development of mental health services in Harrogate and the surrounding area and any proposals for service reconfiguration
- provision of mental health services in Craven
- vision for mental health services in the county and what efforts are being made to adopt a system-wide approach to the development of services.

The Chair, Vice Chair and political spokespersons are also in regular contact, outside of formal committee meetings, with mental health commissioners, providers and service users.

In light of the evidence put before it and the discussions that were held, the committee resolved:

- a) That the concerns raised by the Councillors who proposed the Notice of Motion and the issues raised by the Members of the three Area Committee were considered.
- b) Regarding the Notice of Motion, recommend to Executive that the North Yorkshire Scrutiny of Health Committee continues to lead the scrutiny of proposals for changes to mental health services in the county and reports back to Council as appropriate.
- c) The committee to hold an internal workshop at 10am on Friday 23 February 2018 to review a blueprint of what you would expect mental health services to look like in the county, if you were to start from scratch based upon levels and of need and best practice models for delivery.

A copy of the draft minutes of the meeting of the Scrutiny of Health Committee on 15 December 2017 is available as follows -

<http://democracy.northyorks.gov.uk/committees.aspx?commid=23&meetid=3687>

#### **Recommendation**

The recommendation is that the Scrutiny of Health Committee continues to lead the scrutiny of proposals for changes to mental health services in the county and report back to Council as appropriate.

Cllr Jim Clark  
Chairman of the Scrutiny of Health Committee

Report author:

Daniel Harry  
Democratic Services and Scrutiny Manager  
North Yorkshire County Council  
6 February 2018

## North Yorkshire County Council

### EXECUTIVE

27 March 2018

#### **Proposed Changes to the Constitution, for recommendation to the Executive and County Council**

#### **Report of the Assistant Chief Executive (Legal and Democratic Services)**

#### **1.0 Purpose of Report**

- 1.1 To present to Members, for their consideration for recommendation to full Council for approval, proposed changes to the Constitution.

#### **2.0 Background**

- 2.1 The Constitution is maintained by the Monitoring Officer and kept under review on an ongoing basis to keep it up to date and to record agreed working practices. This report details some proposed amendments to the Constitution for recommendation to full Council, which must approve changes to the Constitution.

#### **3.0 Amendments to the Constitution**

- 3.1 The more substantive items for consideration are the subject of separate sections in this report and **Appendices 1 to 5**.
- 3.2 Other proposed miscellaneous changes to the Constitution are set out in the table of proposed amendments set out at **Appendix 6**.

#### **4.0 Area Committees**

- 4.1 As Members may recall, work has been undertaken looking at the structure and functions of Area Committees to ensure that all Members are involved in meaningful and constructive debate in relation to their locality. This report focuses on the necessary changes to the Constitution to enable the establishment of the Area Committees in their new format. What this report does not do is go into detail about how the Committees will operate. A separate protocol will be developed to address this. Whilst there is a strong desire not to limit the scope of the Committees and to enable them to grow into their new role and remit, it is felt that there is some benefit in outlining some of the basic roles and responsibilities and expanding on what is in the Constitution.
- 4.2 Consultation has taken place with key officers and Members and the operation and feedback regarding existing Area Committees has been reviewed. Proposals were presented to Area Committee Chairmen and Vice-Chairmen at their meeting last October and a report by County Councillors Gareth Dadd and David Chance was taken to meetings of all Area Committees, each attended by the Leader and Councillor Chance, to consider the strengthening of the Committees' role. Consultation responses were broadly in favour of the proposals. The proposals set out in that report are detailed below. Consultation has also taken place with the Members' Working Group on the Constitution, whose views are reflected in this report.



- 4.3 Currently there are seven Area Committees which are coterminous with the seven District/Borough Council areas. The population of each district varies significantly from 52,000 to 157,000 and this results in a large variation in the number of County Councillors per Area Committee (from six to 18). A map showing existing County Council Area Committee boundaries (green lines), constituencies (purple lines), and County Council Divisions (black lines) is attached at **Appendix 1**. A list of current Council Area Committees and the Council divisions within each is attached at **Appendix 2**.
- 4.4 The current Area Committee structure does not recognise the six Parliamentary constituencies in the County. Therefore to strengthen Area Committees and to involve the MPs, it is proposed to create six Area Committees that are coterminous with the six Parliamentary constituencies. The population of each constituency (and therefore Area Committee) will be similar from 96,000 to 108,000 across the board and would result in a similar number of County Councillors per Committee (around 12 to 14). A list of potential constituency committees and the Council divisions within each is attached at **Appendix 3**.
- 4.5 It is hoped that the advantage of the proposed new structure will be to encourage MPs to attend Area Committees so that there can be the best democratic representation for their communities. MPs will be invited to attend at least one Area Committee meeting a year. It may, therefore, be necessary to change the dates of some Committee meetings. It will enable the MP and County Councillors to hold each other to account and to facilitate dialogue about issues facing the locality.
- 4.6 In light of this change of focus the Area Committees could be renamed 'Area Constituency Committees' and **Members' views are sought** as to whether this is something they would wish to recommend to full Council for approval.
- 4.7 It is noted that there are some disadvantages in this arrangement in that four divisions would be split across two Area Committees, although these County Councillors could be invited to attend both Area Committees. Under current constituency boundaries it appears that there are four Councillors whose division would be split across two constituency committees:
- Boroughbridge - Cllr Robert Windass – 2 wards in Harrogate & Knaresborough and 1 ward in Skipton & Ripon
  - Hertford and Cayton - Cllr Roberta Swiers – 1 ward in Thirsk & Malton and 1 ward in Scarborough & Whitby
  - Lower Nidderdale & Bishop Monkton - Cllr Michael Harrison – 2 wards in Skipton & Ripon and 1 ward in Harrogate & Knaresborough
  - Pannal & Lower Wharfedale - Cllr Cliff Trotter – 1 ward in Harrogate & Knaresborough and 1 ward in Selby & Ainsty.

It is acknowledged that there is the potential for such dual Constituency Committee Members to have more than one vote on the same matter where it is considered in both of the Constituency Committees of which they are a member. In practical terms, this situation is unlikely to arise, as the decision being taken at each Committee should relate to its own area, so each vote would be a different decision based on area. However should the situation arise whereby the Member would be voting on the very same decision affecting the same area in both Constituency Committees, then s/he would be expected to vote at only one of the two Constituency Committees for reasons of fairness and parity.

- 4.8 At the time Area Committees were established there were very few "dual-hatted" Members; this is no longer the case as the vast majority of County Councillors are also Borough or District Councillors. It is intended, therefore, not to have separate

Borough/District Councillor representatives as the Area Committees are well represented by “dual-hatted” Councillors.

4.9 The County Council and local partners have historically used District Council areas as geographical building blocks for service delivery and performance reporting, as opposed to Parliamentary constituencies. It is recognised that this proposal would require some work to ensure that the new Area Committees are given the relevant information.

4.10 It is recommended that the refocused Area Committees should:

- a) provide meaningful scrutiny of local health issues within their area, complementing the strategic work undertaken by the Scrutiny of Health Committee;
- b) provide meaningful scrutiny of local transport issues within their area, complementing the strategic work undertaken by the Transport, Economy and Environment Overview & Scrutiny Committee;
- c) act as consultees in major decisions affecting their area;
- d) receive reports and be consulted on major educational issues affecting their locality;
- e) shortlist Innovation funding decisions referred by the Stronger Communities Team (the final decision being taken by the relevant individual Executive Member on the recommendations made by a meeting of the Area Chairs and Vice-Chairs);

Many of the Area Committees’ currently delegated powers would be covered by (a) to (e) above and could therefore be removed if (a) to (e) were approved. However, it is recognised that Area Committees’ current Terms of Reference also provide for them to make appointments to outside bodies in accordance with the Schedule of Appointments to Outside Bodies and to determine certain other specified matters, many of which link to Corporate Directors’ specific delegations. It is not proposed to alter these delegations at this time. For clarity, the current proposed amendments to the Area Committee Terms of Reference are set out by way of tracked changes on the version attached at **Appendix 4**. Specific changes will be incremental as decision making and scrutiny review functions are still being considered.

4.11 Proposed amendments to Article 10 (Area Committees) to reflect these proposals are set out by way of tracked changes on the version attached at **Appendix 5**.

4.12 Should Members be minded to recommend these proposals to full Council for approval, then it is also recommended that the Monitoring Officer be authorised to make consequential amendments throughout the Constitution to reflect the proposals.

## 5.0 **Other Proposed Amendments**

5.1 Other proposed changes to the Constitution are set out in the table of proposed amendments set out at **Appendix 6** to this report. They relate to:

- (a) updating the Council’s Vision and Ambitions in Article 1;
- (b) re-ordering the Policy Framework list in Article 4 to move the Council Plan to the top of the list to reflect it being the overarching corporate Policy;

- (c) updating the list of Proper Officer Functions in Article 12.06 and the specific delegations in 4.9 of the Officers' Delegation Scheme to reflect that the Assistant Director Library and Community Services is now responsible for Registration Services;
- (d) updating the Officers' Delegation Scheme to reflect changes in nomenclature (post titles, service titles) and delegations;
- (e) clarifying paragraph 16 of the Executive Members' Delegation Scheme to reflect that the Executive Member for Stronger Communities has the power to determine Locality Budget grant *recommendations* (not applications);
- (f) updating the Schedule of Appointments to Outside bodies;
- (g) updating the Contract Procedure Rules regarding EU threshold values;
- (h) updating the Protocol on Members' Attendance at Conferences to remove out of date conference listings.

## 6.0 **Financial Implications**

6.1 There are no significant financial implications arising out of this report.

## 7.0 **Legal Implications**

7.1 The legal implications are set out in the body of this report.

## 8.0 **Consultation**

8.1 Consultation on the proposed amendments to the Constitution set out in this report and in the Amendments Chart and other appendices, has taken place with relevant officers and with the Members' Constitution Working Group on 14 March 2018, when the Group voted on a majority to support the proposals, taking into account their views which are covered in the body of this report.

8.2 Other unsubstantive amendments arising after the Members' Constitution Working Group's meeting have been incorporated into the Amendment Chart attached to this report.

8.3 This report will go on from the Executive on 27 March 2018 to County Council on 16 May 2018.

## 9.0 **Reasons for Recommendations**

9.1 For the reasons set out in the Amendments Chart at **Appendix 6** and in the body of this report, it is recommended that, subject to any comments Members may have, the recommendations and changes to the Constitution set out below be proposed to the County Council for approval.

## 10.0 **Recommendations**

10.1 That, subject to any comments Members may have, the proposed refocussing of the Area Committees as set out in paragraphs 4.0 to 4.12 of this report be proposed to full Council for approval, including:

- (a) that Area Committees be renamed 'Area Constituency Committees';
- (b) that the proposed amendments to the Area Committees' Terms of Reference as set out by way of tracked changes on the version attached at **Appendix 4** be approved;
- (c) that the proposed amendments to Article 10 (Area Committees) as set out by way of tracked changes on the version attached at **Appendix 5** be approved;
- (d) that the Monitoring Officer make further consequential amendments throughout the Constitution to reflect the agreed amendments and proposals.

10.2 That, subject to any comments Members may have, the proposed changes to the Constitution set out in the Amendments Chart in **Appendix 6** be recommended to full Council for approval.

BARRY KHAN  
Assistant Chief Executive (Legal and Democratic Services)

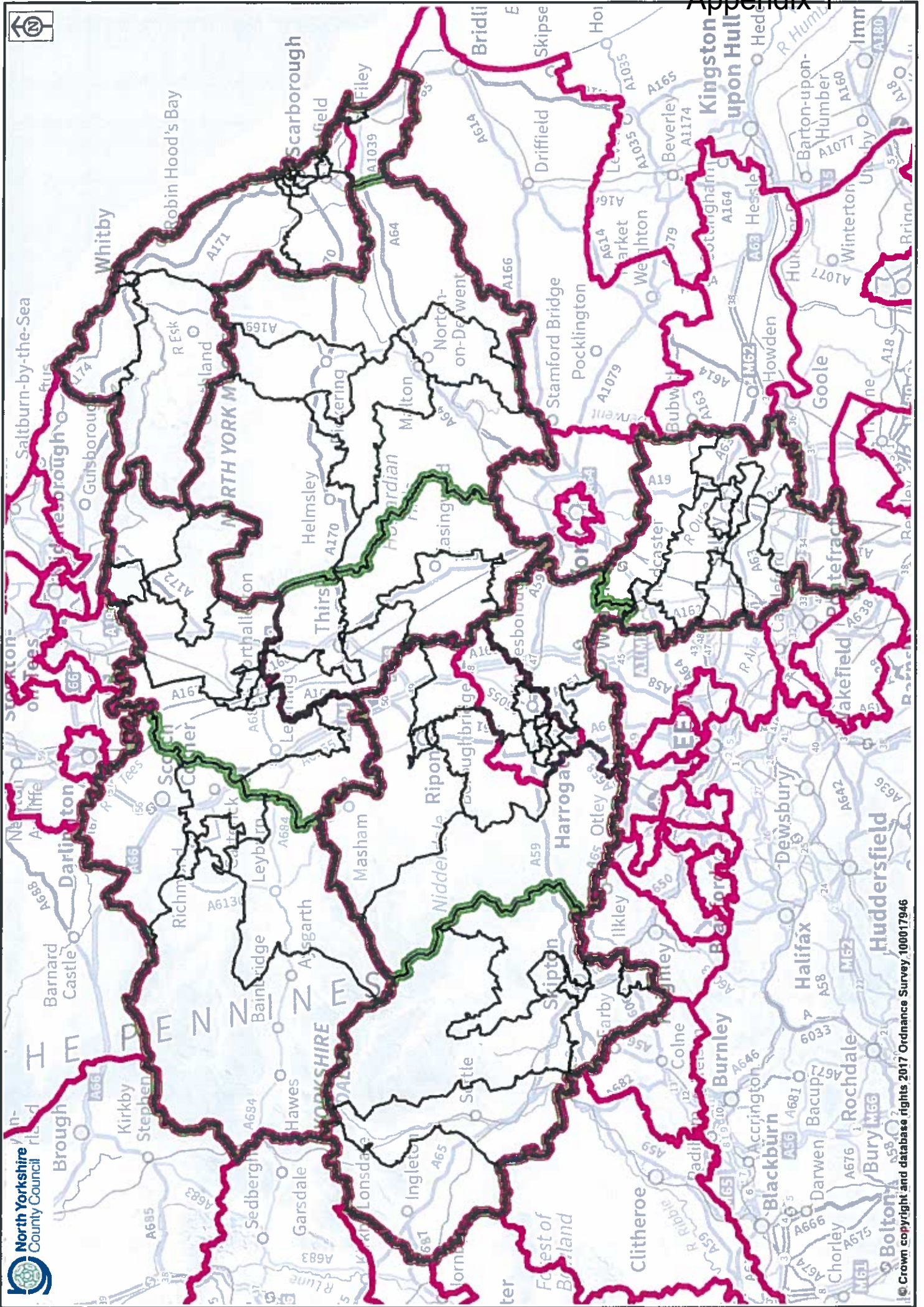
County Hall  
NORTHALLERTON

19 March 2018

Background Documents:

- The Council's Constitution





## **Divisions within current NYCC Area Committees**

- Seven committees – two with 6 members and one each with 7 members, 10 members, 11 members, 14 members and 18 members

### **Craven Area Committee (7 members)**

- Airedale
- Mid-Craven
- North Craven
- Ribblesdale
- Skipton East
- Skipton West
- South Craven

### **County Committee for Hambleton (11 members)**

- Bedale
- Easingwold
- Great Ayton
- North Hambleton
- Northallerton
- Romanby and Broomfield
- Sowerby
- Stillington
- Stokesley
- Swale
- Thirsk

### **County Area Committee for the Harrogate District (18 members)**

- Ainsty
- Boroughbridge
- Harrogate Bilton and Nidd Gorge (two members)
- Harrogate Central (two members)
- Harrogate Harlow
- Harrogate Oatlands
- Harrogate Saltergate
- Harrogate Starbeck
- Knaresborough (two members)
- Lower Nidderdale and Bishop Monkton
- Masham and Fountains
- Pannal and Lower Wharfedale
- Pateley Bridge
- Ripon North
- Ripon South

### **Richmondshire Area Committee (6 members)**

- Catterick Bridge

- Central Richmond
- Middle Dales
- Richmond
- Richmondshire North
- Upper Dales

**Ryedale Area Committee (6 members)**

- Hovingham & Sheriff Hutton
- Kirkbymoorside
- Malton
- Norton
- Pickering
- Thornton Dale & The Wolds

**Yorkshire Coast and Moors County Area Committee (14 members)**

- Castle
- Eastfield & Osgodby
- Esk Valley
- Falsgrave & Stepney
- Filey
- Hertford & Cayton
- Newby
- Northstead
- Scalby & the Coast
- Seamer & Derwent Valley
- Weaponness & Ramshill
- Whitby/Mayfield Cum Mulgrave
- Whitby/Streonshalh
- Woodlands

**Selby Area Committee (10 members)**

- Cawood & Saxton
- Escrick
- Mid Selby
- Osgoldcross
- Selby Barlby (two members)
- Selby Brayton
- Sherburn in Elmet
- South Selby
- Tadcaster

## **Divisions within potential Constituency Committees**

- Six committees – four with 13 members and two with 12 members
- The number of members per committee assumes that the four members whose division covers two constituencies would opt to join both committees

## **Harrogate & Knaresborough Constituency Committee (13 members)**

- Boroughbridge (part only – Boroughbridge ward and Claro ward)
- Harrogate Bilton and Nidd Gorge (two members)
- Harrogate Central (two members)
- Harrogate Harlow
- Harrogate Oatlands
- Harrogate Saltergate
- Harrogate Starbeck
- Knaresborough (two members)
- Lower Nidderdale and Bishop Monkton (part only – Killinghall ward)
- Pannal and Lower Wharfedale (part only – Pannal ward)

## **Richmond (Yorks) Constituency Committee (13 members)**

- Bedale
- Catterick Bridge
- Central Richmond
- Great Ayton
- Middle Dales
- North Hambleton
- Northallerton
- Richmond
- Richmondshire North
- Romanby and Broomfield
- Stokesley
- Swale
- Upper Dales

## **Scarborough & Whitby Constituency Committee (13 members)**

- Castle
- Eastfield & Osgodby
- Esk Valley
- Falsgrave & Stepney
- Hertford & Cayton (part only – Cayton ward)
- Newby
- Northstead
- Scalby & the Coast
- Seamer & Derwent Valley
- Weaponness & Ramshill
- Whitby/Mayfield Cum Mulgrave
- Whitby/Streonshalh
- Woodlands



### **Selby & Ainsty Constituency Committee (12 members)**

- Ainsty
- Cawood & Saxton
- Escrick
- Mid Selby
- Osgoldcross
- Pannal and Lower Wharfedale (part only - Spofforth with Lower Wharfedale ward)
- Selby Barlby (two members)
- Selby Brayton
- Sherburn in Elmet
- South Selby
- Tadcaster

### **Skipton & Ripon Constituency Committee (13 members)**

- Airedale
- Boroughbridge (part only – Newby ward)
- Lower Nidderdale and Bishop Monkton (part only – Bishop Monkton ward and Lower Nidderdale ward)
- Masham and Fountains
- Mid-Craven
- North Craven
- Pateley Bridge
- Ribblesdale
- Ripon North
- Ripon South
- Skipton East
- Skipton West
- South Craven

### **Thirsk & Malton Constituency Committee (12 members)**

- Easingwold
- Filey
- Hertford & Cayton (part only – Herford ward)
- Hovingham & Sheriff Hutton
- Kirkbymoorside
- Malton
- Norton
- Pickering
- Sowerby
- Stillington
- Thirsk
- Thornton Dale & The Wolds

## AREA CONSTITUENCY COMMITTEES

### Delegated Powers

Notes: 1. In relation to ~~a~~Area Constituency Committees, see also Article 10 of the Constitution;

2. Area Constituency Committees should not make decisions which significantly affect parts of North Yorkshire outside the Committee's area.

1. To act as consultees in major decisions affecting their area.
  2. To provide meaningful scrutiny of local health issues within their area, complementing the strategic work undertaken by the Scrutiny of Health Committee.
  3. To provide meaningful scrutiny of local transport issues within their area, complementing the strategic work undertaken by the Transport, Economy and Environment Overview & Scrutiny Committee.
  4. To receive reports and be consulted on major educational issues affecting their locality.
  5. To shortlist Innovation funding decisions referred by the Council's Stronger Communities Team.
- 
- ~~1. To promote in their areas the development of key local strategies where the County Council should work in partnership with District Councils or others, for example on community safety, community transport, community strategies and community education, and economic development and regeneration, in furthering the County Council's duty to promote economic, social and environmental wellbeing in the County, and to work with others to achieve them.~~
  - ~~2. To maintain an overview of the effectiveness of the public services provided to their local community by the Council and other agencies and to advocate the interests of their community in relation to those services.~~
  - ~~3. [Not used.]~~
  - ~~4. [Not used.]~~
  - ~~5. To act as a consultee in the process of the setting of the County Council's annual budget and precept.~~
  - ~~6. To request and/or receive reports in relation to service developments affecting their area, with power to make representations thereon to the decision making body.~~
76. To make appointments to outside bodies in accordance with paragraphs 2 and 3 of Schedule 5 to Part 3 of the Constitution.

~~8. To consider and make recommendations to the Executive on programmes of schemes for the construction and improvement of highways for which the County Council has or will become responsible as Highway Authority.~~

97. To exercise, within the approved budget and policy framework, the following powers and duties:

(a) aspects of the Private Street Works procedure for which objections have been received;

(b) the making and enforcement of new street Byelaws and Orders;

~~(c) [Not used];~~

~~(d) [Not used];~~

(~~e~~) the stopping up or diversion of highways (other than public rights of way) where an objection is received from any person or body entitled under the relevant statute;

(~~f~~) the stopping-up and provision of access to premises from highways;

(~~g~~) the promotion of road safety information, advice or training;

\*(~~h~~) power to issue licences authorising the use of land as a caravan site;

\*(~~i~~) power to licence the use of moveable dwellings and camping sites;

\*(~~j~~) power to enter into agreements with respect to means of access to the countryside, and to provide access in the absence of agreement under sections 35 and 37 of the Countryside and Rights of Way Act 2000.

9A8. To act as a consultee on Traffic Regulation Orders where it is considered by the Corporate Director - Business and Environmental Services in consultation with the relevant Executive Member(s) that a proposed Traffic Regulation Order meets the criteria for having a wide area impact.

~~10. Being consulted on community education priorities and proposals.~~

~~11. [Not used.]~~

~~12. [Not used.]~~

~~13. [Not used.]~~

449. To respond to any consultation under the Local Government (Miscellaneous Provisions) Act 1982, Section 3.

105. To consider other matters referred to it by the Council, the Executive or overview and scrutiny committees.

NB: Items marked \* are delegated to ~~a~~Area Constituency Committees by the Council; other items are delegated to ~~a~~Area Constituency Committees by the Executive.

## Article 10 - Area Constituency Committees

### 10.01 Area Committees

(a) The Council may appoint area committees under the Local Government Act 2000 (as amended) as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

~~(a)~~(b) Previously the Council appointed seven area committees which were coterminous with the seven District/Borough Council areas. From May 2018, the Council has appointed create six area committees (four with 13 Members and two with 12 Members) which are coterminous with the six Parliamentary constituencies and have therefore been named "Area Constituency Committees".

### 10.02 Form, Composition and Function

(a) **Table of area committees:** The Council will appoint the area committees as set out below. The number of Members per Committee assumes that the four Members whose division covers two constituencies would opt to join both committees. Should the situation arise whereby such a Member would be voting on the very same decision affecting the same area in both Constituency Committees, then s/he would be expected to vote at only one of the two Constituency Committees for reasons of fairness and parity.

| NAME OF COMMITTEE  | COMPOSITION   |
|--|---|
| <u>Skipton &amp; Ripon Area Constituency Committee</u><br><del>Craven Area Committee</del> | <u>13 Members representing: All County Councillors representing electoral divisions in Craven District.</u> <ul style="list-style-type: none"> <li>• <u>Airedale</u></li> <li>• <u>Boroughbridge (part only – Newby ward)</u></li> <li>• <u>Lower Nidderdale and Bishop Monkton (part only – Bishop Monkton ward and Lower Nidderdale ward)</u></li> <li>• <u>Masham and Fountains</u></li> <li>• <u>Mid-Craven</u></li> <li>• <u>North Craven</u></li> <li>• <u>Pateley Bridge</u></li> <li>• <u>Ribblesdale</u></li> <li>• <u>Ripon North</u></li> <li>• <u>Ripon South</u></li> <li>• <u>Skipton East</u></li> <li>• <u>Skipton West</u></li> <li>• <u>South Craven</u></li> </ul> |

| NAME OF COMMITTEE  | COMPOSITION   |
|--|---|
| <p><u>Richmond (Yorks) Area Constituency Committee</u><br/>County Committee for Hambleton</p>                                | <p>13 Members representing: All County Councillors representing electoral divisions in Hambleton District.</p> <ul style="list-style-type: none"> <li>• <u>Bedale</u></li> <li>• <u>Catterick Bridge</u></li> <li>• <u>Central Richmond</u></li> <li>• <u>Great Ayton</u></li> <li>• <u>Middle Dales</u></li> <li>• <u>North Hambleton</u></li> <li>• <u>Northallerton</u></li> <li>• <u>Richmond</u></li> <li>• <u>Richmondshire North</u></li> <li>• <u>Romanby and Broomfield</u></li> <li>• <u>Stokesley</u></li> <li>• <u>Swale</u></li> <li>• <u>Upper Dales</u></li> </ul>   |
| <p><u>Harrogate &amp; Knaresborough Area Constituency Committee</u><br/>County Area Committee for the Harrogate District</p> | <p>13 Members representing: All County Councillors representing electoral divisions in Harrogate Borough.</p> <ul style="list-style-type: none"> <li>• <u>Boroughbridge (part only – Boroughbridge ward and Claro ward)</u></li> <li>• <u>Harrogate Bilton and Nidd Gorge (two Members)</u></li> <li>• <u>Harrogate Central (two Members)</u></li> <li>• <u>Harrogate Harlow</u></li> <li>• <u>Harrogate Oatlands</u></li> <li>• <u>Harrogate Saltergate</u></li> <li>• <u>Harrogate Starbeck</u></li> <li>• <u>Knaresborough (two Members)</u></li> <li>• <u>Lower Nidderdale and Bishop Monkton (part only – Killinghall ward)</u></li> <li>• <u>Pannal and Lower Wharfedale (part only – Pannal ward)</u></li> </ul> |
| <p><u>Richmondshire Area Committee</u></p>   | <p>All County Councillors representing electoral divisions in Richmondshire District.</p>   |

| NAME OF COMMITTEE   | COMPOSITION  |
|---|--|
| <p><u>Thirsk &amp; Malton Area Constituency Committee</u><br/><u>Ryedale Area Committee</u></p>                               | <p>12 Members representing: <del>All County Councillors representing electoral divisions in Ryedale District.</del></p> <ul style="list-style-type: none"> <li>• <u>Easingwold</u></li> <li>• <u>Filey</u></li> <li>• <u>Hertford &amp; Cayton (part only – Herford ward)</u></li> <li>• <u>Hovingham &amp; Sheriff Hutton</u></li> <li>• <u>Kirkbymoorside</u></li> <li>• <u>Malton</u></li> <li>• <u>Norton</u></li> <li>• <u>Pickering</u></li> <li>• <u>Sowerby</u></li> <li>• <u>Stillington</u></li> <li>• <u>Thirsk</u></li> <li>• <u>Thornton Dale &amp; The Wolds</u></li> </ul>  |
| <p><u>Scarborough &amp; Whitby Area Constituency Committee</u><br/><u>Yorkshire Coast and Moors County Area Committee</u></p> | <p>13 Members representing:<br/>All County Councillors representing electoral divisions in Scarborough Borough.</p> <ul style="list-style-type: none"> <li>• <u>Castle</u></li> <li>• <u>Eastfield &amp; Osgodby</u></li> <li>• <u>Esk Valley</u></li> <li>• <u>Falsgrave &amp; Stepney</u></li> <li>• <u>Hertford &amp; Cayton (part only – Cayton ward)</u></li> <li>• <u>Newby</u></li> <li>• <u>Northstead</u></li> <li>• <u>Scalby &amp; the Coast</u></li> <li>• <u>Seamer &amp; Derwent Valley</u></li> <li>• <u>Weaponness &amp; Ramshill</u></li> <li>• <u>Whitby/Mayfield Cum Mulgrave</u></li> <li>• <u>Whitby/Streonshall</u></li> <li>• <u>Woodlands</u></li> </ul> |

| NAME OF COMMITTEE  | COMPOSITION  |
|--|--|
| <u>Selby &amp; Ainsty Area Constituency Committee</u><br><u>Selby Area Committee</u> | 12 Members representing: <u>All County Councillors representing electoral divisions in Selby District</u> <ul style="list-style-type: none"> <li>• <u>Ainsty</u></li> <li>• <u>Cawood &amp; Saxton</u></li> <li>• <u>Escrick</u></li> <li>• <u>Mid Selby</u></li> <li>• <u>Osgoldcross</u></li> <li>• <u>Pannal and Lower Wharfedale (part only - Spofforth with Lower Wharfedale ward)</u></li> <li>• <u>Selby Barby (two Members)</u></li> <li>• <u>Selby Brayton</u></li> <li>• <u>Sherburn in Elmet</u></li> <li>• <u>South Selby</u></li> <li>• <u>Tadcaster</u></li> </ul> |

All aArea Constituency Committees shall have power to co-opt additional members, but no co-opted members shall have the right to vote unless the law so permits and the Aarea Constituency Committee so decides. No co-opted member who has been given the right to vote may vote on the question of whether any other co-opted member(s) should have that right or on whether they or any other co-opted member should continue to have that right.

- (b) **Terms of reference:** All aArea Constituency Committees have the same terms of references in relation to their respective areas as set out in Part 3.
- (c) **Delegations:** The Council and the Executive will include details of the delegations to aArea Constituency Committees in Part 3 of this Constitution, including the functions delegated (showing which are the responsibility of the Executive and which are not), the composition and membership of the committees, budgets and any limitations on delegation.
- (d) **Finance:** Area Constituency Committees will exercise overall responsibility for the finances made available to them.
- (e) **Liaison with Executive:** The agenda for Executive meetings shall include feedback from aArea Constituency Committees, and reports covering the major items of business at each Aarea Constituency eCommittee shall be presented under this agenda item as soon as convenient after the Area Constituency area Committee meeting in question.

### 10.03 Conflicts of interest – Membership of Area Constituency Committees and Overview and Scrutiny Committees

- (a) **Conflict of interest:** If an overview and scrutiny committee is scrutinising specific decisions or proposals in relation to the business of the aArea Constituency Committee of which an Overview and Scrutiny Committee Councillor is also a member, then the Councillor concerned may not take part in the discussion or vote at the overview and scrutiny committee meeting if s/he

was present at the Area Constituency area-Ccommittee meeting in question and took part in the decision making (except that a Councillor may provide evidence or opinion to those undertaking any scrutiny process), unless a dispensation to do so is given by the Standards Committee.

- (b) **General policy reviews:** Where an overview and scrutiny committee is reviewing policy generally the Member must declare his/her interest before the relevant agenda item is reached, but need not withdraw.

#### **10.04 Area Constituency Area-Ccommittees – access to information**

Area Constituency Ccommittees will comply with the Access to Information Rules in Part 4 of this Constitution.

Agendas and notices for Area Constituency area-Ccommittee meetings which deal with both functions of the Executive and functions which are not the responsibility of the Executive will state clearly which items are which.

#### **10.05 Executive members on Area Constituency area-Ccommittees**

A member of the Executive may serve on an Area Constituency area-eCcommittee if otherwise eligible to do so as a Councillor.



**Proposed Amendments to Constitution – 2018**

Where amendments are suggested to part of a paragraph, only the relevant part is replicated in the amendment chart below.

| <b><u>PART A: ITEMS FOR DECISION</u></b>   |   |   |  |
|--|---|---|--|
| <b>Provision in Constitution</b>   | <b>Current Wording</b>  | <b>Proposed Amendment</b>   | <b>Reason(s)</b>                             |
| <p>Part 2 – Articles of the Constitution</p> <p>Article 1 – The Constitution</p> <p>1.03 Purpose of the Constitution</p> | <p>...</p> <p>(i) ensure that the work of the Council promotes its vision and key objectives:-</p> <p>Our Vision</p> <p>“North Yorkshire is a place of equal opportunity where all can develop their full potential, participate in a flourishing economy, live and thrive in secure communities, see their high-quality environment and cultural assets maintained and enhanced, and receive effective support when they need it.”</p> <p>Our objectives</p> <p>Following extensive consultation the County Council has affirmed six key objectives;</p> <ul style="list-style-type: none"> <li>• to ensure good access for all;</li> <li>• to help people to live in safe communities;</li> </ul> | <p>...</p> <p>(i) ensure that the work of the Council promotes its vision and key <del>objectives</del><u>ambitions</u>:-</p> <p>Our Vision</p> <p><u>“We want North Yorkshire to be a thriving county which adapts to a changing world and remains a special place for everyone to live, work and visit.</u><del>North Yorkshire is a place of equal opportunity where all can develop their full potential, participate in a flourishing economy, live and thrive in secure communities, see their high-quality environment and cultural assets maintained and enhanced, and receive effective support when they need it.”</del></p> <p>Our <del>objectives</del><u>ambitions</u></p> <ul style="list-style-type: none"> <li>• <u>Every child and young person has the best possible start in life</u></li> <li>• <u>Every adult has a longer, healthier and</u></li> </ul> | <p>To bring the Constitution up to date.</p> |

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|  | <ul style="list-style-type: none"> <li>• to help all children and young people to develop their full potential;</li> <li>• to promote a flourishing economy;</li> <li>• to maintain and enhance our environment and heritage; and</li> <li>• to improve health and wellbeing and give people effective support when they need it.</li> </ul>                                   | <p><u>independent life</u></p> <ul style="list-style-type: none"> <li>• <u>North Yorkshire is a place with a strong economy and a commitment to sustainable growth that enables our citizens to fulfil their ambitions and aspirations</u></li> <li>• <u>We are a modern council which puts our customers at the heart of what we do</u></li> </ul> <p><del>Following extensive consultation the County Council has affirmed six key objectives;</del></p> <ul style="list-style-type: none"> <li><del>• to ensure good access for all;</del></li> <li><del>• to help people to live in safe communities;</del></li> <li><del>• to help all children and young people to develop their full potential;</del></li> <li><del>• to promote a flourishing economy;</del></li> <li><del>• to maintain and enhance our environment and heritage; and</del></li> <li><del>• to improve health and wellbeing and give people effective support when they need it.</del></li> </ul> |  |
| <p>Part 2 – Articles of the Constitution</p> <p>Article 4 – The Full Council</p> <p>4.01 Meanings</p> <p><b>(a) Policy Framework</b></p> | <p><b>(a) Policy Framework:</b> The policy framework means the following plans and strategies:-</p> <ul style="list-style-type: none"> <li>◆ Local Transport Plan</li> <li>◆ Plans and strategies which together comprise the Development Plan</li> <li>◆ Youth Justice Plan (Youth Offending Team Plan)</li> <li>◆ Council's Corporate Plan (aka the Council Plan)</li> </ul> | <p><b>(a) Policy Framework:</b> The policy framework means the following plans and strategies:-</p> <ul style="list-style-type: none"> <li>◆ <u>Council's Corporate Plan (aka the Council Plan)</u></li> <li>◆ Local Transport Plan</li> <li>◆ Plans and strategies which together comprise the Development Plan</li> <li>◆ Youth Justice Plan (Youth Offending Team Plan)</li> </ul>  | <p>To place the overarching Council Plan at the beginning of the Policy Framework.</p> |

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|   | <ul style="list-style-type: none"> <li>◆ Admissions Policy for Community and Voluntary Schools</li> <li>◆ Children and Young People’s Plan</li> <li>◆ Compact with the Third Sector</li> <li>◆ Education Capital Local Policy Statement</li> <li>◆ Equality and Diversity Policy</li> <li>◆ Household Waste Recycling Centre Policies</li> <li>◆ “lets talk less rubbish” (Revised Joint Municipal Waste Strategy)</li> <li>◆ LMS Formula</li> <li>◆ Improvement and Integration: North Yorkshire’s Strategy for Special Educational Needs and Disability</li> <li>◆ Treasury Management Policy and Strategy</li> <li>◆ New Look, No Shush! – Library and Information Services Strategy 2008-2023</li> <li>◆ Home to School/College Transport Policy</li> <li>◆ Joint Health and Wellbeing Strategy</li> <li>◆ Looked After Children Strategy 2013-2015</li> <li>◆ Corporate Risk Management Policy</li> <li>◆ Highway Maintenance Plan</li> <li>◆ NYCC Flood Risk Management Strategy</li> </ul> | <p style="color: red; text-decoration: underline;">◆ <del>Council’s Corporate Plan (aka the Council Plan)</del></p> <ul style="list-style-type: none"> <li>◆ Admissions Policy for Community and Voluntary Schools</li> <li>◆ Children and Young People’s Plan</li> <li>◆ Compact with the Third Sector</li> <li>◆ Education Capital Local Policy Statement</li> <li>◆ Equality and Diversity Policy</li> <li>◆ Household Waste Recycling Centre Policies</li> <li>◆ “lets talk less rubbish” (Revised Joint Municipal Waste Strategy)</li> <li>◆ LMS Formula</li> <li>◆ Improvement and Integration: North Yorkshire’s Strategy for Special Educational Needs and Disability</li> <li>◆ Treasury Management Policy and Strategy</li> <li>◆ New Look, No Shush! – Library and Information Services Strategy 2008-2023</li> <li>◆ Home to School/College Transport Policy</li> <li>◆ Joint Health and Wellbeing Strategy</li> <li>◆ Looked After Children Strategy 2013-2015</li> <li>◆ Corporate Risk Management Policy</li> <li>◆ Highway Maintenance Plan</li> <li>◆ NYCC Flood Risk Management Strategy</li> </ul> |  |
| <p>Part 2 – Articles of the Constitution</p> <p>Article 12 – Staff</p> <p>12.06 Proper Officer Functions</p> <p>(a) <u>Local Government Act</u></p> | <p><b>Section</b></p> <p>Schedule 29 para 41(3)</p> <p><b>Duties</b></p> <p>Substitution of Proper Officer for Clerk of County Council in Section 9(1) of Registration Service Act 1953 – the determination of a deputy to become interim Superintendent Registrar or</p>   | <p><b>Section</b></p> <p>Schedule 29 para 41(3)</p> <p><b>Duties</b></p> <p>Substitution of Proper Officer for Clerk of County Council in Section 9(1) of Registration Service Act 1953 – the determination of a deputy to become interim Superintendent</p>  | <p>To reflect current responsibilities and keep the Constitution up to date.</p> |

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| <p><u>1972</u></p>   | <p>interim Registrar of Births and Deaths if the latter ceases to hold office.</p> <p><b>Proper Officer</b></p> <p>Head of Trading Standards and Regulatory Services.</p>  | <p>Registrar or interim Registrar of Births and Deaths if the latter ceases to hold office.</p> <p><b>Proper Officer</b></p> <p><del>Head of Trading Standards and Regulatory Services</del><br/>Assistant Director Library and Community Services.</p>   |  |
| <p>Part 2 – Articles of the Constitution</p> <p>Article 12 – Staff</p> <p>12.06 Proper Officer Functions</p> <p>(a) <u>Local Government Act 1972</u></p> | <p><b>Section</b></p> <p>Schedule 29 para 41(4)</p> <p><b>Duties</b></p> <p>Substitution of Proper Officer for Clerk of County Council:</p> <ol style="list-style-type: none"> <li>1. In Section 9(2) of Registration Service Act 1953 – appointment of interim Superintendent Registrar or Registrar of Births and Deaths where no deputy.</li> <li>2. In Section 13(2)(h) details of running of service hours-in-business Superintendent Registrars.</li> <li>3. In Section 13(3)(b) general supervisory powers over administration of Registration Service Act.</li> </ol> <p><b>Proper Officer</b></p> <p>Head of Trading Standards and Regulatory Services.</p> | <p><b>Section</b></p> <p>Schedule 29 para 41(4)</p> <p><b>Duties</b></p> <p>Substitution of Proper Officer for Clerk of County Council:</p> <ol style="list-style-type: none"> <li>4. In Section 9(2) of Registration Service Act 1953 – appointment of interim Superintendent Registrar or Registrar of Births and Deaths where no deputy.</li> <li>2. In Section 13(2)(h) details of running of service hours-in-business Superintendent Registrars.</li> <li>3. In Section 13(3)(b) general supervisory powers over administration of Registration Service Act.</li> </ol> <p><b>Proper Officer</b></p> <p><del>Head of Trading Standards and Regulatory Services</del><br/>Assistant Director Library and Community Services.</p> | <p>To reflect current responsibilities and keep the Constitution up to date.</p> |

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| <p>Part 2 – Articles of the Constitution</p> <p>Article 12 – Staff</p> <p>12.06 Proper Officer Functions</p> <p>(a) <u>Local Government Act 1972</u></p> | <p><b>Section</b></p> <p>Schedule 29 para 41(5)</p> <p><b>Duties</b></p> <p>Substitution of Proper Officer for Clerk of County Council in Section 20(b) of Registration Service Act 1953 – prescription of duties, in Regulations of Clerks of County Council under Registration Acts.</p> <p><b>Proper Officer</b></p> <p>Head of Trading Standards and Regulatory Services.</p> | <p><b>Section</b></p> <p>Schedule 29 para 41(5)</p> <p><b>Duties</b></p> <p>Substitution of Proper Officer for Clerk of County Council in Section 20(b) of Registration Service Act 1953 – prescription of duties, in Regulations of Clerks of County Council under Registration Acts.</p> <p><b>Proper Officer</b></p> <p><del>Head of Trading Standards and Regulatory Services</del><br/> <u>Assistant Director Library and Community Services.</u></p> | <p>To reflect current responsibilities and keep the Constitution up to date.</p>                            |
| <p>Part 3 – Responsibility for Functions</p> <p>Schedule 2 – Executive Members’ Delegation Scheme</p>  | <p>Each individual member of the Executive has the following responsibilities and powers:</p> <p>...</p> <p>16.The Executive Member with responsibility for Stronger Communities (or in his/her temporary absence the Leader) has the power to determine County Councillor Locality Budget grant applications.</p>  | <p>Each individual member of the Executive has the following responsibilities and powers:</p> <p>...</p> <p>16.The Executive Member with responsibility for Stronger Communities (or in his/her temporary absence the Leader) has the power to determine County Councillor Locality Budget grant <del>applications</del><br/> <u>recommendations.</u></p>  | <p>For absolute clarity – only councillors can make recommendations re applications they have received.</p> |

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| <p>Part 3 – Responsibility for Functions</p> <p>Schedule 4 – Officers’ Delegation Scheme</p> <p><b><u>3.0 All Chief Officers</u></b></p> <p>3.8(c)</p> | <p>3.8 Chief Officers are authorised to take any action with respect to the:</p> <p>...</p> <p>(c) the determination of wages and salary scales, determination and application of conditions of service, and determination of the establishment of the Business Unit which they manage, subject to the Corporate Director - Financial and Central Services being satisfied that adequate provision is made in the budget of the Business Unit and to the Assistant Chief Executive (Business Support) raising no objection to proposals affecting the grading, determination of wages and salary scales, or determination and application of conditions of service.</p> | <p>3.8 Chief Officers are authorised to take any action with respect to the:</p> <p>...</p> <p>(c) the determination of wages and salary scales, determination and application of conditions of service, and determination of the establishment of the Business Unit which they manage, subject to the Corporate Director - <del>Financial and Central Services</del><u>Strategic Resources</u> being satisfied that adequate provision is made in the budget of the Business Unit and to the Assistant Chief Executive (Business Support) raising no objection to proposals affecting the grading, determination of wages and salary scales, or determination and application of conditions of service.</p> | <p>Nomenclature.</p> <p>To reflect current responsibilities and correct terminology to keep the Constitution up to date.</p> |
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| <p>Part 3 – Responsibility for Functions</p> <p>Schedule 4 – Officers’ Delegation Scheme</p> <p>4.0 Specific Delegations</p> <p><b><u>4.2 To the Corporate Director – Children and Young People’s Service</u></b></p> <p>4.2 (o) and (p)</p> | <p>(o) To negotiate and agree on behalf of North Yorkshire County Council the terms of the Memorandum of Understanding between the four Local Authorities that comprise the North and East Yorkshire Sub-regional Group for 16-19 provision.</p> <p>(p) To represent the Council at the North and East Yorkshire Sub-Regional Group and to take all decisions on behalf of the Council at meetings of and in connection with the Group (provided the decisions are consistent with the Council Budget and Policy Framework), subject to a requirement to report back to the appropriate Executive Member.</p> | <p><del>(o) To negotiate and agree on behalf of North Yorkshire County Council the terms of the Memorandum of Understanding between the four Local Authorities that comprise the North and East Yorkshire Sub-regional Group for 16-19 provision.</del></p> <p><del>(p) To represent the Council at the North and East Yorkshire Sub-Regional Group and to take all decisions on behalf of the Council at meetings of and in connection with the Group (provided the decisions are consistent with the Council Budget and Policy Framework), subject to a requirement to report back to the appropriate Executive Member.</del></p> <p><i>Then insert new (o) as follows:</i></p> <p><u>(o) To progress the more detailed implementation work required to establish the Regional Adoption Agency be delegated to the Director of Children and Young People’s Service in consultation with the Executive Member for Children Services.</u></p> | <p>No longer required.</p> <p>No longer required.</p> <p>To reflect current delegation from Executive to Director and ensure Constitution is up to date.</p> |
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| <p>Part 3 – Responsibility for Functions</p> <p>Schedule 4 – Officers’ Delegation Scheme</p> <p>4.0 Specific Delegations</p> <p><b><u>4.2 To the Corporate Director – Children and Young People’s Service</u></b></p> <p>Exclusions from delegations section</p> | <p>...</p> <p>(iv) Determining priorities for the community education service.</p>   | <p>...</p> <p>(iv) Determining priorities for the <u>Adult Learning &amp; Skills Service</u><del>community education service</del>.</p>   | <p>To reflect current terminology, to keep the Constitution up to date.</p>      |
| <p>Part 3 – Responsibility for Functions</p> <p>Schedule 4 – Officers’ Delegation Scheme</p> <p>4.0 Specific Delegations</p> <p>4.9 To the Assistant Chief Executive (Customer Services)</p>   | <p><b><u>4.9 To the Assistant Chief Executive (Customer Services)</u></b></p> <p>(a) To undertake the Council’s functions in relation to Library, Customer and Community Services.</p> <p>(b) To exercise the functions of the Council in relation to public libraries, the County Archives and the provision of schools library services, except for the withdrawal or modification of public facilities.</p> <p>(c) To exercise all functions of the Coroner’s Service.</p> <p>(d) To approve premises for the solemnisation of marriages and to exercise all functions of the</p> | <p><b><u>4.9 To the Assistant <del>Chief Executive</del>Director (Customer-Library and Community Services)</u></b></p> <p>(a) To undertake the Council’s functions in relation to Library, Customer and Community Services <u>and Registration, Coroners and Archives</u>.</p> <p>(b) To exercise the functions of the Council in relation to public libraries, the County Archives and the provision of schools library services, except for the withdrawal or modification of public facilities.</p> <p>(c) To exercise all functions of the Coroner’s Service.</p> | <p>To reflect current responsibilities and keep the Constitution up to date.</p> |



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|   | <p>County Council for the Registration of Births, Deaths and Marriages.</p> <p><b>NOTE: The following matters are excluded from this delegation</b></p> <p>(e) Major changes in the pattern of provision of library services, including permanent closure of libraries.</p> <p>(f) Major changes in the pattern of provision for the Registration Service or the Coroners' Service.</p> | <p>(d) To approve premises for the solemnisation of marriages and to exercise all functions of the County Council for the Registration of Births, Deaths and Marriages.</p> <p><b>NOTE: The following matters are excluded from this delegation</b></p> <p>(e) Major changes in the pattern of provision of library services, including permanent closure of libraries.</p> <p>(f) Major changes in the pattern of provision for the Registration Service or the Coroners' Service.</p> |   |
| <p>Part 4 – Rules of Procedure</p> <p>Contract Procedure Rules</p> <p>1. INTRODUCTION</p> <p>Definitions in CPR 1.1</p> | <p>...</p> <p><b>EU Threshold</b> means the current threshold above which the PCR's apply, currently £164,176 for services and supplies £589,148 for social and other specific services and £4,104,394 for works</p>  | <p>...</p> <p><b>EU Threshold</b> means the current threshold above which the PCR's apply, currently <del>£181,302</del> <del>164,176</del> for services and supplies <del>£615,278</del> <del>£589,148</del> for social and other specific services and <del>£4,511,413</del> <del>4,104,394</del> for works</p>   | <p>To keep the Constitution up to date in terms of legislative requirements re EU threshold values.</p> |

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| <p>Part 4 – Rules of Procedure</p> <p>Contract Procedure Rules</p> <p>2. GENERAL</p> <p>Table 1</p> <p>'Total Contract Value' column, rows 2 and 3</p> | <p>£25,000 up to EU Threshold (currently £164,176)</p><br><p>Above EU Threshold (currently £164,176)</p>                         | <p>£25,000 up to EU Threshold (currently <del>£164,176</del> <u>£181,302</u>)</p><br><p>Above EU Threshold (currently <del>£164,176</del> <u>£181,302</u>)</p>                             | <p>To keep the Constitution up to date in terms of legislative requirements re EU threshold values.</p> |
| <p>Part 4 – Rules of Procedure</p> <p>Contract Procedure Rules</p> <p>2. GENERAL</p> <p>Table 2</p> <p>'Total Contract Value' column, rows 2 and 3</p> | <p>£25,001 up to EU Threshold (currently £4,104,394 for Works)</p><br><p>Above EU Threshold (currently £4,104,394 for Works)</p> | <p>£25,001 up to EU Threshold (currently <del>£4,104,394</del> <u>£4,511,413</u> for Works)</p><br><p>Above EU Threshold (currently <del>£4,104,394</del> <u>£4,511,413</u> for Works)</p> | <p>To keep the Constitution up to date in terms of legislative requirements re EU threshold values.</p> |

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| <p>Part 4 – Rules of Procedure</p> <p>Contract Procedure Rules</p> <p>2. GENERAL</p> <p>Table 3</p> <p>'Total Contract Value' column, rows 2 and 3</p>                                    | <p>£25,001 up to EU Threshold (currently £589,148)</p><br><p>Above EU Threshold (currently £589,148)</p>   | <p>£25,001 up to EU Threshold (currently <del>£589,148</del> <u>£615,278</u>)</p><br><p>Above EU Threshold (currently <del>£589,148</del> <u>£615,278</u>)</p>  | <p>To keep the Constitution up to date in terms of legislative requirements re EU threshold values.</p> |
| <p>Part 4 – Rules of Procedure</p> <p>Contract Procedure Rules</p> <p>17.GATEWAY PROCESS REPORTS INCLUDING NOTIFICATION OF SECTION 151 OFFICER AND MONITORING OFFICER</p> <p>CPR 17.2</p> | <p>17.2 The whole contract financial value thresholds for the purposes of <b>Rule 17.1</b> are:</p> <p>(a) Works contracts - £1m</p> <p>(b) Social and Other Specific Services Contracts - £589,148</p> <p>(c) Supplies and Services contracts - £164,176.</p> | <p>17.2 The whole contract financial value thresholds for the purposes of <b>Rule 17.1</b> are:</p> <p>(a) Works contracts - £1m</p> <p><del>(b)</del> Social and Other Specific Services Contracts - <del>£589,148</del> <u>£615,278</u></p> <p>(c) Supplies and Services contracts - <u>£181,302</u> <del>£164,176</del>.</p> | <p>To keep the Constitution up to date in terms of legislative requirements re EU threshold values.</p> |

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| <p>Part 6 Members' Allowances Scheme</p> <p>Protocol on Members' Attendance at Conferences</p> | <p>...</p> <p>6. The following conferences have been approved by the Executive for the attendance detailed below. Further authorisation from the Staff Officer to the Chief Executive is not required. In all cases, however, she will need to be informed of arrangements made. All references to Executive and Scrutiny Members should be taken to mean those Members with the relevant portfolio.</p> <ul style="list-style-type: none"> <li>• Local Government Association Annual Conference and the CCN Annual Conference – representatives appointed at the annual meeting of the County Council, unless they are unable to attend, in which case they may appoint an alternative Member to attend in their place.</li> <li>• North of England Education Conference – Executive Members plus Scrutiny Chair and Vice-Chairs.</li> <li>• Council of Local Education Authorities – Executive Members plus Scrutiny Chair and Vice-Chairs.</li> <li>• Public Libraries Association Conference – Executive Member plus Scrutiny Chair and Vice-Chairs.</li> <li>• RTPI Conference – Executive Member and the Chairman of Planning and Regulatory Functions Committee.</li> <li>• Trading Standards Conference – Executive Member plus Scrutiny Chairs and Vice-Chairs.</li> <li>• CIPFA Conference – Leader and Deputy Leader.</li> <li>• Areas of Outstanding Natural Beauty Conference – attended by the Executive Member.</li> <li>• National Transport Conference –</li> </ul> | <p>...</p> <p>6. The following conferences have been approved by the Executive for the attendance detailed below. Further authorisation from the Staff Officer to the Chief Executive is not required. In all cases, however, she will need to be informed of arrangements made. All references to Executive and Scrutiny Members should be taken to mean those Members with the relevant portfolio.</p> <ul style="list-style-type: none"> <li>• Local Government Association Annual Conference and the CCN Annual Conference – representatives appointed at the annual meeting of the County Council, unless they are unable to attend, in which case they may appoint an alternative Member to attend in their place.</li> <li>• <del>North of England Education Conference – Executive Members plus Scrutiny Chair and Vice-Chairs.</del></li> <li>• <del>Council of Local Education Authorities – Executive Members plus Scrutiny Chair and Vice-Chairs.</del></li> <li>• <del>Public Libraries Association Conference – Executive Member plus Scrutiny Chair and Vice-Chairs.</del></li> <li>• <del>RTPI Conference – Executive Member and the Chairman of Planning and Regulatory Functions Committee.</del></li> <li>• <del>Trading Standards Conference – Executive Member plus Scrutiny Chairs and Vice-Chairs.</del></li> <li>• <del>CIPFA Conference – Leader and Deputy Leader.</del></li> <li>• <del>Areas of Outstanding Natural Beauty Conference – attended by the Executive Member.</del></li> <li>• <del>National Transport Conference –</del></li> </ul> | <p>To keep the Protocol up to date.</p> |
|--|--|--|---|

Executive Members and Scrutiny Chairs and Vice-Chairs.

- The National Children and Adults Services Conference – Executive Members

~~Executive Members and Scrutiny Chairs and Vice-Chairs.~~

- ~~• The National Children and Adults Services Conference – Executive Members~~
- Pension Fund conferences

*[NB All copies of the Protocol in Part 6 to be amended as above – it appears the Protocol is published in Part 6 (page 360) and is also appended to the Notes of Guidance for County Councillors re the Members' Allowances Scheme in Appendix 2 (page 375/6).*

## NORTH YORKSHIRE COUNTY COUNCIL Area Constituency Committees

### **Purpose of the Report**

To update Council on the discussions that have taken place about the proposed Area Constituency Committees and to seek the support of members for the creation of Area Constituency Committees and so the introduction of their new role and remit as of the new municipal year.

### **Background**

Over November and December 2017, the members of the current seven Area Committees were involved in formal discussions on a proposal to create six Area Constituency Committees that are coterminous with the six Parliamentary constituencies.

The Area Constituency Committees would have both a similar population size in their area (96,000 to 108,000) and a similar number of County Councillors per committee (around 12 to 14).

A map providing details of the Area Committee boundaries and the Area Constituency boundaries is at Appendix 1. A list of the County Council Divisions included in the Area Committees is at Appendix 2. A list of the County Council Divisions included in the Area Constituency Committees is at Appendix 3.

In terms of role and remit, the Area Constituency Committees would:

- Take on a more meaningful role in the scrutiny of local health and transport issues within their area, complementing the strategic work undertaken by the Scrutiny of Health Committee and the Transport, Economy and Environment Overview and Scrutiny Committee
- Take on a role as consultees in major decisions that affect their area
- Be consulted on major Educational issues that affect their area
- Become involved in the shortlisting the final decision on 'Innovation funding' awards by the Stronger Communities Team.

The target date for implementation is the new municipal year.

### **Committee member views**

The proposal for the creation of 6 Area Constituency Committees was presented by Cllr David Chance and Cllr Gareth Dadd to five of the existing Area Committees, at their meetings over November and December 2017. In the case of the Harrogate and Ryedale, committee members were asked to submit their views by email as the agendas for their meetings in December 2017 were dominated by other issues (relief road and hydraulic fracking, respectively).

The views of committee members who provided feedback at meetings or by email are summarised as below:

- Members expressed an eagerness to take on a more active role that included elements of scrutiny and decision making about health, transport, education and grant allocations at a local level
- The existing Area Committee format was felt to lend itself to helpful and informative discussions but little in the way of action and real change at a local level
- Attendance of the North Yorkshire MPs was seen as positive with the opportunities to establish a meaningful two-way dialogue, with clearer routes to escalate local issues
- It was felt that the profile and influence of the Area Committees would be increased
- The proposal offered an opportunity for the Area Committees to take on greater responsibility and decision making in their local area
- Stronger links could be made with overview and scrutiny at a county level, particularly the Scrutiny of Health Committee, with local data and information complementing and enriching their considerations
- Greater equality in the number of members in each committee was seen as positive
- The rationalisation of the committees from seven to six was welcomed as an efficiency gain
- Change in name seen as being unnecessary
- A number of members also raised the issue of pace. Some suggested that a rapid move from the existing to the proposed model was needed whilst others suggested a more measured approach over a number of months.

Members also identified a number of potential risks associated with the new role and remit that would need to be addressed if the area committees were to be successful. These were that:

- Key links may be lost with the Parish Councils and District Councils, with a resultant reduction in access to local data, information and intelligence
- Location, date and time of meetings would be key to the attendance of MPs and that would have to be carefully considered for future timetabling
- County level data, information and analysis would be needed to enable shared issues across the Area Committees to be identified and responded to
- How the change in membership would be managed, with long serving members being asked to step down
- Need to retain a strong local focus.

Overall, there was general support for the proposals, which were seen as offering the members of the Area Committees an enhanced role with greater purpose and influence.

The Richmondshire Area Committee was the only one to have a formal vote on the proposals. The result of the vote was to object to the proposals and ask that they be reconsidered. The vote was 2 members for and 2 against with the Chair having the casting vote.

The Members' Working Group on the Constitution met on 14 March 2018 to consider the necessary changes to the Constitution to enable the implementation of the Area Constituency Committees. The Independent Group, the Liberal Democrat Group and the Labour Group all objected to the creation of Area Constituency Committees, seeking a pause in the process that would enable the full extent of the new powers and how they would operate to be fully understood. A vote was taken and this proposal not supported. Instead, the group voted in favour of progressing with the implementation of the Area Constituency Committees.

The Executive met on 27 March 2018 to consider the necessary changes to the Constitution to enable the implementation of the Area Constituency Committees, which had been identified by the Members' Working Group on the Constitution. County Councillor John Blackie attended and raised a number of concerns in particular his reservations about the size of the Constituency Committees and how they could be representative of local views. Executive resolved to recommend the proposed changes to the Constitution to Council.

### **New ways of working**

The new ways of working will include a greater emphasis upon: issues directly relevant to the county council; scrutiny of health, transport and educational issues locally; the development of a robust and needs-led work programme for the committee; and impact and outcomes. There will also be a need to develop a good working relationship with the local MP.

It is the intention, in time, to devolve more responsibility and decision making powers to the Area Constituency Committees. This will be done incrementally, once they demonstrate that they are ready.

A 'How to' guide is being drafted to help committee members understand their new role and the changing focus of the committees. Whilst there is a strong desire not to limit the scope of the Committees and to enable them to grow into their new role and remit, it is felt that there is some benefit in outlining some of the basic roles and responsibilities and expanding on what is in the Constitution.

### **Equality Impact Assessment**

The completed initial Equality Impact Assessment (EIA) screening form is in Appendix 4. The initial screening found that a full EIA was not relevant or proportionate on the basis that the role of the committees is to improve the quality of life for people in their area by acting as a 'critical friend' to policy makers and decision makers, enabling the voice and concerns of the public to be heard and driving improvements in public services. It is anticipated that the changes will enhance the committee's ability to fulfil that role.

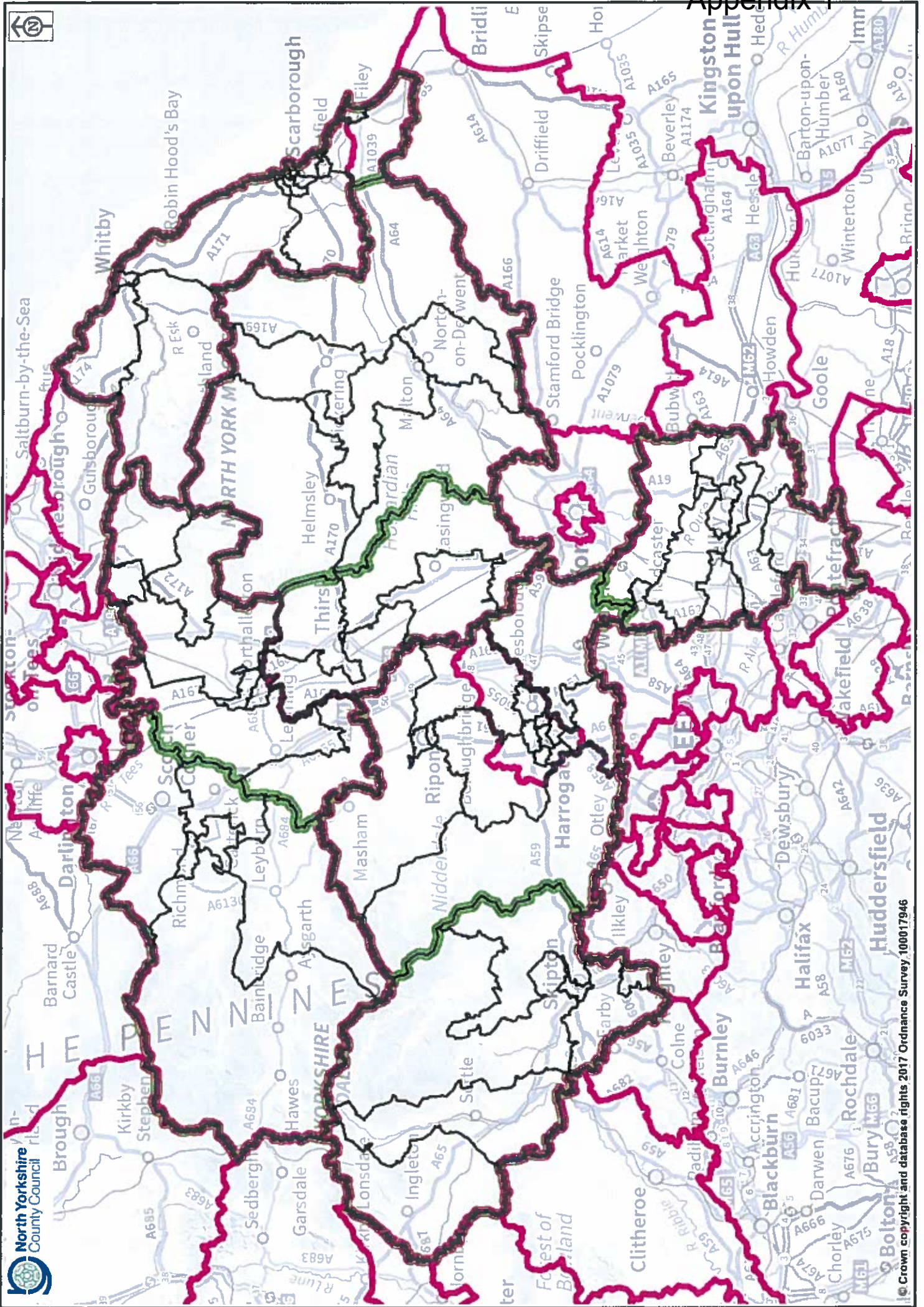


## **Recommendation**

That members support the proposal for the creation of Area Constituency Committees and so the introduction of the new role and remit as of the new municipal year.

Barry Khan  
Assistant Chief Executive (Legal & Democratic Services)  
North Yorkshire County Council

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Democratic Services and Scrutiny Manager  
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## **Divisions within current NYCC Area Committees**

- Seven committees – two with 6 members and one each with 7 members, 10 members, 11 members, 14 members and 18 members

### **Craven Area Committee (7 members)**

- Airedale
- Mid-Craven
- North Craven
- Ribblesdale
- Skipton East
- Skipton West
- South Craven

### **County Committee for Hambleton (11 members)**

- Bedale
- Easingwold
- Great Ayton
- North Hambleton
- Northallerton
- Romanby and Broomfield
- Sowerby
- Stillington
- Stokesley
- Swale
- Thirsk

### **County Area Committee for the Harrogate District (18 members)**

- Ainsty
- Boroughbridge
- Harrogate Bilton and Nidd Gorge (two members)
- Harrogate Central (two members)
- Harrogate Harlow
- Harrogate Oatlands
- Harrogate Saltergate
- Harrogate Starbeck
- Knaresborough (two members)
- Lower Nidderdale and Bishop Monkton
- Masham and Fountains
- Pannal and Lower Wharfedale
- Pateley Bridge
- Ripon North
- Ripon South

### **Richmondshire Area Committee (6 members)**

- Catterick Bridge

- Central Richmond
- Middle Dales
- Richmond
- Richmondshire North
- Upper Dales

**Ryedale Area Committee (6 members)**

- Hovingham & Sheriff Hutton
- Kirkbymoorside
- Malton
- Norton
- Pickering
- Thornton Dale & The Wolds

**Yorkshire Coast and Moors County Area Committee (14 members)**

- Castle
- Eastfield & Osgodby
- Esk Valley
- Falsgrave & Stepney
- Filey
- Hertford & Cayton
- Newby
- Northstead
- Scalby & the Coast
- Seamer & Derwent Valley
- Weaponness & Ramshill
- Whitby/Mayfield Cum Mulgrave
- Whitby/Streonshalh
- Woodlands

**Selby Area Committee (10 members)**

- Cawood & Saxton
- Escrick
- Mid Selby
- Osgoldcross
- Selby Barlby (two members)
- Selby Brayton
- Sherburn in Elmet
- South Selby
- Tadcaster

## **Divisions within potential Constituency Committees**

- Six committees – four with 13 members and two with 12 members
- The number of members per committee assumes that the four members whose division covers two constituencies would opt to join both committees

## **Harrogate & Knaresborough Constituency Committee (13 members)**

- Boroughbridge (part only – Boroughbridge ward and Claro ward)
- Harrogate Bilton and Nidd Gorge (two members)
- Harrogate Central (two members)
- Harrogate Harlow
- Harrogate Oatlands
- Harrogate Saltergate
- Harrogate Starbeck
- Knaresborough (two members)
- Lower Nidderdale and Bishop Monkton (part only – Killinghall ward)
- Pannal and Lower Wharfedale (part only – Pannal ward)

## **Richmond (Yorks) Constituency Committee (13 members)**

- Bedale
- Catterick Bridge
- Central Richmond
- Great Ayton
- Middle Dales
- North Hambleton
- Northallerton
- Richmond
- Richmondshire North
- Romanby and Broomfield
- Stokesley
- Swale
- Upper Dales

## **Scarborough & Whitby Constituency Committee (13 members)**

- Castle
- Eastfield & Osgodby
- Esk Valley
- Falsgrave & Stepney
- Hertford & Cayton (part only – Cayton ward)
- Newby
- Northstead
- Scalby & the Coast
- Seamer & Derwent Valley
- Weaponness & Ramshill
- Whitby/Mayfield Cum Mulgrave
- Whitby/Streonshalh
- Woodlands

### **Selby & Ainsty Constituency Committee (12 members)**

- Ainsty
- Cawood & Saxton
- Escrick
- Mid Selby
- Osgoldcross
- Pannal and Lower Wharfedale (part only - Spofforth with Lower Wharfedale ward)
- Selby Barlby (two members)
- Selby Brayton
- Sherburn in Elmet
- South Selby
- Tadcaster

### **Skipton & Ripon Constituency Committee (13 members)**

- Airedale
- Boroughbridge (part only – Newby ward)
- Lower Nidderdale and Bishop Monkton (part only – Bishop Monkton ward and Lower Nidderdale ward)
- Masham and Fountains
- Mid-Craven
- North Craven
- Pateley Bridge
- Ribblesdale
- Ripon North
- Ripon South
- Skipton East
- Skipton West
- South Craven

### **Thirsk & Malton Constituency Committee (12 members)**

- Easingwold
- Filey
- Hertford & Cayton (part only – Herford ward)
- Hovingham & Sheriff Hutton
- Kirkbymoorside
- Malton
- Norton
- Pickering
- Sowerby
- Stillington
- Thirsk
- Thornton Dale & The Wolds



## Appendix 4

|   |   |
|---|---|
| <p><b>Initial equality impact assessment screening form</b><br/>         (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')</p> <p><b>This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.</b></p> |   |
| <b>Directorate</b>  | Central Services  |
| <b>Service area</b>   | Legal and Democratic Services   |
| <b>Proposal being screened</b>  | The creation 6 Area Constituency Committees that are coterminous with the 6 Parliamentary constituencies. This would replace the existing 7 Area Committees that are coterminous with District Council boundaries.  |
| <b>Officer(s) carrying out screening</b>  | Daniel Harry, Democratic Services and Scrutiny Manager  |
| <b>What are you proposing to do?</b>  | <p>Replace the existing 7 Area Committees that are coterminous with District Council boundaries with 6 Area Constituency Committees that are coterminous with the six Parliamentary constituencies. This will mean that the Area Constituency Committees would have both a similar population size in their area (96,000 to 108,000) and a similar number of County Councillors per committee (around 12 to 14).</p> <p>In terms of role and remit, the Area Constituency Committees would:</p> <ul style="list-style-type: none"> <li>• Take on a more meaningful role in the scrutiny of local health and transport issues within their area, complementing the strategic work undertaken by the Scrutiny of Health Committee and the Transport, Economy and Environment Overview and Scrutiny Committee</li> <li>• Take on a role as consultees in major decisions that affect their area</li> <li>• Be consulted on major Educational issues that affect their area</li> <li>• Become involved in the shortlisting the final decision on 'Innovation funding' awards by the Stronger Communities Team.</li> </ul> <p>The target date for implementation is the next municipal year.</p> |
| <b>Why are you proposing this? What are the desired outcomes?</b>   | In general, the members of the existing Area Committees found that whilst there were helpful and informative discussions, little in the way of action and real change at a local level. This then prompted a review of how the Area Committees operate.   |

|  |   |                  |  |
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|  | <p>The alignment of the Area Committee boundaries on MP Constituency boundaries will help create opportunities to establish a meaningful two-way dialogue with North Yorkshire MPs, with clearer routes to escalate local issues.</p> <p>The new Area Constituency Committees will have both a similar population size in their area (96,000 to 108,000) and a similar number of County Councillors per committee (around 12 to 14).</p> <p>Stronger links will also be made with overview and scrutiny at a county level, particularly the Scrutiny of Health Committee, with local data and information complementing and enriching their considerations.</p> |                  |  |
| <p><b>Does the proposal involve a significant commitment or removal of resources?</b><br/>Please give details.</p>   | <p>No. This change is not motivated by the achievement of savings. Instead, the focus is upon increasing the effectiveness of the committees and exploring the potential for further devolution of decision making. The resource commitment remains unchanged.</p>  |                  |  |
| <p><b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC’s additional agreed characteristic</b><br/>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> <li>• To what extent is this service used by particular groups of people with protected characteristics?</li> <li>• Does the proposal relate to functions that previous consultation has identified as important?</li> <li>• Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> <p><b>If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked ‘Don’t know/no info available’, then a full EIA should be carried out where this is proportionate. You are advised to speak to your <a href="#">Equality rep</a> for advice if you are in any doubt.</b></p> |   |                  |  |
| <p><b>Protected characteristic</b></p>   | <p><b>Yes</b></p>   | <p><b>No</b></p> | <p><b>Don’t know/No info available</b></p> |
| Age  |   | ✓                |  |
| Disability   |   | ✓                |  |
| Sex (Gender)   |   | ✓                |  |
| Race   |   | ✓                |  |
| Sexual orientation   |   | ✓                |  |
| Gender reassignment  |   | ✓                |  |
| Religion or belief   |   | ✓                |  |
| Pregnancy or maternity   |   | ✓                |  |
| Marriage or civil partnership  |   | ✓                |  |
| <p><b>NYCC additional characteristic</b></p>   |   |                  |  |
| People in rural areas  |   | ✓                |  |
| People on a low income   |   | ✓                |  |
| Carer (unpaid family or friend)  |   | ✓                |  |
| <p><b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (e.g. disabled people’s access to public transport)? Please give details.</p>  | <p>No.</p>  |                  |  |



|  |   |   |                       |  |
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| <p><b>Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.</b></p> | No.   |   |                       |  |
| <p><b>Decision (Please tick one option)</b></p>  | EIA not relevant or proportionate:  | ✓ | Continue to full EIA: |  |
| <p><b>Reason for decision</b></p>  | <p>The initial screening found that a full EIA was not relevant or proportionate on the basis that the role of the committees is to improve the quality of life for people in their area by acting as a ‘critical friend’ to policy makers and decision makers, enabling the voice and concerns of the public to be heard and driving improvements in public services. The changes will enhance the committee’s ability to fulfil that role.</p> <p>The committees will continue to meet at a range of community venues in their area and every effort will be made to ensure that any venue used has good road and public transport access, access to Wi-Fi and any necessary ICT and is compliant with relevant Health and Safety and Disability Legislation.</p> |   |                       |  |
| <p><b>Signed (Assistant Director or equivalent)</b></p>  | Barry Khan, Assistant Chief Executive, Legal and Democratic Services.   |   |                       |  |
| <p><b>Date</b></p>   | 17 April 2018.  |   |                       |  |

DH – 17.04.18

**North Yorkshire County Council****County Council****16 May 2018****Home to School Transport Policy****1.0 Purpose of report**

- 1.1 This report provides an update on the Home to School transport proposals considered by the Executive on 24<sup>th</sup> April together with a final draft of the amended home to school transport policy recommended for adoption by Full Council.

**2.0 Summary of Areas for further clarification following Executive**

- 2.1 Following consultation the recommendations were considered by the Transport Economy and Environment Overview and Scrutiny Committee on the 10<sup>th</sup> April and The Executive on 24<sup>th</sup> April 2018. Although both committees gave approval, there are a number of areas that each Committee identified as requiring further clarification and reassurance as follows:

Transport, Economy and Environment Overview and Scrutiny Committee:

- The Executive is assured that the proposals will protect low income families
- The Executive gives serious consideration to increasing the mileage rate significantly above the proposed 45p per mile for the parental transport allowance for SEND sole-occupancy provision, in order to make it a more attractive option to parents and to provide further savings to North Yorkshire County Council
- The Children and Young People's Service Directorate be requested to re-examine its overall budget before removing the free transport statement for SEND post 16 to 18 students with an EHCP, to establish if alternative savings could be made that would have a less direct impact on frontline services
- That an update report be brought to the Transport, Economy and Environment Overview and Scrutiny Committee in April 2019 highlighting any issues arising from the implementation of the

proposals, in particular the removal of the free transport statement for SEND post 16 to 18 students with an EHCP.

#### Executive:

- That Proposal 2 in the report, to recognise SEND Post-19 students as adults in education, and identify unmet transport need in line with Health and Adult Services social care assessment, is more clearly explained in the Home to School Transport Policy (section 508F of the Education Act).
- That the Director of Children and Young People's Services and the Executive Member set a rate for the proposed enhanced Parental Transport Allowance, subject to consultation.
- That the proposals be recommended to County Council at their meeting on 16 May 2018 for approval.

### **3.0 Response to the Issues Raised:**

#### **3.1 Protection for low income families:**

##### Proposal 1:

- Proposal 1 will require a contribution from families for post 16 SEND transport at a cost of £490 per annum (£1.26 per journey) with a 50% reduction for lower income families (£245 per annum or £0.63 per journey.)
- Charges will apply to all post 16-18 SEND students who are embarking on a new programme of study from September 2018.
- Young people with EHCP's affected by these proposals who are already undertaking a specified programme of education will be protected under the arrangements of the former transport policy and will not be asked to pay a contribution.
- The Executive have agreed a flat rate contribution for families regardless of the distance travelled or the cost of the transport provision. The local authority will still subsidise approximately 90% of the overall SEND transport costs based on an average cost per annum per student of £8k.
- A recent study revealed that 19 out of 27 county councils are charging for post 16 transport and of those quoted North Yorkshire is fourth lowest in terms of the contribution requested from families. Although subject to annual review the current post 16 mainstream charge has only been increased by £10 in the last 5 years in North Yorkshire. (FE Network 2018)
- Some young people will also be eligible to apply for a 16-19 bursary of up to £1200 per annum which may be used to support transport

costs. This information will be publicised on the Local Offer and with individual families.

- The contribution per journey compares favourably with the cost of local public transport.
- The contribution can be paid by direct debit over a 9 month period to minimise the impact of paying a lump sum on family income.
- Although post 16 children and young people with SEND may remain in education for longer than children and young people without SEND, the high level of subsidy and favourable comparison with costs of local public transport mitigates the financial impact for such families.

#### Proposal 2:

- Young people aged 19 years and above will be assessed using the adult social care assessment process underpinned by the Care Act 2014. This will include a strengths based assessment to identify if the young person has means to support travel assistance to their educational provision.
- Where they do not have means and the travel assistance is deemed necessary under the Education Act 1996 (Section 508F), the Council will provide assistance to education free of charge.

#### Proposal 3:

- This is a **voluntary** arrangement with parents/carers of statutory school age children and therefore will not impact on working arrangements for families. Families have the right to withdraw from this arrangement at any time.
- This proposal also includes an opportunity for an enhanced rate parental transport allowance for families with children who require additional transport support or travel assistance.
- Families who are interested and eligible for the enhanced mileage rate will also be advised to seek independent financial advice to ensure families are aware if it would have a detrimental effect on the household income.

#### 3.2 Parental Transport Allowance:

- In response to the comments raised by the Executive and Overview and Scrutiny Committee, if approval is given by Full Council for the proposal to

go ahead, further modelling will be undertaken to maximise this opportunity for mutual benefit of families and the Local Authority.

- In relation to the enhanced mileage rates this will be subject to a further short public consultation of 30 days following the decision of the Full Council. The outcomes of the consultation will then be considered by the Corporate Director for Children and Young People's Service and the lead Executive Member.

### 3.3 Budget Review:

- The Medium Term Financial Strategy was considered on 21<sup>st</sup> February 2018 by Full Council. Elected Members, in setting the budget, considered a further amendment for the temporary use of reserves whilst more acceptable proposals were identified by officers. However, this proposal was defeated.
- Children and Young People's Services has had a programme of savings totalling £18m from 2015-16 with £7m still to realise from 2018-19 onwards. The savings programme including the consideration of SEND transport details how the Local Authority will find these savings following a thorough review of options from across the Directorate.
- It would not be appropriate to use reserves as this would only be one off and delay the requirement to find a long term sustainable solution.

### 3.4 Clarification of Proposal 2 (Post-19):

- In response to the comments raised the Home to School Transport Policy and associated Post-16 Policy Statement has been amended and is attached in Appendix 2.

### 3.5 Implementation Review:

- A 6 month review will be undertaken to evaluate the impact of the proposals, if agreed, which will then be presented to the Transport, Economy and Environment Overview and Scrutiny Committee in April 2019.

## **4.0 Recommendation(s) –**

It is recommended that the Full Council:

- Notes the points of clarification and reassurances requested by Overview and Scrutiny and Executive.

- |   |
|---|
| <ul style="list-style-type: none"><li>• Approves the implementation of all 3 proposals from September 2018 and adopts the proposed new Home to School Transport Policy.</li></ul> |
|---|

*Stuart Carlton*

Corporate Director – *Children and Young People's Services*

County Hall

Northallerton

*3 May 2018*

Author of report – Jane Le Sage, Assistant Director Inclusion

List of Appendices:

Appendix 1 – Report for Executive Meeting 24.04.18 with appendices

Appendix 2 – Proposed Amended Home to School Transport Policy and Post-16 Policy Statement

# North Yorkshire County Council

## Executive

24 April 2018

### Home to School Transport – Proposed policy changes

#### Report of the Corporate Director – Children and Young People's Services

|                              |
|------------------------------|
| <b>1.0 Purpose of report</b> |
|------------------------------|

|   |
|---|
| 1.1 This paper provides an analysis of the feedback received from the 90 day consultation together with recommendations for changes to the Home to School Transport Policy from September 2018. |
|---|

#### Executive Summary

##### 2.0 Issues

- 2.1 A detailed analysis of SEND home to school transport has revealed that there has been an overall increase in pupil numbers on SEN Home to School Transport of 22% from March 2015 to March 2017 together with a 14% increase in the numbers of miles travelled.
- 2.2 This has also resulted in an increase in the demand for transport provision across all age ranges but in particular a 66% increase in the number of Post-18 pupils who are using the service and a 36% increase in primary aged children following the introduction of the Children and Families Act 2014. A full financial analysis is available in a separate report.
- 2.3 The rise in costs of £11.8k from March 2015 to March 2017 is attributable to an increase in mileage of 14%, and an increase in pupil numbers of 22%. The latter is broadly in line with the overall increase in total pupil population with statements and Education Health and Care Plan (EHCP) during the same time period.
- 2.4 The current financial projection for SEND Transport is an approximate overspend of £2.1m. Although additional recurring budget has been identified in the Medium Term Financial Strategy, this will be insufficient to meet medium term spending projections.
- 2.5 Based on current trends in SEND continuing and the annual year on year growth estimated at 18% per annum, it is estimated that by 2020 the forecasted spend will be £13.2m. This will continue to increase to £18.4m by 2022, and reach £30m by 2025.

### 3.0 Policy Implications

- 3.1 The results of the public consultation have been considered and will inform the content of a new Home to School Transport Policy. The current and proposed Home to School Transport Policy is attached as Appendix 1 and 2.

### 4.0 Options

- 4.1 In December 2017 the Executive approved a 90 day public consultation on 3 proposals which are summarised below:

**Proposal 1: Removal of the FREE Transport statement for SEND Post-16 to 18 students with an EHCP from September 2018, to bring it in line with mainstream transport arrangements.**

- The provision of home to college transport for post 16-18 year olds is discretionary and local authorities are able to determine what transport and financial assistance are necessary to facilitate young people's attendance.
- Currently NYCC require a contribution from families for post 16 mainstream transport at a cost of £490 per annum (£1.28 per journey) with a 50% reduction for lower income families.
- This proposal if agreed would require families with post 16-18 SEND students to make the same contribution if they wish the local authority to continue to arrange home to education transport assistance for their young person.
- The contribution rate will be subject to annual review and will be subject to price increase to reflect inflation. Payments can be made on a monthly basis.
- Young people would need to reapply on an annual basis.

**Proposal 2: Recognise SEND Post-19 students as adults in education, and identify unmet transport need in line with Health and Adult Services social care assessment**

- The current Home to School Transport Policy already contains this proposal, however, this has not previously been implemented and has been included in the consultation.
- Young people aged 19 years + will be assessed using the adult social care assessment process underpinned by the Care Act 2014. This will include a strength based assessment to identify if the young person has means to support transport to education. Where alternatives are not available the Council will continue to provide support for transport to access services subject to the standard daily charge levied within Health and Adults Services. This ensures equity with other users of transport within the adults social care system.

**Proposal 3: Promote Parental Transport Allowance to SEND sole-occupancy provision with a realistic enhancement to reflect the young person transport need (for those eligible for transport assistance under statutory duty)**



- This proposal will increase the current personal mileage allowance to families to the current HMRC (Her Majesty's Revenue and Customs) business rate of £0.45 per mile for the first 10,000 miles, following this it is £0.25 per mile. This will only be offered if there is no availability on transport that has already been arranged by the Local Authority.
- An enhanced mileage rate to parents / carers may be considered where it is economically advantageous and mutually acceptable to both the parent / carer and the Local Authority.

4.2 Two further proposals were considered and rejected before consultation. These included:

- Do nothing
- Remove all discretionary transport provision

## **5.0 Legal Implications**

5.1 The legal framework which requires consideration is complex and has been summarised below. The local authority has been cognisant of its statutory duties in the development of the proposals in this paper and the associated consultation process.

### **Education Act 1996**

- Section 508A of the Education Act 1996 places a statutory duties on the Local Authority to promote the use of sustainable travel and transport and under S508B to provide free of charge suitable home to school travel arrangements to secure attendance at school or other educational establishments for eligible children of compulsory school age between 5 and 16. The Education & Inspections Act 2006 inserted into the 1996 Act the definition of 'eligibility' which includes a child with SEND or with mobility problems who cannot reasonably be expected to walk to school. Section 508B(5) allows travel arrangements to include those made by a parent where they are made voluntarily.
- Under section 508C the Local Authority has a general discretionary power to make travel arrangements they consider necessary to any child (not falling within 'eligible child' definition) to secure their attendance at school or other relevant educational establishment. Section 508C allows the Local Authority to make charges in providing services under this section.
- Under Section 508D the Local Authority has a statutory duty to have regard to the statutory guidance issued by the Secretary of State and to publish information with respect to the Local Authority's policy in discharging duties under s508B & 508C.
- Under Section 509AA and 509AB the Local Authority has duties to prepare a post 16 transport policy statement and this has to include to what extent the travel arrangements apply to SEND pupils receiving full time education. These arrangements must be no less favourable than for Mainstream post 16 young people.

- Under section 509AC states that for purposes of section 509AA and 509AB a person is over compulsory school age, aged 16 and under 19, unless they have begun their course before they attained 19 years old.
- Section 508F of the Act places a duty on the local authority to make such arrangements for the provision of transport as they consider necessary in respect of adults (aged 19 and above) and adults up to 25 with EHCPs for the purpose of facilitating their attendance at further education institutions where the local authority has secured that provision. If the local authority makes arrangements, under this legislation, any transport must be free of charge.
- Under Section 508G places a duty upon the Local Authority to prepare a transport policy statement by the end of May for each academic year which includes any transport arrangements; payment of travelling expenses under s508F and any concessions. It also states the Local Authority should consult any other LA; Governing Body of intuitions within the further education sector in the area; persons who will be relevant young adults in the area when payments have effect and their parents and Secretary of State.

### **The Care Act 2014**

- The Care Act 2014 places a statutory duty on local authorities to assess the needs of adults (aged 18 years and over) and plan how unmet needs will be addressed. Local authorities must promote well-being when carrying out any of their care and support functions in respect of a person. Well-being encompasses a range of areas specified in statutory guidance and includes taking into account the impact of participation in education and training.

### **The Children and Families Act 2014**

- This provides the legislative framework for SEND which increased the duties owed to children and young people from 0 until 25 years which needs to be followed by the local authority and key partners.
- Under Section 27 obliges that local authorities have a duty to keep education and care provision under review.
- Under Section 19 obliges local authorities must have regard to:
  - The views, wishes and feeling of children, parents and the young person and their participation in decisions
  - Importance of the child, young person and parent being provided with information and support to participate in these decisions

### **Public Sector Equality Duty**

- In discharging every function and every decision made a public authority must have due regard to:
  - Eliminate discrimination, harassment, victimisation and any other conduct prohibited under this Act

- Advance equality of opportunity
  - Foster good relations between those with a protected characteristic and those without
- Statutory Guidance Post 16 transport to education and training October 2017, which the Local Authority must have regard, advises that local authorities do not have to provide free or subsidised transport, when making their assessment of what is required. However local authorities must act reasonably, taking into account all relevant matters, such as the needs of their population, the local transport infrastructure and the resources available including receipt of 16-19 bursary funding.

## **6.0 Consultation Undertaken and Responses**

- 6.1 Details of the different proposals were made available on the public website ([www.northyorks.gov.uk/consultations](http://www.northyorks.gov.uk/consultations)), and local offer together with an online survey. This information was also available in easy read, alternative language or formats on request. The local authority received 134 responses to the survey. In addition feedback received by email, and from meetings during the consultation period has also been considered.
- 6.2 Eighteen public events were arranged across all localities in North Yorkshire and the events were open to parents/carers, children and young people and other professionals. The same presentation was delivered at all events to ensure the messages were consistent. The presentation has been positively received by audiences, people felt they had a better understanding of transport provision, the proposals for change and the underpinning rationale. Additional meetings were also arranged in Richmond, Selby and Pickering in response to feedback. There were 64 attendees at the public meetings made up of parents/carers, professionals and elected members.
- 6.3 The consultation has been promoted via the Schools E-red bag, Local Offer, NYPACT, NYCC website, corporate Facebook and Twitter accounts with regular releases on social media ahead of the public events. A press release was published on 19<sup>th</sup> December 2017 following publication of the documents to Executive Members on proposed changes.
- 6.4 Local authority officers attended the NYPACT (Parent Carer Forum) Management Committee on 14<sup>th</sup> March and the consultation was promoted through their networks and membership. Parent Groups have also been actively promoting the consultation and contacting members to advise them to take part in the consultation and attend the public events.
- 6.5 In addition press interest from local radio stations including BBC Radio York, Radio Tees and Yorkshire Coast Radio publicised the consultation.
- 6.6 Local authority officers also attended the Youth Voice Conference on 16<sup>th</sup> March and Moving On events to consult directly with mainstream children and young people and those with special educational needs. A workshop was attended and the feedback of the young people is included in the consultation analysis.
- 6.7 Flying High, a 19-25 years group of young people with special educational needs and disability and Shout Out groups also participated in the consultation.

- 6.8 Local authority officers also attended a number of professional meetings including:
- The Association of Transport Commissioners and Officers (ATCO) on 8<sup>th</sup> February 2018 in York which had representatives from other Local Authorities across the North East and Humber regions.
  - School Improvement Governors:
    - Harrogate on 24/01/18
    - Northallerton on 25/01/18
    - Skipton on 29/01/18
    - Scarborough on 06/02/18
    - Escrick (York/Selby) on 08/02/18
  - Secondary Head Teachers on 21/02/2018
  - Special Head Teachers in Thirsk on 07/03/2018
  - 5 Primary Head Teacher Networks in March
- 6.9 Consultation responses have been monitored on a weekly basis by officers across the local authority. A Frequently Asked Questions (FAQ) document was published on the consultation page on the website to provide more information for residents.
- 6.10 In addition the local authority became aware of an on line petition initiated by a parent via change.org. This has not been presented to the local authority for consideration as part of the formal consultation. It attracted 488 signatures (of which some are not North Yorkshire residents) and therefore has not met the criteria for a county council debate. (Signatures of 30,130 required).

*Analysis of the Consultation*

- 6.11 The local authority received 134 responses to the on line survey and 64 people attended the public meetings. All responses have been given consideration by the local authority and full details are provided in Appendix 3.
- 6.12 A summary of the main feedback on the three specific proposals has been listed below:

**Proposal 1: Removal of the FREE Transport statement for SEND Post-16 to 18 students with an EHCP from September 2018, to bring it in line with mainstream transport arrangements.**

**Summary of consultation feedback:**

- The survey shows that 75% of respondents either Strongly Disagreed or Disagreed with this option. However upon scrutiny of the comments the responses relate more to the removal of transport for their child rather than the requirement to pay a contribution for transport.
- A number of responses made reference to this proposal causing financial hardship for low income families with SEND.
- A number of responses also questioned whether it is fair to bring children with SEND in line with the Mainstream policy.

**Consideration of feedback:**

- Reflecting on the comments made in relation to this proposal it is important to note that transport is not being removed for any eligible Post-16 students with SEND. Transport will continue to be arranged by the Local Authority but will be subject to an annual charge

payable by parents / carers. This is currently £490/annum and is subject to annual review. This charge will be applied equitably across Mainstream and SEND students but will include a 50% reduction for lower income families to offset costs.

- On average the cost of transport for a post 16 SEND student is £8.1K/annum, equivalent to £21.36 per journey. Parents/carers will be making a contribution of £1.28 per journey or £0.64 for lower income families.
- The Local Authority is of the view that it is discharging its responsibility in a fair and consistent manner. For example, despite SEND transport costs being significantly higher than mainstream the Local Authority is intending to implement a flat rate regardless of actual cost of transport and distance travelled. This ensures that families and young people with SEND are not disadvantaged and have equality of opportunity in accessing education.
- Based on average costs the Local Authority will still be subsidising over 90% of transport costs for children and young people with SEND whereas Mainstream transport is subsidised by around 43%.
- The Local Authority recognises that some allowances such as the 16-19 bursary may not be suitable for some families but wishes to alert families to this opportunity. The local authority is unable to advise on the impact of such on household incomes and has used the consultation to signpost families to seek financial advice before they apply.

**Proposal 2: Recognise post 19 students as adults in education, and identify unmet transport needs in line with Health and Adult Services Care Act assessment.**

**Summary of consultation feedback:**

- Overall, this proposal received a positive response with 52% either Strongly Agree or Agree. The further 18% were neutral responses and 30% either Strongly Disagree or Disagree.
- Some respondents were of the view that education should be provided free for young people continuing their studies post 19.
- One respondent queried the fact that their young person does have access to a mobility car but queried who would drive it as the young person was unable to drive.

**Consideration of feedback:**

The local authority remains of the view that young people aged 19 years and above should be assessed using the Health and Adult Care assessment as they are recognised in law as adults. This is underpinned by the requirements of the Care Act 2014. This will include a strength based assessment to identify if the young person has means to support transport to education. Where alternatives are not available the Council will continue to provide support for transport to access services subject to the standard daily charge levied within Health and Adults Services. This ensures equity with other users of transport within the adults social care system.

**Proposal 3: Promote Parental Transport Allowance to sole-occupancy provision with a realistic enhancement to reflect the young person transport need.**

**Summary of consultation feedback:**

- The responses in relation to this proposal have been positive 62% of respondents Strongly Agree and Agree, 21% were neutral with the remainder of 17% Strongly Disagree or Disagree.
- The majority of comments relate to the feasibility of the mileage allowance and how families would be able to transport their children due to other commitments such as work and other children attending different schools. Some comments have also referred to the extra stress this may impact on families or children and young people due to other commitments.
- In relation to the enhanced rate, 44% of responders were in favour of this proposal whereas 32% were neutral and 24% against.
- The only comment raised in relation to the enhanced mileage rate was the impact this may have on families who are receiving additional benefits.

**Consideration of feedback:**

- The offer of the personal mileage allowance to families is voluntary. The local authority recognises that this will not be beneficial for some families but may provide opportunity for others.
- A parental transport allowance can be declined at any time if this no longer meets family circumstances. The Local Authority will arrange transport if families do not wish to continue the allowance.
- The Local Authority would recommend all families seek independent advice regarding the impact of receiving the enhanced mileage allowance on their personal circumstances.

6.13 The proposals and the results of the consultation have been presented to Transport, Economy and Environment Overview and Scrutiny Committee on 10<sup>th</sup> April 2018.

6.14 In light of the current financial position of North Yorkshire County Council, the Transport, Economy and Environment Overview and Scrutiny Committee recommends that the Executive supports the three SEND Home to School Transport proposals set out in the report, on the understanding that:

- The Executive is assured that the proposals will protect low income families.
- The Executive gives serious consideration to increasing the mileage rate significantly above the proposed 45p per mile for the parental transport allowance for SEND sole-occupancy provision, in order to make it a more attractive option to parents and to provide further savings to North Yorkshire County Council.
- The Children and Young People's Service Directorate be requested to re-examine its overall budget before removing the free transport statement for SEND post 16 to 18 students with an EHCP to establish if alternative savings could be made that would have a less direct impact on frontline services.
- That an update report be brought to the Transport, Economy and Environment Overview and Scrutiny Committee in April 2019 highlighting any issues arising from the implementation of the proposals, in particular the removal of the free transport statement for SEND post 16 to 18 students with an EHCP.

6.15 In response to the above recommendations the following reassurances can be given:

- The charging of post 16-18 transport provision for eligible young people does include a 50% reduction in the annual contribution rate for lower income families and this payment can be made on a monthly basis to avoid a lump sum contribution.
- An enhanced mileage rate to parents / carers may be considered where it is economically advantageous and mutually acceptable to both the parent / carer and the Local Authority.
- Children and Young People's Services has had a programme of savings totalling £18m from 2015-16 with £7m still to realise from 2018-19 onwards. The savings programme, including SEND Transport, details how the Local Authority will find these savings which have been identified following a thorough review of options from within the Directorate.
- Budget reductions need to be recurring as use of reserves will only be one off and only delays the requirement to find a long term solution.
- An update report will be provided to the Transport, Economy and Environment Overview and Scrutiny Committee in April 2019.

## 7.0 Impact on Other Services/Organisations

7.1 The Local Authority pays due regard to other priorities within the Authority on which the outcomes of these proposals may have an impact or influence. This includes:

- The development of the future strategic plan for educational provision for children with SEND will have with significant impact on SEN transport costs as it will ensure that longer term the right provision is in the right price. This will mean that a child's need will be met more locally.
- Ensure that all procedures and decisions for post 19 students are seamless for young people as they transition to adult services.

## 8.0 Financial Implications

8.1 The savings profile in the outline project plan has not changed as a result of the consultation. The savings proposals seek to reduce spending by £1.7m over the four year period 2018-2022.

| Financial Year | 18-19<br>£k | 19-20<br>£k | 20-21<br>£k | 21-22<br>£k | <b>TOTAL<br/>£k</b> |
|----------------|-------------|-------------|-------------|-------------|---------------------|
| Proposal 1     | 205         | 176         | 50          | 45          | <b>476</b>          |

|                      |            |            |            |            |              |
|----------------------|------------|------------|------------|------------|--------------|
| Proposal 2           | 186        | 415        | 325        | 80         | <b>1,006</b> |
| Proposal 3           | 179        | 19         | 15         | 15         | <b>228</b>   |
| <b>Total Savings</b> | <b>570</b> | <b>610</b> | <b>390</b> | <b>140</b> | <b>1,710</b> |

8.2 Budgeted assumptions have been made about:

- Take-up of the 16-18 transport charges in proposal 1 (20% of parents no longer requesting transport);
- Likely impact of adult social care assessments taking into account eligibility and financial means of individuals to contribute to transport in proposal 2 (50% no longer receiving funded or subsidised transport);
- Take-up of the personal mileage allowance in proposal 3 (assuming 10% take-up of the allowance).

8.3 Actual take-up may differ from these budgeted assumptions; these are estimates only based on predicted responses to the implementation of the proposals. However, realisation of the benefits will be tracked through robust and regular monitoring arrangements through the SEN Transport Implementation Group.

## 9.0 Risk Management Implications

### Key Risks:

The risks below have been reviewed in light of the feedback from the consultation process.

| <b><u>Risks:</u></b>  | <b><u>Mitigation</u></b>   |
|---|--|
| Implementation of the proposals may cause financial hardship for some families if they are asked to make a payment towards transport.           | <ul style="list-style-type: none"> <li>- There is an option for a 50% reduction in the post 16-18 proposal for low income families.</li> <li>- Families may choose to arrange their own transport instead of paying the Local Authority.</li> <li>- The take up of the mileage allowance is entirely voluntary.</li> <li>- Post-19 students will be assessed as an adult in education to determine eligibility.</li> <li>- Sign-posting families to independent financial advice if required.</li> <li>- Sign-posting families to other sources of funding such as 16-19 bursary.</li> </ul> |
| There is a risk some young adults may decide not to pursue education if they have to contribute to transport costs.                             | <ul style="list-style-type: none"> <li>- The Local Authority's assessment will ensure transport assistance is provided where young adults do not have the means or recourse to other transport provision in order to be able to access their education.</li> </ul>   |
| If the proposals are not implemented the significant budget pressure on home to school transport will continue to rise. Savings will need to be | <ul style="list-style-type: none"> <li>- The recommendation to implement all three proposals from September 2018 is this mitigation for this risk.</li> </ul>  |



|   |  |
|---|--|
| secured from alternative means to stabilise the budget in a sustainable way |  |
|---|--|

## 10.0 Equalities Implications

- 10.1 The Local Authority has identified the proposals will have a financial impact on some families but has tried to minimise this in the proposals whilst taking corrective action to ensure public money is used efficiently. It is anticipated any changes to the current home to school transport services will impact more on the following: Young people aged 16 to 25 with SEND, those living in a rural area or families with a low income.
- 10.2 The Local Authority anticipates that some changes if implemented may bring benefits to the young people and their families particularly in respect of independent travel training and more flexibility with personal budgets for transport allowances.
- 10.3 A full updated EIA is attached separately in Appendix 4.

## 11.0 Reasons for Recommendations:

- To protect the provision of discretionary transport to still enable children and young people to access their education.
- To take corrective action to address the overspend whilst maintaining a sustainable transport offer.
- To ensure the Council is legally compliant.
- To ensure young people aged 19 and over are assessed in accordance with the Care Act 2014.
- To promote access to education by offering an enhanced subsidy to post 16 students with SEND.
- To increase the opportunities for parents, carers and young people to have greater choice in their transport provision.
- In order to minimise any adverse impact on those with protected characteristics there was a consideration to delay the implementation of Proposal 2 until September 2019, however due to the significant negative impact on the budget it is recommended that changes are introduced from September 2018 whilst ensuring the impact on affected young people is minimised.

## 12.0 Recommendation(s) –

It is recommended that the Executive approves the implementation of all 3 proposals from September 2018.

Proposal 1: Removal of the FREE Transport statement for SEND Post-16 to 18 students with an EHCP from September 2018, to bring it in line with mainstream transport arrangements

Proposal 2: Recognise SEND Post-19 students as adults in education, and identify unmet transport need in line with Health and Adult Services social care assessment.

Proposal 3: Promote Parental Transport Allowance to SEND sole-occupancy provision with a realistic enhancement to reflect the young person transport need (for those eligible for transport assistance under statutory duty)

*Stuart Carlton*  
Corporate Director – *Children and Young People’s Services*

County Hall  
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*12 April 2018*

Author of report – Jane Le Sage, Assistant Director Inclusion  
Presenter of report – Stuart Carlton, Corporate Director – *Children and Young People’s Services*

**Appendices:**

Appendix 1 – Current Policy 2015  
Appendix 2 – Proposed Policy 2018 and Policy Statement  
Appendix 3 – Analysis of consultation  
Appendix 4 - Equality Impact Assessment (Final)

**Background Documents:**

Research into other Local Authorities  
Financial Report  
DfE Home to School Transport Post 16 Statutory Guidance 2017  
Consultation Outcomes Report  
Transport, Economy and Environment Overview and Scrutiny Committee Report April 2018

## NORTH YORKSHIRE COUNTY COUNCIL

### CHILDREN AND YOUNG PEOPLE'S SERVICE

#### HOME TO SCHOOL AND COLLEGE TRANSPORT POLICY

#### OCTOBER 2015

#### 1.0 INTRODUCTION

1.1 North Yorkshire is England's largest County, stretching from the North Sea Coast to within 12 miles of Morecambe Bay and from the South of the M62 to the edge of Teesside. It is sparsely populated with some 600,000 people across 3,300 square miles; with 40 per cent of the area being within either the North Yorkshire Moors or the Yorkshire Dales National Parks and over half the population living in areas classed as "sparse" or "super sparse". Around 20% of the population live in the two major urban centres – Harrogate and Scarborough.

1.2 There are approximately 138,000 children and young people aged 0-19 in the county, of those 85,000 are of school age, including 5,900 in post-16 education. There are 47 Secondary Schools, 323 Primary Schools and 10 Special Schools, North Yorkshire County Council transports approximately 20,000 pupils per day to school or college.

1.3 The Local Authority (LA) has a responsibility to make suitable travel arrangements where necessary to allow children access to school. This includes meeting the following objectives of ensuring that children can:

- Succeed in good schools and other settings
- Lead Healthy lifestyles and have good health care
- Be Kept safe and protected from harm
- Positive choices for personal growth
- Be economically secure

1.4 North Yorkshire County Council spends in excess of £21million per year, on home to school transport. The aim is to provide a good quality, safe service whilst balancing costs to ensure that the service provided is best value for money.

1.5 This policy is a general policy, which supports the Council's responsibility to provide access to education for all pupils, and covers eligibility for home to school transport for all children. Each request for transport is considered on an individual basis and individual circumstances will be taken into account when deciding if children are entitled to free home to school transport.

1.6 Transport is provided for many children across the county who are not entitled to free home to school transport. The LA publishes a sustainable

travel strategy which will include information about the availability of local transport in North Yorkshire and information about how children currently travel to school, taken from school travel plans.

## **2.0 RESPONSIBILITIES**

### **2.1 Local Authority**

The Local Authority is responsible for making suitable arrangements for all eligible children to travel to school in reasonable safety and comfort so that they arrive there without stress or difficulty, and can benefit from their education. This is done by making sure that pupils do not have unnecessarily long journey times (taking into account the size of the county), and that they are not expected to walk an unreasonably long distance to catch the bus. Drivers and passenger assistants are properly trained and have an enhanced Criminal Records Bureau check. The vehicles used meet the necessary safety standards and seatbelts are provided wherever possible.

### **2.2 Parent/Guardian**

It is a parent or guardian's responsibility to make sure that their child attends school. It is important that parents provide the LA with information which is requested about their children to help decide whether they are eligible for free home to school transport or whether assistance can be given in any other way.

Parents should also encourage their children to wear a seatbelt (where they are fitted) and behave well on the transport provided.

If a child is sent home from school due to illness or because of behaviour problems it will normally be parent's responsibility to ensure that they are collected from school.

Where parents live within the minimum qualifying distance, it is normally their responsibility to decide how their child will travel to school and for making the necessary arrangements and costs. This may be in any way that they feel it appropriate for their child for example: walking, cycling or using a local bus service. Transport may be provided for pupils living under the qualifying distance in some circumstances. This will include:

- ◆ where the LA considers that the walked route is not safe for children to walk, accompanied as necessary.<sup>1</sup>
- ◆ where the LA agrees that it is not possible for children to be accompanied and circumstances (of children's age and the route) mean that transport should be provided.

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<sup>1</sup> Decisions about the safety of walked routes follow the guidelines on the Assessment of Walked Routes to School, published by Road Safety GB in June 2011. These Guidelines assume that the child is accompanied as necessary by a normal caring parent or other responsible person.

Not possible does not mean not convenient to parents (i.e. due to work commitments, or arrangements to take children to different schools)

### **3.0 DEFINITION OF HOME TO SCHOOL**

The policy applies to “home to school” travel arrangements at the start of the day, and “school to home” travel arrangements at the end of the school day and does not normally include pre-school or after-school clubs.

Where children are attending school part time (i.e. half days), transport will be provided at the start and end of the time attended, this may be a morning journey and return home at lunchtime or a lunchtime journey and return home at the end of the school day.

Travel between educational institutions during the school day is not covered by this policy.

Transport to alternative addresses, for instance to take into account child care arrangements for parents will not usually be provided.

The term ‘Home’ in this policy means the permanent address where the child lives for most of the time. Where children have more than one ‘home’ (i.e. parents or guardians live separately) eligibility will only be assessed from separate addresses when children live with each parent or guardian for fifty percent of school term time, this does not include weekends or school holidays.

The term ‘normal school’ in this policy means the school allocated by the local authority to take children from the geographical area within which the ‘home’ address falls. This may also be referred to as ‘appropriate’ or ‘catchment’ school.

Transport will normally be provided from a suitable pick-up point near to home.

### **4.0 PUPILS ATTENDING SCHOOL UP TO AGE 16**

A summary of the duties local authorities have to carry out to discharge their statutory obligations to provide transport and support for the costs of transport to help children and young people travel to and from schools or colleges is appended to this policy at appendix 1

The following paragraphs outline these duties in more detail and outlines further discretionary elements of the policy.

#### **4.1 PUPILS AGED BETWEEN 5 AND 11 WHO ATTEND PRIMARY SCHOOL**

Children are of compulsory school age when they reach the age of five and must start school in the term following their fifth birthday. In practice, many children start before this age.

Free transport will be provided for primary school pupils from the term in which they are five until the end of year 6 who attend:

- ♦ the school the LA has said is the normal school for the home address, as long as it is over two miles (the minimum distance) from home; or
- ♦ the preferred school, if that school is over two miles, but nearer to home than the normal school.

For children starting school from September 2016 free transport will be provided as above until the end of the school year in which they reach age 8. From age 8 the statutory walking distance increases to three miles, free home to school transport will be provided if the normal or nearer school is over 3 miles from home.

From September 2016 the statutory walking distance eligibility will apply and free transport provided to pupils if the catchment school or the nearest school to the home address is

- over 2 miles (until the end of the school year in which a pupil turns 8)
- over 3 miles (if aged 8 and over)

This will apply to pupils starting school and to pupils whose circumstances change e.g. move address or change schools

If children receive free school meals or parents receive the maximum level of Working Tax Credit, transport will be provided, for primary aged pupils from term in which they are five up to the end of year 6,:

- to the nearest suitable school parents prefer because of their religion or belief, where the distance from home to school is more than two miles but not more than 5 miles.

#### **4.2 PUPILS AGED BETWEEN AGED 11 AND 16 WHO ATTEND SECONDARY SCHOOL**

Free transport will be provided for secondary school pupils in years 7 to 11 who go to:

- ♦ the school the LA has said is the normal school for the home address, as long as it is over three miles (the minimum distance) from home; or
- ♦ the preferred school, if that school is over three miles, but nearer to home than the normal school.

If children receive free school meals or parents receive the maximum level of Working Tax Credit, transport will be provided for Secondary school pupils in years 7 to 11 who go to:

- ♦ one of their three nearest qualifying<sup>2</sup> schools, if that school is more than two but less than six miles from the home address; or
- ♦ the nearest suitable school preferred because of parents' religion or belief, where that school is more than two but less than 15 miles from home.

If children go to a school that is on split sites, the measurement of the walking distance will be taken from home to the site the children normally attend.

#### **4.3 PUPILS WHO ATTEND MIDDLE SCHOOL**

The two middle schools in North Yorkshire, Ingleton and Settle, are closed from September 2012 and pupils in the area will attend the appropriate primary school until the end of year 6 and then transfer to secondary school at year 7. The policy in sections 4.1 and 4.2 above apply.

#### **4.4 TRANSPORT TO A SCHOOL ON THE GROUNDS OF RELIGION OR BELIEF**

Since September 2012 pupils starting a 'denominational' school, either secondary or primary, have not been entitled to assistance with home to school transport.

Parents are responsible for ensuring that their child attends school. Where possible paid permits will be available to purchase for surplus seats on services that are under contract to the County Council.

Where a family has two or more children who are not entitled to assistance with transport a 'family ticket' may be available to purchase. This will be one and a half times the cost of a paid permit. This will only be available to families attending the nearest denominational school, on the grounds of religion or belief

Pupils who, prior to September 2012 were already attending a 'denominational' secondary school will continue to be entitled to assistance with transport to that school until the end of year 11, providing that they do not move address.

Pupils who, prior to September 2012 were already attending a 'denominational' primary school will continue to be entitled to assistance with transport to that school until the end of year 6 providing that they do not move address. They will not be entitled to assistance with transport when they transfer to secondary school.

**Arrangements for transporting pupils to denominational schools will remain in place until 2016 for secondary aged pupils and 2018**

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<sup>2</sup> Qualifying schools are: Community; foundation; voluntary aided or controlled schools, community or foundation special schools; non-maintained special schools; pupil referral units; city technology colleges(CTC); city colleges for the technology of the arts (CCTA) or Academies (source *Home to school travel and transport guidance para 104* published by DCFS 2007)

**for primary aged pupils, at which point the network will be reviewed and all provision removed.**

Please note that pupils starting denominational secondary school from September 2012 onwards will not be able to purchase paid permits on existing transport from 2016 and those primary pupils starting from September 2012 onwards will not be able to purchase paid permits from 2018.

**This means that parents will be responsible for all transport arrangements and costs to denominational schools as the County Council will not arrange any transport after these dates.**

**It is important that you do not rely on existing travel arrangements when deciding which school you wish your child to attend.**

### **Exceptions**

The exceptions are

- If the denominational school is nearer to the home address than the catchment school (s) and the distance from home to school is over the walking distance of 3 miles

Also where children receive free school meals, or whose parents receive the maximum level of working tax credit we will provide assistance with transport to the nearest suitable school parents prefer because of their religion or belief:

- For secondary aged pupils where the distance from home to school is more than two miles but not more than 15 miles,
- For primary aged pupils where the distance from home to school is more than two miles but not more than 5 miles.

This will be assessed on an annual basis and may be withdrawn if parents' benefits change.

Denominational school refers to schools where pupils are admitted on the grounds of their parents' faith as part of the published admissions criteria. This will not normally apply to a Voluntary Controlled School as pupils are not admitted to schools on these grounds.

Some 'denominational' primary schools are also the 'normal' school for the home address. In cases where pupils are attending the school as it is their normal or community school they will remain entitled to free transport if they live more than two miles from the school .

We check with the school to see if a child has been admitted on denominational grounds.



#### **4.5 TRANSPORT ASSISTANCE IF THE LOCAL SCHOOL IS FULL.**

If the normal or nearest school is full, transport will be provided to the nearest alternative school, if it is more than the statutory walking distance from the child's home.

#### **4.6 TRAVEL ASSISTANCE FOR PUPILS WHO DO NOT QUALIFY FOR FREE TRANSPORT**

##### **4.6.1 Early Admissions to Primary Schools and Children Attending LA Maintained Nursery Schools/Units**

Free transport will not be provided for children admitted early to primary schools i.e. before the term in which they are five, or if children are attending LA maintained nursery schools/units.

Children may travel free on existing hired transport if they live more than 2 miles from home to school, providing space is available on the vehicle. This arrangement may be cancelled if subsequently the seat is needed for children of compulsory school age who are eligible for free transport.

Transport arrangements for children under the age of five will only be made with the agreement of parent/guardian, the school and the contractor.

Transport is not provided to children attending private nurseries or playgroups.

##### **4.6.2 Children attending Schools from Parental Preference**

If children attend a school that is not the nearest or normal school parents are usually responsible for the travel arrangements and costs.

The authority no longer offers an 'equivalent cost' journey from September 2012.

If children are not entitled to free transport parents may be able to purchase a permit which entitles their children to occupy spare places on 'education transport service' vehicles at a fixed charge. It may be necessary to end the arrangement at short notice, if there is an increase in the number of entitled pupils using these vehicles and as a result spare places are no longer available.

#### **4.7 EXCEPTIONAL CIRCUMSTANCES**

The home to school transport policy will normally apply as outlined above but each request case is considered on its own merits. Some examples of exceptional circumstances are given below:

##### **Change of Home**

In circumstances where children or young people face disruption because of their need to be accommodated by the local authority away from the family home.

### **Looked After Children**

Children placed in the care of North Yorkshire will be considered for assistance with transport to avoid disruption to their education or home life. This will normally be for a fixed period and for travel involving a reasonable distance.

### **Fair Access**

There may be times when children will need to be educated out of school, or may need to move to an alternative school because of exceptional circumstances (due to attendance and behaviour issues or because of medical needs). The LA has an In-Year Fair Access Protocol relating to the admissions and transport for the following groups of children:

- Children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- Children who have been out of education for 2 months or more;
- Children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- Children who are homeless;
- Children with unsupportive family backgrounds for whom a place has not been sought;
- Children who are registered carers;
- Children with special education needs, disabilities or medical conditions (but without a statement).

The following groups of children have been agreed with the majority of schools in the area.

- Children permanently excluded from a school or children with fixed term exclusions exceeding 15 days in the current academic year;
- Children without a school place and with a history of serious attendance problems (i.e. less than 50%);
- Looked After Children

In most cases the admissions and transport needs of these pupils will be considered through the usual procedures but in some cases appropriate education and transport provision will be determined by a local Collaborative panel.

Free transport may be provided, in exceptional circumstances, where children live under the statutory walking distances from school, Pupil Referral Service or out of school provision to ensure attendance.

### **Work experience placements**

Transport to and from work experience placements is normally the responsibility of parents or the school. In the case of post 16 pupils this may be organised by the school or college. There may be some exceptions for pupils with a Statement of Special Educational Needs who attend a residential school who need to attend work experience placements nearer to home.

#### **Transport to an alternative school due to social or domestic circumstances**

If there are exceptional social or domestic reasons why children cannot attend their appropriate school then assistance with transport may be given. Written evidence from an appropriate professional or agency will be required to assist with decision making.

#### **Transport assistance following a school closure or reorganisation**

This will be determined by the Council, following consultation, at the time that closure notices are determined and may vary depending upon circumstances.

### **4.8 PERMITS**

If children are not entitled to free transport parents can purchase a permit which entitles their children to occupy spare places on 'education transport service' vehicles at a fixed charge. It may be necessary to end the arrangement, at short notice, if there is an increase in the number of entitled pupils using these vehicles and as a result spare places are no longer available.

Transport may be withdrawn if there are no longer any entitled pupils travelling on the transport and it is solely used by paid travel permits holders.

### **4.9 SPARE PLACES**

In cases where the LA is unable to meet the demand for purchased travel permits on a particular service then the following criteria will be applied:

- ◆ Primary school pupils who will be entitled the following term and who attend full time.
- ◆ Pupils considered to be at a 'critical stage' of their Education (see para 4.7 change of home). Highest priority will be for children who are in their GCSE years.
- ◆ Other exceptional circumstances, which may be identified through discussions with the Head Teacher.
- ◆ Pupils attending the nearest denominational school
- ◆ Pupils attending the normal school (within statutory walking distance).
- ◆ Pupils who have had concessionary passes for the longest
- ◆ Pupils who live furthest from the school
- ◆ Pupils with siblings
- ◆ Post 16 pupils

#### **4.10 MINIMUM QUALIFYING DISTANCE**

When deciding on eligibility for assistance with transport, the measurement from home to school will be taken from the boundary of the home to the nearest entrance gate (not always the main entrance) to the school following the nearest available walked route which can mean a suitable footpath or bridle-path. Where a private road or farm track exists this is included in the measurement.

This means that in some cases pupils living in the same street or even in adjoining properties may not all be eligible for free home to school transport.

#### **4.11 MEASUREMENT OF DISTANCE FOR SECONDARY AGED PUPILS IN RECEIPT OF FREE SCHOOL MEALS**

When deciding on eligibility for secondary aged children in receipt of free school meals or if their parents receive their maximum level of working tax credit routes of two miles or less will be measured as a walked route, using footpaths or bridleways. Routes over two miles will be measured along road routes. This only applies to secondary aged children if they are in receipt of free school meals or if their parents receive their maximum level of working tax credit.

#### **5.0 ADDITIONAL PROVISION FOR PUPILS UP TO AGE 16 WITH SPECIAL EDUCATIONAL NEEDS OR WHO NEED SPECIAL TRANSPORT ARRANGEMENTS**

**5.1** Transport may be provided for children who are unable to walk to school because of a disability or mobility problem, including temporary medical conditions. This will normally be agreed following the issue of a statement of special educational needs or on production of relevant medical evidence.

#### **5.2 Pupil attending residential special schools**

Where children attend a residential special school, free transport, or a transport allowance, will be provided at mid and full term holidays or as determined by the child's statement of special educational needs.

#### **5.3 Pupils on 52 week residential placements**

Where children attend a residential special school on a 52 week placement free home to school transport is not given. If assistance with transport is required the social care worker allocated to the family should be contacted.

#### **5.4 Hospital visits from residential schools**

Where children attend a special residential school free transport from school to home will be provided to allow them to keep necessary hospital appointments, where a supporting appointment card is provided. Parents are encouraged, wherever possible, to make such arrangements outside of term time.

### **5.5 Induction visits to schools/colleges (for pupils attending special schools)**

Transport will be provided for children for induction visits where they have been allocated a place at that school or college.

Parents are responsible for arranging and paying for visits to schools or colleges to see whether they would like children to go to that particular school.

### **5.6 Dual placements (for pupils attending special schools)**

If children are attending a special school they may also attend a mainstream school for part of their school week. Transport will be provided if they live more than 2 miles for primary pupils and 3 miles for secondary pupils from that school. Shorter distances may be considered in exceptional circumstances.

### **5.7 Annual Reviews (for children attending special schools)**

It will normally be a parent's responsibility to arrange transport so that they can attend.

### **5.8 Parents/guardian with a disability**

If a parent is unable to accompany their child, as necessary, along a walked route due to their own disability free transport may be provided. Supporting medical evidence will be required.

### **5.9 Transport to and from respite care or after school clubs**

This is not covered by the home to school transport policy. If a parent requests transport assistance to or from respite care or after school clubs it may possible to make arrangements. Children's Social Care should be contacted for assistance.

## **6.0 PUPILS AND STUDENTS AGED 16-19**

Transport assistance is provided for students attending full-time courses in schools or colleges.

- ◆ Transport assistance is provided if the student meets the following eligibility conditions:
- ◆ attend the nearest school or college offering the chosen course
- ◆ live 3 or more miles from the school or college measured by the nearest walked route
- ◆ attend a full-time course which is considered to be within reasonable daily travelling distance
- ◆ be under 19 as at the start of the academic year.

Students are required to contribute towards their travel costs. The charge is reviewed annually and is published on our website with the policy on an annual basis. This is payable in full at the start of the academic year or by monthly direct debit payments.

Looked after children, children whose statement of special education needs contains a requirement for continued travel assistance and registered young carers are exempt from the travel charge.

Students will normally receive a bus or train pass. If there is no transport service directly from home students will be expected to make their own way to the nearest transport pick up point or may be offered a travel allowance ( in line with the policy at 7.1).

Where a pass is allocated on a service this can be withdrawn if there are no longer any statutory age entitled pupils travelling. An allowance will be offered instead.

## **6.1 PUPILS AND STUDENTS WITH LEARNING DIFFICULTIES AND/OR DISABILITIES**

Applications for special transport for students with special needs are considered on their individual circumstances. To establish the transport needs exactly, students may be asked to provide a letter from their doctor. Further information may be required from a Designated Medical Officer and, if this is the case, the LA will write to the appropriate Health Authority. If the application for special transport is approved, this will be arranged by Integrated Passenger Transport who will write to the student with details of the arrangements.

Applications from students aged 19 and over who require special transport due to a disability, will be referred to Health and Adult Services. Their application will be considered by a Transition Care Manager who will carry out an assessment of need and advise on entitlement. If the application is approved the student will normally be required to make a contribution towards their transport costs.

Where students with special needs are placed by the LA at an institution outside the further and higher education sectors, the Authority will consider transport assistance between the parental home and the institution. Where such a placement is residential the assistance offered will be up to 12 return journeys per year for students and their parents or carers usually at a pre-determined mileage rate.

## **6.2 TRANSFER OF RESPONSIBILITY FOR CONSIDERING ASSISTANCE WITH TRANSPORT AT AGE 19 FOR STUDENTS WITH SPECIAL NEEDS**

This policy applies to students to age 19. In practice some courses, specifically designed for students with special needs, extend beyond age 19 and the LA will consider on an individual basis, requests for one

additional year of transport assistance where the course on which the student is already embarked extends beyond age 19.

Applications from students aged 19 and over who need special transport due to a disability should be made to the Local Authority's Health and Adult Services Directorate.

## **7.0 TRANSPORT ARRANGEMENTS**

### **7.1 TYPE OF TRANSPORT/PAYMENT OF PARENTAL ALLOWANCES**

Integrated Passenger Transport will take into account any special requirements and will provide the most appropriate and cost effective means of transport. Where possible a pass will be issued for an existing service. An allowance will only be paid to parents where this is the most cost effective option (allowances will only be paid to parents of children who are under the age of 16), usually when there is no other contracted transport running. This will normally exclude the first mile, as pupils are expected to make their own way to a pick up point no further than one mile away

If a child has a special educational need an allowance may be paid to parents, if requested, in lieu of the provision of specialist transport. The allowance will correspond to the walked route as measured using the Council's measuring system.

In the case of post 16 transport, where a pass is allocated on a service this can be withdrawn if there are no longer any statutory age entitled pupils travelling. An allowance will be offered instead.

In some exceptional cases we may provide a taxi for post 16 students with special transport requirements, if this is the case where possible we will link transport with pupils in the area who are attending institutions that are close to each other. In these cases students may be expected to wait if finishing times differ. It is anticipated that they could make use of college facilities for study or leisure purposes.

### **7.2 JOURNEY TO WAITING POINT**

Children will be expected to make their own way to a pick-up point. This should normally involve no more than a walk of a mile. Free transport from home to the pick-up point will only be given where the route is unsafe for children to walk, accompanied as necessary. <sup>3</sup>

### **7.3 WAITING POINTS**

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<sup>3</sup> Decisions about the safety of walked routes follow the guidelines on the Assessment of Walked Routes to School, published by Road Safety GB in June 2011. These Guidelines assume that the child is accompanied as necessary by a normal caring parent or other responsible person..

The waiting point for transport to school or college will generally be a public stop or station or, in the case of hired transport, a named point which is suitably safe, both for children to wait and vehicles to stop. Integrated Passenger Transport will carry out risk assessments on pick up and set down points, where there are any concerns.

#### **7.4 CONNECTING SERVICES**

If children attend primary school and the transport provided needs to meet a connecting service, the driver of the first vehicle will wait with children until the connecting vehicle arrives. If children attend a secondary school this will not normally be necessary. The waiting time between connections will normally be no longer than 10 minutes. The meeting point will, where possible, be near a public telephone or building which should have a telephone (e.g. garage, Post Office).

#### **7.5 MAXIMUM JOURNEY TIMES**

Transport will be arranged so that children will not normally spend more than 1 hour 15 minutes travelling to a secondary school or 45 minutes to a primary school. Journey times might need to be longer than this in some more rural areas and where road or weather conditions mean that these times are not practical.

Journeys will, wherever possible, be by the most direct route but sometimes journey times will need to be increased to collect other children. If children's journeys are 20 minutes or less the journey time may be increased by up to 75% or a maximum of 15 minutes to collect more pupils. If it is 20 minutes or more children's journeys will not normally be increased by more than 20 minutes.

#### **7.6 ARRIVAL AT AND DEPARTURE FROM SCHOOL**

School transport should arrive at school between 5 and 15 minutes before the official opening time. The picking up/setting down point for children will usually be at the school, especially for primary age pupils. Secondary school pupils and college students using commercial bus or rail services may need to walk for no more than 10 minutes from the bus stop or rail station to the school or college.

Where possible, vehicles should arrive at school no more than 10 minutes before the end of the school day and leave school between 10 and 15 minutes after the official closing time.

#### **7.7 BEHAVIOUR ON HOME TO SCHOOL TRANSPORT**

The main responsibility for ensuring good behaviour on home to school transport lies with children themselves. It also lies with parents or guardians, the Local Authority, schools and bus contractors jointly. Integrated Passenger Transport will work closely with schools and contractors to ensure that poor behaviour on transport is dealt with quickly.



If there are complaints that involve pupils, these will normally be investigated through the school. If pupils are found to have behaved in an unacceptable way then any of the normal range of sanctions used by the school may be applied. This could include exclusion from school. In addition, the following may also be applied:

- ◆ Children may be asked to sit at the front of the vehicle for a set period of time.
- ◆ Children may be suspended from all school transport services for a period of time. In the case of extreme and persistent behaviour they may be banned permanently from the transport and parents will be expected to ensure that their child attends school.
- ◆ An Education Social Welfare officer may be asked to visit parents to discuss the problem.
- ◆ The police may be asked to investigate and take action as appropriate.
- ◆ Parents are expected to meet the cost of repairing any damage caused by their children.

#### **7.8 EARLY DEPARTURES/LATE ARRIVALS FROM SCHOOL**

Bad weather - Integrated Passenger Transport will make suitable arrangements to provide transport home from school, if necessary outside of the terms of the existing contract. Contractors will work with the schools in the local area to ensure that severe weather conditions are taken into account when transporting pupils to and from school.

First/last day of term or otherwise - Any additional cost of transport owing to a temporary change in school hours set up by the school is the responsibility of the school though it is expected Integrated Passenger Transport will, where possible, co-operate in making transport arrangements.

#### **7.9 CHANGE OF SCHOOL HOURS**

If a school or academy wants to change its school hours it should follow best practice and carry out a consultation at least three months before the planned change, including the Local Authority in the consultation. Good practice suggests that schools can only change the times of the school day at the start of the academic year, i.e. in September.

Where a school or academy alters its hours, unless agreed otherwise by the Local Authority during the required consultation, the school will be expected to meet any additional transport costs.

#### **7.10 CO-ORDINATION OF SCHOOL TRAINING DAYS**

There are three common training days agreed across the Authority, which can be found on the NYCC website with the agreed school term and holiday dates for each academic year. Schools with shared transport are encouraged to co-ordinate their remaining two training days to

ensure the most efficient use of the transport network and to minimise costs.

**7.11 VEHICLE CAPACITY**

The LA will make sure that children have their own seat (i.e. that there is one seat per child on each vehicle used).

**7.12 TAXIS AND PRIVATE CARS (Non-Public Service Vehicles}**

When children are transported using a taxi or private-hire vehicle, that is not a public service vehicle, it must have one seat belt, and where appropriate child car seat or booster seat, for each person carried and have to be licensed by the relevant District Council.

**7.13 VETTING**

All drivers and passenger assistants will be 'vetted' which means that they have undergone an enhanced Criminal Records Bureau check and must wear County Council identification pass.

**7.14 PASSENGER ASSISTANTS**

Passenger assistants will be provided with the approval of Access and Inclusion. This will usually only be where children have special transport requirements and need assistance to access the vehicle, or require medical intervention or, in the case of severe behavioural issues, need close supervision.

**7.15 INFORMATION AND TRAINING FOR PASSENGER ASSISTANTS AND DRIVERS**

Integrated Passenger Transport will provide contractors with general information and advice to make sure that children's journey are comfortable and safe.

The driver or passenger assistant may need to be provided with information about children if they have exceptional medical or behavioural problems so that they know what to do if an emergency arises.

When a contract is awarded to provide home to school transport it is made clear that passenger assistants and drivers may need to attend up to two information and training sessions per year. This will normally be general training but can be specifically related to the special needs of children.

When a passenger assistant is required to provide specialist support or medical intervention they will normally be employed by the authority and will be given specific training relevant to the needs of the child.

**7.16 COVER FOR PASSENGER ASSISTANTS AND DRIVERS**

Contractors are asked to try and provide the same driver or group of drivers on contracts, where possible. In some cases the statement of special educational needs for children may state that the same driver

always to be used. Wherever possible the same passenger assistant is also available for the duration of that contract. The passenger assistant should be changed only in exceptional circumstances, for example illness.

#### **7.17 WHEELCHAIR FIXING**

If children travel in a wheelchair this must be properly fixed in the vehicle in accordance with current Department of Transport guidelines. Integrated Passenger Transport will carry out a risk assessment before setting up transport to make sure that this is done properly and that children are transported safely.

#### **7.18 COMPLAINTS**

The Local Authority wants to maintain high standards of reliability in transport it provided for pupils. Integrated Passenger Transport makes sure that complaints by parents and schools are investigated and satisfactorily resolved. In this connection, account will be taken of any previous unsatisfactory operation in awarding contracts. A contract will not usually be made with a contractor who has had any other contract terminated for unsatisfactory operation in the 6 months prior to the closing date for tenders or prior to a contract being awarded.

#### **7.19 AREA REVIEWS**

Integrated Passenger Transport will:

- ◆ Advise the Director of Children and Young People's Service, the schools and parents, at the earliest opportunity that there will be a review of transport provision in the area.
- ◆ at an early stage in the process, circulate to schools and parents information about the review with an invitation to Governing Bodies and parents to submit (written) observations on the review proposals;
- ◆ in the event of unresolved objections to the proposals from schools or parents, call a public meeting to air the issues involved to which Headteachers, Governors, local Members and parents should be invited;
- ◆ report to the Executive Members jointly with the Director of Children and Young People's Service, making Members aware of any remaining objections and of any additional costs, policy and wider budgetary implications there would be in meeting them.

#### **8.0 CONSULTATION WITH MEMBERS**

In addition to joint reports to the Executive Members for Children and Young People's Service relating to area reviews, joint annual monitoring reports will be submitted.

These will include:

- ♦ policy issues arising out of legislation or operational/case law or budgetary considerations;
- ♦ the current costs of the service and target savings where appropriate;
- ♦ policy development proposals where appropriate and related budgetary arrangements;
- ♦ the timetable for any reviews to be undertaken in the forthcoming year and appropriate detail about their scope.

## 9.0 **APPEALS PROCEDURES**

If an application for free home-to-school transport is refused, parents can appeal. The appeal will be considered by a small group of Members called the Appeals Committee. The Appeals Committee reviews decisions on the County Council's policy as it applies to individual cases. The Committee takes into account the policy guidelines but may recommend departure from those guidelines in exceptional cases. Each case is considered on its merits. The area education office will provide parents with details on how to appeal and an application form.

We will not consider appeals against the level of charge made.

Once a decision has been made, the Authority's procedure for dealing with these cases is exhausted. However, if a parent considers that the Authority has acted unreasonably the matter can be raised with the Secretary of State for Children, Schools and Families or the Local Government Ombudsman who may investigate to decide whether there has been any maladministration.

## 10.0 **LEGISLATION AND GUIDANCE**

Education Act 1996 and Education and Inspections Act 2006, sections 508A to 509AD and schedule 35B

Equality Act 2010

Home to school travel and transport guidance - published by DfE July 2014

November 2015

# **HOME TO SCHOOL AND COLLEGE TRANSPORT**

A summary of the duties placed on a local authority

Published October 2011

## 1 Introduction

- 1.1 This document has been drafted in response to a request from the Yorkshire and Humberside Association of Directors of Children's Services to provide a summary of the legal framework relating to home to school transport. Officers from six local authorities (Barnsley, East Riding of Yorkshire, Hartlepool, North Yorkshire, Rotherham and Wakefield) met to draft the following summary of the duties local authorities have to carry out to discharge their statutory obligations to provide transport and support for the costs of transport to help children and young people travel to and from schools or colleges.
- 1.2 Practices vary significantly from one local authority to another. Those practices can be affected by structural, organisational, geographical and financial considerations which lead to different aspects of transport provision being grouped by different local authorities under the heading of home to school and college transport. The following document describes the consensus view of local authority officers on what constitutes local authorities' legal obligations to provide home to school and college transport.

## 2 Purpose of the document

- 2.1 Local authorities' duties to provide transport to help children of compulsory school age and students in further education to get to and from their places of learning are determined by legislation and case law. Local authorities also must have regard to statutory guidance issued by the Department for Education.
- 2.2 Financial pressures, both national and local, have led to local authorities increasingly reviewing their arrangements for the provision of home to school and college transport to identify efficiencies and savings. Rationalising transport services through more efficient planning of routes and changes in tendering arrangements can significantly increase efficiency and reduce costs. Reducing the range of children and students entitled to receive support for transport can also reduce local authority costs.
- 2.3 Given the different practices in place in different authorities, it is not always clear what transport provision is a legal obligation on a council and what is at the council's discretion. The aim of this document is therefore to provide a summary of local authorities' legal obligations and discretionary powers to provide home to school and college transport. The document is not formal legal advice but is a summary of the agreed views of the local authority representatives who contributed to its drafting. A list of the local authority officers who have contributed to the drafting of this document is shown below.

### 3 Legislation

- 3.1 The legislation which places a duty on the local authority to provide free home to school transport is contained principally in the Education Act 1996 as amended by later legislation including the Education Act 2002 and the Education and Inspections Act 2006.
- 3.2 Local authorities have a duty to provide free home to school transport for eligible children of compulsory school age living in the local authority's area. There is no legal obligation to provide free transport for children who are below or above compulsory school age. Compulsory school age is defined in section 8 of the Education Act 1996 and in associated regulations<sup>4</sup>. The table below shows the dates on which children reach compulsory school age.

| Child's fifth birthday (inclusive dates) |             | Child reaches compulsory school age |
|--|-------------|-------------------------------------|
| From                                     | To          |                                     |
| 1 September                              | 31 December | 1 January                           |
| 1 January                                | 31 March    | 1 April                             |
| 1 April                                  | 31 August   | 1 September                         |

- 3.3 A child reaches the end of compulsory school age on the last Friday in June in the school year in which the child reaches sixteen years of age.
- 3.4 The principal legal reason for the duty to provide home to school transport is to ensure that the local authority can enforce school attendance. Parents are responsible for ensuring that their child attends school regularly. However, Section 444(3B) of the 1996 Act states that the child shall not be taken to have failed to attend regularly at the school if the parent proves that:
- “... the local authority has a duty to make travel arrangements in relation to the child under Section 508(1) for the purpose of facilitating a child's attendance at the school and have failed to discharge that duty.”*
- 3.5 Section 508B of the 1996 Act sets out the duty to provide free travel arrangements for 'eligible children' to 'qualifying schools' (see below). Where a child is eligible to free transport, no charge can be made in connection with free travel arrangements in any respect.
- 3.6 Home to school transport only has to be provided to get the child to and from their registered school for the beginning and end of the normal school day. Local authorities are not responsible for providing transport for journeys during the course of the day between educational institutions, to a work placement or to help a child attend a course outside the times of the normal school day.

<sup>4</sup> The Education (Start of Compulsory School Age) Order 1998 (SI 1998/1607)  
The Education (School Leaving Date) Order 1997 (SI 1997/1970)

### 3.7 Categories of eligible children

Schedule 35B of the 1996 Act defines 'eligible' children. The following categories of children of compulsory school age are entitled to free transport to help them to get to and from school:

***Children with special education needs, a disability or mobility problem.*** These are children who are within the statutory walking distance to school, however the nature of their difficulties prevents them from walking to school.

***Children who live within the statutory walking distance to school, however there is no suitable available route.***

The statutory walking distances are set out in Section 444(5) of the 1996 Act:

- (a) for a child under the age of 8 years - 2 miles;
- (b) for a child aged 8 years and over - 3 miles.

Statutory guidance issued in 2007 (see below) states that, if a local authority assumes that a child is accompanied by a parent on the walk to and from school, any disability a parent may have which prevents them accompanying their child must be taken into account when assessing whether or not the route is suitable.

***Children who live outside the statutory walking distances and no suitable school place is available nearer to their home.***

***Children entitled to free school meals, or whose parents are in receipt of their maximum level of Working Tax Credit.***

The following categories of children from low income families are entitled to free transport:

- (a) children aged 8, but under the age of 11 who are attending their nearest school and the distance to that school is more than 2 miles;
- (b) children who are 11 or over who attend one of their three nearest secondary schools and the school they attend is over 2 miles but under 6 miles from where they live;
- (c) secondary school children whose parents have expressed a preference for the nearest suitable school based on their religion or belief, where they live over 2 miles but less than 15 miles from that school.

### 3.8 Qualifying schools

An eligible child must be attending a qualifying school to have a statutory entitlement to free transport. Under Schedule 35B of the 1996 Act qualifying schools are:

- community
- foundation
- voluntary
- community special
- foundation special
- approved under section 342 (non-maintained special school)
- pupil referral unit
- maintained nursery school
- city technical college



- city college for the technology of the arts
- academy

Additionally, section 444 of the Education Act 1996, as amended by the Education and Inspections Act 2006, includes provision for the parents of a child attending an independent school to have grounds for not sending their child to the school if they can show that the school is not within walking distance and the local authority has not made arrangements for the child to become a registered pupil at a qualifying school nearer to the home. In these circumstances, the local authority would have a liability to provide free home to school transport.

### **3.9 Travel arrangements for other children**

Local authorities have discretionary powers to provide home to school and college transport. Section 509C of the 1996 Act provides a local authority with the following power to:

*“... make such school travel arrangements as they consider necessary, in relation to any child..... for the purpose of facilitating the child’s attendance at any relevant educational establishment...”*

This section of the Act gives a general power to a local authority to make travel arrangements for any child or groups of children who are not within any of the categories of ‘eligible child.’ In other words, a local authority can fund any travel arrangements it wishes for children who are not entitled to receive it under the legislation. Such transport is therefore discretionary and can be discontinued. Transport provided as a discretionary provision does not have to be free of charge. Any fares or charges made should be reasonable and equitable.

## **4 Statutory Guidance**

- 4.1 In 2007, the Secretary of State issued guidance to which local authorities have a statutory duty to have regard. This guidance has not been updated but remains in force. The guidance outlines statutory provisions and gives recommendations on good practice. Guidance is also issued by the Young People’s Learning Agency on provision for students of sixth form age.

## **5 Early Years**

- 5.1 A local authority is not under any statutory duty to provide free travel assistance for pupils below compulsory school age who are attending an early years setting. Parents have a right for their child to access early years education. This does not have to be provided in a school and can be accessed through a number of different means including nurseries and childminders in the maintained, private, voluntary or independent sectors. In certain cases, a local authority may determine that free travel should be provided because, if it was not provided, the

child would be prevented from accessing their statutory entitlement to early years education. Additionally, a child with a statement of special educational needs whose educational needs can only be catered for at a special school or at an early years setting with special facilities, may also be provided with free transport to that school or setting if they would otherwise be denied access to their entitlement to early years education.

- 5.2 A local authority is not under a statutory duty to provide free transport for a child below compulsory school age who is on roll in the Reception year group and is attending full time at a school. The obligation to provide free transport for eligible children only takes effect when the child reaches compulsory school age.

## 6 Transport to a Denominational School

- 6.1 Section 509AD of the 1996 Act places a duty on local authorities in fulfilling their duties in relation to travel, to have regard to the wish of the parent for their child to attend a school on the grounds of the parent's religion or belief. Although Section 509AD states that "*a local authority in England must have regard, amongst other things ..... to the parents' religion or belief based on preference,*" arrangements for transport under this section are discretionary and need not be implemented or can be discontinued.
- 6.2 There is a statutory duty to make travel arrangements for secondary school children from low income families who are attending the nearest suitable school preferred on the grounds of religion or belief, where they live more than 2 miles, but not more than 15 miles from that school (see paragraph 3.7).

## 7 Post 16 Transport

- 7.1 There is no statutory requirement to provide free transport for students who are beyond compulsory school age, including students with special educational needs. As noted in paragraph 3.3, a student reaches the end of compulsory school education in the school year in which they reach sixteen years of age. There is a statutory duty to ensure that students are not denied access to education because of a lack of transport. If a local authority identifies a need to provide transport for post 16 students, it does not have to be provided free of charge. If charges are to be made, they should be reasonable and applied equitably.
- 7.2 Section 509AA of the 1996 Act requires a local authority to prepare and publish for each academic year, a transport policy statement specifying what arrangements are in place for facilitating the attendance of young people of sixth form age receiving education or training:
- (a) at schools;
  - (b) at institutions of further education and higher education maintained and assisted by the local authority;

- (c) at any institution within the further education sector;
- (d) at institutions provided for persons aged 19 to 25 with a learning difficulty assessment.

7.3 Unlike the travel arrangements for children of compulsory school age, the legislation does not specify what must be provided. The decision to determine what is necessary falls to the local authority. In determining what transport or support should be provided, local authorities should note the following points:

- that the education or training a student is undertaking must be full time;
- that the arrangements apply equally to students attending maintained schools and those attending other establishments, e.g. colleges; and
- students of sixth form age have access to transport and financial support for transport from other sources, including the school, college or other establishment they attend.

## 8 Legislation into Policy

8.1 When determining home to school and college transport policies, local authorities have to consider and address a number of issues which are extraneous to the statutory provisions. These include definitions of terms and practices, such as: how home to school and college distances are measured; identifying the home address; how hazardous routes are assessed; journey times; and what sort of transport will be provided. A more detailed list of some of the issues and factors local authorities need to take into account is shown in Appendix 2. For many of these issues there is no single, clear answer. Each authority will need to take into account case law, guidance, best practice and their own legal advice.

## 9 Duty to Consult on Changes and to Publish Policy

### 9.1 Consultation

Local authorities have to consult on significant changes to their policies, particularly if entitlement to transport is being withdrawn. Guidance on best practice indicates that any consultation period should be at least 28 days during term time. A longer period should be considered depending on the extent and nature of the changes being proposed. Guidance also states that “all interested parties” should be consulted and legislation<sup>5</sup> requires that local authorities consult students where changes are proposed to the policy provisions for students of sixth form age.

### 9.2 Publishing Policy

Home to school transport policies for children of compulsory school age must be determined in time to be included in the information made

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<sup>5</sup> Apprenticeships, Skills, Children and Learning Act 2009

available for parents applying for school places in the normal admissions round<sup>6</sup>. This means that the home to school transport policy for a given school year must be determined and published at least a year before the start of the school year in which the policy takes effect. For example, policies to be implemented in the 2013/2014 school year must be included in the information for the normal admissions round which is published and disseminated in September 2012. Given the lead-in time to the drafting and printing of composite prospectuses, the 2013/2014 transport policy would normally have to be determined in May 2012, with consultation having been conducted in the spring term 2012. Information about the support available for transport for students of sixth form age has to be published by the end of the May preceding the academic year to which the information relates.

### **9.3 Implementing Policy Changes**

The 2007 guidance from the Department for Education suggests that policy changes should be phased in, with the changes implemented for pupils as they start at the relevant schools. However, this is not a legal requirement.

## **10 Appeals**

- 10.1 Unlike appeals for admission to school, there is no legislation providing for transport appeals. Statutory guidance states that local authorities should have in place a robust appeals procedure for parents to follow should they have cause for complaint or disagreement concerning eligibility of their child for travel support. Local authorities should be able to show that individual cases can be considered and that decisions on individual cases are rational and reasonable.

### **Drafting Group**

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<sup>6</sup> The School Information (England) Regulations 2008

## Non-statutory Factors Which Affect Policy Provision

**Distance Measurement** – local authorities can define how they measure the distance from the child's home to the school or college they attend, including what routes are acceptable (footpaths, alleyways etc), starting and finishing points (door to door, gate to gate), what measuring systems are used etc. The same method must be used for all cases and the method should be reasonable and justifiable

**Definition of Home Address** – the arrangements made for a child's care can be complicated and may involve a child being accommodated at more than one address. A policy would need to specify what address is used to determine a child's eligibility for transport.

**Hazardous Route** – the policy should explain how the suitability of routes are assessed.

**Respite Care** – local authorities should determine whether transport to and from school for children in respite care will be provided under the home to school transport policy, through other policies or by parents and carers.

**Journey Times** – the statutory guidance suggests that best practice is for journey times to be limited to 45 minutes each way for primary school children and 75 minutes for those at a secondary school. Shortening the maximum journey times has implications for the costs of providing transport.

**Provision of Passenger Assistants** – the transport provided by a local authority has to be reasonable and suitable for the children being carried. Local authorities have to make their own assessment of the transport provided and the needs of the children concerned to determine whether or not passenger assistants should be provided.

**Nature of Transport Provided** – it is for the local authority to determine the most appropriate and cost effective method for transporting children to school. Issues relating to the operation of the transport organised include:

- **seat belts**, certain forms of transport do not have to have seat belts. Insisting on seat belts being available on all transport increases the cost of providing or contracting that transport;
- **identification for drivers and passenger assistants**, including the provision of uniforms and identification badges etc can increase costs;
- **provision of child seats in taxis**, the local authority might provide child seats or include the provision in the contract with the operator.

**Session Times** – changes to school session times can significantly increase the costs of providing home to school transport. Current provisions allow local authorities to charge any additional costs resulting from a change in session times at community, foundation, voluntary aided and voluntary controlled schools. The situation with regard to academies is unclear.

**Distances to Pick Up Points** – local authorities can specify that children are expected to walk a reasonable distance to meet the transport organised for them. The longer the distance, the more flexibility there is in planning and organising transport. However, the distance a child has to walk must be reasonable.

**Attendance at an Establishment other than the Child's Registered School** – transport normally only has to be provided to a child's registered school. Providing transport to alternative establishments increases costs.

**Federations** – each of the schools in a federation retains its status as a separate school and a child will normally be a registered pupil at just one of the schools in a federation.

**Split Site Schools** – the policy should set out how a child's eligibility for transport will be assessed when a child attends a school which is on more than one site.

**Provision of Financial Support and Mileage Rates** – in certain circumstances, transport costs can be reduced if parents agree to transport eligible children themselves.

**Links to Other Policies and Council Services** – transport policies have direct and indirect effects on other local authority policies and services, including:

- **school admissions and school organisation**, home to school and college transport policies can undermine school admission arrangements (including the Fair Access Protocol) and the planned provision of school places
- **special educational needs**, a child has to be able to attend a school which can cater adequately for their special needs
- **behaviour management**
- **Local Transport Plans**, including sustainable travel and transport and the arrangements for public services
- **school travel plans**
- **education welfare and attendance**
- **safeguarding arrangements**
- **arrangements for Traveller children**
- **arrangements for other special categories of children**, including schoolgirl mothers, looked after children, asylum seekers etc

## NORTH YORKSHIRE COUNTY COUNCIL

### CHILDREN AND YOUNG PEOPLE'S SERVICE

#### HOME TO SCHOOL AND COLLEGE TRANSPORT POLICY

**SEPTEMBER 2018**

#### **1.0 INTRODUCTION**

- 1.1** North Yorkshire is England's largest County, stretching from the North Sea Coast to within 12 miles of Morecambe Bay and from the South of the M62 to the edge of Teesside. It is sparsely populated with some 600,000 people across 3,300 square miles; with 40 per cent of the area being within either the North Yorkshire Moors or the Yorkshire Dales National Parks and over half the population living in areas classed as "sparse" or "super sparse". Around 20% of the population live in the two major urban centres – Harrogate and Scarborough.
- 1.2** There are approximately 129,000 children and young people aged 0-19 in the county, of those 80,000 are of school age, including 5,300 in post-16 education. There are 43 Secondary Schools, 306 Primary Schools and 10 Special Schools, North Yorkshire County Council transports approximately 20,000 pupils per day to school or college.
- 1.3** The Local Authority (LA) has a responsibility to make suitable travel arrangements where necessary to allow children access to school. This includes meeting the following objectives of ensuring that children can:
- Succeed in good schools and other settings
  - Lead Healthy lifestyles and have good health care
  - Be Kept safe and protected from harm
  - Positive choices for personal growth
  - Be economically secure
- 1.4** North Yorkshire County Council spends in excess of £21million per year, on home to school transport. The aim is to provide a good quality, safe service whilst balancing costs to ensure that the service provided is best value for money.
- 1.5** This policy is a general policy, which supports the Council's responsibility to provide access to education for all pupils, and covers eligibility for home to school transport for all children. Each request for transport is considered on an individual basis and individual circumstances will be taken into account when deciding if children are entitled to free home to school transport.
- 1.6** Transport is provided for many children across the county who are not entitled to free home to school transport. The LA publishes a sustainable travel strategy which will include information about the availability of local transport in North Yorkshire and information about how children currently travel to school, taken from school travel plans.

## 2.0 RESPONSIBILITIES

### 2.1 Local Authority

The Local Authority is responsible for making suitable arrangements for all eligible children to travel to school in reasonable safety and comfort so that they arrive there without stress or difficulty, and can benefit from their education. This is done by making sure that pupils do not have unnecessarily long journey times (taking into account the size of the county), and that they are not expected to walk an unreasonably long distance to catch the bus. Drivers and passenger assistants are properly trained and have an enhanced Disclosure and Barring Service check. The vehicles used meet the necessary safety standards and seatbelts are provided wherever possible.

### 2.2 Parent/Guardian

It is a parent or guardian's responsibility to make sure that their child attends school. It is important that parents provide the LA with information which is requested about their children to help decide whether they are eligible for free home to school transport or whether assistance can be given in any other way.

Parents should also encourage their children to wear a seatbelt (where they are fitted) and behave well on the transport provided.

If a child is sent home from school due to illness or because of behaviour problems it will normally be parent's responsibility to ensure that they are collected from school.

Where parents live within the minimum qualifying distance, it is normally their responsibility to decide how their child will travel to school and for making the necessary arrangements and costs. This may be in any way that they feel it appropriate for their child for example: walking, cycling or using a local bus service. Transport may be provided for pupils living under the qualifying distance in some circumstances. This will include:

- where the LA considers that the walked route is not safe for children to walk, accompanied as necessary. <sup>1</sup>
- where the LA agrees that it is not possible for children to be accompanied and circumstances (of children's age and the route) mean that transport should be provided.

Not possible does not mean not convenient to parents (i.e. due to work commitments, or arrangements to take children to different schools)

## 3.0 DEFINITION OF HOME TO SCHOOL

The policy applies to "home to school" travel arrangements at the start of the day, and "school to home" travel arrangements at the end of the school day and does not normally include pre-school or after-school clubs.

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<sup>1</sup> Decisions about the safety of walked routes follow the guidelines on the Assessment of Walked Routes to School, published by Road Safety GB in June 2011. These Guidelines assume that the child is accompanied as necessary by a normal caring parent or other responsible person.



Where children are attending school part time (i.e. half days), transport will be provided at the start and end of the time attended, this may be a morning journey and return home at lunchtime or a lunchtime journey and return home at the end of the school day.

Travel between educational institutions during the school day is not covered by this policy.

Transport to alternative addresses, for instance to take into account child care arrangements for parents will not usually be provided.

The term 'Home' in this policy means the permanent address where the child lives for most of the time. Where children have more than one 'home' (i.e. parents or guardians live separately) eligibility will only be assessed from separate addresses when children live with each parent or guardian for fifty percent of school term time, this does not include weekends or school holidays.

The term 'normal school' in this policy means the school allocated by the local authority to take children from the geographical area within which the 'home' address falls. This may also be referred to as 'appropriate' or 'catchment' school.

Transport will normally be provided from a suitable pick-up point near to home.

#### **4.0 PUPILS ATTENDING SCHOOL UP TO AGE 16**

A summary of the duties local authorities have to carry out to discharge their statutory obligations to provide transport and support for the costs of transport to help children and young people travel to and from schools or colleges is appended to this policy at appendix 1.

The following paragraphs outline these duties in more detail and outlines further discretionary elements of the policy.

##### **4.1 PUPILS AGED BETWEEN 5 AND 11 WHO ATTEND PRIMARY SCHOOL**

Children are of compulsory school age when they reach the age of five and must start school in the term following their fifth birthday. In practice, many children start before this age.

From September 2016 the statutory walking distance eligibility will apply to primary age pupils.

Free transport will be provided to pupils from the term in which they are five to the catchment school or the nearest school to their home address where the walking distance is

- over 2 miles (until the end of the school year in which a pupil turns 8)
- over 3 miles (if aged 8 and over)

This will apply to pupils starting school and to pupils whose circumstances change e.g. move address or change schools

If children receive free school meals or parents receive the maximum level of Working Tax Credit, transport will be provided (subject to an annual assessment), for primary aged pupils in Reception (from term in which they are five up) to Year 6 who go to:

- the nearest school or the school the LA has said is the catchment school for their home address that is over 2 miles or
- to the nearest suitable school parents prefer because of their religion or belief, where the distance from home to school is more than two miles but not more than 5 miles.

#### 4.2 PUPILS AGED BETWEEN AGED 11 AND 16 WHO ATTEND SECONDARY SCHOOL

Free transport will be provided for secondary school pupils in years 7 to 11 who go to:

- the school the LA has said is the normal school for the home address, as long as it is over three miles (the minimum distance) from home; or
- the preferred school, if that school is over three miles, but nearer to home than the normal school.

If children receive free school meals or parents receive the maximum level of Working Tax Credit, transport will be provided for Secondary school pupils in years 7 to 11 who go to:

- one of their three nearest qualifying<sup>2</sup> schools, if that school is more than two but less than six miles from the home address; or
- the nearest suitable school preferred because of parents' religion or belief, where that school is more than two but less than 15 miles from home.

If children go to a school that is on split sites, the measurement of the walking distance will be taken from home to the site the children normally attend.

#### 4.3 TRANSPORT TO A SCHOOL ON THE GROUNDS OF RELIGION OR BELIEF

Since September 2012 pupils starting a 'denominational' school, either secondary or primary, have not been entitled to assistance with home to school transport.

Parents are responsible for ensuring that their child attends school. Where possible paid permits will be available to purchase for surplus seats on services that are under contract to the County Council.

This means that parents will be responsible for transport arrangements and costs to denominational schools.

**It is important that you do not rely on existing travel arrangements when deciding which school you wish your child to attend.**

#### Exceptions

The exceptions are:

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<sup>2</sup> Qualifying schools are: Community; foundation; voluntary aided or controlled schools, community or foundation special schools; non-maintained special schools; pupil referral units; city technology colleges(CTC); city colleges for the technology of the arts (CCTA) or Academies (source *Home to school travel and transport guidance para 104* published by DCFS 2007)

- If the denominational school is nearer to the home address than the catchment school (s) and the distance from home to school is over the walking distance of 3 miles

Also where children receive free school meals, or whose parents receive the maximum level of working tax credit we will provide assistance with transport to the nearest suitable school parents prefer because of their religion or belief:

- For secondary aged pupils where the distance from home to school is more than two miles but not more than 15 miles,
- For primary aged pupils where the distance from home to school is more than two miles but not more than 5 miles.

This will be assessed on an annual basis and may be withdrawn if parents' benefits change.

Denominational school refers to schools where pupils are admitted on the grounds of their parents' faith as part of the published admissions criteria. This will not normally apply to a Voluntary Controlled School as pupils are not admitted to schools on these grounds.

Some 'denominational' primary schools are also the 'normal' school for the home address. In cases where pupils are attending the school as it is their normal or community school they will remain entitled to free transport if they live more than two miles from the school .

We check with the school to see if a child has been admitted on denominational grounds.

#### **4.4 TRANSPORT ASSISTANCE IF THE LOCAL SCHOOL IS FULL.**

If the normal or nearest school is full, transport will be provided to the nearest alternative school, if it is more than the statutory walking distance from the child's home.

#### **4.5 TRAVEL ASSISTANCE FOR PUPILS WHO DO NOT QUALIFY FOR FREE TRANSPORT**

##### **Early Admissions to Primary Schools and Children Attending LA Maintained Nursery Schools/Units**

Free transport will not be provided for eligible children admitted early to primary schools i.e. before the term in which they are five, or if children are attending LA maintained nursery schools/units. They may travel free before their 5<sup>th</sup> birthday on existing hired transport if they live more than 2 miles from home to school, providing space is available on the vehicle. This arrangement may be cancelled if subsequently the seat is needed for children of compulsory school age who are eligible for free transport.

Transport arrangements for children under the age of five will only be made with the agreement of parent/guardian, the school and the contractor.

Transport is not provided to children attending private nurseries or playgroups.

##### **Children attending Schools from Parental Preference**

If children attend a school that is not the nearest or normal school parents are responsible for the travel arrangements and costs.

If children are not entitled to free transport parents may be able to purchase a permit which entitles their children to occupy spare places on 'education transport service' vehicles at a fixed charge. It may be necessary to end the arrangement at short notice, if there is an increase in the number of entitled pupils using these vehicles and as a result spare places are no longer available.

#### **4.6 EXCEPTIONAL CIRCUMSTANCES**

The home to school transport policy will normally apply as outlined above but each request case is considered on its own merits. Some examples of exceptional circumstances are given below:

##### **Change of Home**

In circumstances where children or young people face disruption because of their need to be accommodated by the local authority away from the family home.

##### **Looked After Children**

Children placed in the care of North Yorkshire will be considered for assistance with transport to avoid disruption to their education or home life. This will normally be for a fixed period and for travel involving a reasonable distance.

##### **Fair Access**

There may be times when children will need to be educated out of school, or may need to move to an alternative school because of exceptional circumstances (due to attendance and behaviour issues or because of medical needs). The LA has an In-Year Fair Access Protocol relating to the admissions and transport for the following groups of children:

- Children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- Children who have been out of education for 2 months or more;
- Children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- Children who are homeless;
- Children with unsupportive family backgrounds for whom a place has not been sought;
- Children who are registered carers;
- Children with special education needs, disabilities or medical conditions (but without an EHCP).

The following groups of children have been agreed with the majority of schools in the area.

- Children permanently excluded from a school or children with fixed term exclusions exceeding 15 days in the current academic year;
- Children without a school place and with a history of serious attendance problems (i.e. less than 50%);
- Looked After Children

In most cases the admissions and transport needs of these pupils will be considered through the usual procedures but in some cases appropriate education and transport provision will be determined by a local Collaborative panel.

Free transport may be provided, in exceptional circumstances, where children live under the statutory walking distances from school, Pupil Referral Service or out of school provision to ensure attendance.

### **Work experience placements**

Transport to and from work experience placements is the responsibility of parents or the school. In the case of post 16 pupils this may be organised by the school or college. There may be some exceptions for pupils with a Statement of Special Educational Needs who attend a residential school who need to attend work experience placements nearer to home.

### **Transport to an alternative school due to social or domestic circumstances**

If there are exceptional social or domestic reasons why children cannot attend their appropriate school then assistance with transport may be given. Written evidence from an appropriate professional or agency will be required to assist with decision making.

### **Transport assistance following a school closure or reorganisation**

This will be determined by the Council, following consultation, at the time that closure notices are determined and may vary depending upon circumstances.

## **4.7 PERMITS**

If children are not entitled to free transport parents can purchase a permit which entitles their children to occupy spare places on 'education transport service' vehicles at a fixed charge. It may be necessary to end the arrangement, at short notice, if there is an increase in the number of entitled pupils using these vehicles and as a result spare places are no longer available.

Transport may be withdrawn if there are no longer any entitled pupils travelling on the transport and it is solely used by paid travel permits holders.

### **Allocation of spare places**

In cases where the LA is unable to meet the demand for purchased travel permits (PTP) on a particular service then the following criteria will be applied:

- Pupils who have SEN
- Pupils who are renewing, like for like, eg. a PTP was purchased during the previous academic year on the same service
- Pupils who are at a critical stage of their education, with priority to pupils who are in their GCSE years
- Pupils who have siblings currently travelling on the service
- Any exceptional circumstances, which may be identified through discussions with the pupils school
- Pupils who are attending their appropriate school and who live the furthest from that school (under the statutory walking distance)

Where none of the above can be used to prioritise applications the date that the application

was received will be taken into consideration

## **5.0 DISTANCE MEASUREMENTS**

### **5.1 MINIMUM QUALIFYING DISTANCE**

When deciding on eligibility for assistance with transport, the measurement from home to school will be taken from the boundary of the home to the nearest entrance gate (not always the main entrance) to the school following the nearest available walked route which can mean a suitable footpath or bridle-path. Where a private road or farm track exists this is included in the measurement.

This means that in some cases pupils living in the same street or even in adjoining properties may not all be eligible for free home to school transport.

### **5.2 MEASUREMENT OF DISTANCE FOR SECONDARY AGED PUPILS IN RECEIPT OF FREE SCHOOL MEALS**

When deciding on eligibility for transport for children in receipt of free school meals or if their parents receive their maximum level of working tax credit, routes of two miles or less will be measured as a walked route, using footpaths or bridleways. Routes over two miles will be measured along road routes.

## **6.0 ADDITIONAL PROVISION FOR PUPILS UP TO AGE 16 WITH SPECIAL EDUCATIONAL NEEDS OR WHO NEED SPECIAL TRANSPORT ARRANGEMENTS**

6.0 Transport may be provided for children who are unable to walk to school because of a disability or mobility problem, including temporary medical conditions. This will normally be agreed following the issue of an Education, Health Care plan (EHCP) or on production of relevant medical evidence.

### **6.2 Pupil attending residential special schools**

Where children attend a residential special school, free transport, or a transport allowance, will be provided at mid and full term holidays or as determined by the child's statement of special educational needs or EHCP.

### **6.3 Pupils on 52 week residential placements**

Where children attend a residential special school on a 52 week placement free home to school transport is not given. If assistance with transport is required the social care worker allocated to the family should be contacted.

### **6.4 Hospital visits from residential schools**

Where children attend a special residential school free transport from school to home will be provided to allow them to keep necessary hospital appointments, where a supporting appointment card is provided. Parents are encouraged, wherever possible, to make such arrangements outside of term time.

### **6.5 Induction visits to schools/colleges (for pupils attending special schools)**

Transport will be provided for children for induction visits where they have been allocated a place at that school or college.

Parents are responsible for arranging and paying for visits to schools or colleges to see whether they would like children to go to that particular school.

#### **6.6 Dual placements (for pupils attending special schools)**

If children are attending a special school they may also attend a mainstream school for part of their school week. Transport will be provided if they live more than 2 miles for primary pupils and 3 miles for secondary pupils from that school. Shorter distances may be considered in exceptional circumstances.

#### **6.7 Annual Reviews (for children attending special schools)**

It will normally be a parent's responsibility to arrange transport so that they can attend.

#### **6.8 Parents/guardian with a disability**

If a parent is unable to accompany their child, as necessary, along a walked route due to their own disability free transport may be provided. Supporting medical evidence will be required.

#### **6.9 Transport to and from respite care or after school clubs**

This is not covered by the home to school transport policy. If a parent requests transport assistance to or from respite care or after school clubs it may possible to make arrangements. Children's Social Care should be contacted for assistance.

### **7.0 PUPILS AND STUDENTS AGED 16-19 AND POST 19 EHCP STUDENTS - POLICY**

The Authority has a duty to prepare and publish on its website, and upload the link to GOV.UK by 31st May, an annual transport policy for Post 16 students. The will include arrangements and provision of transport for pupils aged 16 – 19 and for Post 19 students with an Education, Health Care Plan (EHCP.) Please refer to that policy that can be found here <<insert link>>

### **8.0 TRANSPORT ARRANGEMENTS**

#### **8.1 TYPE OF TRANSPORT/PAYMENT OF PARENTAL ALLOWANCES**

Integrated Passenger Transport will take into account any special requirements and will provide the most appropriate and cost effective means of transport.

Where possible a pass will be issued for an existing service.

A voluntary allowance maybe offered to parents where this is the most cost effective option and usually when there is no other contracted transport running.

Special Educational Needs Disabilities (SEND)

The Authority will promote a parental transport allowance (PTA) for SEND pupils in sole occupancy provision with a realistic enhancement to meet the young person(s) transport needs.

## **8.2 JOURNEY TO WAITING POINT**

Children will be expected to make their own way to a pick-up point. This should normally involve no more than a walk of a mile. Free transport from home to the pick-up point will only be given where the route is unsafe for children to walk, accompanied as necessary.<sup>3</sup>

## **8.3 WAITING POINTS**

The waiting point for transport to school or college will generally be a public stop or station or, in the case of hired transport, a named point which is suitably safe, both for children to wait and vehicles to stop. Integrated Passenger Transport will carry out risk assessments on pick up and set down points, where there are any concerns.

## **8.4 CONNECTING SERVICES**

If children attend primary school and the transport provided needs to meet a connecting service, the driver of the first vehicle will wait with children until the connecting vehicle arrives. If children attend a secondary school this will not normally be necessary. The waiting time between connections will normally be no longer than 10 minutes. The meeting point will, where possible, be near a public telephone or building which should have a telephone (e.g. garage, Post Office).

## **8.5 MAXIMUM JOURNEY TIMES**

Transport will be arranged so that children will not normally spend more than 1 hour 15 minutes travelling to a secondary school or 45 minutes to a primary school. Journey times might need to be longer than this in some more rural areas and where road or weather conditions mean that these times are not practical.

Journeys will, wherever possible, be by the most direct route but sometimes journey times will need to be increased to collect other children. If children's journeys are 20 minutes or less the journey time may be increased by up to 75% or a maximum of 15 minutes to collect more pupils. If it is 20 minutes or more children's journeys will not normally be increased by more than 20 minutes.

## **8.6 ARRIVAL AT AND DEPARTURE FROM SCHOOL**

School transport should arrive at school between 5 and 15 minutes before the official opening time. The picking up/setting down point for children will usually be at the school, especially for primary age pupils. Secondary school pupils and college students using commercial bus or rail services may need to walk for no more than 10 minutes from the bus stop or rail station to the school or college.

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<sup>3</sup> Decisions about the safety of walked routes follow the guidelines on the Assessment of Walked Routes to School, published by Road Safety GB in June 2011. These Guidelines assume that the child is accompanied as necessary by a normal caring parent or other responsible person.



Where possible, vehicles should arrive at school no more than 10 minutes before the end of the school day and leave school between 10 and 15 minutes after the official closing time.

## **8.7 BEHAVIOUR ON HOME TO SCHOOL TRANSPORT**

The main responsibility for ensuring good behaviour on home to school transport lies with children themselves. It also lies with parents or guardians, schools, bus contractors/operators and the Local Authority jointly. Integrated Passenger Transport will work closely with schools and contractors to ensure that poor behaviour on transport is dealt with quickly.

If there are complaints that involve pupils, these will normally be investigated through the school. If pupils are found to have behaved in an unacceptable way then any of the normal range of sanctions used by the school may be applied. This could include exclusion from school. In addition, the following may also be applied:

- Children may be asked to sit at the front of the vehicle for a set period of time.
- Children may be suspended from all school transport services for a period of time. In the case of extreme and persistent behaviour they may be banned permanently from the transport and parents will be expected to ensure that their child attends school.
- The Prevention Service may be asked to visit parents to discuss the problem.
- The police may be asked to investigate and take action as appropriate.
- Parents are expected to meet the cost of repairing any damage caused by their children.

## **8.8 EARLY DEPARTURES/LATE ARRIVALS FROM SCHOOL**

Bad weather - Integrated Passenger Transport will make suitable arrangements to provide transport home from school, if necessary outside of the terms of the existing contract. Contractors will work with the schools in the local area to ensure that severe weather conditions are taken into account when transporting pupils to and from school.

First/last day of term or otherwise - Any additional cost of transport owing to a temporary change in school hours set up by the school is the responsibility of the school though it is expected Integrated Passenger Transport will, where possible, co-operate in making transport arrangements.

## **8.9 CHANGE OF SCHOOL HOURS**

If a school or academy wants to change its school hours it should follow best practice and carry out a consultation at least three months before the planned change, including the Local Authority in the consultation. Good practice suggests that schools can only change the times of the school day at the start of the academic year, i.e. in September.

Where a school or academy alters its hours, unless agreed otherwise by the Local Authority during the required consultation, the school will be expected to meet any additional transport costs.

## **8.10 CO-ORDINATION OF SCHOOL TRAINING DAYS**

There are three common training days agreed across the Authority, which can be found on the NYCC website with the agreed school term and holiday dates for each academic year.

Schools with shared transport are encouraged to co-ordinate their remaining two training days to ensure the most efficient use of the transport network and to minimise costs.

#### **8.11 VEHICLE CAPACITY**

The LA will make sure that children have their own seat (i.e. that there is one seat per child on each vehicle used).

#### **8.12 TAXIS AND PRIVATE CARS (Non-Public Service Vehicles}**

When children are transported using a taxi or private-hire vehicle, that is not a public service vehicle, it must have one seat belt, and where appropriate child car seat or booster seat, for each person carried and have to be licensed by the relevant District Council.

#### **8.13 VETTING**

All drivers and passenger assistants will be 'vetted' which means that they have undergone an enhanced Disclosure and Barring Service (DBS) check and must wear their County Council identification pass.

#### **8.14 PASSENGER ASSISTANTS**

Passenger assistants will be provided with the approval of Inclusion. This will usually only be where children have special transport requirements and need assistance to access the vehicle, or require medical intervention or, in the case of severe behavioural issues, need close supervision.

#### **8.15 INFORMATION AND TRAINING FOR PASSENGER ASSISTANTS AND DRIVERS**

Integrated Passenger Transport will provide contractors with general information and advice to make sure that children's journey are comfortable and safe.

The driver or passenger assistant may need to be provided with information about children if they have exceptional medical or behavioural problems so that they know what to do if an emergency arises.

When a contract is awarded to provide home to school transport it is made clear that passenger assistants and drivers may need to attend up to two information and training sessions per year. This will normally be general training but can be specifically related to the special needs of children.

When a passenger assistant is required to provide specialist support or medical intervention they will normally be employed by the authority and will be given specific training relevant to the needs of the child.

#### **8.16 COVER FOR PASSENGER ASSISTANTS AND DRIVERS**

Contractors are asked to try and provide the same driver or group of drivers on contracts, where possible. In some cases the Educational, Health Care Plan of special educational needs for children may state that the same driver always to be used. Wherever possible the

same passenger assistant is also available for the duration of that contract. The passenger assistant should be changed only in exceptional circumstances, for example illness.

### **8.17 WHEELCHAIR FIXING**

If children travel in a wheelchair this must be properly fixed in the vehicle in accordance with current Department of Transport guidelines. Integrated Passenger Transport will carry out a risk assessment before setting up transport to make sure that this is done properly and that children are transported safely.

### **8.18 COMPLAINTS**

The Local Authority wants to maintain high standards of reliability in transport it provided for pupils. Integrated Passenger Transport makes sure that complaints by parents and schools are investigated and satisfactorily resolved. In this connection, account will be taken of any previous unsatisfactory operation in awarding contracts. A contract will not usually be made with a contractor who has had any other contract terminated for unsatisfactory operation in the 6 months prior to the closing date for tenders or prior to a contract being awarded.

### **8.19 AREA REVIEWS**

Integrated Passenger Transport will:

- Advise the Director of Children and Young People's Service, the schools and parents, at the earliest opportunity that there will be a review of transport provision in the area.
- at an early stage in the process, circulate to schools and parents information about the review with an invitation to Governing Bodies and parents to submit (written) observations on the review proposals;
- in the event of unresolved objections to the proposals from schools or parents, call a public meeting to air the issues involved to which Headteachers, Governors, local Members and parents should be invited;
- report to the Executive Members jointly with the Director of Children and Young People's Service, making Members aware of any remaining objections and of any additional costs, policy and wider budgetary implications there would be in meeting them.

## **9.0 CONSULTATION WITH MEMBERS**

In addition to joint reports to the Executive Members for Children and Young People's Service relating to area reviews, joint annual monitoring reports will be submitted.

These will include:

- policy issues arising out of legislation or operational/case law or budgetary considerations;
- the current costs of the service and target savings where appropriate;

- policy development proposals where appropriate and related budgetary arrangements;
- the timetable for any reviews to be undertaken in the forthcoming year and appropriate detail about their scope.

## 10.0 APPEALS PROCEDURES

There is a two stage appeal process when a parent/carer wishes to challenge a decision in relation to:

- Eligibility
- Transport arrangements made
- Distance measurement of the walked route
- Safety of the walked route

### Stage 1:

A request for a stage 1 review must be made in writing within 20 working days of the initial decision letter. The request:

- Should clearly state the reasons for the challenge and include any new documentary evidence.
- Will be reviewed by two senior officers, the original decision may be upheld, overturned or alternative solutions suggested.
- Where transport assistance is agreed the Authority will make the necessary transport arrangements.
- Where transport is not agreed, parent/carer will be told in writing and parents who are not satisfied with that decision will be informed of the next and final stage of the appeal process.

### Stage 2

A stage 2 appeal must be made in writing by completion of an appeal form within 20 working days of receipt of the stage 1 response:

- The appeals form must clearly state the reasons why parent/carers challenge the stage 1 response and provide any new documentary evidence.
- Stage 2 appeals are heard within 40 days of receipt of the appeal by the Appeals Committee which consists of a small group of members of the county council.
- Parent/carers are able to attend the appeal hearing
- Each case is considered on its merits
- The Committee takes into account the policy guidelines but may recommend departure from those guidelines in exceptional cases
- When a decision is made a response will be sent in writing of the decision and the reasoning behind the decision. This decision is final.
- Where the person is unhappy with the outcome they will be advised how escalate it to the Local Government Ombudsman at, [www.lgo.org.uk](http://www.lgo.org.uk). Who may investigate to

decide whether there has been any maladministration.

## **11.0 LEGISLATION AND GUIDANCE**

Education Act 1996 and Education and Inspections Act 2006, sections 508A to 509AD and schedule 35B

Equality Act 2010

Home to school travel and transport guidance - published by DfE July 2014

September 2018

**Transport Policy Statement for students in further education aged 16-18, continuing students aged 19 and over and Adults with an Education, Health & Care Plan**  
**Annex A**  
**Academic Year 2018/ 2019**

**Name of Local Authority: North Yorkshire County Council**  
**Department Responsible: Children and Young Peoples Service (CYPS)**

## 1. Policy Statement and Main Objectives

The County Council provides transport assistance for students to enable them to access Post 16 education at an appropriate sixth form or further education college designated to serve the area where a student lives. Transport will be offered to eligible students in return for a contribution towards the cost of this transport.

This policy applies to further education and does not apply to higher education course such as degrees, work placements or work place apprenticeships.

Transport assistance is available to students attending a full-time course (12 hours or more per week) at sixth forms, colleges or other training providers, as long as the following criteria apply:

- Students must be under 19 at 1<sup>st</sup> September 2018.
- The sixth form or college they wish to attend should be the 'normal' school for the home address or the nearest college to their home address.
- They must live more than 3 miles by the shortest walked route to the sixth form/college, or have a special education need /disability which would prevent them walking the 3 miles.
- The sixth form or college must be the nearest establishment offering a course that the Authority consider suitable to a student's career choice, or that is a pre-requisite for entry into higher education

When assessing applications for transport assistance, we look at the combination of subjects a student wishes to study and also the career path they wish to follow. We will check job profiles and the UCAS website (<http://search.ucas.com/>) for qualification requirements to see if the subjects are a specific requirement for entry to a higher education course or career the student wishes to follow. Only when the course or combination of subjects is **essential** will we approve assistance with transport to a sixth form or college that is not the nearest to the student's home address. It is rare that a specific course or particular subject needs to be studied to access a higher education course, i.e. 'A' level law is not an essential entry requirement to study a law degree. For students with EHCPs the transport assistance will be to the institution identified within the EHCP.

Students who are entitled to transport assistance will generally be issued with a bus pass. This will normally be on an education transport contract vehicle which operates at the start and end of a school/college day. If a student's timetable varies on particular days, alternative transport will not be offered.

Where a dedicated education transport service is no longer required for entitled pupils of statutory school age and the service is removed, a Post 16 travel pass can be withdrawn. In this case a travel allowance would be offered.

Transport assistance will be arranged to the main college/sixth form site. Transport to an alternative place of study will not be arranged, this will need to be discussed with the sixth form/college directly. Transport is home to school/college and not to any other address.

Transport is usually arranged from defined points. If there is no transport service directly from their home, students are expected to make their own way to the nearest transport pick up point. If students live over one mile from the nearest pick-up point a mileage allowance to the pick-up point may be offered. No additional transport to a pick up point will be arranged.

Where there is no transport running in the area, and the student is entitled to Post 16 travel assistance, the assistance offered will be a mileage allowance of 20p a mile, this will be for one return journey per day.

In some rural areas where there is little or no public transport provision it may be possible for students to apply direct for the loan of a moped through the Wheels to Work Scheme. Further information can be found at: <http://www.wheels2work.co.uk/>

### **Cost of the Post 16 Transport Assistance**

Students who are commencing a course in September 2018, including those with an Education Health Care Plan (EHCP), are required to contribute £490 per annum towards their travel costs. This is payable in full before the commencement of the academic year or by 9 monthly direct debit payments (the first payment is taken in October, with the final payment taken in June).

### Reduction and Exemptions

The post 16 contribution will be reduced by 50% (to £245) for students who meet the free school meal criteria or whose parent/carer are on low income and who can provide evidence of a means-tested benefit. These include:

- universal credit (with a net annual earnings threshold of £7400)
- income support;
- income-based Jobseekers' allowance;
- income-related employment and support allowance;
- income-based and contributions-based JSA or ESA on an equal basis;
- child tax credit, provided you are not entitled to working tax credit, and have an annual household income (as assessed by HM Revenue and Customs) that does not exceed £16,190;
- support under part VI of the Immigration and Asylum Act 1999;
- guarantee element of state pension credit; or

The following students will be exempt from the post 16 contribution and **no charge** will be made:

- Young people who are looked after by the local authority.
- Young people living alone who are entitled to Income Support in their own right (evidence will be required to support this).
- Young carers (evidence from a support worker or association involved will be required)

In 2017/2018, the cost to the Authority for providing transport for Post 16 students was on average £900.00 per student, this increases to an average of £8,000 for students with special educational needs/disability requiring additional support.

Students and parents should be aware that North Yorkshire County Council post 16 transport assistance may not be the cheapest option of transport to their place of study. Parents are advised to investigate public transport fares locally and speak to their further education establishment to find the best option that is available.

## **2. Students with Special Educational Needs and Disabilities (SEND)**

From September 2018 all post 16 young people with an Education Health and Care Plan, starting a further education course, will be required to pay a contribution towards the cost of post 16 transport arrangements (unless a reduction or exemption applies). The charge is in line with all post 16 students and is £490.

The Council encourages learners aged 16 plus to travel independently on education transport services or public transport where applicable to enable them to develop the skills for successful transition into adulthood.

Independent Travel Training Scheme - Some Special Schools and colleges provide mobility/travel training for students with special needs to assist them to become independent travellers.

We expect that parents and carers of young people will continue to practice independent travel throughout the summer holiday prior to starting any study programme.

### **Additional support for SEND pupils**

Where a student has been travelling by taxi transport before moving into further education this is not guaranteed to continue and a new application for additional transport support will be based on their individual circumstances.

To establish specific transport needs for students with an EHCP additional information will be requested on receipt of a Post 16 application form and considered by the SEND Transport Manager, if approved, the application for special transport will be arranged by Integrated Passenger Transport Group who will contact the student with details of the arrangements.

Any specialist transport that is approved maybe a short term arrangement and is subject to review.

### **Post 19 students**

The Local Authority has a duty to adults under the Care Act 2014 to promote the well-being of individuals which includes participation in work, education, training or recreation. The Local Authority have a duty under Education Act 1996 to make such arrangements for the provision of transport as they consider necessary, for young adults that are over 19 and under 25 years old, with an Education Health and Care Plan. This is for the purpose of facilitating their attendance at local authority maintained, assisted further, higher education institutions or institutions within the further education sector.

Transport for students aged 19-25 with an EHCP will be assessed using the Health and Adult Services assessment criteria. This will include a strength based assessment to identify if the young person has means to support transport to education. Where alternatives are not available the Council will continue to provide support for transport to access services subject to the standard daily charge levied within Health and Adults Services. This ensures equity with other users of transport within the adults social care system.

Transport Assistance will only be offered when no other transport provision is available to the young person.

Where a young person is placed by the LA at a specialist provision outside the further and higher education sectors the LA will consider transport assistance between the parental home and the provision.

Where such a placement is residential the assistance offered will be an allowance at a pre-determined rate for up to 12 return journeys per year.

Students on Personalised Learning Programmes (PLP) will not be automatically eligible for transport assistance but will be assessed using the eligibility criteria under the Care Act.

Students undertaking a work based learning program such as an apprenticeship or Supported internship are to apply for Access to Work fund for their transport needs.

<https://www.gov.uk/access-to-work>

### **3. Details of additional assistance that can be offered to students aged 16–19 and who provides them.**

In certain circumstances, students who are not eligible for travel assistance may be able to apply for a paid travel permit if there are spare places on a bus operated by the Authority. However, it may be necessary to end the arrangement at short notice if there is an increase in the number of entitled pupils using these vehicles, and as a result spare places are no longer available. The cost of these permits is £490 per annum.



In addition, some transport assistance may be available from the school or college students will be attending. Students should contact the Head of Year or Student Services for further details or visit their website. Listed below are details of assistance available from schools or colleges.

- **Askham Bryan College** – The college maybe offer help from scholarships and charitable trusts for students (e.g. Calderdale/Ripon). Contact Student Services for York on 01904 772277 or Guisborough 01287633870  
The colleges also have various free buses from designated points around the Yorkshire region. Please visit <https://www.askham-bryan.ac.uk/students/student-transport> or contact the Transport Team on 01904 772225
- **Bishop Burton** – Some help is available for transport costs and childcare costs. Contact Student Services 01964 553000. Free transport is also available from some areas please visit <https://www.bishopburton.ac.uk/student-life/free-transport>
- **Boroughbridge High School** – Haywra Crescent Trust. Contact the Sixth Form Head on 01423 323540
- **Caedmon College Whitby** – Assistance may be available through the 16–19 Discretionary Bursary Please contact the 6<sup>th</sup> form office for information on 01947 602406
- **Craven College** – Assistance maybe available through the Student Support Fund including support with travel costs and childcare costs. Contact Student Services on 01756 708008 or for further travel support please visit:  
<https://www.craven-college.ac.uk/support/travel-support/>
- **Darlington College** –Help is available through the 16-19 Discretionary Bursary Fund, this fund is designed to assist students who would find it difficult to undertake a course at the college without financial help. Contact the Student Services Manager, 01325 503037 or email [studentfinance@darlington.ac.uk](mailto:studentfinance@darlington.ac.uk) .Further information on transport arrangements is available at <http://www.darlington.ac.uk/about/student-welfare-and-support/transport-arrangements/>
- **Easingwold School** – Beckwith Trust for pupils from the Easingwold area. 16-19 Discretionary Bursary is to help students with the costs associated with their course and travel costs. Contact 01347 824791 or email [sixthform@easingwold.n-yorks.sch.uk](mailto:sixthform@easingwold.n-yorks.sch.uk) .
- **Harrogate College** - Discretionary Funds are available to meet the needs of eligible students who are having difficulties in meeting the costs associated with their learning. Contact Pamela Webb, Student Finance Advisor on 01423 878254  
The college also operate their own bus services from certain areas in the Yorkshire region. Please visit <https://www.harrogate-college.ac.uk/how-to-get-here-1>  
Enquire direct on how to apply at [oncourse@harrogate.ac.uk](mailto:oncourse@harrogate.ac.uk) or call 01423 878211
- **Harrogate Grammar School** - Haywra Crescent Trust. Contact the Head of Sixth Form on 01423 531127 ext 261
- **Harrogate High School** - Haywra Crescent Trust. Contact the Head of Sixth Form on 01423 548800.
- **Huntington School** – assistance may be available through the 16-19 Discretionary Bursary. Please contact the Sixth Form team or Finance department for further information on 01904 752100 or [accounts@huntington-ed.org.uk](mailto:accounts@huntington-ed.org.uk).
- **King James School** – Grants maybe available through the Haywra Crescent Trust and also the 16-19 Discretionary Bursary Fund. Contact the Head of Sixth Form on 01423 798704.

- **Lancaster & Morecambe College** – Assistance may be available through the 16–19 Discretionary Bursary intended to help students whose families are on a low income and may have difficulty meeting costs associated with studying. Contact 01524 66215  
The college also offer free or discounted transport from certain areas.  
Please visit <https://www.lmc.ac.uk/the-college/free-bus-service>
- **Lady Lumley's School** – intend to help students whose families are on a low income and may have difficulty meeting costs associated with studying. Contact 01751 472846.
- **Leeds College Of Art** – Some residential bursaries available. Contact Student Advice Team 0113 202 8111
- **Leeds College Of Music** – Discretionary funds available. Some residential bursaries available. Contact 0113 222 3419
- **Leeds College Of Technology** – Assistance may be available through the 16–19 Discretionary Bursary. Help with childcare costs. Contact 0113-297-6300.
- **Malton School** - 16-19 Discretionary Bursary is to help students with the costs associated with their course and travel costs. Contact 01653 605321.
- **Middlesbrough College** – Assistance may be available through the 16–19 Discretionary Bursary. The college also offer free or discounted transport from certain areas  
Please visit: <https://www.mbro.ac.uk/student-services/travelling-to-college> or contact Student Services on 01642 333360
- **Northallerton School and Sixth Form College** - Assistance for sixth form students requiring transport may be available through the 16–19 Discretionary Bursary intended to help students whose families are on a low income and may have difficulty meeting transport costs. Please contact Northallerton Sixth Form College on 01609 773340
- **Norton College** - Assistance available through the 16-19 Discretionary Bursary Fund. This fund is designed to assist students with the costs associated with their course and travel costs. Contact 01653 693296 ext 284
- **Richmond School** – Assistance may be available through the 16-19 Bursary. Subsidised bus services for post 16 students from certain areas around Masham/Bedale, Middleham/Leyburn and Catterick Garrison. Contact the Finance Office on 01748 850111 or visit <http://www.richmondschool.net/Information/Transport>
- **Outwood Academy, Ripon** – Assistance may be available through the 16–19 Discretionary Bursary intended to help students whose families are on a low income and may have difficulty meeting costs associated with studying. Contact Outwood Academy on 01765 604564.
- **Queen Elizabeth School (Kirkby Lonsdale)** - Students from low income families, may be eligible for financial assistance through our Sixth Form Bursary. Please contact the Sixth Form Administrator for further information 015242 71275.
- **Queen Elizabeth Sixth Form College (Darlington)** –Support packages are available to help with costs, including transport subsidies. Further details are available from [enquiry@geliz.ac.uk](mailto:enquiry@geliz.ac.uk) They also operate their own transport from certain areas, please visit <https://www.geliz.ac.uk/life-at-ge/transport-financial-support/>
- **Rossett School** – Grants maybe available through the Haywra Crescent Trust Fund and also the 16-19 Discretionary Bursary Fund. Contact 01423 564444.

- **Scarborough Sixth Form College** – College operate a daily bus to and from Bridlington. Student support fund for students who may be struggling financially with the costs associated with the course. Student Support Fund for use in emergencies. There are the Scarborough United Scholarship Fund and the John Kendal Trust which can award grants to support Scarborough residents. Contact 01723 380700.
- **Scarborough TEC (previously Yorkshire Coast College)** – Assistance may be available through the 16–19 Discretionary Bursary for help towards travel costs and equipment. There may also be some assistance toward child care costs. Contact Student Services on 01723 372105. Please visit: <https://scarboroughtec.ac.uk/transport/>
- **Selby College** – Assistance is available through the 16-19 Discretionary Bursary for families with a low household income who may have difficulty meeting costs associated with studying. Subsidised transport is also offered through our Arriva Selby College Student Saver Tickets. Contact Student Services on 01757 211040. Some students may qualify for help from an Educational Charity – contact Selby Library on 01757 702020 or Citizens Advice Bureau on 08444 111444
- **Sherburn High School** - Assistance may be available from the 16-19 discretionary bursary fund available to low income families. Contact the Bursar on 01977 682442 for more details.
- **South Craven School** - Students from low income households can apply to the 16-19 Bursary Fund for funding towards essential costs such as equipment, trips and travel. Please contact the Sixth Form Office on 01535 639727. All students, once enrolled, are entitled to a Student Super Saver which entitles them to half fare travel.
- **St Aidan's and St John Fisher Associated Sixth Form** – Assistance may be available through the 16–19 Discretionary Bursary. Please see the Sixth Form Office for information or contact 01423 818516 or 01423 818426  
School organise their own transport from certain areas, more information can be found at: <http://www.staidans.co.uk/useful-information/transport/>
- **Stokesley School** - Assistance may be available through the 16–19 Discretionary Bursary intended to help students whose families are on a low income and may have difficulty meeting costs associated with studying. Contact the Head of Sixth Form or the School Finance Office: 01642 710050
- **Tadcaster Grammar School** – Assistance may be available through the 16–19 Discretionary Bursar and also assistance at the discretion of the Head Teacher. Contact 01937 833466.
- **The Wensleydale School** - Assistance may be available through the 16–19 Discretionary Bursary Contact 01969 622244
- **Thirsk School** - Assistance may be available through the 16–19 Discretionary Bursary Contact 01845 522024
- **York College** – Students from low income households can apply to the 16-19 Bursary Fund for funding towards essential course costs such as equipment, trips and travel. Contact the InfoZone on 01904 770400 or email [funding@yorkcollege.ac.uk](mailto:funding@yorkcollege.ac.uk) for more information and an application form. The college also operate their own college transport from various areas across the Yorkshire region. Please visit <http://www.yorkcollege.ac.uk/contact-us/travel-transport.htm>

## 16-19 Discretionary Bursary

It may also be possible for a student whose family is on a low income or in receipt of certain benefits to obtain assistance through the 16-19 Discretionary Bursary provided by the Education and Schools Funding Agency (ESFA). This is directly administered by schools and colleges. Students need to ask at their place of learning.

#### **4. What times during the day can students use their travel pass or obtain concessionary fares?**

In general, travel passes allow travel at the start and end of the school / college day. No alternative transport will be arranged if the sixth form/college times differ on certain days or if a student needs to stay on for classes after the end of the school/college day. Transport will not be provided outside the normal school week. Students who are transported by taxi with other students have no choice as to the time they may travel on outward or return journeys.

Some travel passes that are issued may allow greater flexibility than others, this will be made clear to the student when the travel pass is issued.

#### **5. What support will continue to be made available to students who reach 19 whilst continuing on a course?**

Students must be under 19 at 1 September 2018 to be able to apply for travel assistance, transport assistance will continue until the end of the academic year. Some students may take longer to complete their course and consideration will be given to providing assistance for students who have not yet completed their course. This is looked at on a case by case basis.

#### **6. How will students be assessed to see if they are eligible for support? e.g. means testing or must they be on benefits?**

Transport assistance is provided if the student meets the following eligibility conditions:

- students make a contribution of £490 / £245 if the family is in receipt of the low income reduction (charge from September 2018) towards their travel costs each year;
- the sixth form/college attended is more than three miles from the student's home by the nearest walked route; or have a special education need /disability which would prevent them walking the 3 miles.
- the sixth form/college is the nearest sixth form or college of further education to their home regardless of local government boundaries or is the sixth form of the secondary school which is recognised as the normal school for the student's home address;
- the sixth form/college is the nearest establishment offering a course that the Authority consider suitable to a student's career choice and for students with an EHCP is named in their EHCP, or that is a pre-requisite for entry into higher education.\*

\* When assessing applications for transport assistance, we look at the combination of subjects a student wishes to study and also the career path they wish to follow. We will check job profiles and the UCAS website (<http://search.ucas.com/> ) for qualification requirements to see if the subjects are a specific requirement for entry to a higher education course or career the student wishes to follow. Only when the course or combination of subjects is **essential** will we approve assistance with transport to a sixth form or college that is not the nearest to the student's home address. It is rare that a specific course or particular subject needs to be studied to access a higher education course, i.e. 'A' level law is not an essential entry requirement to study a law degree.

For details of any transport assistance or support available separately through the school or college please see question 3.

#### **7. When should students start to apply for transport support and do I need to renew for a second year of a course?**

Students can apply for transport assistance from May onwards and should do so as soon as possible, this is so their travel passes can be arranged in good time for the start of the term in September.

It can take up to 20 working days to assess applications and make travel arrangements for Post 16 transport assistance.

If students apply in August, as they have waited until they get their exam results, or apply in September there is no guarantee that transport will be in place for the start of term and they may need to make alternative arrangements in the interim

Students do not need a definite place on a course before they apply. The first payment is not taken until October so if they change their mind about where they are going or choose a different course there is plenty of time to cancel the payment plan.

Applications can be made on line. If students/parents want to pay by direct debit or by any other means e.g. cheque or credit card, forms are available to download. Visit [www.northyorks.gov.uk/post16transport](http://www.northyorks.gov.uk/post16transport).

Students will need to renew every year as transport is not automatically renewed. If the course is longer than one year then students will need to renew their transport for the second year. It is a student's responsibility to renew if they require transport assistance for another year.

## **8. How to apply for Post 16 transport assistance**

Students can apply on line and pay by direct debit. This can be in 9 monthly instalments from October to June or by one payment for the full amount.

Paper applications requesting alternative payment methods can also be made if necessary.

To apply online or down load an application visit [www.northyorks.gov.uk/post16](http://www.northyorks.gov.uk/post16)

Once we have received their application we will normally advise whether their application has been successful within 10 working days. Their details are then sent to colleagues in Integrated Passenger Transport who arrange the issue of travel passes or allowances within a further 10 working days. For students with SEND requiring additional transport assistance, the SEND transport team will contact families to gather further information about individual needs and requirements

## **9. What help can students apply for if they need to travel to a course that is beyond your LA area?**

Travel assistance is available to the nearest sixth form or college offering a suitable course. We do not impose any restriction on students who wish to attend a school or college that is outside North Yorkshire as long as it is the nearest to the home address.

## **10. What help is available for students who attend a further education institution which is beyond daily travelling distance and they need to stay away from home?**

Travel assistance is generally only available to students who attend school or college on a daily basis. If students need to reside away from home to attend their course they should contact the sixth form or college about a residential grant. Under the Residential Support Programme, residential grants may be payable if they are unable to attend a similar course within daily travelling distance from home. Please contact the Education Funding Agency - Learner Support helpline on 0800 121 8989 Monday to Friday, 9am to 5pm.

Students who attend residential placements at special needs schools or colleges are normally entitled to claim 12 return journeys per year. Reimbursement is in the form of a mileage allowance and normally at the rate of 20p per mile.

## **11. Appeals, Comments and Complaints process**

### **Making an Appeal**

This section outlines the appeal procedure to be used when you believe that the decision made with respect to your eligibility for travel assistance is incorrect. This is not a statutory right of appeal. They should be made in writing in the first instance to the appropriate team (see Post 16 contact details in section 12).

### Stage 1:

A Stage 1 review must be made in writing within 20 working days of the letter refusing assistance or proposing changes to existing arrangements:

- Your letter must provide reasons for your challenge and include any new documentary evidence.
- This will be reviewed by two senior officers, the original decision may be upheld, overturned or alternative solutions maybe suggested.
- Where transport assistance is agreed the Authority will make the necessary transport arrangements.
- Where transport is not agreed, you will be told in writing and parents who are not satisfied with that decision will be informed of the next and final stage of the appeal process.

### Stage 2:

A stage 2 appeal must be made in writing by completion of an appeal form within 20 working days of receipt of the stage 1 response

- The form must clearly state the reasons why you challenge the stage 1 response and provide any new documentary evidence.
- Stage 2 appeals are heard by the Appeals Committee which consists of a small group of members of the county council,
- You can attend the appeal in person
- When a decision is made you will be notified in writing of the final decision and the reasoning behind the decision.
- Where you are unhappy with the outcome you will be advised how escalate it to the Local Government Ombudsman [www.lgo.org.uk](http://www.lgo.org.uk) or complain to the Secretary of State [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

There is no right of appeal if the decision is made to vary the form of travel assistance

### **Making a complaint**

The Authority's Complaints procedure should be followed where parents wish to complain about the type of provision provided, the ceasing of travel arrangements for example where they were obtained on the basis of fraudulent or misleading information, issues with the transport service or the administrative process.

Complaints received about the post 16 transport policy statement including the charge and rate of allowances cannot be investigated through the complaints procedure and will be treated as a query/comment.

Any formal complaint should be handled through the North Yorkshire Councils Corporate complaints process:

Corporate Complaints Team (Children and Young People's Service)  
Chief Executive's Office



North Yorkshire County Council  
 County Hall  
 Northallerton  
 North Yorkshire  
 DL7 8AD

<https://www.northyorks.gov.uk/comments-and-complaints>

## 12. Points of contact for students seeking transport support.

| Information  | Email  | Useful websites  |
|--|--|--|
| Transport Team – Post 16 only<br>Business Support,<br>Jesmond house<br>31-33 Victoria Avenue<br>Harrogate<br>HG1 5QE<br>01609 534953 | <a href="mailto:post16@northyorks.gov.uk">post16@northyorks.gov.uk</a>               | <a href="http://www.northyorks.gov.uk/post16">www.northyorks.gov.uk/post16</a>   |
| SEND Transport Team<br>Inclusion<br>County Hall<br>Northallerton<br>DL7 8AE<br>01609 535002  | <a href="mailto:Sendtransport@northyorks.gov.uk">Sendtransport@northyorks.gov.uk</a> | <a href="http://www.northyorks.gov.uk/transport-send-children-and-young-people">www.northyorks.gov.uk/transport-send-children-and-young-people</a> |
| SEND Team – Post 16 & Post 19<br>Business Support<br>County Hall<br>Northallerton<br>DL7 8AE<br>01609 535002                         | <a href="mailto:sen@northyorks.gov.uk">sen@northyorks.gov.uk</a>                     | <a href="http://www.northyorks.gov.uk/transport-send-children-and-young-people">www.northyorks.gov.uk/transport-send-children-and-young-people</a> |
| NYCC Post 16 website   |  | <a href="http://www.northyorks.gov.uk/post16transport">www.northyorks.gov.uk/post16transport</a>   |
| Information on education and public transport services   |  | <a href="http://www.northyorks.gov.uk/publictransport">www.northyorks.gov.uk/publictransport</a>   |
| Information on local bus times and school services   |  | <a href="http://www.northyorks.gov.uk/businfo">www.northyorks.gov.uk/businfo</a>   |
| Traveline<br>0114 221182   |  | <a href="http://www.traveline.info/">http://www.traveline.info/</a>  |
| Yorkshire Travel.Net   |  | <a href="http://www.yorkshiretravel.net/">http://www.yorkshiretravel.net/</a>  |
| English National Travel Concessionary Scheme   |  | <a href="https://www.northyorks.gov.uk/disabled-persons-bus-pass">https://www.northyorks.gov.uk/disabled-persons-bus-pass</a>                      |
| Railcard   |  | <a href="http://www.nationalrail.co.uk/stations_destinations/44965.aspx">http://www.nationalrail.co.uk/stations_destinations/44965.aspx</a>        |

## COLLEGE CONTACTS

| College contact  | Email  | Useful Website  |
|--|--|---|
| <b>Askham Bryan College</b><br>Askham Bryan<br>York<br>YO23 3FR<br>01904 772277                                    | <a href="mailto:enquiries@askham-bryan.ac.uk">enquiries@askham-bryan.ac.uk</a>           | <a href="https://www.askham-bryan.ac.uk/students/student-transport">https://www.askham-bryan.ac.uk/students/student-transport</a>   |
| <b>Bishop Burton College</b><br>Bishop Burton<br>Beverley, HU17 8QG<br>Tel 01964 553000                            | <a href="mailto:enquiries@bishopburton.ac.uk">enquiries@bishopburton.ac.uk</a>           | <a href="https://www.bishopburton.ac.uk/student-life/free-transport">https://www.bishopburton.ac.uk/student-life/free-transport</a>   |
| <b>Bradford College</b><br>Great Horton Road<br>Bradford , BD7 1AY<br>01274 433333                                 | <a href="mailto:information@bradfordcollege.ac.uk">information@bradfordcollege.ac.uk</a> | <a href="https://www.bradfordcollege.ac.uk/study/16-18-students/study-money/travel">https://www.bradfordcollege.ac.uk/study/16-18-students/study-money/travel</a>                         |
| <b>Craven College</b><br>Gargrave Road<br>Skipton<br>North Yorkshire, BD23 1US<br>Tel 01756 791411                 | <a href="mailto:enquiries@craven-college.ac.uk">enquiries@craven-college.ac.uk</a>       | <a href="https://www.craven-college.ac.uk/support/travel-support/">https://www.craven-college.ac.uk/support/travel-support/</a>   |
| <b>Darlington College</b><br>Central Park<br>Haughton Road<br>Darlington, DL1 1DR<br>Tel 01325 503050              | <a href="mailto:enquire@darlington.ac.uk">enquire@darlington.ac.uk</a>                   | <a href="http://www.darlington.ac.uk/about/student-welfare-and-support/transport-arrangements/">http://www.darlington.ac.uk/about/student-welfare-and-support/transport-arrangements/</a> |
| <b>East Riding College</b><br>Bridlington Campus<br>St Mary's Walk,<br>Bridlington, YO16 7JW<br>Tel: 0345 120 0044 | <a href="mailto:info@eastridingcollege.ac.uk">info@eastridingcollege.ac.uk</a>           | <a href="https://www.eastridingcollege.ac.uk/study-with-us/transport">https://www.eastridingcollege.ac.uk/study-with-us/transport</a>   |
| <b>Goole College</b><br>Boothferry Road<br>Goole, DN14 6SR<br>Tel: 01405 762420                                    | <a href="mailto:gooleinfo@hull-college.ac.uk">gooleinfo@hull-college.ac.uk</a>           | <a href="https://www.goole-college.ac.uk/study/16-18/free-transport">https://www.goole-college.ac.uk/study/16-18/free-transport</a>   |
| <b>Harrogate College</b><br>Hornbeam Park<br>Harrogate, HG2 8QT<br>Tel 01423 879466                                | <a href="mailto:oncourse@harrogate.ac.uk">oncourse@harrogate.ac.uk</a>                   | <a href="https://www.harrogate-college.ac.uk/how-to-get-here-1">https://www.harrogate-college.ac.uk/how-to-get-here-1</a>   |
| <b>Kendal College</b><br>Milnthorpe Road<br>Kendal , LA2 5AY<br>Tel: 01539 814700                                  | <a href="mailto:enquiries@kendal.ac.uk">enquiries@kendal.ac.uk</a>                       | <a href="http://www.kendal.ac.uk/student-life/transport-to-kendal-college">http://www.kendal.ac.uk/student-life/transport-to-kendal-college</a>   |
| <b>Lancaster &amp; Morecambe College</b><br>Morecambe Road<br>Lancaster, LA1 2TY<br>Tel 01524 66215                | <a href="mailto:info@lmc.ac.uk">info@lmc.ac.uk</a>                                       | <a href="https://www.lmc.ac.uk/the-college/free-bus-service">https://www.lmc.ac.uk/the-college/free-bus-service</a>   |
| <b>Leeds City College</b><br>Park Lane<br>Leeds, LS3 1AA<br>Tel: 0113 3861997                                      | <a href="mailto:courses@leedscitycollege.ac.uk">courses@leedscitycollege.ac.uk</a>       | <a href="https://www.leedscitycollege.ac.uk/student-support/financial-support/">https://www.leedscitycollege.ac.uk/student-support/financial-support/</a>                                 |



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|---|--|---|
| <b>Leeds College of Art and Design</b><br>Vernon Street, Leeds<br>LS2 8PH<br>Tel: 0113 2028000        | <a href="mailto:admissions@leeds-art.ac.uk">admissions@leeds-art.ac.uk</a>               | <a href="https://www.leeds-art.ac.uk/about-us/find-us/">https://www.leeds-art.ac.uk/about-us/find-us/</a>   |
| <b>Leeds College of Building</b><br>North Street, Leeds<br>LS2 7QT<br>Tel: 0113 2226000               | <a href="mailto:info@lcb.ac.uk">info@lcb.ac.uk</a>                                       | <a href="https://moovitapp.com/index/en-gb/public-transportation-Leeds-College-of-Building-Yorkshire-efsite_52986b17498e59fe0da3bd1d-2109">https://moovitapp.com/index/en-gb/public-transportation-Leeds-College-of-Building-Yorkshire-efsite_52986b17498e59fe0da3bd1d-2109</a> |
| <b>Leeds College of Music</b><br>3 Quarry Hill, Leeds<br>LS2 7PD<br>Tel: 0113 2223416                 | <a href="mailto:hello@lcm.ac.uk">hello@lcm.ac.uk</a>                                     | <a href="https://moovitapp.com/index/en-gb/public-transportation-Leeds-College-Of-Music-Yorkshire-site_8433071-2109">https://moovitapp.com/index/en-gb/public-transportation-Leeds-College-Of-Music-Yorkshire-site_8433071-2109</a>   |
| <b>Middlesbrough College</b><br>Dock Street,<br>Middlesbrough, TS2 1AD<br>Tel: 01642 333333           | <a href="mailto:courseinfo@mbro.ac.uk">courseinfo@mbro.ac.uk</a>                         | <a href="https://www.mbro.ac.uk/student-services/travelling-to-college">https://www.mbro.ac.uk/student-services/travelling-to-college</a>   |
| <b>New College – Pontefract</b><br>Park Lane, Pontefract<br>WF8 4QR<br>Tel: 01977 702139              | <a href="mailto:reception@ncpontefract.ac.uk">reception@ncpontefract.ac.uk</a>           | <a href="https://ncpontefract.ac.uk/getting-here/">https://ncpontefract.ac.uk/getting-here/</a>   |
| <b>Queen Elizabeth Sixth Form College</b><br>Vane Terrace<br>Darlington. DL3 7AU<br>Tel: 01325 461315 | <a href="mailto:enquiry@qeliz.ac.uk">enquiry@qeliz.ac.uk</a>                             | <a href="https://www.qeliz.ac.uk/life-at-ge/transport-financial-support/">https://www.qeliz.ac.uk/life-at-ge/transport-financial-support/</a>   |
| <b>Scarborough Sixth Form College</b><br>Sandybed Lane<br>Scarborough, YO12 5LF<br>Tel 01723 380700   | <a href="mailto:studentservicesstaff@s6f.org.uk">studentservicesstaff@s6f.org.uk</a>     | <a href="https://s6f.org.uk/travel/">https://s6f.org.uk/travel/</a>   |
| <b>Scarborough TEC</b><br>Lady Edith's Drive<br>Scarborough, YO12 5RN<br>Tel: 01723 372105            | <a href="mailto:enquiries@ycoastco.ac.uk">enquiries@ycoastco.ac.uk</a>                   | <a href="https://scarboroughtec.ac.uk/transport/">https://scarboroughtec.ac.uk/transport/</a>   |
| <b>Selby College</b><br>Abbot's Road<br>Selby, YO8 8AT<br>Tel: 01757 211000                           | <a href="mailto:info@selby.ac.uk">info@selby.ac.uk</a>                                   | <a href="http://selby.ac.uk/contact-us/getting-to-selby-college/free-transport-to-college/">http://selby.ac.uk/contact-us/getting-to-selby-college/free-transport-to-college/</a>   |
| <b>York College</b><br>Sim Balk Lane<br>York, YO23 2BB<br>Tel 01904 770200                            | <a href="mailto:studentservices@yorkcollege.ac.uk">studentservices@yorkcollege.ac.uk</a> | <a href="http://www.yorkcollege.ac.uk/contact-us/travel-transport.htm">http://www.yorkcollege.ac.uk/contact-us/travel-transport.htm</a>   |

## 14. Details of Concessionary Fares Offered by Local Bus Operators

| Company  | Young Persons Concessions   | 2017/18 price   |
|--|---|---|
| <p><b>Arriva North East</b></p> <p>Tel: 0191 5204231</p> <p><a href="mailto:studentsne@arriva.co.uk">studentsne@arriva.co.uk</a></p> <p><a href="https://www.arrivabus.co.uk/north-east/bus-tickets/studentsne/">https://www.arrivabus.co.uk/north-east/bus-tickets/studentsne/</a></p>            | <p>Regionwide Student Saver gives you unlimited travel on every Arriva North East service, except Dalesbus, Moorsbus and Whitby Park &amp; Ride during the academic year September to July.</p> <p>Specific zone tickets also available.</p> <p>Buy discounted day/weekly tickets from the driver when presenting valid student ID or Arriva Teencard</p> | <p>£795 (per annum) or £285 (15 week term ticket)</p> <p>Zone depending</p> |
| <p><b>Arriva Yorkshire</b></p> <p>Tel: 01915 204231</p> <p><a href="mailto:studentsyk@arriva.co.uk">studentsyk@arriva.co.uk</a></p> <p><a href="https://www.arrivabus.co.uk/yorkshire/bus-tickets/studentsyk/">https://www.arrivabus.co.uk/yorkshire/bus-tickets/studentsyk/</a></p>               | <p>You can travel during the academic year as well as half terms, weekends and evenings with any student saver tickets</p> <p>Student tickets are available to purchase online or on bus (day and weekly tickets only where applicable), however a valid form of student ID is required to purchase on bus.</p>   | <p>£515.00 per academic year or from £135.00 per term</p>                   |
| <p><b>Dales &amp; District</b> (Procters Coaches)</p> <p>Tel: 01677 425203</p> <p><a href="mailto:enquiries@procterscoaches.com">enquiries@procterscoaches.com</a></p> <p><a href="http://www.procterscoaches.com/">http://www.procterscoaches.com/</a></p>  | <p>Discounted 10 trip ticket on services X34, 29 and 72</p> <p>Sixth Form students studying at Northallerton School &amp; Sixth Form College can travel to and from college for just £1 per trip during term time. This is only valid if the college's ID badge is produced.</p>  | <p>Contact operator for details</p>   |
| <p><b>East Yorkshire Motor Services including Scarborough &amp; District</b></p> <p>Tel: 01482 592929</p> <p><a href="mailto:BusLine@eyms.co.uk">BusLine@eyms.co.uk</a></p> <p><a href="https://www.eyms.co.uk/students/college-students">https://www.eyms.co.uk/students/college-students</a></p> | <p>Go card available for 16-18 year olds. It allows 20% discount on single and return fares when using the pre-paid card</p>  | <p>No charge for card.</p>  |

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|---|--|--|
| <p><b>Harrogate &amp; District Travel - Transdev</b></p> <p>Tel: 01423 56 60 61</p> <p><a href="mailto:hello@harrogatebus.co.uk">hello@harrogatebus.co.uk</a></p> <p><a href="http://www.harrogatebus.co.uk/">http://www.harrogatebus.co.uk/</a></p>  | <p>Purchase a BOB card for 1/3 off adult fares until the day before your 19th birthday.</p> <p>Student termly or annual tickets available to St John Fisher &amp; St Aidan's Schools</p>   | <p>£5.00 per annum</p> <p>Contact operator for details</p> |
| <p><b>Keighley &amp; District Travel - Transdev</b></p> <p>Tel: 01535 603 284</p> <p><a href="mailto:hello@keighleybus.co.uk">hello@keighleybus.co.uk</a></p> <p><a href="http://www.keighleybus.co.uk/">http://www.keighleybus.co.uk/</a></p>  | <p>If you are between 11 and 18 years old a BOB card entitles to the lower young person's fares on most services except those wholly within West Yorkshire. For these journeys you'll need a METRO pass – see below for more details.</p>  | <p>£5.00 per annum</p>                                     |
| <p>Metro – West Yorkshire Area</p> <p>Tel: 0113 245 7676</p> <p><a href="mailto:metroline@westyorks-ca.gov.uk">metroline@westyorks-ca.gov.uk</a></p> <p><a href="https://ticketsandpasses.wymetro.com/tickets-and-passes/under-26-and-students/16-18-photocard/">https://ticketsandpasses.wymetro.com/tickets-and-passes/under-26-and-students/16-18-photocard/</a></p> | <p>Metro 16-18 Photocard is available to West Yorkshire residents and allows half price travel on buses and trains within West Yorkshire.</p> <p>With a 16-18 Photocard you can travel on all Transdev Keighley &amp; District, Harrogate &amp; District and Coastliner services into and within North Yorkshire. On these services you will receive a third off the fare for your journey in North Yorkshire.</p> <p>A 16-25 MCard is available to anyone (no residence requirement) and offers reduced price period tickets for journeys wholly within West Yorkshire.</p> | <p>£5.00 one off charge.</p>                               |
| <p>Pride of the Dales</p> <p>Phone 01756-753-123</p> <p><a href="mailto:info@prideofthedales.co.uk">info@prideofthedales.co.uk</a></p> <p><a href="http://www.prideofthedales.co.uk/">http://www.prideofthedales.co.uk/</a></p>   | <p>14-18 years old can travel at ½ fare.</p>   |  |
| <p>Reliance Motor Services</p> <p>Telephone - 01904 768262</p> <p><a href="https://reliancebuses.co.uk/">https://reliancebuses.co.uk/</a></p>   | <p><i>Easi - Student 10 Journey</i> - This ticket gives the user 10 journeys to use at their leisure, no time limit applies. Please note that a valid student ID card may be required.</p> <p><i>Easi - YO61 10 Journey</i> - Do you live in the YO61 postcode? Travelling to Easingwold 6<sup>th</sup> Form? Then the YO61 ticket is for you! This ticket can be used for travel to and from Easingwold 6<sup>th</sup></p>  | <p>£19.00</p> <p>£15.00</p>                                |

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|---|---|---|
|   | <p>Form. A valid student ID card from Easingwold 6<sup>th</sup> Form may be required by the driver.</p> <p><i>Student Contract ticket - 16&gt;</i> - The reliance student contract ticket gives the user travel between the two nominated places on the ticket, for example Easingwold to York College. These tickets can be purchased for varying periods, minimum 1 term - maximum 1 year. This ticket is NOT available from the driver.</p> <p><i>Student Plus Contract Ticket - Enhanced - 16&gt;</i> - Reliance offer students the chance to enhance their tickets for the period of its issue to student plus. This gives the user unlimited travel, 7 days a week, including holiday periods, for the period stated on the ticket. Minimum 1 term, maximum 1 year.</p> | <p>Contact the operator</p> <p>Contact the operator</p> |
| <p>Yorkshire Coastliner – Transdev</p> <p>Tel: 01653 692 556</p> <p><a href="mailto:hello@coastliner.co.uk">hello@coastliner.co.uk</a></p> <p><a href="http://www.yorkbus.co.uk/">http://www.yorkbus.co.uk/</a></p> | <p>If you are aged between 11 and 18, you can travel with a BOB card for the 1/3 off adult fares until the day before your 19<sup>th</sup> birthday. If you are a full time student who is over 19 you can travel with a BOB card and get a discount, but you will have to carry your college ID. A BOB card entitles you to the lower young person's fares on most services.</p>   | <p>£5.00 per annum</p>                                  |

## Analysis of Consultation Responses – April 2018

### Home to School Transport Consultation

The following comments are a direct response to proposal 1:

#### **Removal of the FREE transport statement for SEND Post-16 to 18 students with an EHCP from September 2018, to bring in line with mainstream transport arrangements.**

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Proposal 1: suggests a blanket charge/contribution of £490 pa regardless of distance, number of days transport is used, or number of siblings in each family subject to the charge. This is an unfair approach & is not actually comparable to mainstream transport charges where cost is related to distance traveled. In terms of equality, this proposal fails to recognise that disabled children actually have NO CHOICE; they cannot take a "no cost" option of cycling or walking AND due to a lack of adequate commissioning of education services, they also may have no choice of the distance they have to travel, for example, they may have a mainstream college on their doorstep but still have to travel some distance for adequate education & support provision, to charge/penalise families for this is against any equality laws. The impact assessment fails to take into account true equality laws and the impact on the budget should families take legal action. The "may lead to a proportion of parents arranging their own transport rather than paying the new contribution" is just wishful thinking that gives great insight into the council's intentions, but will most likely remain a pipe-dream. Transport provision is hard-won by families & they are unlikely to relinquish this

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***Response: Currently mainstream families pay a contribution of £490/annum towards transport costs for their children who are post 16. This is a standard rate which is not related to distance and a 50% reduction applies to low income families. The average cost of providing transport per mainstream student is £860 and therefore the local authority is subsidising transport by approximately 43%. If we introduce the same rate for families with post 16 SEND students this is a flat rate regardless of distance and the 50% reduction for low income families will still apply. Currently the average cost of transport for a post 16 SEND student is £8.1K and therefore the LA will be subsidising transport by over 94%. Therefore the LA is actively supporting young people with SEND to access education regardless of where the provision is located. It is important to note that the LA will still be arranging transport for post 16-18 students with SEND but will be asking for a contribution. This option does also enable families to arrange their own transport if they do not want to pay the £490 contribution.***

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As a single working parent I completely rely on the Free SEND transport being provided. I am extremely grateful for it.

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**No comment – statement**

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Young disabled people typically have to travel further to the most appropriate school for their needs. I disagree with any charge for transport for disabled children.

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**Response: The LA will still be providing transport but subject to an annual charge. The £490 contribution is a flat rate and is not linked to distance**

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Trying to bring children and young adults with additional needs in line with regular children is unfair and unrealistic. SEND children do not have the ability and it is unsafe for them to travel on their own. Also if parents were to transport their own children many would have to give up work to do this with the time and distance the schools are away from home. Also if people were to pay towards the cost of transport they would also be in financial hardship. There would not be a transport problem if we had special schools with a reasonable distance for parents to take their children to, it ridiculous that people in Selby have to go out of area ie York Borough as th schools for NYCC are actually the furthest away.

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**Response: The proposals do not impact on the ability of parents/carers to work. The mileage allowance is voluntary for families. Proposal 1 will request a contribution from parents/carers if they wish the LA to arrange post16-18 transport but this is reduced by 50% for low income families. Parents are also able to pay by monthly direct debit to avoid a lump sum payment. Some young people will also be eligible for a bursary which can be used to assist with transport costs. Families need to seek independent financial advice to see how this impacts on the household income. The LA is currently developing a strategic plan for SEND educational provision and this includes seeking opportunities for the development of specialist provision in Selby area.**

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I pay £25 per month and can barely afford this. I get no help at all

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**Response: the LA advises all families to seek independent advice to ensure they are accessing all financial help for which they are eligible. Proposal 1 includes a 50% reduction on the £490 charge for lower income families both at mainstream and SEND**

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For schools, where our choices are limited, I think you have to provide a full transport offer. For post-16,

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**Response: The provision of transport assistance for post 16 students is discretionary but the LA recognises that in a county as rural as NY its removal would have a significant impact on children and young people and their ability to access education. The LA , under this proposal will still arrange and provide transport but it will be subject to an annual charge of £490.**

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Disabled students and their families face enough challenges physically and financially To remove transport without local facilities that enable them the facilities to be the best they can and reach their maximum potential is criminal! We live in a large rural county. Transport facilities are limited. Even in large market towns the provision of 16+ education is limited. By removing the transport which I appreciate is costly will push

young people out of education. My own son would not be able to get to a college which has enabled him to be on track for a triple distinction at level 3. Local colleges couldn't and wouldn't offer this. He is a success because of support and inclusion in education. Hopefully as a young person he will have skills to contribute to society. Using his brain for what he's good at. Promoting self worth and preventing physiological damage due to lack of self esteem. Punishing parents who struggle with these young adults is not the way forward. Moving costs to social care doesn't help the young person. Educational provision for 16+ requires investment locally not removing assistance before further investment in local provision for Young people with SEN

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***Response: This proposal will not remove transport provision for post 16-18 SEND students but is introducing an annual payment of £490.***

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I think post 16 parents could be encouraged to take their children to school themselves. However, with our site (Springwater) being so tiny, our car park would be so busy on a morning I think it would cause us more harm than good, unless the authority do something to increase the size of our site/building/car park. I also think this rule would have to be thought about differently for our Selby students as there is no SEN provision for them in Selby (they make up 1/3 of our population) and parents are not going to drive them all that way.

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***Response: The LA is currently developing a strategic plan for SEND educational provision and this includes seeking opportunities for the development of specialist provision in Selby area. It also includes options to address some of the existing issues in terms of the current special school estate.***

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we expect to travel, so it is reasonable to build in costs for this.

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***Response: No response from the LA***

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Shouldn't be done- having a child with disabilities is 20% more expensive than normal. Any extra costs will massively impact on family life. We live in a very rural area with no public transport and both parents work full time, this is a scandalous proposal

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***Response: Currently mainstream families pay a contribution of £490/annum towards transport costs for their children who are post 16. This is a standard rate which is not related to distance and a 50% reduction applies to low income families. The average cost of providing transport per mainstream student is £860 and therefore the local authority is subsidising transport by approximately 43%. If we introduce the same rate for families with post 16 SEND students this is a flat rate regardless of distance and the 50% reduction for low income families will still apply. Currently the average cost of transport for a post 16 SEND student is £8.1K and therefore the LA will be subsidising transport by over 94%. Therefore the LA is actively supporting young people with SEND to access education regardless of where the provision is located.***

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Making it harder for those caring for someone with disabilities makes no sense at all. Society needs to look after them, not squeeze them to support those who are not in need. If the council needs to save funds, then the council should means test everyone, especially the vast amounts of mainstream

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families who receive free to school transport. We should all be asked to contribute with a 10%-20% of the transportation cost every term. Why ask those who have a SEND to contribute and not those who have not disabilities or additional needs? This is not fair at all. Additionally, those with SEND over 16, who continue their education, should be rewarded for keeping up this very difficult task instead of making it harder for their families to support their education.

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***Response: The local authority is applying a charging rate of £490 across mainstream and SEND post 16 transport. For families with children with SEND this equates on average to a contribution rate of 6% whilst in mainstream families it equates to 57%***

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You are disadvantaging families of SEND children; many children post 16 are able to walk to school or travel on bus passes that cost less than £490, but many SEND children do not have this choice as they need additional support. The LEA does not provide many options for SEND schooling and so we have no choice but to accept our children must travel much longer distances than normal, to then be penalised financially for this lack of choice is not acceptable. For many parents who work (and thus contribute tax) they are simply not able to take their children to school and remain employed, they should not be disadvantaged because of this.

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***Response: The £490 contribution is irrespective of distance travelled. The LA is not disadvantaging working families as the LA will continue to arrange transport but is asking for a contribution of £490 or 50% reduction for low income families. The LA has a duty to ensure that tax payer's money is used efficiently and the estimated increase in budget to £30million by 2025 is not sustainable.***

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Removing my daughter's transport will have a disastrous effect on my family. My daughter cannot be left to cope with public transport, and with both her siblings at a school a considerable distance from the school she will be attending, parent transport is not possible. This will put young children's wellbeing in danger.

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***Response: This proposal does not remove transport but is requesting a £490 contribution per annum.***

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Government policy is that education post year 11 is now compulsory therefore it is unacceptable that transport is no longer available. With regards to my own daughter she is not capable of travelling on her own on a bus to the local shops never mind the 1hr it would take on public transport to get to 6<sup>th</sup> form college and she has 2 siblings who I take to school which is in completely the opposite direction.

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***Response: The provision of transport for post 16 students is discretionary for LAs. This proposal does not remove transport but is requesting a £490 contribution per annum.***

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For schools, where our choices are limited, I think you have to provide a full transport offer. For post-16, we expect to travel, so it is reasonable to build in costs for this.

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***Response: No comment***

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My son is currently in year 8 and is picked up from home by a taxi with a medically trained passenger assistant on board and taken to school (Springwater) and brought back in the evening (Green Hammerton) (10 miles). Occasionally he is taken from school to respite at Nidd, Killinghall (4 miles). Taking my son to school myself would be very difficult because I have a younger child who goes to a local school whose pick up and drop off times are the same but 10 miles apart. It is also preferable for him to have a trained assistant with him due to his epilepsy. £490 per year for transport post 16 is a considerable sum for a family of our income and it may tip the balance in favour of other options for post 16 education but that is not something we have looked into yet.

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***Response: The mileage allowance in proposal 3 is voluntary for parents/carers. The post 16 charging proposal does include a 50% reduction on the charge for lower income families***

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Living in a rural area and children attending a rural school, I feel that many of the families that access the free transport service can actually afford to contribute and pay for this service. I feel that the money could be better spent on more vulnerable families and other needs.

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***Response: No Comment***

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People with SEND have far more limited options and choices than mainstream, and families with someone with SEND are likely to be less well off, therefore they should not be further penalised

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***Response: Proposal 1 will request a contribution from parents/carers if they wish the LA to arrange post16-18 transport but this is reduced by 50% for low income families. Parents are also able to pay by monthly direct debit to avoid a lump sum payment. Some young people will also be eligible for a bursary which can be used to assist with transport costs. Families need to seek independent financial advice to see how this impacts on the household income.***

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The majority of parents have to pay for the cost of Home to School Transport without assistance from the state. Parents of children with SEN receive additional funding from the state to assist with daily living etc, this extra money could be used partly towards transport costs. Failure to receive the income from SEN students could result in NO transport being provided for anyone.

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***Response: A potential budget pressure of £30 million by 2025 is highly significant and would not be affordable. The LA would have no other choice but to identify savings from our services***

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The removal of transport will take away my daughters independence, she is unable to walk the distance to school safely and her journey to school is her only bit of independence out of the home she has. I feel this will have a negative impact on her emotionally. When she should be becoming more independent she will have to be babied and walked into school by her Mother. How many other 16 year olds have to do that?

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***Response: This proposal does not mean the removal of transport but the introduction of a £490 annual charge.***

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Assuming that this will mean charges will have to be brought in if this option chosen However, If charges are introduced this will create financial hardship for many families. Those who are deemed to be on appropriate incomes will end up means tested - on paper incomes might be "good" but caring for disabled person increases costs hugely and therefore many families struggling to make ends meet. In this age group I can potentially see parents not being able to afford to send young person to educational establishment, thereby isolating young person further and preventing them from meeting potential, accessing appropriate employment etc in the future.

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***Response: Proposal 1 will request a contribution from parents/carers if they wish the LA to arrange post16-18 transport but this is reduced by 50% for low income families. Parents are also able to pay by monthly direct debit to avoid a lump sum payment. Some young people will also be eligible for a bursary which can be used to assist with transport costs. Families need to seek independent financial advice to see how this impacts on the household income.***

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Unfortunately being the biggest geographical county this is something that just is ...the same was Scottish islands have to adjust and deal with the costs of being a vast rural county

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***Response: This has been recognised and therefore this option hopefully still enables transport to be provided but with a contribution from families***

Having a child with special needs unlike a child e.g. 17 years where they are independent and able to go to places on their own a special needs person is unable to do this and needs long term support from the council fee free

***Response: The LA does not always provide support and assistance free of charge. Austerity measures have meant that the LA has had to secure significant reductions in budgets since 2010 and therefore needs to review the funding of discretionary services***

The most vulnerable are being targeted in this proposal

***Response: Proposal 1 will request a contribution from parents/carers if they wish the LA to arrange post16-18 transport but this is reduced by 50% for low income families. Parents are also able to pay by monthly direct debit to avoid a lump sum payment.***

***Transport assistance will continue to be provided***

***Some young people will also be eligible for a bursary which can be used to assist with transport costs. Families need to seek independent financial advice to see how this impacts on the household income.***

Mainstream transport arrangements are not suitable for some SEND 16-18 year olds, who would just not be capable of using them. Their education and development would suffer if this was introduced.

***Response: The LA would continue to provide suitable transport for post 16-18 students but this would be subject to an annual charge of £490.***

Remove it for children out of catchment same as I had to put up with for enhanced mainstream....it cost time and money but I had no choice. Object to paying or making changes now I'm within catchment!

***Response: The LA has responsibility for ensuring that all eligible young people can access transport as required***

Transport needs for children with SEND are very different to mainstream children. Often the child needs help to travel safely and efficiently to a special school suited to their needs and in a deeply rural county this may involve travelling some distance often the parent and child has no choice in this.

***Response: This proposal does not remove the transport entitlement but introduces a charge of £490 per annum regardless of actual distance***

As students aged 16 to 18 are now required to stay in some form of education/training, I feel it unreasonable to remove free transport for SEN students. These are students that need extra help and support not less.

***Response: This proposal provides equity across mainstream and SEND students.***

Young people 16 - 18 with SEND do not have the same degree of capacity and therefore independence as their peers without SEND and as such cannot travel independently - this therefore remains a very real need and should be respected and supported as such.

***Response: This proposal does not remove the transport entitlement but introduces a charge of £490 per annum***

People with SEND have far more limited options and choices than mainstream, and families with someone with SEND are likely to be less well off, therefore they should not be further penalised

***Response: Proposal 1 will request a contribution from parents/carers if they wish the LA to arrange post16-18 transport but this is reduced by 50% for low income families. Parents are also able to pay by monthly direct debit to avoid a lump sum payment. Some young people will also be eligible for a bursary which can be used to assist with transport costs. Families need to seek independent financial advice to see how this impacts on the household income.***

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Evaluation of the young people might be necessary rather than a blanket 'free transport' option within EHCPs. A kind of 'needs' testing. Our daughter is in a wheelchair.

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***Response: Transport provision is commissioned to meet the needs of the individual to facilitate their attendance to education.***

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Remove free transport for SEND children without any mobility issues

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***Response: SEND does not just include children and young people with mobility issues***

**The following comments are a direct response to proposal 2:**

**Recognise SEND Post-19 students as adults in education, and identify unmet transport need in line with Health and Adult Services social care assessment.**

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These are shameful proposals, at least in part. The excess over budget is because the county has limited post-16 provision for SEND. Our daughter was happily accommodated in local mainstream schools (ie not with a unit) until 16... hats off to those headteachers who felt this was a good step (and it was one we supported, to be fair, because we knew our daughter could cope). New head for post-16 meant a different attitude to SEN and so we had to move our daughter from her local school (and all her friends) to go to a placement four times further away. So please don't look outside 'education' for the reasons for this. A disabled child is a real strain on families. Anything that might add cost to those families is not acceptable. It sends a bad message about the way the County deals with compassion. The suggestion that some of the budget cost is passed to the Social Services budget is fine and doesn't bother me as long as SS don't then cut the funding from their own perspective. Why don't you simply ask SS to pay an appropriate contribution to Education/ Transport which would achieve the same thing., It is total nonsense to shift money around like this, just meet your responsibility as a council and if budgets between sections of NYCC have to be moved around to make it work then just do it but don't in any way allow it as an opportunity to change the service.

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***Response: Proposal 1 does not remove transport but introduces a charge of £490/annum. Post 19 students will be assessed as young adults under the requirements of the Care Act 2014. The Care Act 2014 places a duty on local authorities to conduct transition assessments for children, children's carers and young carers where there is a likely need for care and support after the child in question turns 18 and a transition assessment would be of 'significant benefit'. Young adults will be required to pay for support such as transport to education if they have financial means.***

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Once at 19 and past the age for participation in education it seems reasonable that the duty of care then falls to health and adult services social care assessment - this would obviously need funding to enable this to be a real aspect of provision and not at the expense of being able to address another unmet need.

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***Response: If the assessment identified that the young adult does not have means to pay for transport to education the local authority will provide transport assistance in line with the adult care policy***

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As my child as many others cannot use public transport due to disability it would be impossible for him to travel to higher education. Thus discriminating him from his right to an education

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***Response: The local authority would not support transport to higher education as the EHC Plan would have ceased***

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If our children can be in education until they are 25 then I feel travel provision should be provided, based on an individuals needs. Suddenly at 18 they may be classed as adults but cognitively most children with SEND are not capable of making decisions as ADULTS.

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***Response: The assessment using the Care Act 2014 will identify individual circumstances.***

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Is this not merely shifting the responsibility / budget?

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***Response: The cost implications are to the local authority but the assessment will identify the means of a young person to support their own transport***

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Important to provide if the nycc believes in, has faith in and encourages post 18 education for sen children

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***Response: The local authority is committed to provide post 19 transport assistance if the young adult does not have financial means to support this themselves***

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Again there is no information as to how this will affect us

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***Response: There is not enough information to respond***

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Most students extend their studies to post 19 due their learning needs/illness/disability do not penalise them for this.

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***Response: The local authority is committed to provide post 19 transport assistance if the young adult does not have financial means to support this themselves***

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concern here over lack of social care assessment capacity.... so would they even get the assessment they need?

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***Response: Yes they would as part of transitional arrangements***

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Even if the child has access to a mobility car they probably will not be able to drive that themselves, therefore they would require someone else to drive and taxi them about. Who is going to do that?

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***Response: The assessment using the Care Act 2014 will identify individual circumstances.***

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I have attended a parents meeting about these proposals. The council officers were unable to fully explain the differences in social care assessment.

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***Response: The social care assessment will form part of a young person transitional plan, and is individual to personal circumstances.***

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Post 19 young adult needs free transport to enable them to access colleges

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***Response: The local authority is committed to provide post 19 transport assistance if the young adult does not have financial means to support this themselves***

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We should be offering more support to young adults in education

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***Response: No comment - Statement***

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I don't like the idea of moving services for children into adult services so it starts a trend to move over services into the adult realm. Also for parents who want to work, increasing the allowance will have no effect. I'm happy to contribute for transport as long as I'm not penalised for not being able to send my son to the nearest school.

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***Response: The mileage allowance is voluntary and therefore will not impact on working arrangements for parents/carers. The assessment and support needs for post 19 students falls under the legislation of Adult Services***

The following comments were a direct response to proposal 3:

**Increase Parental Transport Allowance to 45p per mile when no other transport option is available.**

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45p doesn't compare to LA / private sectors

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***Response: The 45p is the mileage rate recommended by HMRC***

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Not all parents are able to offer own transport i.e can't afford a car, don't drive for medical reasons etc. Seems dreadful to have to cut SEND budget at the heart of their education!

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***Response: The PTA is voluntary. This will not be suitable for all families***

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I think that there still has to be choice so parents don't feel forced into giving up their jobs to get the children to school particularly given the often long distances and time involved. For those who choose to take them I believe paying a some that takes into account not just fuel but maintenance costs and their time is important.

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***Response: The PTA is voluntary. This will not be suitable for all families***

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I understand the pressure on resource, but it has to be recognised that modern families will find it difficult or impossible to be the provider of transport to school, particularly where there are multiple children at different schools, the school has a large catchment area, or where the child attends a school other than their local one because their needs can not be met at the local school. In the case of Children with sensory impairment, there is virtually no provision within North Yorkshire. The costs of transportation to appropriate provision outside the County should be met by NYCC, and it is not reasonable to attempt to transfer this to Parents.

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***Response: The PTA is voluntary. This will not be suitable for all families***

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What about the parents who can't drive or have children at other school because most of the special needs schools are in Harrogate or York

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***Response: The PTA is voluntary. This will not be suitable for all families***

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What about the parents who can not drive

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***Response: The PTA is voluntary. This will not be suitable for all families***

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Hi I'm a single mother of two boys. One neurotypical, one neurodiverse. My autistic son had to have a managed move from Whitley Eggborough primary to Thorpe Willoughby when he was 5, because Whitley couldn't cope with his meltdowns and violent behaviour. He was diagnosed with aspergers last year (aged 6). We've had three different taxi drivers because NYCC deem it appropriate to change people my son knows and routine goes down the drain. We have a fabulous driver and chaperone for my son, he also shares the taxi with two older boys, which is great as he can interact with other children with autism and other disabilities. Oooh did I mention I work. I work at the University of York part time as I need a life outside of my house. My son has settled in beautifully at Thorpe Willoughby school and all of the members of staff have been very supportive of him. They rarely have any meltdowns and he is doing well considering Whitley school excluded him for most of the time he was there. Please don't take away his friendships with his friends in the taxi, they're all part of his life now, and mine.

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***Response: The parental transport allowance is only available to solo traveller where no other existing provision is already available. The PTA is voluntary and will not suit all families, the LA will still continue to arrange transport for eligible children for families who do not wish to accept a PTA***

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This will make it harder for some parent carers to get their child to school especially if there schools along way from home

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***Response: The PTA is voluntary. This will not be suitable for all families***

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It is likely my daughter will become a sole occupant when she moves to high school for one year. I have another child who attends the local school and a job and would be unable to transport her to and from that provision so would not accept the personal mileage budget. Decisions to put children in provisions to meet their needs are not taken lightly by parents and this is adding additional stress to the selection of schools. If my child did not have SEND issues then she would walk to the local provsion where i wouldn't need to transport her. Transport is one part of the jigsaw for SEND children and can not be considered in isolation.

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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1: Many 18+ colleges open at 9am - if a parent has to drop off young people with special needs at 9am, and undertake the handover to the teacher, it makes it incredibly difficult for them to get to work on time. This could have an enormous impact on their chances for staying in employment. The same goes for the other end of the day. 2: If a parent has been up half the night with their son or daughter, transport provision just takes the pressure off, an already stressful morning, taking it away just increase the stress and the need for more overnight

respite provision. 3: transport promotes a level of independence as the young person builds a relationship with their driver and escort - it also builds communication skills, which would be lost if it is removed.

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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Reassess all currently receiving transport and where parents are Carers encourage take up of parental travel allowance where appropriate as some families have two parent Carers at home and drive yet still get transport when living less than two miles from school attended

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***Response: If this proposal is recommended and adopted, The LA will contact all families suitable for a PTA to enquire if this is an option for them***

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How do you expect hard working parents to transport their SEND child to school and back, also if they have siblings they are not in the same school, how do you expect us to get them to their local mainstream school? Also the Special Schools for our son is actually 30 - 40 miles away (one way), hence why he does not go to a special school in his catchment area. He goes to York which is only 20 miles away!! You say empowerment and stress free for families, you obviously have no idea of what life is like with living and working with a child of SEND. We find your proposals quite patronising to be frank. Come and live and work in our shoes for a week and you tell us how we are expected to function as a family. Are you going to propose the flexible working hours that would be needed to be able to transport our child to and from school to our employers, I think not. What about our other child, are you going to explain to them why we are not able to spend as much time with them as we have to transport their sibling to and from school. They already have a lot to deal with. Are you going to pay the extra child care costs for the siblings as we would not be able to collect them from school? I doubt it very much. Why don't you take a pay cut to save some money instead of taking resources away from the most vulnerable in society and those who can least afford to suffer these cuts. These proposals are also going to limit their life experiences/chances if they can't get to their education

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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Parents will often find it logically impossible to transport their child/young adult with SEN regardless of their age due to younger siblings/work commitments causing a massive impact on personal finance and siblings education.

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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I would have no way of getting my child to his school without transportation and all the progress he has made will be undone if he had to go back to mainstream school and I would seriously worry for his future

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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It would be difficult to be able to be in work and assist with transport to an educational setting. Because of the practical commitments of having a child with SEND, it is difficult to find employment which is flexible enough to cater for hospital appointments needs. This in turn imposes financial

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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Expecting parents to provide transport is going to further impact on work. Working parents of a disabled child already have to take a lot of time off to attend meetings, reviews and appointments.

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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My children do not have an EHCP but do have SEN's. I have chosen a grammar school to meet these needs. My children do not use the local transport to their local school. I drive them instead, so 45p per mile would be a great help as I cannot work long hours due to the school run.

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***Response: An application to determine eligibility will be required***

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Children who enjoy travelling on shared transport will miss out socially. School car parks/parking near schools will be even more congested. Parents who work will suffer with timing.

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***Response: The parental transport allowance is only available to solo traveller where no other existing provision is already available. The PTA is voluntary and will not suit all families, the LA will still continue to arrange transport for eligible children for families who do not wish to accept a PTA***

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The promotion of parental allowance is to be encouraged, though not at the exclusion of other alternatives. We have done this (driven disabled child to school) in the past + always knew the allowance was poor - in reality the council would have been better paying a better allowance historically because then it might have eased the council's bills before now. Any suggestion of (effectively) transferring post-19 cost from

educational transport budget to social care budget is just fiddling around the edges - the transport has to be provided (or via parental allowance) so there are no savings here.

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**Response: No further comment**

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I feel it is very unfair for any parent who works to have to provide transport for their child or young adult. Working and juggling home life is difficult enough, more so as a single parent of a child with SEN.

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**Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA**

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I am a parent carer to a child who will have an EHCP who will start full time compulsory education in 2018 as well as having a younger child who will start full time compulsory education in 2020 without an EHCP my eldest is profoundly disabled and is a wheelchair user, it is a 15 mile round trip from our home to the nearest school, whilst I'm happy to transport my eldest child once my youngest starts nursery at the nearest school despite him being entitled to free transport (if I'm taking one to school, I might as well take two) once they are both in full time education I intend to go back to work..... my options are limited if I lose an hour out of my day to transport my children to school! Everybody seems keen to get people back into full time employment but nobody wants to help enable them to do so! My eldest may end up going to a specialist school the nearest one is a nearly 60 mile round trip and could take me up to 4 hours each day from when I leave my house in a morning to getting back and setting off again in an afternoon, collecting my child and returning! Not to mention the fact that my other child will be in the nearest school, not really sure how I'm meant to be in two places 30 miles apart at the same time either?!

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**Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA**

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Whilst I see that this could help those for whom this is an option, for a lot of parents this would inhibit their ability to work full time / continue with current family commitments which would be a real shame.

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**Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA**

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This is surely not cost effective compared to the current arrangements?

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**Response: The current arrangements is not supporting the uptake of the allowance**

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If necessary I agree.

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***Response: No further comment***

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Some assistance is better than none. Although financial implications are dire.

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***Response: No further comment***

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Enhancement must be realistic for parents. Eg some may be single Carers.

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***Response: No further comment***

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Maybe need means testing with the Increase given to lower income families

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***Response: No further comment***

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Good idea , although this could take up a considerable amount of time going backwards and forwards to school twice a day

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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this could have implications for families in receipt of benefits such as Universal Credit.

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***Response: we would always encourage families to seek independent advice on their personal circumstances prior to accepting a PTA***

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As my daughter's provision is 30 mins away this feels like we would be forced into making the choice of being forced to another, possibly unsuitable provision, solely on the grounds of the fact that because I work it would be unfeasible to transport my daughter to and from provision and transport issues.

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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Unless provision were able to start earlier and stay later I would have to leave my job in order to just be able to provide transport to and from provision

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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Parents may wish to undertake this option if they have no other children who need to be transported to school or their school is in same direction as the SEN facility but not doable for everyone, especially working parents. Also many SEN provisions are outside local area/considerable travel distance - are parents then supposed to wait around for the child to come back as in effect parents/carers would be making the journey 4 Xper day but only covering costs for 2 trips. Also potential increase of vehicles on the road so not environmentally friendly....

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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If the allowance was higher then parent may be able to cover the travel themselves

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***Response: No further comment***

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Unlike an adult or child without special needs, transport can be critical to a special needs adult or child. They are likely not to be able to use public transport alone nor to be able to walk significant distances. In other words, the only option to a parent is to arrange transport themselves. In many case this will not be possible because the parents are working or do not have a car. The effect of cutting transport may well be to exclude the special needs individuals from the provision available.

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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As a family where the father is in receipt of Pension Credits and a mother who is unable to work due to illness, having two younger children at two different schools - our son who is 13 has finally settled into his school 40 minutes drive away from his home. He is achieving A equivalent grades and expected to do very well. The school help emotionally and practically and will give him opportunities in life as he is a high achiever and not suited to other more local special needs schools. Between the Father and the Mother, the two other children are taken to their separate schools. We are completely unable to take our son to school because of this, we would gladly take him but it is impossible. We are on low income. The only other option I can see is my son becoming half board (Mon - Fri) which we do not want, and he does not want. It is likely to negatively impact on his well being. And I am also aware that this option will cost the Local Authority tens of thousands pounds more.

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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My child goes to school in a shared taxi with an escort and i feel that this all ready takes any say i may have in getting my child to and from school as all decisions are made by the council. Such as when the contract updates and a constant change in company's. It would be better to keep the same transport throughout the child's school life to keep disruption to a minimum. So even more changes/reductions in service will impact my options for transport to school. Especially as we are on a low income. Perhaps family's on low incomes could still be allowed the transport whatever age the child and family's that are not restricted on income can have other options.

---

***Response: The parental transport allowance is only available to solo traveller where no other existing provision is already available. The PTA is voluntary and will not suit all families, the LA will still continue to arrange transport for eligible children for families who do not wish to accept a PTA***

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Have you taken into consideration that some young people are not safe to travel without an escort and so a sole parent/carer would be unable to take them to college without assistance

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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i think that children with SEND are an integral part of the education system and should receive the help they need physically, regardless of their parents' financial situation. These families face enough issues, so to have one less thing to worry about about getting their child to their school, is a must, regardless if it is in the next street or town.

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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I cannot be expected to get my younger child to primary school and my child with special needs to secondary school at the same time when they are 25 miles apart and then get to work on time. Parents with more than one child with additional needs whose children are in different schools according to their needs would find this impossible. Having a child with additional needs is stressful enough on a day to day basis without this being added as additional stress and worry.

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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There are now more parents having to go to full time work and would not be able to take their children to school, it is vital that all children have the opportunity to get a good education and the free bus services for children who live in villages is important.

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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Not all parents are able to take their children to school, that is why school transport is used

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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What about if a parent works how can they do both !

---

***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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School transport is a significant part of our son's day. The experience of getting on and off the bus each day independently of his parents, has boosted his confidence and self esteem. He also enjoys, and has benefitted from, the social aspect of mixing with the other students and escorts. If I had to transport my son to school this would have a negative impact on my life as it would greatly shorten my day. I need the time to work which I enjoy and in turn this helps my mental health.

---

***Response: The parental transport allowance is only available to solo traveller where no other existing provision is already available. The PTA is voluntary and will not suit all families, the LA will still continue to arrange transport for eligible children for families who do not wish to accept a PTA***

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Many parents work or have other family commitments which can make it very difficult to take their SEN child to school/college. You need to take into consideration the time it takes and extra stress put upon parents to do 4 journeys a day on top of caring for their child. An increase to 45p per mile is a step in the right direction, although I feel for more parents (who are in a position to transport their child) to consider taking up this offer, the increase per mile would need to be higher than 45p to make it feasible.

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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Good idea

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***Response: No further comment***

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Good idea , although this could take up a considerable amount of time going backwards and forwards to school twice a day

---

***Response: No further comment***

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I think this will have a hugely detrimental impact on many families. Personally I have 4 children with SEN and 3 are at different schools. I would not manage to get them all to their various establishments without transport and we have no family locally who can help out. Providing care for children/young adults with extra needs is already a financial burden and I am no longer able to work so that I can attend all the children's appointments - medical and school etc plus provide care at home. North Yorks is a vast county and covers considerable distance which could make travel extensive and expensive to already stressed and exhausted parent/carers.

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***Response: The PTA is voluntary. This will not be suitable for all families, Transport will continue to be arranged for eligible families who do not want the PTA***

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### **Other Comments provided in the written feedback**

**The follow comments were made as part of the consultation but are not specific to a proposal but as a statement or concern raised around the following sub headings**

**These comments are in relation to the availability of local provision**

If my child had the right setting on our doorstep there would be no need to send her so far away and needing transport in the first place. I do not like sending her so far in the transport she uses now, never mind when she is older. It takes her a 2 hour journey there and back.

---

***Response: The LA acknowledges that for some of our young people, a suitable provision may be difficult to source locally and the numbers of available places are limited. We are aware the stress this places on families when selecting a school that can be a considerable distance away for home and the extension of the school day with the travel times. The LA are currently developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local communities.***

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Absolutely disgusting particularly if the only suitable placement is not within half an hour of home

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***Response: The LA acknowledges that for some of our young people, a suitable provision may be difficult to source locally. The LA are currently developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local communities.***

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More special schools close to home or at least autistic special units inside the mainstream schools. Specially trained teachers in the mainstream schools and smaller class sizes.

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***Response: The LA are conscious of the growing requirement of provision for children and young people with Autism. The LA are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local communities.***

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One of the reasons the budget has increased is because there are less specialist colleges available to meet the needs of our young people so they have to travel further. Invest in our people at college and many will be less of a financial "burden" in the future!

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***Response: The LA are currently working with our post 16 providers to help improve the offer locally for young people with SEND***

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Our son has a right to education and through no fault of his own has to be transported with an escort. What North Yorkshire need to look at is making Special Secondary School Provision nearer to his home, the same distance as the mainstream provision. But no, North Yorkshire is determined to spend the £500,000 upgrading the provision in Knaresborough and Harrogate. What about Selby and the surrounding villages? We have nothing for SEND here. It is totally unreasonable for this money to spent in very affluent areas and when they have a mass of provision. We pay our council taxes and other taxes to fund North Yorkshire County Council and their employees and you need to remember that your are employed to serve all people in all of North Yorkshire and not the selected few!! I trust there will be a public meeting regarding these matters and we look forward to attending and making views known.

---

***Response: The Department for Education has allocated funding to increase the number of places and improve facilities for children and young people with special educational needs and or disabilities (SEND) who have education, health and care plans. This***



**funding is called Special Provision Capital Funding (SPCF). The total amount of SPCF is £500,000 which has been allocated to North Yorkshire over three years. There are very specific guidelines from the Department for Education on how we can use the funding. We recently held a consultation on proposals for the use of the SPCF and you can read the outcome of this consultation at the following link. <https://www.northyorks.gov.uk/send-specialist-support-and-provision> Alongside this we are developing an overarching and countywide strategic plan for SEND education provision in North Yorkshire. Feedback, including that from parents and carers, showed that we need to develop more detail in specific areas and we want to take the opportunity to shape our proposals in line with this feedback. As a result, we are doing more work on the proposals, and we are now expecting to share a final draft of the strategic plan for SEND provision later in 2018 as part of a formal consultation process. We will publish further information about the consultation and your opportunities to feedback on the final draft in due course at the following link <https://www.northyorks.gov.uk/send-specialist-support-and-provision>. The final plan will be published following the formal consultation and final approval.**

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If SEND was adequately funded allowing mainstream provision to be more inclusive, fewer young people with SEND would need transport. It's about time our schools were adequately funded to allow new ways of meeting every child's needs.

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**Response: The LA are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities.**

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Denying a young person freedom independence and life skills is denying human rights. provide the right education locally and you will have less transport to cover

---

**Response: The LA would encourage independence and developing life skills. The local authority acknowledges that for some of our young people, a suitable provision may be difficult to source locally, and therefore travel assistance will be required to enable this. The LA are currently developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local communities. The proposals are not to deny a person access to education.**

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The only reason we have had to use transport to a special school is due to the fact there is no special school provision in Selby where we live hence the only option is knaresborough and starbeck as this is a situation you have created it seems a touch ironic that you should now be thinking of charging parents to transport there children, if a choice of school closer to home was available we would use it , as would a lot of other parents I'm guessing.

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**Response: The proposal apply to all of North Yorkshire including our rural villages and outlining areas. The LA are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities.**

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SEN provision should be made available locally ,eg small units attached to some larger primary schools-then parents would probably prefer to transport their children to the school gates-eliminating having to use NYCC transport services which cause a huge amount of stress to families. SEND children, and even as "adults" are often operating at a much younger age to N.T. people and therefore often cannot access independently public transport.

---

***Response: The LA are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities. The LA is aware that a number of our young people will be unable to access public transport due to the nature of their SEND, or the lack of public transport services in their area, the LA will continue to assist those young people to access education***

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Build schools nearer so parents have the chance to take their own children to and transport would not be needed.

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***Response: Since 2014 Local authorities no longer have the power to build schools. Due to this NYCC are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities.***

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Improved inclusion policies and the use of in mainstream schools. Local special needs schools, as our nearest North Yorkshire special school is a 35 minute journey from home.

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***Response: The LA are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities.***

---

One of the reasons the budget has increased is because there are less specialist colleges available to meet the needs of our young people so they have to travel further. Invest in our people at college and many will be less of a financial "burden" in the future!

---

***Response: The LA are currently working with our post 16 providers to help improve the offer locally for young people with SEND***

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Have special needs school closer

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***Response: Since 2014 Local authorities no longer have the power to build schools. Due to this NYCC are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities.***

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Make sure that there is more special needs provision (particularly autism specific provision) in North Yorkshire so that children and young people do not have to travel a long distance. Hundreds of thousands of pounds are being spent year on year, to send young people to places such as Thorpe House, Scunthorpe, North Lincolnshire, rather than investing in local colleges such Henshaw's College, Harrogate.

---

***Response: The LA are conscious of the growing requirement of provision for children and young people with Autism. NYCC are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local communities.***

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STOP closing local schools in rural areas which is destroying communities, causing our young people to be brought up by travelling in cars rather than walking to school!

---

***Response: With regards to small schools serving remote and deeply rural communities, the LA is committed to their support. The county has nearly 50 schools with fewer than 50 pupils, indeed more small schools than any other authority in England, a strong sign of this commitment. To maintain this local provision we have: brokered and supported school partnerships and federations, lobbied national government for better funding, worked with planning authorities to emphasise the importance and need for affordable and suitable housing to attract families into rural areas.***

---

Have more special needs schools locally to meet demand in north Yorkshire there is an abundance of school partially full that could be adapted to local SEN schools giving parent the chance where possible to take our children to school. Stop paying waste of space mp's silly costs on top of their wages, stop paying for lavish consultations in posh hotels and lunches regarding how to save money. Thousands of pounds are spent paying idiots to waste money advising how to save money axe there job save money!!!

---

***Response: The LA are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities. The authority are required to provide public consultation on policy changes and we endeavour to be efficient in the procurement and delivery of these requirements. Unfortunately we have no influence on the salaries of Members of Parliament***

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Looking at the predicted significant increase in the number of pupils with SEN and large distance that some children have to travel, I believe you need to start by improving and increasing placements in areas where they are required, such as Selby. Provide 6th form provision at Mowbray school, Bedale. Relocation to a larger site for Springwater school, Starbeck

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***Response: The LA are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities***

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The consultation refers to increased mileage needing to be traveled. The solution is not to axe transport, but to provide more local provision so distances are dramatically cut.

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***Response: The LA are currently reviewing the current offer and developing a strategic plan for educational provision for children and young people with SEND, to improve the educational offer in local schools and communities***

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#### **Summary :**

**The Local Authority recognises that in a county as large as North Yorkshire some areas will not have access to provision within their community. We recognise that this is particularly the case in Selby and previously the Local Authority have applied to commission via Central Government for a Free Special School in 2016 however this was unsuccessful. The Local Authority is no longer able to open new schools due to changes in government legislation.**

**There is an on-going piece of work across the Local Authority to develop a Strategic Plan for SEND provision which will shape the types of provision in localities going forward. The outcomes of the consultation and feedback will be shared with the Strategic Plan project and will be used as part of the development of this work to improve provision.**

**We are expecting to share a final draft of the strategic plan for SEND provision later in 2018 as part of a formal consultation process. We will publish further information about the consultation and your opportunities to feedback on the final draft in due course. The final plan will be published following the formal consultation and final approval.**

**For information on the Strategic plan : <https://www.northyorks.gov.uk/send-specialist-support-and-provision>**

## **These comments are relating to the Management and procurement of Home to school transport**

Explore care sharing, where appropriate. Look at more cost effective vehicles e.g. people carriers, in rural locations. Look for voluntary drivers and transport assistants. Seek a discount with Dial a Ride school service , as County pays a subsidy to them. Therefore, they don't compete on a level

---

***Response: The integrated passenger transport team current arrange the commissioning of transport. This already includes utilising the fleet vehicles for both home to school transport and then onto social care provision, sharing some vehicles with schools during the school day, and unless it is identified for a SEND reason, pupils in localities attending the same school will automatically share a vehicle. Due to the safeguarding and contract management, we are unable to utilise volunteer drivers for home to school transport purposes.***

---

Share resources have a better system for collection children to save waste on transport ie using one taxi to collect multiple children on same runs drop off at different schools make use of breakfast and after school clubs to ensure safety and less time unsupervised use buses mini buses instead of private hire taxis and train drivers and staff in sen to help children who need more supervisionI playing field on contracts.

---

***Response: The integrated passenger transport team current arrange the commissioning of transport. This already includes utilising the fleet vehicles for both home to school transport and then onto social care provision. Due to the nature of some of our children special education need or disability, shared transport may not be appropriate.***

---

Longer contracts with local taxi firms who will like the known forecast workload this will also provide reassurance to parents that there is a familiar arrangement in place. Increasing SEND provision within the Local Authority may reduce the need to transport children out of catchment to specialist provisions. However the out of LA provisions in my case are nearer than some of the NYCC provisions in terms of distance and time.

---

***Response: Due to EU regulations, we are required to retender contract either every 3 years or sooner if the contract reaches the maximum threshold. The LA are also governed by admissions code in relation to school catchment areas. The current development of the strategic plan will review the education provision within the authority***

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Savings could be made if children on similar routes shared taxis. This may mean an extra 15 minutes leeway timely arrivals but would surely cut costs.

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***Response: Where possible the Local authority will commission a vehicle to accommodate a number of children, as this is more cost efficient, but also provides small peer communities within transport provision***

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Coordinate transport with neighboring children rather than sending out several buses that do the same route

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***Response: Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision. However we are considerate of journey times for the first child to be collected and therefore may commission more than 1 vehicle within a locality which will have scheduled pick up along slightly different routes to ensure journey times where possible are kept within recommended guidelines***

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Maybe having mini busses who pick up and transport more children than paying for taxis taking 1 or 2 children.

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***Response: Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision. However we are considerate of journey times for the first child to be collected and therefore may commission more than 1 vehicle within a locality which will have scheduled pick up along slightly different routes to ensure journey times where possible are kept within recommended guidelines***

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The council may be able to use the budget more efficiently by bringing transport in-house. A fleet of minibuses to provide the transport required alongside drivers and escorts. Develop satellite units for provision thereby bringing provisions to more rural communities and reducing transport issues.

---

***Response: The LA currently have a number of in-house minibus which are used for both Home to school transport and then utilised to deliver Social care transport instead of remaining idle until a return home to school journey. It would be an inefficient use of funds to increase the fleet without further demand during the day, and through school holidays***

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A car pooling scheme or promotion of the idea, or a voluntary driving scheme for MIDAS trained people to reduce staffing costs. Provide more car and better parking at schools. What is the percentage forecast of children you will impact that will need to make their own arrangements if the costs work out too high? Presuming parents will drive them to school how many daily journeys will this be and how much parking will be needed to accommodate those journeys most of which will need the parent or guardian to stop park disembark and walk their child safely onto school premises and inside? Where will these people stop and park? Improvements in access that are needed will have a cost? Anyone thought about that?

---

***Response: Due to safeguarding around children, we are unable to utilise volunteer driving schemes to deliver home to school transport. The anticipated take up of the PTA is expected to be spread across the County and will be minimal per school. As the PTA will be in place of a commissioned taxi the number of vehicles attending will be the same.***

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Charge all able bodied students for transport no matter what tgeircdistance is.

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***Response: Local authorities are unable to charge statutory aged children who are eligible for transport, in accordance with the Education Act 1996***

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Have some more central points, like bigger villages/towns and have more minibus/ small buses rather than lots of taxis going to individual pick-ups from houses.

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***Response: Where possible and in relation to multiple occupancy, the LA will utilise pick up points/meeting points. However due to the nature of some children's SEND, this may result in a door to door collection***

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where possible, considering more 'pool car' transport - rather than cabs for 1:1 transport

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***Response: Due to safeguarding around children, we are unable to utilise volunteer driving schemes to deliver home to school transport. Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision***

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Stop transporting excluded children in taxis, make them catch the bus or make the parents take responsibility and pay them 45p per mile to take them.

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***Response: Where possible and when public transport facilities are available, we would encourage the use of sustainable methods of transport. The LA also have further duties of care for excluded pupils.***

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Provide free before and after school clubs in special schools so parents can collect children at sensible times after work instead of 3.15 that is impossible for full time working parents. More parents could work and collect themselves.

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***Response: Before and after school clubs are at the discretion of individual schools and not a requirement for LA to provide.***

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Why is there so many mini buses and taxis running back and forwards to each school , would it not make more sense to use mini buses and possibly a coach to transport more children in fewer vehicles , we have often seen taxi's with only one student in, a compromise could be a

couple of pick up points in town and village centres and pupils been picked up from there as is done with regular school buses cutting taxi costs dramatically .

---

***Response: Due to the home location, needs of the child and the recommended journey times, multiple vehicle may be required to fulfil our duty and ensure that children arrive in school ready to be educated***

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charge parents who use the service who live less than a certain distance away or have not chosen their nearest school.

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***Response: Parents who have not selected their nearest school are not eligible for home to school transport, children who live under the statutory walking distance would only receive transport if the nature of their special education need or disability prevents them from accessing school, accompanied as necessary***

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My daughter has a medical escort, but I am not sure this is required. If consulted, I might have waived this as I feel it is unnecessary expense. Select more local taxi firms - our taxi, for a York-Easingwold pick up, comes from Malton?

---

***Response: Medical Passenger Assistance are employed when a health care plan is submitted which states the person may need medical intervention on transport other than calling 999. When a child transport is reviewed an update from health is also requested. In regards to utilising local taxis. All home to school transport contracts are published on the yortender system, in which available operators are invited to quote.***

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I think a child with SEND should able to attend a school which is more suitable for their medical needs without being penalised because we have sent a child out of catchment area. there for not entitling them to school transport.

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***Response: The statutory guidance is clear that transport is only provided to the nearest school which can meet the child needs. If a parent choses to select a school which is not the nearest school available the arrangement and cost of transport is the responsibility of the parents.***

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Provide more standard school buses for children who can cope with this so more children can travel on one vehicle

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***Response: Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision***

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My son travels from Thorpe Willoughby to Selby High. On the 'school service 626' he has to pay £2.00 return, if he gets the Aviva service (which also goes into school) he has to pay £1.50 return. Why does it cost me more to send him on the council 'supported' bus? Unfortunately the Aviva service doesn't return at the same time so he has to wait to come home to use that service or he would use it all the time.

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***Response: Some of the transport provision in North Yorkshire are operated by the school directly, the LA have no influence of the charging arrangements of these services.***

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Better planning of transport provision from one area to various SEN provision sites. With support for the child/young people provide at the school if an early arrival is required due to different drop offs/collections.

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***Response: As most schools operate a similar start and finish time it would difficult to accommodate multiple school drop offs whilst allow for travel time between schools. Schools are often unable to accept children early due to the required supervision and support.***

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Look carefully at the tenders put in by transport providers. Look at making reductions in this sector. The bus and taxi companies obviously see this as a lucrative way of making money else they wouldn't all be so keen to do it.

---

***Response: all tenders are published on a yortender system, as required by EU regulations and follow code of practise.***

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Bus routes rather than private taxis?

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***Response: Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision***

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Purchasing more NYCC buses or school minibuses to save using taxi companies (saving in the long run).

---

***Response: Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision***

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Pick up the young people who live near by each other, together. Then you would save and you could have an assistant on the transport to help. One to one workers could get public transport with a P.A? That would save money and carers would use there hour of personal care for them to get them to school maybe? Something has to change.

---

***Response: Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision. As an authority we promote independent travel and encourage young people to develop skills towards independent travel and utilising the public transport network in preparation to adulthood.***

---

I think the funding should be for transport for specialist provision only. My son was in mainstream (currently waiting for a specialist place) and I transported him to and from his local school. However, there are not enough specialist provisions. More specialist schools need to be opened. Especially high functioning autism schools. The only school that meets his needs is 50 miles away. I cannot drive 200 miles a day and take his sister to school too.

---

***Response: Local authorities have a duty to provide transport to eligible children under the criteria set by the education act – this includes statutory walking distance and unsafe routes to both mainstream and specialist provision***

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Carry out an in-depth check of all Transport providers currently used by NYCC to ensure that it is receiving the best service that it pays for. If possible check the profits of providers to ensure no 'rip - off'.

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***Response: all tenders are published on a yortender system, as required by EU regulations and follow code of practise.***

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Pay schools to arrange transport, instead of taxis.more schools. It would save you money in the long run.

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***Response: Some of the schools in North Yorkshire do arrange their own transport provision, discussion are ongoing with various schools, to provide additional assistance where possible. This has been achieved in some instances, but has to be with the agreement of the school.***

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Fewer taxis with just one child in to transport. Consider sharing with another child from similar area. Perhaps parents who don't work could negotiate a price for them to transport their own child/adult. Fewer escorts on the bus.

---

***Response: Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision***

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We have no complaints about our current arrangement. In some cases it may be possible to improve organisation and efficiency with better planned routes, picking up several children from the same areas or, where possible, using public transport with adequate supervision, as part of a learning experience.

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***Response: Where possible the LA will commission a vehicle to accommodate a number of children, as this is more cost efficient but also provides small peer communities within transport provision. As an authority we promote independent travel and encourage young people to develop skills towards independent travel and utilising the public transport network in preparation to adulthood.***

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**Summary:**

**From the comments received it is clear that how the authority commission and arrange transport is not clear to parents and young people. Regulations around procurements and tendering processes, as well as transport review procedures need to be more transparent and available on the local offer to improve communication and expectation from families. This will form part of future communication plans.**

## The following comments make reference to Travel Training

The issue that I cannot understand is that NYCC want to cut a substantial transport budget for SEND while at the same time, only employ ONE travel trainer for the whole of the county. There seems to be no joined up thinking that it is obviously a better use of money and empowering to help train young people to take public transport where appropriate. My son who has aspergers will be attending York college from September and he will have to take public transport but desperately needs travel training to help him with his orientation and confidence. I feel angry that this is not offered to him while other young people access taxis to hubs when it is not always needed.

---

***Response: The LA is aware that the current travel training model is not sustainable to meet demand, regardless of these proposals, further development of the programme is currently being explored to reach a wider audience, as part of a person preparation to adulthood.***

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1) Travel Training - great idea for students who are not vulnerable. You can eventually train my son to travel but you will never "train-out" the fact that he is very vulnerable, thinks everyone is his friend and would be very easy to be preyed on. 2) If I had to take my son to college I would not be able to work. I have reduced hours already and am only just coping financially. If I had to take him, I wouldn't be able to reduce my hours any more. We would then lose our house - be a burden on the state.

---

***Response: The LA accepts that the nature of some young people special education need or disability may result in independent travel not been achieved. The transport provision the local authority provide should be individual assessed to the young person ability, with transport provided that is suitable to meet that identified need.***

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The Independent Travel Training Team for Hambleton consists of 1 lady who is now ill so seems to have completely stopped. I was told that it was being revised and being handed over to schools. Who is going to deliver this training which will become vital should these changes be implemented?

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***Response: The authority is aware that the current travel training model is not sustainable to meet demand, regardless of these proposals, further development of the programme is currently being explored to reach a wider audience, as part of a person preparation to adulthood.***

---

employ travel trainers. Help young people to help themselves and learn independent living skills.

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***Response: The authority is aware that the current travel training model is not sustainable to meet demand, regardless of these proposals, further development of the programme is currently being explored to reach a wider audience, as part of a person's preparation to adulthood.***

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**Summary:**

The local authority is currently undertaking further investigation and development of the travel training programme, utilising schools, parents and the voluntary sector to enhance the local offer. The new model is expected to be revised for summer 2018

**These comments are directed towards means testing for transport:**

Can it be means tested so that low income families ( eg FSM) aren't disadvantaged? People who can afford/ have the time, should be encouraged to transport their own child.

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***Response: The proposal contains a reduction for low income families.***

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Very affluent families receive the mileage allowance to transport their non SEN child/children to school if they live more than x miles from catchment school. Why not consider not paying mileage to families who earn over £50,000 per annum for example and the savings can then be used to offset the transport costs for those with SEN - we should support those with additional needs and their families as much as possible rather than lining the pockets of already very affluent families.

---

***Response: The LA have a duty to arrange transport for statutory aged student (5-16yrs) who are eligible under the Education Act 1996. This transport is not permitted to be means tested and should be free of charge.***

---

Making it harder for those caring for someone with disabilities makes no sense at all. Society needs to look after them, not squeeze them to support those who are not in need. If the council needs to save funds, then the council should means test everyone, especially the vast amounts of mainstream families who receive free to school transport. We should all be asked to contribute with a 10%-20% of the transportation cost every term. Why ask those who have a SEND to contribute and not those who have not disabilities or additional needs? This is not fair at all. Additionally, those with SEND over 16, who continue their education, should be rewarded for keeping up this very difficult task instead of making it harder for their families to support their education.

---

***Response: The LA have a duty to arrange transport for statutory aged student (5-16yrs) who are eligible under the Education Act 1996. This transport is not permitted to be means tested and should be free of charge. The contribution that is requested as part of***

***proposal 1 is current charged to those without an Education Health Care Plan, the authority are not requiring parents of children with disabilities to pay more than those without a disability***

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Living in a rural area and children attending a rural school, I feel that many of the families that access the free transport service can actually afford to contribute and pay for this service. I feel that the money could be better spent on more vulnerable families and other needs.

---

***Response: The LA have a duty to arrange transport for statutory aged student (5-16yrs) who are eligible under the Education Act 1996. This transport is not permitted to be means tested and should be free of charge.***

---

Means and ability related contributions. A bespoke bus service in local areas that works in close liaison with local special schools to ensure that pick up and drop off points afford the right amount of supported independence in a supported model but that does not require a level of staffing as high as that currently in place given the seat limit on buses - for those who are close to independent travel with maybe one escort on a bus for up to 30 students.

---

***Response: The LA have a duty to arrange transport for statutory aged student (5-16yrs) who are eligible under the Education Act 1996. This transport is not permitted to be means tested and should be free of charge. Local Authorities also have a duty to provide transport which meets the child individual needs to facility attendance.***

---

I'm sure if you did a survey to ask parents if they were willing to contribute towards the bus fares every quarter, then rather than having to lose a job, if the family can afford it they could do nominal contributions.

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***Response: The LA have a duty to arrange transport for statutory aged student (5-16yrs) who are eligible under the Education Act 1996. This transport is not permitted to be means tested and should be free of charge.***

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Certain parents abuse the system and lie about their children's transport needs. Maybe you should be more stringent in your checks. Those that about loudest get everything while those that need it have to fight for it

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***Response: The LA have a duty to provide transport to eligible children under the Education Act. This includes: statutory walking distance - which is calculated through the authorities GIS system, low income – which is evidence based, unsafe routes – following an inspection of the route by the LA, and the SEND element - which is evidence based.***

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Stop giving mileage to families who earn over £50,000 per annum (for example).

---

***Response: The LA have a duty to arrange transport for statutory aged student (5-16yrs) who are eligible under the Education Act 1996. This transport is not permitted to be means tested and should be free of charge***

---

I think there should be allowances in certain situations, such as low income families or in receipt of pension credit, families with other children making it impossible to take, or places where there are no direct public transport. Additionally to this, I do not feel my son would be completely safe travelling on his own to school due to his past behaviours. My son was a very troubled young man, a danger to himself and others, this school has changed his life and it is my opinion that they will help him through higher education so he will be living independently.

---

***Response: The proposal contain a reduction for low income families, whilst recognising that independent travel may not be suitable for some young people. The type of transport provision is based on the child or young person needs and abilities.***

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Assess on person merit. Post 16 children are young people and not be made to rely on parents. Creates dependency. school age children should rely on parents for transport

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***Response: The proposal is not to remove the transport for post 16, the LA will still continue to assist those who require support and provide the most appropriate transport provision.***

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I feel it could be based on family financial income.

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***Response: The LA have a duty to arrange transport for statutory aged student (5-16yrs) who are eligible under the Education Act 1996. This transport is not permitted to be means tested and should be free of charge. For post 16 provision the proposal has a low income reduction embedded within the procedure.***

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#### Summary:

The duty to provide travel assistance is place on all local authorities as part of the Education Act 1996. This Act is clear in direction that authorities are given in regards to eligibility and the requirement for this to be free of charge for statutory aged pupils (5 -16yrs). The proposals and consultation has been developed to be compliant with the statutory guidance from the Education Act.

**These final comments are none themed specific or are General statements**

It's just not fair and discriminates against already hard pushed and struggling families

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***Response: No comment – statement***

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Parents of children with SEND would much prefer for their children to be physically and mentally able to get themselves to school as their peers do - unfortunately many of our children do not have that option. Although I understand the council has budgets to hit, I feel that this is yet another HIT for families who already struggle to work and juggle the multiple medical appointments for our children.

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***Response: No comment – statement***

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I am not eligible due to .1 of a mile. More people will become isolated and forced to home school, which will put pressure on mental health services.

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***Response: The eligibility criteria is outlined by the education act, which local authorities are required to implement to ensure a national consistency***

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You make it sound like bringing something for special provision into line with other normal provision is a 'good' thing, whereas the special exemptions are the good thing but you want to make your budget saving the good thing. You're talking about a budget deficit for the SEND transport, so increase the budget, cut something else not the provision of school transport. You make it seem like our special needs youth at a critical time in their education (when the government are the ones who increased the leaving age) aren't important enough anymore for special consideration. You see greedy enough to bring on the 3 miles limit to exclude people and cut the budget then, (it would be interesting to note how many of those voting were affected by the vote) yet you want to cut it further. This needs looking at again with a better grip on other areas which don't affect children. Has the department done anything to promote a car pooling scheme for example?

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***Response: These proposals are the result of a review of Home to school transport provision in relation to both the statutory responsibilities and the discretionary arrangements. The project looked at delivery options and budget pressures throughout the development process.***

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I am unsure of what that will mean for my daughters future and transport provision

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***Response: Should all the proposals be recommended and adopted. If your daughter is of statutory age and a solo traveller, you may be able to request a parental transport allowance, this is voluntary. If your daughter is post 16, the LA will still provide transport, however you will be required to contribute either £245 or £490 depending on your circumstances. If your daughter is post 19, an assessment will be conducted and transport will only be provided where necessary to address an unmet need.***

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These students are treated as 2nd class citizens. Every child has a right to education and most will have had a negative experience with what help there is... they have enough to cope/worry about. It's disgraceful you are targeting this group

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***Response: No comment – statement***

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A terrible survey difficult to understand

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***Response: No comment – statement***

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This will make it harder for some parent carers to get their child to school especially if there schools a long way from home

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***Response: The LA will continue to provide travel assistance where requested to eligible statutory aged children, post 16 and post 19 adults where necessary***

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Our Grandson has transport from home to school and back again, he is 10years old with FASD & AUTISM, We value this service because he gets to and from school with escort on board

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***Response: The LA are pleased that the transport provision has been a positive experience for your grandson***

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The most vulnerable are being targeted in these proposals

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***Response: No comment – statement***

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I feel by even proposing this NYCC is staying they don't care about sen children/young adults.

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***Response: No comment – statement***

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Firstly, these questions are poorly worded and can lead to answers with the wrong intent. Parents are often not able, capable, or have their own transport, or have to work every day so cannot take their children/students to and from school every day as this would total four hours of transportation on top of their working day. It is relatively irrelevant that you are considering paying parents if they have to give up work to do this, you are just forcing students out of the education they deserve. Sponsored buses, adverts on school buses, anything which would generate money for this vital service, our daughter has to travel for 45 minutes to get to school as there is no other educational setting which suits her needs near to where we live. This Transport is vital for her so that she can receive the education she rightly deserves. This is just another way of councils extracting more cash from disadvantaged families who are already hard hit after being disadvantaged in the workplace which are beyond their control. I suggest that you look at other ways of saving money by capping your senior managers wages considerably. Stop wasting money on retendering contracts that don't need tendering. If you are going to pursue this ridiculous proposal then I hope you are also thinking about charging students who are able bodied and living out of the catchment area as this is just another tax on the poor and disadvantaged.

---

***Response: The parental transport allowance is voluntary and may not be suitable to some families. The retendering of contracts are due to EU regulations, which required local authorities to retender contract either every 3 years or sooner if the contract reaches the maximum threshold. We are also governed by admissions code in relation to school catchment areas. The current development of the strategic plan will review the education provision within the authority. Transport is only provided to eligible student under the Education Act***

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There is a need to consider each child and their needs on an individual basis -irrespective of their age. If there is inadequate provision for the person close to home, then NYCC have a duty of care to ensure the person is able to access the best education, even if this means the need to pay for transport

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***Response: The LA duty is to provide travel arrangements to eligible student attending their nearest school or with an education health care plan, the nearest available school which is able to meet need.***

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North Yorkshire county Council should continue to provide transport for students with special educational needs. If the budget is too small, that is not an issue for parents and carers of vulnerable children, it is an issue for the council. As your consultation document recognises, "[NYCC (is)]... required to do this by law", a lack of money from Whitehall is no justification for cutting legally required support to vulnerable young people and their families.

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***Response: No comment -statement***

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To write a consultation document with its core basis that the council is thinking of doing something discriminatory (make families with disabled kids worse off generally) or immoral (greatest cost impact on low income families or those with disabled kids) is totally shameful. I appreciate the honesty you have in making these statements but to write them is callous and inequitable and simply wrong. I completely understand that finances are being squeezed but to take from those who have little to penalise them more than those who have is not what I expect from our county representatives. A 300% rise from 2018 to 2025 in transport cost is frankly impossible. If costs of post 19 travel (16-18 too) have risen this much then there must be proper analysis of why - is it because councils other policies have caused this - in which case the council will have benefitted elsewhere and now has to accept these inadequately budgeted consequences.

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***Response: No comment – statement***

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This survey should be written in 'plain English'.

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***Response: A plain English version was available online and by request***

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Your consultation document highlights that "since March 2015, there has been a 22 per cent increase in the numbers of children and young people being transported"; it seems natural that if needs have increased, then the level of support should be similarly increased to match it.

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***Response: No comment – statement***

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Our son is wheelchair bound and attends Springwater School. We are very happy with the current arrangements which have been arrived at by trial and error. The prospect of future change is quite daunting particularly since neither my wife nor I are particularly young. I am an OAP and my wife will soon be so our physical capabilities will be challenged if the arrangements change in line with the potential proposals.

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***Response: No comment – statement***

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I think this is discriminatory. Many EHCP young people need this time to learn independent coping skills

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***Response: No comment – statement***

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This form is very difficult to understand and needs further clarification. Where I have ticked neither agree/or disagree .... This question is unclear to me

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***Response: Public events were provided to allow families to seek further clarification if required and allow opportunity to discuss individual circumstances***

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it Will have a very bad impact for me and I believe for lots of other parents if I have to pay for my sons transport is well as I alrAdy pay for my severely disabled sons transport it will put me n my boys in financial difficultly I can't drive my younger son because my older son does not get pick up earlier so my younger son will then always be late in school . My severely disabled son get picked up by transport ( he's in a wheelchair) but the bus won't be befor 10am in Northallerton so my that won't work either so I would appreciate if you could look in to this matter am sure there is more parents who's got the same problem same as mine and no I can't send my young son on a puplic bus to Northallerton cos he's got learning difficulties he's got chromosomes 15 dublicat ,Crohn's disease. He's got my education, health and care plan thanks for looking in to it

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***Response: unable to complete the request as personal detail are not available to successful identify the individual.***

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Take a pay cut

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**Response: No comment - statement**

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I think perhaps it has to be accepted that this is the cost and find savings elsewhere

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***Response: No comment – statement***

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There already saving with my son he travels with another child who lives in the area

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***Response: No comment – statement***

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Removing my daughter's transport will have a disastrous effect on my family. My daughter cannot be left to cope with public transport, and with both her siblings at a school a considerable distance from the school she will be attending, parent transport is not possible. This will put young children's wellbeing in danger.

---

***Response: The LA will continue to provide travel assistance where requested to eligible statutory aged children, post 16 and post 19 adults where necessary***

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There will be an increase in absentees if transport and escorts are not provided

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***Response: The LA will continue to provide travel assistance where requested to eligible statutory aged children, post 16 and post 19 adults where necessary***

---

We've already been impacted by the change in stance from the national governmental standard which was that all special needs children should be able to have access to free school transport to one where you are one of only a few councils which introduced a mileage stipulation. If there had been better sen support in the school.my daughter attended she wouldn't need transport to a special school. We were arrogantly told any school should be able to support any child - clearly not the case - and it's insulting in your documentation to suggest that increased improvement in medical science as a reason has made this a problem for your budget. This should have been seen as a foreseeable trend and budget forecasts made to allow necessary increases in budget. Why was this not seen? We've all had increases thanks to austerity. The confidence of many of the public including myself is shattered when we realise it's poor decision making by senior figures that causes the poorer sections of society to lose access or have bigger costs to services they really need o we which they have little or no control. Better with Brexit? I dont think so. Free transport should be means tested if needs be to ensure lower income families are not any more oppressed by this. In the case of individual schools parking and access should be improved if you're forcing this change thorough so parents who end up having to transport their child can do so by dropping off their SEN children in a safe manner. The access at Forest School in Knaresborough is very poor.

---

***Response: The LA will continue to provide travel assistance where requested to eligible statutory aged children, post 16 and post 19 adults where necessary***

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Your statement is clear that there are more people affected and journeys are longer, therefore it is totally unrealistic to expect to maintain a reasonable service to those in need without an increase to this budget.

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***Response: No comment – statement***

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Review Education commissioning practices to look for provisions that are ADEQUATE in reality, to entice families to more local educational provision. Suggestion: Work hard to meaningfully collaborate with the parent carer forum, with the YOUNG PEOPLE too and actually meaningfully engage with families. Consultations that only partially inform families and LIMIT (characters) in consultations DO NOT offer parity of esteem with opinions of professionals or actually engage discussions. No savings or co-working / co-production can be made under this climate of hostility. ALSO, there is a lack of cross-department commentary within the proposals. What do Education and Adult Social Care say about IMPACT and Budgets? Families have a right to hear these debates included in the proposals. Only by TRULY engaging and TRULY working WITH families, will they feel inclined to offer solutions to the LA.

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***Response: A number of public event were held to allow families to engage with the process.***

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No, cut the budgets elsewhere.

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***Response: No comment – statement***

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Yes, reduce the top management salaries.

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***Response: No comment – statement***

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Many children at my child sixth form college do not have bus pass but still use the bus daily, the bus is collecting children whom attend the main high school. Parents choose not to pay for the privilege of a bus pass post 16. I feel more checks need to be undertaken.

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***Response: Some of the transport provision is provided directly by the school and therefore the LA have no jurisdiction on these arrangements, without knowing which school is referred, the authority is unable to provide further comment***

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Sadly non drivers will lose out. If we have to take our kids to school, why can't we just put a few other kids in the car etc. Driving is very hard for disabled parents also. Plus kids will be late for school or not end up going in. I think the taxis charge too much and should be made to drop prices. Also why can't schools that have minibuses already be paid to collect children? They have transport/training etc... just employ staff to do the school runs - instead of paying the taxi company a fortune.

---

***Response: The parental transport allowance is voluntary. The contracting of taxi for transport provision is subject to EU regulations and procurement governance. The LA already work with a number of schools with joint commissioning of some vehicles***

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I think that for some students the arrangements that sit within the current SLAs work wonders to support their independent travel training. This can be said for my son - he travels with two peers with a taxi driver and without an escort. This journey to and from school is a lovely part of his day - the taxi driver is full of appropriate banter and their conversations clearly support my son to engage in age appropriate social conversations with confidence and competence - this is invaluable to us and I am sure that a lot of parents have a range of stories showing similar holistic / social value to the home to school transport model. I would hate for my son to lose out on this aspect of his overarching provision. In addition to this, it is a real struggle to manage the needs of my child and to try to keep all of his opportunities age appropriate - this is one area where this is being acutely well met, and other arrangements would not work as well and would require more parental intervention which we would hate to do when he reaches 16 and when he is more and more aware of the social and attainment gap between him and his peers and what that means in terms of the freedom and independence he can have. This could damage his self esteem as he would effectively have to take a step backwards as his parents would need to step in more. We would also have to consider whether one of us needed to go part-time and we are proud that we have both contributed to society and raised our family, thus far, with a good work/life balance that offers us family and job satisfaction which keeps us all happy and emotionally strong.

---

***Response: The LA are pleased that your son journey has been a positive experience, the LA will still continue to provide travel assistance to post 16 students, however should proposal 1 be recommended and adopted, this arrangement will require a contribution***

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The general gist of these proposals look to ensure that families with SEN children/young adults will have to lose out financially in order to access suitable provision. The costs related to SEN should be ring-fenced in order to ensure adequate provision is given to each individual.

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***Response: No comment – Statement***

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### **Feedback received from the public consultation events:**

#### Public consultation Attendance

29/1/18 Allerton Court Hotel, Darlington Road, Northallerton DL6 2XF

Morning session only

Attendance (other than presenters) 4

Feedback: Understand that the authority has difficult decision to make, and that these proposals are better than going to statutory minimum. Parents group (POSH) are actively informing members about the consultation and asked would we present at their meeting (1st March 2018). Offered to assist with the further development of Travel Training in the area.

30/1/18 The Forum, Bullamoor Road, Northallerton DL6 1LP

Evening session only

Attendance (other than presenters) 2

Feedback: 2 Families directly impacted by the changes and wanted to understand a bit more on how we made the decision and what would their option be. Understand the reason behind the proposals and although not happy with the proposed charges of post 16, can understand the reason behind this

31/1/18 Lakeside, National Agri-Food Innovation Campus, Sandhutton, York YO41 1LZ

Afternoon session only

Attendance (other than presenters) 3

Feedback: Understands that the high cost of transport is influenced by the lack of local provision in pockets of the county. Concerns raised from experience that the relationship between children and adults service is disjointed and would hope further work is undertaken before Adult services make any decisions, especially on young people they don't know.

Evening session only

Attendance (other than presenters) 0

Feedback: None

2/2/18 Sneaton Castle Centre, Whitby YO21 3QN

Afternoon session only

Attendance (other than presenters) 0

Feedback: None

Evening session only

Attendance (other than presenters) 5

Feedback: Lively group with first-hand experience of transport provision from commissioning taxis, shared provision and PTA. Session went well with positive understanding of the rationale for change. Felt that most of the provision is focused in Scarborough and although Whitby is near, it is still a considerable distance for high need young adult moving forward.



6/2/18 The Esplanade Hotel, Belmont Road, Scarborough YO11 2AA

Afternoon session only

Attendance (other than presenters) 3

Feedback: Concerns about the charging of post 16 and although we are setting the level of £490, concerned that will dramatically increase year on year. Concerned that families will be pressured into taking a PTA – however 1 family attending was in receipt of a PTA and felt this was not the case

Evening session only

Attendance (other than presenters) 5

Feedback: Parents wanted to understand more about the post 19, agreed that if you have travel means available you should use it, but concerned that those people who don't have a car or mobility allowance would not be able to continue in education. More investment in travel training was also highlighted.

21/2/18 Cedar Court, Park Parade, Harrogate HG1 5AH

Afternoon session only

Attendance (other than presenters) 15

Feedback: Question about 5 – 16 year olds and why this hasn't been updated nationally by the government for post 16, and how councils exploiting this loophole.

Question about how we have extrapolated the figure of £30M and we explained that this was based on the estimated number of people expecting to go

Question about the Care Act and transport provision around mobility vehicles and how mobility cars would work if someone couldn't drive, which would fall within the Adults Care Act Assessment.

A good discussion regarding parental allowance and how this works and the difference between this and regular arranged SEND transport.

Questions about the times for the consultation as to when are they held is this the most appropriate venues.

We talked about the online options, the engagement with schools and providers and the consultation events that are held during the day and evening events that are options for parent, carers and young people.

Evening session only

Attendance (other than presenters) 3

Feedback: A further question about Health and Social Care and transport and how post 19 is applied for Adult's through HAS for those going onto college.

Question about the fee and payment for this at post 16 and how that might be staged across the academic year. We explained that this will follow the same process as mainstream payment.

Discussion about whether all young people with an EHCP would have a transport mean's tested assessment.

Comment about the fact that the online text box is character limited so limiting comment space.

8/3/18 The Forest and Vale, Pickering, YO18 7DL

Afternoon session only

Attendance (other than presenters) 5

Feedback: A good event with challenging and respectful conversation about SEND transport proposals and post 19 options for those young people that are very complex and whether educational options are the most appropriate and then employment opportunities.

Some discussion about ensuring that transport assessment is holistic and very personalised with recognition that the process into Adult Services is complex.

A parent referred 'enable, encourage and assist' and the feeling that this was a 'sound bite' however a broad recognition that funding and national context has to apply and that even though this will have an impact, this is currently the challenge both locally and nationally,

Evening session only

Attendance (other than presenters) 1

Feedback: Parent was concerned that she heard through the radio that we were cutting all home to school transport from post 16. Reassurances were made that this is not the case but we are re-aligning the process to a single policy and therefore are proposing to request a contribution for such provision, at this point the parent was understanding of the proposal and the event went well.

13/3/18 Herriott's Hotel, Skipton BD23 1RT

Afternoon session only

Attendance (other than presenters) 3

Feedback: Discussions around the cost of caring for a disabled person is significantly higher than most children cares requirements, but also recognise that this is not created by, or unique to NYCC, but stimulated by government legislation and funding. Would like to see in more detail how proposal 2 would work, what is the process. Will this be automatic or will families have to request this.

Evening session only

Attendance (other than presenters) 0

Feedback: None Received

16/3/18 The Town Hall, Market Place, Richmond, DL10 4QL

Afternoon session only

Attendance (other than presenters) 0

Feedback: None Received

Evening session only

Attendance (other than presenters)

Feedback: Family of a Year 11 student attended with concerns about the Proposal 1, the family are unable to provide transport to the future provision and were concerned that no transport would be offered, explained that we are still intending to provide provision however we are

proposing that this would be chargeable in line with mainstream offer. Family are acceptant of this as they have other children at SEN support and full mainstream status and were expecting to be paying for both of them as they progress to post 16.

23/3/18 Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.

Afternoon session only

Attendance (other than presenters) 7

Feedback: It was requested to be noted for the record at the beginning of this session that a lot of these transport cost are due to the nature that Selby does not have a specialist school and that all the children requiring a specialist provision will have to be transported out of the district to school. The meeting went well however discussion kept reflecting the provision available in Selby and how if this was available then this would reduce the budget. Comments raised about the moving to post 19 and what is the process, it was explained that the process will need to be developed with Adult service should this proposal be recommended.

Evening session only

Attendance (other than presenters) 3

Feedback: Meeting started with a family concerned that expectation to transport was now going to be families and that we are pushing everyone on to a PTA. Explained this is not the case and the PTA is voluntary. One family commented that his children are mainstream and was surprised to see that EHCP students get the transport free, whilst he has to pay, and felt that was unfair. Comments were made that the Parent Power group had invited over 150 members to today meeting, and would like to engage with the authority with further developing the travel training programme. Comments again raised that Selby has not the provision locally it needs to meet the needs of their children.

Other events

Youth voice: 15 people spoken too – in a workshop and afterwards due to the delay in workshops starting. Feedback was generally that the transport provision we provide is good, children and young people don't think about how to get to school, and parents deal with that. Why are taxis so expensive when the transport can be provided cheaper by the PTA.

Response: We acknowledge that the responsibility of a child and young person attending school is with the parents, and the LA have a duty to assist parents for eligible children. It is the decision of the parent whether to accept the LA offer of assistance.

Taxis are more expensive as overheads in operational requirement and employee salaries and associated costs would be the reason why taxis charge more.

Moving on events – numbers not recorded and this was a market place arena, with access to a quiet room for personal discussion which was used on 4 occasion at Welburn Hall event.

Feedback: Parents have a perception the EHCP are an entitlement to transport the same way section 6 placed the duty in statements – didn't realise this was not the case.

Parents didn't realise that transport will only be provided to the nearest school or college which can meet need or in the case for further education the nearest with the desired course which can meet need.

Parents didn't know about bursary or in 2 cases – Access to work fund for an apprentice.

## Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

### Home to School Transport Review

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email [communications@northyorks.gov.uk](mailto:communications@northyorks.gov.uk).



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔

**Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.**

|   |   |
|---|---|
| Name of Directorate and Service Area                                | Inclusion - CYPS<br>Admissions – CYPS   |
| Lead Officer and contact details                                    | Jane Le Sage, AD Inclusion  |
| Names and roles of other people involved in carrying out the EIA    | Gail Chester - SEND Transport Manager<br>William Burchill - Admissions Manager<br>Alice Batley - 2020 Project Manager                     |
| How will you pay due regard? e.g. working group, individual officer | This project has been governed through 2020 processes with an Implementation Group, monitored through the 2020 Inclusion Programme Board. |

|  |   |
|--|---|
|  | All proposed changes have been subject to formal 90 day public consultation and the recommendations if approved will influence changes to be made to the Home to School Policy. This will be signed off at Full Council on 16 <sup>th</sup> May 2018 and the EIA will be reviewed and finalised depending on the outcome of the updated Policy. |
| When did the due regard process start? | The project initially started in February 2016.   |

**Section 1. Please describe briefly what this EIA is about.** (e.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA is about the proposed changes to the Home to School Transport Policy following public consultation and consideration of its impact on key groups with protected characteristics.

The aim of the changes is to create efficiencies and where possible improve the delivery of services for existing and future individuals who access them. The proposals will impact on some post 16 mainstream and SEND pupils commencing education from September 2018. Some transport provision is a statutory requirement, as governed by the Education Act 1996. However the Local Authority currently provides transport in excess of statutory duties.

Home to school transport is a demands led service and since the introduction of the new SEND legislation within the Children and Families Act 2014, the Local Authority has experienced a significant increase in the number of children and young people accessing transport and a greater distance being travelled. This is related to the extension of the age range within the new legislation which now spans 0-25 years and the capacity issues for specialist places.

The changes which have been consulted on are additional discretionary arrangements which the Local Authority provide to address the rurality and geographical size of North Yorkshire and provide additional support for our children and young people to access education and achieve their potential.

**Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it?** (e.g. to save money, meet increased demand, do things in a better way.)

The proposed changes are due to an increased pressure on the SEND Transport budget and the current transport model not being sustainable going forward. The current forecasted spend in relation to SEND Home to School Transport is estimated as £8.5m in 2018 which represents an approximate overspend of £2.1m on existing budgetary allocation. Based on current trends in SEND continuing and the annual year on year growth estimated at 18% per annum, it is estimated that by 2020 the forecasted spend will be £13.2m. This will continue to increase to £18.4m by 2022, and reach £30m by 2025.

The Local Authority intends to still provide support to those who need it the most, however, with increased choice for parents and carers as part of a revised transport model. The revised model is intended to provide better outcomes for individuals through the most appropriate transport arrangements for their needs. This will also provide better outcomes for the Local Authority through effective and efficient use of resources.

The Local Authority must create efficiencies and the proposals which have been consulted were developed following significant research and analysis to identify areas of inefficient use of resources, discrepancies in provision and where improvements can be made.

The Local Authority must ensure its Home to School Transport policy is fit for purpose and is compliant with the legal requirements and code of practice, this will be reviewed on an annual basis going forward following implementation to ensure the policy is up to date and remains fit for purpose.

### **Section 3. What will change? What will be different for customers and/or staff?**

Census data from May 2017 shows that in North Yorkshire there are 67,966 school aged (reception to year 11) children, and a further 5,433 of post 16 (years 12,13 and 14). Of these 73,399 pupils, 11,500 are currently accessing transport.

Currently there are around 2,500 children and young people living in North Yorkshire with an EHC Plan with around 1,100 students accessing home to school transport above and beyond a mainstream provision.

The Home to School Transport Statutory Guidance 2014 places a duty on the local authority to provide transport assistance for eligible children of statutory school age (5-16). Therefore transport provision for pupils over 16 years old is a non-statutory duty. However the Local Authority still wants to offer support to ensure students can access their education provision and recognise the rural nature of North Yorkshire and the lack of public transport available.

The Local Authority rejected before consultation the proposal to remove all discretionary transport as elected members recognised the negative impact this would have on young people and families living in North Yorkshire.

The recommended changes would impact on Post-16 or Post-19 pupils in both Mainstream and SEND provision which amounts to 817 students currently requiring transport provision based on 2017/18.

#### **Proposal 1**

- This proposal will introduce a flat rate contribution from families for post 16-18 SEND transport. This contribution will amount to £490/annum (subject to annual review). Lower income families will receive a 50% discount. Payments can be made by monthly direct debit to avoid a large single payment. The flat rate introduced is regardless of distance travelled and cost of transport as this positively supports families with post 16-18 young people with special educational needs and disability.
- If families decide to make the payment then the Local Authority will continue to make appropriate transport arrangements and the young person will not see any impact on their transport.

#### **Proposal 2.**

- This proposal recognises that young people aged 19 years and above are adults in term of legislation and ensures that their needs are assessed under the Care Act 2014.
- Young people aged 19 years + will be assessed using the adult social care assessment process underpinned by the Care Act 2014. This will include a strength based assessment to identify if the young person has means to support transport to education. Where alternatives are not available the Local Authority will continue to provide support for transport to access services subject to the standard daily charge levied within Health



and Adults Services. This ensures equity with other users of transport within the adults social care system.

#### Proposal 3

- This proposal strengthens the current mileage allowance for parents/carers if they choose to take their child to school themselves. This is voluntary and therefore would not be imposed on any families. Therefore if this was not chosen by a family then the local authority would continue to arrange transport assistance for eligible children.

It is important to note that proposal 1 and 3 may have little impact on children and young people and is dependent on the decisions made by their parents/carers. The proposals will provide some flexibility for families and increased choice as to how transport is arranged.

Staff will continue to work closely with everyone who requires transport to ensure the support the young person receives is right for them, although it may be through different types of support. The Local Authority will also continue to promote independent travel training for young people that would benefit.

#### **Section 4. Involvement and consultation** (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Details of the different proposals were available on our public website ([www.northyorks.gov.uk/consultations](http://www.northyorks.gov.uk/consultations)) and the Local Offer banner. The consultation included an on line survey for completion. This information was also available in easy read, alternative language or formats on request. In addition to the survey we have considered any feedback received by email, and from meetings during the consultation period (8<sup>th</sup> January 2018 to 2<sup>nd</sup> April 2018).

Eighteen public events were delivered across all localities in North Yorkshire and the same presentation was delivered at all events to ensure the messages were consistent. The events were held during the day and early evening to maximise opportunities for attendance and were open to all. The presentation was positively received by audiences and people thought they had a better understanding of transport provision, why we have developed the proposals for change and the rationale behind this. We also responded to feedback and added additional events in Richmond, Selby and Pickering. Please see Appendix A below which is the presentation which was delivered at all events and has details of all public events which have been held throughout the consultation.

The consultation has been promoted via the Schools E-red bag, Local Offer, NYPACT, NYCC website, corporate Facebook and Twitter accounts with regular releases on social media ahead of the public events. We attended the NYPACT (Parent and Carer Forum) Management Committee on 14<sup>th</sup> March and the consultation has been promoted through their networks following this. In addition to the above channels we have also included adverts on local radio stations including BBC Radio York, Radio Tees and Yorkshire Coast Radio. A press release was published on 19<sup>th</sup> December 2017 following publication of the documents to Executive Members on proposed changes. We included a notice and link to the consultation in the February Transport Operator newsletter which is produced by Integrated Passenger Transport to ensure transport providers were aware of the proposed changes.

We also attended the Youth Voice Conference on 16<sup>th</sup> March and Moving On events to consult directly with children and young people. The SEN Transport Manager delivered a workshop to young people and their feedback has been taken into account as part of the consultation.

A further consultation was undertaken with the Flying High Group which is made up of young people aged 19-25 years with special educational needs and the Shout Out groups in Scarborough.

We also attended the Association of Transport Commissioners and Officers (ATCO) on 8<sup>th</sup> February 2018 in York which had representatives from other Local Authorities across the North East and Humber regions.

We attended a number of meetings with schools including:

- School Improvement Governors:
  - Harrogate on 24/01/18
  - Northallerton on 25/01/18
  - Skipton on 29/01/18
  - Scarborough on 06/02/18
  - Escrick (York/Selby) on 08/02/18
- Secondary Head Teachers on 21/02/2018
- Special Head Teachers in Thirsk on 07/03/2018
- Primary Head Teachers on 14/03/2018

Parent Groups have been actively promoting the consultation and contacting members to advise them to take part in the consultation and attend the public events.

Throughout the consultation a weekly breakdown has been provided to the monitoring group to review responses and feedback. The monitoring group includes representations from:

- The Inclusion Service and Admissions Team in Children and Young People's Services
- The Care and Support Service in Health and Adult Services
- Integrated Passenger Transport
- Legal and Democratic Services
- Finance
- Project Management
- Human Resources
- Business Support
- Communications Team

As the responses have been reviewed on a weekly basis, we have been able to respond to queries and provide additional information throughout the consultation. We developed a Frequently Asked Questions document and published this on the consultation page on the website to assist with answering the questions. This was published on the website on 26 February 2018.

In addition the local authority was aware of an on line petition initiated by a parent via change.org. This has not been presented to the local authority during the consultation period. It attracted 488 signatures of which some are not North Yorkshire residents. This petition has not met the criteria for a county council debate. (signatures of 30,130 required).

A separate document provides details of the consultation feedback and the analysis of information.

The Local Authority consulted widely on all 3 proposals. It is important to note that Proposal 2 is already included in the current home to school transport policy but the local authority decided to include it as part of the consultation in the spirit of transparency and ensuring families and young people had all information available to them.

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

The current financial projection for SEND Transport is an approximate overspend of £2.1m. Although additional recurring budget has been identified in the Medium Term Financial Strategy, this will be insufficient to meet medium term spending projections.

The proposals which have been consulted on and are being put forward as recommendations for implementation have been developed to recover contributions towards the cost of non-statutory Home to School Transport which can then be used to offset budgetary pressures and allow the Local Authority to continue to provide transport support.

If the proposals are implemented it will assist with bringing the expenditure back in line with the SEND transport budget allocation. However as this is a demand led service the proposals will not address the statutory requirements of transport and other issues such as lack of provision within North Yorkshire as outlined above. The outcomes of the consultation and feedback will be included in the ongoing work to review educational provision for young people with special educational needs across North Yorkshire.

The proposals will allow the local authority to continue to support discretionary transport assistance thereby supporting access to education for young people with special educational needs

| <b>Section 6. How will this proposal affect people with protected characteristics?</b> | <b>No impact</b> | <b>Make things better</b> | <b>Make things worse</b> | <b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>  |
|--|------------------|---------------------------|--------------------------|---|
| Age  |                  | ✓                         | ✓                        | <p>Based on the recommendations for change to the way transport is currently provided to young people with SEND:</p> <p>In the short term there is a potential for negative impact on young people and their carers who have been used to the traditional transport services as change can be seen as challenging. The Local Authority recognises this and will provide appropriate support to minimise the impact.</p> <p>Post 19 young people may not receive assistance with transport if they have means themselves. This may impact on the choice of young adults to remain in education.</p> <p>However, it is anticipated the proposals increase choice for some families</p> <p>Low income families will receive an additional subsidy to facilitate the student accessing their education.</p> |

|              |   |   |   |  |
|--------------|---|---|---|--|
|              |   |   |   | <p>The post 16-18 contribution is a flat rate regardless of cost of transport for a young person or distance travelled</p> <p>The ages of the young people who may be affected are 16 to 25 and their parents/carers.</p>  |
| Disability   |   | ✓ | ✓ | <p>The main group affected will be those with SEND. It is anticipated the benefits afforded by greater choice and improved outcomes will mitigate the initial impact of change.</p> <p>If families decide to make the contribution towards post 16 transport the local authority will continue to arrange appropriate transport and therefore there will be little impact on those with special educational needs apart from costs. The Local Authority will still be highly subsidising the transport costs.</p> <p>The mileage allowance is voluntary and if families refuse then the local authority will continue to make appropriate transport arrangements and therefore impact on those with special educational needs and disability will be minimal.</p> <p>Young people aged 19 years + will be assessed using the adult social care assessment process underpinned by the Care Act 2014. This will include a strength based assessment to identify if the young person has means to support transport to education. Where alternatives are not available the Council will continue to provide support for transport to access services subject to the standard daily charge levied within Health and Adults Services. This ensures equity with other users of transport within the adults social care system.</p> |
| Sex (Gender) | ✓ |   |   | <p>It is anticipated there would be no identifiable impact on Mainstream or SEND pupils. This remains the same following consultation.</p>   |
| Race         | ✓ |   |   | <p>It is anticipated there would be no identifiable impact on specific ethnic groups as a result of the project, however the LA will look at the profile of specific groups potentially affected to see if there are any differences and build them into the options accordingly throughout the consultation. This remains the same following consultation.</p>  |

|                               |   |  |  |   |
|-------------------------------|---|--|--|---|
| Gender reassignment           | ✓ |  |  | It is anticipated there would be no identifiable impact on specific groups in relation to gender reassignment as a result of the project. This remains the same following consultation.           |
| Sexual orientation            | ✓ |  |  | It is anticipated there would be no identifiable impact on specific groups in relation to sexual orientation as a result of the project. This remains the same following consultation.            |
| Religion or belief            | ✓ |  |  | It is anticipated there would be no identifiable impact on specific groups in relation to religion or belief as a result of the project. This remains the same following consultation.            |
| Pregnancy or maternity        | ✓ |  |  | It is anticipated there would be no identifiable impact on specific groups in relation to pregnancy or maternity as a result of the project. This remains the same following consultation.        |
| Marriage or civil partnership | ✓ |  |  | It is anticipated there would be no identifiable impact on specific groups in relation to marriage or civil partnership as a result of the project. This remains the same following consultation. |

| <b>Section 7. How will this proposal affect people who...</b> | <b>No impact</b> | <b>Make things better</b> | <b>Make things worse</b> | <b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>   |
|---|------------------|---------------------------|--------------------------|--|
| Live in a rural area?   |                  | ✓                         | ✓                        | <p>Transport for Post-16 remains a discretionary award, the Local Authority continue to recognise that young people living in rural areas and currently provide transport to all young people who live in locations where other methods of transport are unavailable.</p> <p>An early stage proposal to remove all non-statutory provision was rejected prior to consultation as it was felt this would disadvantage young people significantly who live in a rural area.</p> <p>The recommended changes allow for provision to continue in a more consistent way and will ensure that provision is sustainable for the future requirements of young people.</p> |
| ...have a low income?   |                  | ✓                         | ✓                        | The Local Authority recognises that these proposals may have an adverse impact on those who fall within this category. In order to mitigate this impact it was recognised that low   |

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  | <p>income families will receive a 50% reduction to facilitate the student accessing their education as this already exists in Mainstream provision.</p> <p>Families will have the option to pay the reduced contribution for post 16 transport by direct debit to avoid lump sum payments</p> <p>Young people may be eligible for the 14-19 bursary to provide some assistance towards travel</p> <p>The potential introduction of an increased personal travel allowance will provide more flexibility for some families to make arrangements which suit their needs.</p> |
|--|--|--|--|--|

**Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

It is anticipated any changes to the current transport services may impact more on the following:

- Young people with special educational needs and/or disabilities

Proposal 1 and 3 will be dependent on decisions from families and therefore may not have significant impact on young people directly. For example if families decide to pay the contribution / decline the allowance then the Local Authority will continue to arrange appropriate transport assistance.

The Local Authority will continue to promote independent travel with young people as a part of their preparation for adulthood. Transport assessments will be carried out consistently and all needs will be identified and addressed regardless of the new transport model which is put in place following consultation. This all remains the same following consultation and an Implementation Plan will be developed following agreement at Full County Council to address these matters.

All pupils regardless if they are SEND or Mainstream will not be affected if they are within statutory school age and are recognised as an eligible child under statute. This remains the same.

| <b>Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</b>                                       | <b>Tick option chosen</b> |
|---|---------------------------|
| <b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.  |                           |
| <b>2. Adverse impact - adjust the proposal -</b> The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.                                       |                           |
| <b>3. Adverse impact - continue the proposal -</b> The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons | ✓                         |

|  |  |
|--|--|
| for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)  |  |
| <b>4. Actual or potential unlawful discrimination - stop and remove the proposal</b><br>– The EIA identifies actual or potential unlawful discrimination. It must be stopped.  |  |
| <p><b>Explanation of why option has been chosen.</b> (Include any advice given by Legal Services.)</p> <p>The reason why ‘<b>Adverse impact - continue the proposal</b>’ has been selected is following the outcome of the consultation on the proposed changes to the Home to School Transport Policy and all responses have been considered and evaluated.</p> <p>The consultation as outlined above had 134 number of responses which is low in relation to the number of children who currently receive home to school transport and their families. The feedback from the consultation including public events has not provided any further causes for concern other than those identified above at the beginning of this process. The consultation did not raise any other suggestions for implementation that was within the authority’s power to change (e.g. means testing of children) Work is already underway to review educational provision for children with SEND to ensure the local authority has the right provision in the right place. This will also impact positively on transport requirements and the budget</p> <p>The following reasons for choosing to proceed with the recommendations for implementation remain the same:</p> <ul style="list-style-type: none"> <li>• To protect the provision of discretionary transport to still enable children and young people to access their education.</li> <li>• To take corrective action to address the overspend whilst maintaining a sustainable transport offer.</li> <li>• To ensure the Council is legally compliant.</li> <li>• To ensure young people aged 19 and over are assessed in accordance with the Care Act 2014.</li> <li>• To promote access to education by offering an enhanced subsidy to post 16 students with SEND.</li> <li>• To increase the opportunities for parents, carers and young people to have greater choice in their transport provision.</li> <li>• In order to minimise any adverse impact on those with protected characteristics there was a consideration to delay the implementation of Proposal 2 until September 2019, however due to the significant negative impact on the budget it is recommended that changes are introduced from September 2018 whilst ensuring the impact on affected young people is minimised.</li> </ul> |  |

|   |
|---|
| <p><b>Section 10. If the proposal is to be implemented how will you find out how it is really affecting people?</b> (How will you monitor and review the changes?)</p> <p>The effect of the changes if implemented will only affect new Post-16 pupils commencing in education from September 2018. Existing pupils will continue to receive their existing transport if it is an assessed need, until this is reviewed as part of a two year implementation plan from September 2018 to July 2020, and will be fully involved in the reassessment process with staff working closely with all involved. We will continue to monitor the impact these changes may have on young people and accessing their education provision.</p> <p>The project has a clear project plan, communication strategy and risk log, all with detailed planning which have been monitored and will continue to be updated regularly throughout implementation. Following implementation there will be a 6 and 12 month Post Implementation Review.</p> |
|---|

The Transport, Economy and Environment Overview and Scrutiny Committee have requested a further report on progress by April 2019.

This remains the same following the public consultation.

**Section 11. Action plan.** List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

| Action   | Lead                                       | By when   | Progress  | Monitoring arrangements   |
|--|--|---|-----------|---|
| 90 day public consultation to commence   | Jane Le Sage                               | 8 <sup>th</sup> January 2018                        | Complete. |   |
| Public events to be held across localities   | Jane Le Sage / Gail Chester / Alice Batley | From January 2018 onwards                           | Complete. | Public events and feedback from these events will be monitored through a working group with representatives from Inclusion, the Communications Team, Finance and Project Management support. This has been completed. |
| 90 day public consultation to end.   | Jane Le Sage                               | 2 <sup>nd</sup> April 2018.                         | Complete. |   |
| All responses and feedback to be collated and reviewed following consultation.   | Jane Le Sage / Gail Chester / Alice Batley | 3 <sup>rd</sup> April – 12 <sup>th</sup> April 2018 | Complete. | Reviewed by a working group with representatives from Inclusion, Legal, Finance and Project Management support.   |
| Options to be revised (if required) and Final Business Case to be developed, EIA to be revised and Policy to be updated. | Jane Le Sage / Gail Chester / Alice Batley | 3 <sup>rd</sup> April – 12 <sup>th</sup> April 2018 | Complete. | This will be completed by a working group with representatives from Inclusion, Legal, Finance and Project Management support.   |
| Sign-off of revised proposals and updated Home to School Transport Policy  | Jane Le Sage                               | 24 <sup>th</sup> April 2018 (The Executive)         | Scheduled |   |
| Sign-off of revised proposals and updated Home   | Jane Le Sage                               | 16 <sup>th</sup> May 2018 (Full Council)            | Scheduled |   |



|  |  |   |           |   |
|--|--|---|-----------|---|
| to School Transport Policy                                       |  |   |           |   |
| Publish updated Home to School Transport policy                  | Jane Le Sage                               | 31 <sup>st</sup> May 2018                             | Scheduled |   |
| Development and sign-off of Implementation and Transition Plan   | Jane Le Sage / Gail Chester / Alice Batley | 1 <sup>st</sup> June – 31 <sup>st</sup> August 2018.  | Scheduled | This will be completed by a working group with representatives from Inclusion, Legal, Finance and Project Management support. |
| Commencement of delivery of Implementation and Transition Plans. | Jane Le Sage / Gail Chester / Alice Batley | 1 <sup>st</sup> September 2018 onwards for two years. | Scheduled | Inclusion Service.  |

**Section 12. Summary** (Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.)

The Home to School transport budget is significantly overspent, with a forecast for the rise in demand to continue and therefore the Local Authority has to consider alternative options. Home to school transport is a statutory requirement and a demand led service, a significant proportion of the service which the Local Authority provides is governed by legislation with no options to adjust this. However, the proposals which were consulted are the only areas of provision which have some scope for change, as they are discretionary, to ensure transport provision remains sustainable and fit for purpose.

Although the Local Authority has identified the recommended proposals may have a negative impact on some families, the changes are necessary to ensure provision can continue. An early stage proposal to remove all non-statutory provision was rejected prior to consultation.

It is anticipated any changes to the current home to school transport services will impact more on the following:

- Young people aged 16 to 25
- People with special educational needs and disability; particularly those living in a rural area or families with a low income.

As these groups are more likely to find change challenging, there is potential for some negative impact following implementation. Therefore, if changes are made to current services following approval, they will receive support to make the transition to the revised transport model.

The Local Authority anticipates that some changes if implemented may bring positive impacts to the young people and their families particularly in respect of independent travel training and more flexibility with personal budgets for transport allowances. This remains the same following consultation and is subject to approval.

As outlined above every effort was made to consult with parents, carers and young people on the proposed changes throughout the 90 day consultation period including increased public events following initial feedback, FAQs provided with further information and additional notices via social media, local media and school communication channels.

The EIA has been revised following the consultation based on the responses received to incorporate feedback and reflect this in the recommendations for implementation to Full County Council.

Following any implementation, there will be a 6 and 12 month post implementation review to ensure that any adverse impacts on young people are mitigated.

**Section 13. Sign off section**

This full EIA was completed by: Jane Le Sage

**Name: Jane Le Sage**

**Job title: AD, Inclusion**

**Directorate: Children and Young People's Services**

**Signature:**

**Completion date: 12.04.18**

**Authorised by relevant Assistant Director (signature):**

**Date:**

## NORTH YORKSHIRE COUNTY COUNCIL

### CHILDREN AND YOUNG PEOPLE'S SERVICE

#### HOME TO SCHOOL AND COLLEGE TRANSPORT POLICY

**SEPTEMBER 2018**

#### **1.0 INTRODUCTION**

- 1.1** North Yorkshire is England's largest County, stretching from the North Sea Coast to within 12 miles of Morecambe Bay and from the South of the M62 to the edge of Teesside. It is sparsely populated with some 600,000 people across 3,300 square miles; with 40 per cent of the area being within either the North Yorkshire Moors or the Yorkshire Dales National Parks and over half the population living in areas classed as "sparse" or "super sparse". Around 20% of the population live in the two major urban centres – Harrogate and Scarborough.
- 1.2** There are approximately 129,000 children and young people aged 0-19 in the county, of those 80,000 are of school age, including 5,300 in post-16 education. There are 43 Secondary Schools, 306 Primary Schools and 10 Special Schools, North Yorkshire County Council transports approximately 20,000 pupils per day to school or college.
- 1.3** The Local Authority (LA) has a responsibility to make suitable travel arrangements where necessary to allow children access to school. This includes meeting the following objectives of ensuring that children can:
- Succeed in good schools and other settings
  - Lead Healthy lifestyles and have good health care
  - Be Kept safe and protected from harm
  - Positive choices for personal growth
  - Be economically secure
- 1.4** North Yorkshire County Council spends in excess of £21million per year, on home to school transport. The aim is to provide a good quality, safe service whilst balancing costs to ensure that the service provided is best value for money.
- 1.5** This policy is a general policy, which supports the Council's responsibility to provide access to education for all pupils, and covers eligibility for home to school transport for all children. Each request for transport is considered on an individual basis and individual circumstances will be taken into account when deciding if children are entitled to free home to school transport.
- 1.6** Transport is provided for many children across the county who are not entitled to free home to school transport. The LA publishes a sustainable travel strategy which will include information about the availability of local transport in North Yorkshire and information about how children currently travel to school, taken from school travel plans.

## 2.0 RESPONSIBILITIES

### 2.1 Local Authority

The Local Authority is responsible for making suitable arrangements for all eligible children to travel to school in reasonable safety and comfort so that they arrive there without stress or difficulty, and can benefit from their education. This is done by making sure that pupils do not have unnecessarily long journey times (taking into account the size of the county), and that they are not expected to walk an unreasonably long distance to catch the bus. Drivers and passenger assistants are properly trained and have an enhanced Disclosure and Barring Service check. The vehicles used meet the necessary safety standards and seatbelts are provided wherever possible.

### 2.2 Parent/Guardian

It is a parent or guardian's responsibility to make sure that their child attends school. It is important that parents provide the LA with information which is requested about their children to help decide whether they are eligible for free home to school transport or whether assistance can be given in any other way.

Parents should also encourage their children to wear a seatbelt (where they are fitted) and behave well on the transport provided.

If a child is sent home from school due to illness or because of behaviour problems it will normally be parent's responsibility to ensure that they are collected from school.

Where parents live within the minimum qualifying distance, it is normally their responsibility to decide how their child will travel to school and for making the necessary arrangements and costs. This may be in any way that they feel it appropriate for their child for example: walking, cycling or using a local bus service. Transport may be provided for pupils living under the qualifying distance in some circumstances. This will include:

- where the LA considers that the walked route is not safe for children to walk, accompanied as necessary. <sup>1</sup>
- where the LA agrees that it is not possible for children to be accompanied and circumstances (of children's age and the route) mean that transport should be provided.

Not possible does not mean not convenient to parents (i.e. due to work commitments, or arrangements to take children to different schools)

## 3.0 DEFINITION OF HOME TO SCHOOL

The policy applies to "home to school" travel arrangements at the start of the day, and "school to home" travel arrangements at the end of the school day and does not normally include pre-school or after-school clubs.

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<sup>1</sup> Decisions about the safety of walked routes follow the guidelines on the Assessment of Walked Routes to School, published by Road Safety GB in June 2011. These Guidelines assume that the child is accompanied as necessary by a normal caring parent or other responsible person.

Where children are attending school part time (i.e. half days), transport will be provided at the start and end of the time attended, this may be a morning journey and return home at lunchtime or a lunchtime journey and return home at the end of the school day.

Travel between educational institutions during the school day is not covered by this policy.

Transport to alternative addresses, for instance to take into account child care arrangements for parents will not usually be provided.

The term 'Home' in this policy means the permanent address where the child lives for most of the time. Where children have more than one 'home' (i.e. parents or guardians live separately) eligibility will only be assessed from separate addresses when children live with each parent or guardian for fifty percent of school term time, this does not include weekends or school holidays.

The term 'normal school' in this policy means the school allocated by the local authority to take children from the geographical area within which the 'home' address falls. This may also be referred to as 'appropriate' or 'catchment' school.

Transport will normally be provided from a suitable pick-up point near to home.

#### **4.0 PUPILS ATTENDING SCHOOL UP TO AGE 16**

A summary of the duties local authorities have to carry out to discharge their statutory obligations to provide transport and support for the costs of transport to help children and young people travel to and from schools or colleges is appended to this policy at appendix 1.

The following paragraphs outline these duties in more detail and outlines further discretionary elements of the policy.

##### **4.1 PUPILS AGED BETWEEN 5 AND 11 WHO ATTEND PRIMARY SCHOOL**

Children are of compulsory school age when they reach the age of five and must start school in the term following their fifth birthday. In practice, many children start before this age.

From September 2016 the statutory walking distance eligibility will apply to primary age pupils.

Free transport will be provided to pupils from the term in which they are five to the catchment school or the nearest school to their home address where the walking distance is

- over 2 miles (until the end of the school year in which a pupil turns 8)
- over 3 miles (if aged 8 and over)

This will apply to pupils starting school and to pupils whose circumstances change e.g. move address or change schools

If children receive free school meals or parents receive the maximum level of Working Tax Credit, transport will be provided (subject to an annual assessment), for primary aged pupils in Reception (from term in which they are five up) to Year 6 who go to:

- the nearest school or the school the LA has said is the catchment school for their home address that is over 2 miles or
- to the nearest suitable school parents prefer because of their religion or belief, where the distance from home to school is more than two miles but not more than 5 miles.

#### 4.2 PUPILS AGED BETWEEN AGED 11 AND 16 WHO ATTEND SECONDARY SCHOOL

Free transport will be provided for secondary school pupils in years 7 to 11 who go to:

- the school the LA has said is the normal school for the home address, as long as it is over three miles (the minimum distance) from home; or
- the preferred school, if that school is over three miles, but nearer to home than the normal school.

If children receive free school meals or parents receive the maximum level of Working Tax Credit, transport will be provided for Secondary school pupils in years 7 to 11 who go to:

- one of their three nearest qualifying<sup>2</sup> schools, if that school is more than two but less than six miles from the home address; or
- the nearest suitable school preferred because of parents' religion or belief, where that school is more than two but less than 15 miles from home.

If children go to a school that is on split sites, the measurement of the walking distance will be taken from home to the site the children normally attend.

#### 4.3 TRANSPORT TO A SCHOOL ON THE GROUNDS OF RELIGION OR BELIEF

Since September 2012 pupils starting a 'denominational' school, either secondary or primary, have not been entitled to assistance with home to school transport.

Parents are responsible for ensuring that their child attends school. Where possible paid permits will be available to purchase for surplus seats on services that are under contract to the County Council.

This means that parents will be responsible for transport arrangements and costs to denominational schools.

**It is important that you do not rely on existing travel arrangements when deciding which school you wish your child to attend.**

#### Exceptions

The exceptions are:

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<sup>2</sup> Qualifying schools are: Community; foundation; voluntary aided or controlled schools, community or foundation special schools; non-maintained special schools; pupil referral units; city technology colleges(CTC); city colleges for the technology of the arts (CCTA) or Academies (source *Home to school travel and transport guidance para 104* published by DCFS 2007)

- If the denominational school is nearer to the home address than the catchment school (s) and the distance from home to school is over the walking distance of 3 miles

Also where children receive free school meals, or whose parents receive the maximum level of working tax credit we will provide assistance with transport to the nearest suitable school parents prefer because of their religion or belief:

- For secondary aged pupils where the distance from home to school is more than two miles but not more than 15 miles,
- For primary aged pupils where the distance from home to school is more than two miles but not more than 5 miles.

This will be assessed on an annual basis and may be withdrawn if parents' benefits change.

Denominational school refers to schools where pupils are admitted on the grounds of their parents' faith as part of the published admissions criteria. This will not normally apply to a Voluntary Controlled School as pupils are not admitted to schools on these grounds.

Some 'denominational' primary schools are also the 'normal' school for the home address. In cases where pupils are attending the school as it is their normal or community school they will remain entitled to free transport if they live more than two miles from the school .

We check with the school to see if a child has been admitted on denominational grounds.

#### **4.4 TRANSPORT ASSISTANCE IF THE LOCAL SCHOOL IS FULL.**

If the normal or nearest school is full, transport will be provided to the nearest alternative school, if it is more than the statutory walking distance from the child's home.

#### **4.5 TRAVEL ASSISTANCE FOR PUPILS WHO DO NOT QUALIFY FOR FREE TRANSPORT**

##### **Early Admissions to Primary Schools and Children Attending LA Maintained Nursery Schools/Units**

Free transport will not be provided for eligible children admitted early to primary schools i.e. before the term in which they are five, or if children are attending LA maintained nursery schools/units. They may travel free before their 5<sup>th</sup> birthday on existing hired transport if they live more than 2 miles from home to school, providing space is available on the vehicle. This arrangement may be cancelled if subsequently the seat is needed for children of compulsory school age who are eligible for free transport.

Transport arrangements for children under the age of five will only be made with the agreement of parent/guardian, the school and the contractor.

Transport is not provided to children attending private nurseries or playgroups.

##### **Children attending Schools from Parental Preference**

If children attend a school that is not the nearest or normal school parents are responsible for the travel arrangements and costs.

If children are not entitled to free transport parents may be able to purchase a permit which entitles their children to occupy spare places on 'education transport service' vehicles at a fixed charge. It may be necessary to end the arrangement at short notice, if there is an increase in the number of entitled pupils using these vehicles and as a result spare places are no longer available.

#### **4.6 EXCEPTIONAL CIRCUMSTANCES**

The home to school transport policy will normally apply as outlined above but each request case is considered on its own merits. Some examples of exceptional circumstances are given below:

##### **Change of Home**

In circumstances where children or young people face disruption because of their need to be accommodated by the local authority away from the family home.

##### **Looked After Children**

Children placed in the care of North Yorkshire will be considered for assistance with transport to avoid disruption to their education or home life. This will normally be for a fixed period and for travel involving a reasonable distance.

##### **Fair Access**

There may be times when children will need to be educated out of school, or may need to move to an alternative school because of exceptional circumstances (due to attendance and behaviour issues or because of medical needs). The LA has an In-Year Fair Access Protocol relating to the admissions and transport for the following groups of children:

- Children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- Children who have been out of education for 2 months or more;
- Children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- Children who are homeless;
- Children with unsupportive family backgrounds for whom a place has not been sought;
- Children who are registered carers;
- Children with special education needs, disabilities or medical conditions (but without an EHCP).

The following groups of children have been agreed with the majority of schools in the area.

- Children permanently excluded from a school or children with fixed term exclusions exceeding 15 days in the current academic year;
- Children without a school place and with a history of serious attendance problems (i.e. less than 50%);
- Looked After Children



In most cases the admissions and transport needs of these pupils will be considered through the usual procedures but in some cases appropriate education and transport provision will be determined by a local Collaborative panel.

Free transport may be provided, in exceptional circumstances, where children live under the statutory walking distances from school, Pupil Referral Service or out of school provision to ensure attendance.

### **Work experience placements**

Transport to and from work experience placements is the responsibility of parents or the school. In the case of post 16 pupils this may be organised by the school or college. There may be some exceptions for pupils with an **Education Health and Care Plan** who attend a residential school who need to attend work experience placements nearer to home.

### **Transport to an alternative school due to social or domestic circumstances**

If there are exceptional social or domestic reasons why children cannot attend their appropriate school then assistance with transport may be given. Written evidence from an appropriate professional or agency will be required to assist with decision making.

### **Transport assistance following a school closure or reorganisation**

This will be determined by the Council, following consultation, at the time that closure notices are determined and may vary depending upon circumstances.

## **4.7 PERMITS**

If children are not entitled to free transport parents can purchase a permit which entitles their children to occupy spare places on 'education transport service' vehicles at a fixed charge. It may be necessary to end the arrangement, at short notice, if there is an increase in the number of entitled pupils using these vehicles and as a result spare places are no longer available.

Transport may be withdrawn if there are no longer any entitled pupils travelling on the transport and it is solely used by paid travel permits holders.

### **Allocation of spare places**

In cases where the LA is unable to meet the demand for purchased travel permits (PTP) on a particular service then the following criteria will be applied:

- Pupils who have SEN
- Pupils who are renewing, like for like, eg. a PTP was purchased during the previous academic year on the same service
- Pupils who are at a critical stage of their education, with priority to pupils who are in their GCSE years
- Pupils who have siblings currently travelling on the service
- Any exceptional circumstances, which may be identified through discussions with the pupils school
- Pupils who are attending their appropriate school and who live the furthest from that school (under the statutory walking distance)

Where none of the above can be used to prioritise applications the date that the application

was received will be taken into consideration

## **5.0 DISTANCE MEASUREMENTS**

### **5.1 MINIMUM QUALIFYING DISTANCE**

When deciding on eligibility for assistance with transport, the measurement from home to school will be taken from the boundary of the home to the nearest entrance gate (not always the main entrance) to the school following the nearest available walked route which can mean a suitable footpath or bridle-path. Where a private road or farm track exists this is included in the measurement.

This means that in some cases pupils living in the same street or even in adjoining properties may not all be eligible for free home to school transport.

### **5.2 MEASUREMENT OF DISTANCE FOR SECONDARY AGED PUPILS IN RECEIPT OF FREE SCHOOL MEALS**

When deciding on eligibility for transport for children in receipt of free school meals or if their parents receive their maximum level of working tax credit, routes of two miles or less will be measured as a walked route, using footpaths or bridleways. Routes over two miles will be measured along road routes.

## **6.0 ADDITIONAL PROVISION FOR PUPILS UP TO AGE 16 WITH SPECIAL EDUCATIONAL NEEDS OR WHO NEED SPECIAL TRANSPORT ARRANGEMENTS**

6.1 Transport may be provided for children who are unable to walk to school because of a disability or mobility problem, including temporary medical conditions. This will normally be agreed following the issue of an Education, Health Care plan (EHCP) or on production of relevant medical evidence.

### **6.2 Pupil attending residential special schools**

Where children attend a residential special school, free transport, or a transport allowance, will be provided at mid and full term holidays or as determined by the child's EHCP.

### **6.3 Pupils on 52 week residential placements**

Where children attend a residential special school on a 52 week placement free home to school transport is not given. If assistance with transport is required the social care worker allocated to the family should be contacted.

### **6.4 Hospital visits from residential schools**

Where children attend a special residential school free transport from school to home will be provided to allow them to keep necessary hospital appointments, where a supporting appointment card is provided. Parents are encouraged, wherever possible, to make such arrangements outside of term time.

### **6.5 Induction visits to schools/colleges (for pupils attending special schools)**

Transport will be provided for children for induction visits where they have been allocated a place at that school or college.

Parents are responsible for arranging and paying for visits to schools or colleges to see whether they would like children to go to that particular school.

#### **6.6 Dual placements (for pupils attending special schools)**

If children are attending a special school they may also attend a mainstream school for part of their school week. Transport will be provided if they live more than 2 miles for primary pupils and 3 miles for secondary pupils from that school. Shorter distances may be considered in exceptional circumstances.

#### **6.7 Annual Reviews (for children attending special schools)**

It will normally be a parent's responsibility to arrange transport so that they can attend.

#### **6.8 Parents/guardian with a disability**

If a parent is unable to accompany their child, as necessary, along a walked route due to their own disability free transport may be provided. Supporting medical evidence will be required.

#### **6.9 Transport to and from respite care or after school clubs**

This is not covered by the home to school transport policy. If a parent requests transport assistance to or from respite care or after school clubs it may possible to make arrangements. Children's Social Care should be contacted for assistance.

### **7.0 PUPILS AND STUDENTS AGED 16-19 AND POST 19 EHCP STUDENTS - POLICY**

The Authority has a duty to prepare and publish an annual transport policy for Post 16 students on its website, and upload the link to GOV.UK by 31st May. The will include arrangements and provision of transport for pupils aged 16 – 19 and for Post 19 students with an Education, Health Care Plan (EHCP.)

Please refer to the policy statement that can be found here:  
<https://www.northyorks.gov.uk/transport-sixth-form-or-college>

### **8.0 TRANSPORT ARRANGEMENTS**

#### **8.1 TYPE OF TRANSPORT/PAYMENT OF PARENTAL TRANSPORT ALLOWANCES**

Integrated Passenger Transport will take into account any special requirements and will provide the most appropriate and cost effective means of transport.

Where possible a pass will be issued for an existing service.

A voluntary parental transport allowance may be offered to parents where this is the most cost effective option and usually when there is no other contracted transport running.

The Authority will promote a parental transport allowance (PTA) for SEND pupils in sole occupancy provision with a realistic enhancement to meet the young person(s) transport needs.

## **8.2 JOURNEY TO WAITING POINT**

Children will be expected to make their own way to a pick-up point. This should normally involve no more than a walk of a mile. Free transport from home to the pick-up point will only be given where the route is unsafe for children to walk, accompanied as necessary.<sup>3</sup>

## **8.3 WAITING POINTS**

The waiting point for transport to school or college will generally be a public stop or station or, in the case of hired transport, a named point which is suitably safe, both for children to wait and vehicles to stop. Integrated Passenger Transport will carry out risk assessments on pick up and set down points, where there are any concerns.

## **8.4 CONNECTING SERVICES**

If children attend primary school and the transport provided needs to meet a connecting service, the driver of the first vehicle will wait with children until the connecting vehicle arrives. If children attend a secondary school this will not normally be necessary. The waiting time between connections will normally be no longer than 10 minutes. The meeting point will, where possible, be near a public telephone or building which should have a telephone (e.g. garage, Post Office).

## **8.5 MAXIMUM JOURNEY TIMES**

Transport will be arranged so that children will not normally spend more than 1 hour 15 minutes travelling to a secondary school or 45 minutes to a primary school. Journey times might need to be longer than this in some more rural areas and where road or weather conditions mean that these times are not practical.

Journeys will, wherever possible, be by the most direct route but sometimes journey times will need to be increased to collect other children. If children's journeys are 20 minutes or less the journey time may be increased by up to 75% or a maximum of 15 minutes to collect more pupils. If it is 20 minutes or more children's journeys will not normally be increased by more than 20 minutes.

## **8.6 ARRIVAL AT AND DEPARTURE FROM SCHOOL**

School transport should arrive at school between 5 and 15 minutes before the official opening time. The picking up/setting down point for children will usually be at the school, especially for primary age pupils. Secondary school pupils and college students using commercial bus or rail services may need to walk for no more than 10 minutes from the bus stop or rail station to the school or college.

Where possible, vehicles should arrive at school no more than 10 minutes before the end of the school day and leave school between 10 and 15 minutes after the official closing time.

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<sup>3</sup> Decisions about the safety of walked routes follow the guidelines on the Assessment of Walked Routes to School, published by Road Safety GB in June 2011. These Guidelines assume that the child is accompanied as necessary by a normal caring parent or other responsible person..

## **8.7 BEHAVIOUR ON HOME TO SCHOOL TRANSPORT**

The main responsibility for ensuring good behaviour on home to school transport lies with children themselves. It also lies with parents or guardians, schools, bus contractors/operators and the Local Authority jointly. Integrated Passenger Transport will work closely with schools and contractors to ensure that poor behaviour on transport is dealt with quickly.

If there are complaints that involve pupils, these will normally be investigated through the school. If pupils are found to have behaved in an unacceptable way then any of the normal range of sanctions used by the school may be applied. This could include exclusion from school. In addition, the following may also be applied:

- Children may be asked to sit at the front of the vehicle for a set period of time.
- Children may be suspended from all school transport services for a period of time. In the case of extreme and persistent behaviour they may be banned permanently from the transport and parents will be expected to ensure that their child attends school.
- The Prevention Service may be asked to visit parents to discuss the problem.
- The police may be asked to investigate and take action as appropriate.
- Parents are expected to meet the cost of repairing any damage caused by their children.

## **8.8 EARLY DEPARTURES/LATE ARRIVALS FROM SCHOOL**

Bad weather - Integrated Passenger Transport will make suitable arrangements to provide transport home from school, if necessary outside of the terms of the existing contract. Contractors will work with the schools in the local area to ensure that severe weather conditions are taken into account when transporting pupils to and from school.

First/last day of term or otherwise - Any additional cost of transport owing to a temporary change in school hours set up by the school is the responsibility of the school though it is expected Integrated Passenger Transport will, where possible, co-operate in making transport arrangements.

## **8.9 CHANGE OF SCHOOL HOURS**

If a school or academy wants to change its school hours it should follow best practice and carry out a consultation at least three months before the planned change, including the Local Authority in the consultation. Good practice suggests that schools can only change the times of the school day at the start of the academic year, i.e. in September.

Where a school or academy alters its hours, unless agreed otherwise by the Local Authority during the required consultation, the school will be expected to meet any additional transport costs.

## **8.10 CO-ORDINATION OF SCHOOL TRAINING DAYS**

There are three common training days agreed across the Authority, which can be found on the NYCC website with the agreed school term and holiday dates for each academic year. Schools with shared transport are encouraged to co-ordinate their remaining two training days to ensure the most efficient use of the transport network and to minimise costs.

## 8.11 VEHICLE CAPACITY

The LA will make sure that children have their own seat (i.e. that there is one seat per child on each vehicle used).

## 8.12 TAXIS AND PRIVATE CARS (Non-Public Service Vehicles}

When children are transported using a taxi or private-hire vehicle, that is not a public service vehicle, it must have one seat belt, and where appropriate child car seat or booster seat, for each person carried and have to be licensed by the relevant District Council.

## 8.13 VETTING

All drivers and passenger assistants will be 'vetted' which means that they have undergone an enhanced Disclosure and Barring Service (DBS) check and must wear their County Council identification pass.

## 8.14 PASSENGER ASSISTANTS

Passenger assistants will be provided in accordance with assessed needs. This will usually only be where children have special transport requirements and need assistance to access the vehicle, or require medical intervention or, in the case of severe behavioural issues, need close supervision.

## 8.15 INFORMATION AND TRAINING FOR PASSENGER ASSISTANTS AND DRIVERS

Integrated Passenger Transport will provide contractors with general information and advice to make sure that children's journey are comfortable and safe.

The driver or passenger assistant will need to be provided with information about children if they have exceptional medical or behavioural problems so they can appropriately respond to situations that may arise.

When a contract is awarded to provide home to school transport it is made clear that passenger assistants and drivers may need to attend up to two information and training sessions per year. This will normally be general training but can be specifically related to the special needs of children.

When a passenger assistant is required to provide specialist support or medical intervention they will normally be employed by the authority and will be given specific training relevant to the needs of the child.

## 8.16 COVER FOR PASSENGER ASSISTANTS AND DRIVERS

Contractors are asked to try and provide the same driver or group of drivers on contracts, where possible. In some cases ~~the Educational, Health Care Plan of special educational needs for children~~ the contract may state that the same driver should always be used. Wherever possible the same passenger assistant is also available for the duration of that contract. The passenger assistant should be changed only in exceptional circumstances, for example illness.

## 8.17 WHEELCHAIR FIXING

If children travel in a wheelchair this must be to ISO 7176-19;2008 standards and properly fixed in the vehicle in accordance with current Department of Transport guidelines. Integrated Passenger Transport will carry out a risk assessment before setting up transport to make sure that this is done properly and that children are transported safely. For details regarding wheelchair suitability please contact your Occupational Therapist.

## 8.18 COMPLAINTS

The Local Authority wants to maintain high standards of reliability in transport it provides for pupils. Integrated Passenger Transport makes sure that complaints by parents and schools are investigated and satisfactorily resolved. Account may be taken of any previous unsatisfactory operation in awarding contracts. A contract will not usually be made with a contractor who has had any other contract terminated for unsatisfactory operation in the 6 months prior to the closing date for tenders or prior to a contract being awarded.

## 8.19 AREA REVIEWS

Integrated Passenger Transport will:

- advise the Director of Children and Young People's Service, the schools and parents, at the earliest opportunity that there will be a review of transport provision in the area.
- at an early stage in the process, circulate to schools and parents information about the review with an invitation to Governing Bodies and parents to submit (written) observations on the review proposals;
- in the event of unresolved objections to the proposals from schools or parents, call a public meeting to air the issues involved to which Headteachers, Governors, local Members and parents should be invited;
- report to the Executive Members jointly with the Director of Children and Young People's Service, making Members aware of any remaining objections and of any additional costs, policy and wider budgetary implications there would be in meeting them.

## 9.0 CONSULTATION WITH MEMBERS

In addition to joint reports to the Executive Members for Children and Young People's Service relating to area reviews, joint annual monitoring reports will be submitted.

These will include:

- policy issues arising out of legislation or operational/case law or budgetary considerations;
- the current costs of the service and target savings where appropriate;

- policy development proposals where appropriate and related budgetary arrangements;
- the timetable for any reviews to be undertaken in the forthcoming year and appropriate detail about their scope.

## 10.0 APPEALS PROCEDURES

There is a two stage appeal process when a parent/carer wishes to challenge a decision in relation to statutory transport:

- Eligibility
- Transport arrangements made
- Distance measurement of the walked route
- Safety of the walked route

Details of the Post-16 appeals process are provided in the Post-16 Transport Policy Statement. Please see link above in Section 7.0

### Stage 1:

A request for a stage 1 review must be made in writing within 20 working days of the initial decision letter. The request:

- Should clearly state the reasons for the challenge and include any new documentary evidence.
- Will be reviewed by two senior officers, the original decision may be upheld, overturned or alternative solutions suggested.
- Where transport assistance is agreed the Authority will make the necessary transport arrangements.
- Where transport is not agreed, parent/carer will be told in writing and parents who are not satisfied with that decision will be informed of the next and final stage of the appeal process.

### Stage 2

A stage 2 appeal must be made in writing by completion of an appeal form within 20 working days of receipt of the stage 1 response:

- The appeals form must clearly state the reasons why parent/carers challenge the stage 1 response and provide any new documentary evidence.
- Stage 2 appeals are heard within 40 days of receipt of the appeal by the Appeals Committee which consists of a small group of elected members of the county council.
- Parent/carers are able to attend the appeal hearing
- Each case is considered on its merits
- The Committee takes into account the policy guidelines but may recommend departure from those guidelines in exceptional cases
- When a decision is made a response will be sent in writing of the decision and the



reasoning behind the decision. This decision is final.

- Where the person is unhappy with the outcome they will be advised how escalate it to the Local Government Ombudsman at, [www.lgo.org.uk](http://www.lgo.org.uk). who may investigate to decide whether there has been any maladministration.

## 11.0 LEGISLATION AND GUIDANCE

Education Act 1996 and Education and Inspections Act 2006, sections 508A to 509AE and schedule 35B

Equality Act 2010

Home to school travel and transport guidance - published by DfE July 2014

Post 16 Transport to Education and Training – DfE statutory guidance for local authorities published October 2017

Children and Families Act 2014

SEND Code of Practice 0-25 years January 2015 (updated May 2015)

Care Act 2014

September 2018

**Transport Policy Statement for students in further education aged 16-18, continuing students aged 19 and over and Adults with an Education, Health & Care Plan**  
**Annex A**  
**Academic Year 2018/ 2019**

**Name of Local Authority: North Yorkshire County Council**  
**Department Responsible: Children and Young Peoples Service (CYPS)**

**PLEASE NOTE: Statutory entitlement to free travel assistance for students aged 16 to 18 ceases once the student has completed compulsory education in Year 11**

## 1. Policy Statement and Main Objectives

The County Council provides transport assistance for students to enable them to access Post 16 education at an appropriate sixth form or further education college designated to serve the area where a student lives. Transport will be offered to eligible students in return for a contribution towards the cost of this transport.

This policy applies to further education and does not apply to higher education course such as degrees, work placements or work place apprenticeships.

Transport assistance is available to students attending a full-time course (12 hours or more per week) at sixth forms, colleges or other training providers, as long as the following criteria apply:

- Students must be under 19 at 1<sup>st</sup> September 2018.
- The sixth form or college they wish to attend should be the 'normal' school for the home address or the nearest college to their home address.
- They must live more than 3 miles by the shortest walked route to the sixth form/college, or have a special education need /disability which would prevent them walking the 3 miles.
- The sixth form or college must be the nearest establishment offering a course that the Authority consider suitable to a student's career choice, or that is a pre-requisite for entry into higher education

When assessing applications for transport assistance, we look at the combination of subjects a student wishes to study and also the career path they wish to follow. We will check job profiles and the UCAS website (<http://search.ucas.com/>) for qualification requirements to see if the subjects are a specific requirement for entry to a higher education course or career the student wishes to follow. Only when the course or combination of subjects is **essential** will we approve assistance with transport to a sixth form or college that is not the nearest to the student's home address. It is rare that a specific course or particular subject needs to be studied to access a higher education course, i.e. 'A' level law is not an essential entry requirement to study a law degree. For students with EHCPs the transport assistance will be to the institution identified within the EHCP.

Students who are entitled to transport assistance will generally be issued with a bus pass. This will normally be on an education transport contract vehicle which operates at the start and end of a school/college day. If a student's timetable varies on particular days, alternative transport will not be offered.

Where a dedicated education transport service is no longer required for entitled pupils of statutory school age and the service is removed, a Post 16 travel pass can be withdrawn. In this case a travel allowance would be offered.

Transport assistance will be arranged to the main college/sixth form site. Transport to an alternative place of study will not be arranged, this will need to be discussed with the sixth form/college directly. Transport is home to school/college and not to any other address.

Transport is usually arranged from defined points. If there is no transport service directly from their home, students are expected to make their own way to the nearest transport pick up point. If students live over one mile from the nearest pick-up point a mileage allowance to the pick-up point may be offered. No additional

transport to a pick up point will be arranged.

Where there is no transport running in the area, and the student is entitled to Post 16 travel assistance, the assistance offered will be a mileage allowance of 45p a mile, this will be for one return journey per day.

In some rural areas where there is little or no public transport provision it may be possible for students to apply direct for the loan of a moped through the Wheels to Work Scheme. Further information can be found at: <http://www.wheels2work.co.uk/>

## **Cost of the Post 16 Transport Assistance**

Students who are commencing a course in September 2018, including those with an Education Health Care Plan (EHCP), are required to contribute £490 per annum towards their travel costs. This is payable in full before the commencement of the academic year or by 9 monthly direct debit payments (the first payment is taken in October, with the final payment taken in June).

### Reduction and Exemptions

The post 16 contribution will be reduced by 50% (to £245) for students who meet the free school meal criteria or whose parent/carer are on low income and who can provide evidence of a means-tested benefit. These include:

- universal credit (with a net annual earnings threshold of £7400)
- income support;
- income-based Jobseekers' allowance;
- income-related employment and support allowance;
- income-based and contributions-based JSA or ESA on an equal basis;
- child tax credit, provided you are not entitled to working tax credit, and have an annual household income (as assessed by HM Revenue and Customs) that does not exceed £16,190;
- support under part VI of the Immigration and Asylum Act 1999;
- guarantee element of state pension credit; or

The following students will be exempt from the post 16 contribution and **no charge** will be made:

- Young people who are looked after by the local authority.
- Young people living alone who are entitled to Income Support in their own right (evidence will be required to support this).
- Young carers (evidence from a support worker or association involved will be required)

In 2017/2018, the cost to the Authority for providing transport for Post 16 students was on average £900.00 per student, this increases to an average of £8,000 for students with special educational needs/disability requiring additional support.

Students and parents should be aware that North Yorkshire County Council post 16 transport assistance may not be the cheapest option of transport to their place of study. Parents are advised to investigate public transport fares locally and speak to their further education establishment to find the best option that is available.

## **2. Students with Special Educational Needs and Disabilities (SEND)**

From September 2018 all post 16 young people with an Education Health and Care Plan, starting a further education course, will be required to pay a contribution towards the cost of post 16 transport arrangements (unless a reduction or exemption applies). The charge is in line with all post 16 students and is £490 **with a 50% reduction for low income families.**

The Council encourages learners aged 16 plus to travel independently on education transport services or public transport where applicable to enable them to develop the skills for successful transition into

adulthood.

Independent Travel Training Scheme - Some Special Schools and colleges provide mobility/travel training for students with special needs to assist them to become independent travellers.

We expect that parents and carers of young people will continue to practice independent travel throughout the summer holiday prior to starting any study programme.

### **Additional support for SEND pupils**

~~Where a student has been travelling by taxi transport before moving into further education this is not guaranteed to continue and a new application for additional transport support will be based on their individual circumstances.~~ For post 16, SEND students will require a further assessment of their individual needs and abilities to determine the level of transport assistance required

To establish specific transport needs for students with an EHCP additional information will be requested on receipt of a Post 16 application form and considered by the SEND Transport Manager. If approved **and the contribution has been confirmed**, transport assistance will be arranged by Integrated Passenger Transport Group who will contact the student with details of the arrangements.

Any specialist transport that is approved may be a short term arrangement and is subject to review.

### **Post 19 students**

~~The Local Authority has a duty to adults under the Care Act 2014 to promote the well-being of individuals which includes participation in work, education, training or recreation. The Local Authority have a duty under Education Act 1996 to make such arrangements for the provision of transport as they consider necessary, for young adults that are over 19 and under 25 years old, with an Education Health and Care Plan. This is for the purpose of facilitating their attendance at local authority maintained, assisted further, higher education institutions or institutions within the further education sector.~~

~~Transport for students aged 19-25 with an EHCP will be assessed using the Health and Adult Services assessment criteria. This will include a strength based assessment to identify if the young person has means to support transport to education. Where alternatives are not available the Council will continue to provide support for transport to access services subject to the standard daily charge levied within Health and Adults Services. This ensures equity with other users of transport within the adults social care system.~~

~~Transport Assistance will only be offered when no other transport provision is available to the young person.~~

~~Where a young person is placed by the LA at a specialist provision outside the further and higher education sectors the LA will consider transport assistance between the parental home and the provision.~~

~~Where such a placement is residential the assistance offered will be an allowance at a pre-determined rate for up to 12 return journeys per year.~~

~~Students on Personalised Learning Programmes (PLP) will not be automatically eligible for transport assistance but will be assessed using the eligibility criteria under the Care Act.~~

**When a student with an Education, Health and Care Plan starts a new course of education above the age of 19 and below the age of 25 years, an additional assessment is made (reflecting the Council's obligations under both the Care Act 2014 and the Education Act 1996, s 508F) to determine whether it is necessary for the council (rather than the student/family) to make their own travel arrangements. We will consider:**

- **What other arrangements you have considered or tried and why they are not suitable.**
- **If there is a family member/carer who is able to transport the student and why it would not be a reasonable arrangement to make.**

- If the student is in receipt of higher rate mobility component of the Personal Independence Payment or Disability Living Allowance, the purpose of which is to assist those who have mobility problems, with severe difficulty walking or who need help getting around outside. We would expect this benefit to be fully utilised to meet their transport needs and this includes transport to their educational or training placement if there are any factors limiting its use you should provide details of them.
- The student's age, ability, aptitudes and SEND
- Quality of education or training and locations and times of provision
- If there is a 'Motability' vehicle available to the student. If a decision has been made not to use the 'Motability' vehicle to support the student to reach their education placement, we would normally expect the carer/student to make their own appropriate alternative arrangements, or provide details as to why that is not possible/reasonable.
- Any other exceptional circumstances that you consider need to be taken into account, and any recent supporting evidence that you provide.

*Please note that we would not generally consider work or childcare commitments as an exceptional reason for travel assistance to be provided.*

Based on the assessment if the student has alternative means to support transport to educational provision the local authority is unlikely to provide travel assistance.

However if the assessment identifies that a student does not have any other way of getting to the educational provision the local authority will provide travel assistance free of charge.

Students undertaking a work based learning programme such as an apprenticeship or supported internship would need to apply for Access to Work funding to support their transport needs.

<https://www.gov.uk/access-to-work>

### **3. Details of additional assistance that can be offered to students aged 16–19 and who provides them.**

In certain circumstances, students who are not eligible for travel assistance may be able to apply for a paid travel permit if there are spare places on a bus operated by the Authority. However, it may be necessary to end the arrangement at short notice if there is an increase in the number of entitled pupils using these vehicles, and as a result spare places are no longer available. The cost of these permits is £490 per annum **with a 50% reduction for low income families.**

In addition, some transport assistance may be available from the school or college students will be attending. Students should contact the Head of Year or Student Services for further details or visit their website. Listed below are details of assistance available from schools or colleges.

- **Askham Bryan College** – The college maybe offer help from scholarships and charitable trusts for students (e.g. Calderdale/Ripon). Contact Student Services for York on 01904 772277 or Guisborough 01287633870  
The colleges also have various free buses from designated points around the Yorkshire region. Please visit <https://www.askham-bryan.ac.uk/students/student-transport> or contact the Transport Team on 01904 772225
- **Bishop Burton** – Some help is available for transport costs and childcare costs. Contact Student Services 01964 553000. Free transport is also available from some areas please visit <https://www.bishopburton.ac.uk/student-life/free-transport>
- **Boroughbridge High School** – Haywra Crescent Trust. Contact the Sixth Form Head on 01423 323540

- **Caedmon College Whitby** – Assistance may be available through the 16–19 Discretionary Bursary. Please contact the 6<sup>th</sup> form office for information on 01947 602406
- **Craven College** – Assistance maybe available through the Student Support Fund including support with travel costs and childcare costs. Contact Student Services on 01756 708008 or for further travel support please visit:  
<https://www.craven-college.ac.uk/support/travel-support/>
- **Darlington College** –Help is available through the 16-19 Discretionary Bursary Fund, this fund is designed to assist students who would find it difficult to undertake a course at the college without financial help. Contact the Student Services Manager, 01325 503037 or email [studentfinance@darlington.ac.uk](mailto:studentfinance@darlington.ac.uk) .Further information on transport arrangements is available at <http://www.darlington.ac.uk/about/student-welfare-and-support/transport-arrangements/>
- **Easingwold School** – Beckwith Trust for pupils from the Easingwold area. 16-19 Discretionary Bursary is to help students with the costs associated with their course and travel costs. Contact 01347 824791 or email [sixthform@easingwold.n-yorks.sch.uk](mailto:sixthform@easingwold.n-yorks.sch.uk) .
- **Harrogate College** - Discretionary Funds are available to meet the needs of eligible students who are having difficulties in meeting the costs associated with their learning. Contact Pamela Webb, Student Finance Advisor on 01423 878254  
The college also operate their own bus services from certain areas in the Yorkshire region. Please visit <https://www.harrogate-college.ac.uk/how-to-get-here-1>  
Enquire direct on how to apply at [oncourse@harrogate.ac.uk](mailto:oncourse@harrogate.ac.uk) or call 01423 878211
- **Harrogate Grammar School** - Haywra Crescent Trust. Contact the Head of Sixth Form on 01423 531127 ext 261
- **Harrogate High School** - Haywra Crescent Trust. Contact the Head of Sixth Form on 01423 548800.
- **Huntington School** – assistance may be available through the 16-19 Discretionary Bursary. Please contact the Sixth Form team or Finance department for further information on 01904 752100 or [accounts@huntington-ed.org.uk](mailto:accounts@huntington-ed.org.uk).
- **King James School** – Grants maybe available through the Haywra Crescent Trust and also the 16-19 Discretionary Bursary Fund. Contact the Head of Sixth Form on 01423 798704.
- **Lancaster & Morecambe College** – Assistance may be available through the 16–19 Discretionary Bursary intended to help students whose families are on a low income and may have difficulty meeting costs associated with studying. Contact 01524 66215  
The college also offer free or discounted transport from certain areas.  
Please visit <https://www.lmc.ac.uk/the-college/free-bus-service>
- **Lady Lumley's School** – intend to help students whose families are on a low income and may have difficulty meeting costs associated with studying. Contact 01751 472846.
- **Leeds College Of Art** – Some residential bursaries available. Contact Student Advice Team 0113 202 8111
- **Leeds College Of Music** – Discretionary funds available. Some residential bursaries available. Contact 0113 222 3419
- **Leeds College Of Technology** – Assistance may be available through the 16–19 Discretionary Bursary. Help with childcare costs. Contact 0113-297-6300.
- **Malton School** - 16-19 Discretionary Bursary is to help students with the costs associated with their course and travel costs. Contact 01653 605321.



- **Middlesbrough College** – Assistance may be available through the 16–19 Discretionary Bursary. The college also offer free or discounted transport from certain areas  
Please visit: <https://www.mbro.ac.uk/student-services/travelling-to-college> or contact Student Services on 01642 333360
- **Northallerton School and Sixth Form College** - Assistance for sixth form students requiring transport may be available through the 16–19 Discretionary Bursary intended to help students whose families are on a low income and may have difficulty meeting transport costs. Please contact Northallerton Sixth Form College on 01609 773340
- **Norton College** - Assistance available through the 16-19 Discretionary Bursary Fund. This fund is designed to assist students with the costs associated with their course and travel costs. Contact 01653 693296 ext 284
- **Richmond School** – Assistance may be available through the 16-19 Bursary. Subsidised bus services for post 16 students from certain areas around Masham/Bedale, Middleham/Leyburn and Catterick Garrison. Contact the Finance Office on 01748 850111 or visit <http://www.richmondschool.net/Information/Transport>
- **Outwood Academy, Ripon** – Assistance may be available through the 16–19 Discretionary Bursary intended to help students whose families are on a low income and may have difficulty meeting costs associated with studying. Contact Outwood Academy on 01765 604564.
- **Queen Elizabeth School (Kirkby Lonsdale)** - Students from low income families, may be eligible for financial assistance through our Sixth Form Bursary. Please contact the Sixth Form Administrator for further information 015242 71275.
- **Queen Elizabeth Sixth Form College (Darlington)** –Support packages are available to help with costs, including transport subsidies. Further details are available from [enquiry@geliz.ac.uk](mailto:enquiry@geliz.ac.uk) They also operate their own transport from certain areas, please visit <https://www.geliz.ac.uk/life-at-qe/transport-financial-support/>
- **Rossett School** – Grants maybe available through the Haywra Crescent Trust Fund and also the 16-19 Discretionary Bursary Fund. Contact 01423 564444.
- **Scarborough Sixth Form College** – College operate a daily bus to and from Bridlington. Student support fund for students who may be struggling financially with the costs associated with the course. Student Support Fund for use in emergencies. There are the Scarborough United Scholarship Fund and the John Kendal Trust which can award grants to support Scarborough residents. Contact 01723 380700.
- **Scarborough TEC (previously Yorkshire Coast College)** – Assistance may be available through the 16–19 Discretionary Bursary for help towards travel costs and equipment. There may also be some assistance toward child care costs. Contact Student Services on 01723 372105.  
Please visit: <https://scarboroughtec.ac.uk/transport/>
- **Selby College** – Assistance is available through the 16-19 Discretionary Bursary for families with a low household income who may have difficulty meeting costs associated with studying. Subsidised transport is also offered through our Arriva Selby College Student Saver Tickets. Contact Student Services on 01757 211040. Some students may qualify for help from an Educational Charity – contact Selby Library on 01757 702020 or Citizens Advice Bureau on 08444 111444
- **Sherburn High School** - Assistance may be available from the 16-19 discretionary bursary fund available to low income families. Contact the Bursar on 01977 682442 for more details.

- **South Craven School** - Students from low income households can apply to the 16-19 Bursary Fund for funding towards essential costs such as equipment, trips and travel. Please contact the Sixth Form Office on 01535 639727. All students, once enrolled, are entitled to a Student Super Saver which entitles them to half fare travel.
- **St Aidan's and St John Fisher Associated Sixth Form** – Assistance may be available through the 16–19 Discretionary Bursary. Please see the Sixth Form Office for information or contact 01423 818516 or 01423 818426  
School organise their own transport from certain areas, more information can be found at:  
<http://www.staidans.co.uk/useful-information/transport/>
- **Stokesley School** - Assistance may be available through the 16–19 Discretionary Bursary intended to help students whose families are on a low income and may have difficulty meeting costs associated with studying. Contact the Head of Sixth Form or the School Finance Office: 01642 710050
- **Tadcaster Grammar School** – Assistance may be available through the 16–19 Discretionary Bursar and also assistance at the discretion of the Head Teacher. Contact 01937 833466.
- **The Wensleydale School** - Assistance may be available through the 16–19 Discretionary Bursary Contact 01969 622244
- **Thirsk School** - Assistance may be available through the 16–19 Discretionary Bursary Contact 01845 522024
- **York College** – Students from low income households can apply to the 16-19 Bursary Fund for funding towards essential course costs such as equipment, trips and travel. Contact the InfoZone on 01904 770400 or email [funding@yorkcollege.ac.uk](mailto:funding@yorkcollege.ac.uk) for more information and an application form.  
The college also operate their own college transport from various areas across the Yorkshire region.  
Please visit <http://www.yorkcollege.ac.uk/contact-us/travel-transport.htm>

## 16-19 Bursary

~~It may also be possible for a student whose family is on a low income or in receipt of certain benefits to obtain assistance through the 16-19 Discretionary Bursary provided by the Education and Schools Funding Agency (ESFA). This is directly administered by schools and colleges. Students need to ask at their place of learning.~~

There are a number of bursaries available to students whose family is on a low income or in receipt of certain benefits provided by the Education and Schools Funding Agency (ESFA). This is directly administered by schools and colleges. Students need to ask at their place of learning, please see link below for further information:

<https://www.gov.uk/guidance/16-to-19-bursary-fund-guide-2018-to-2019-academic-year>

## 4. What times during the day can students use their travel pass or obtain concessionary fares?

In general, travel passes allow travel at the start and end of the school / college day. No alternative transport will be arranged if the sixth form/college times differ on certain days or if a student needs to stay on for classes after the end of the school/college day. Transport will not be provided outside the normal school week. Students who are transported by taxi with other students have no choice as to the time they may travel on outward or return journeys.

Some travel passes that are issued may allow greater flexibility than others, this will be made clear to the student when the travel pass is issued.

## 5. What support will continue to be made available to students who reach 19 whilst



## continuing on a course?

Mainstream students must be under 19 at 1 September 2018 to be able to apply for travel assistance, transport assistance will continue until the end of the academic year. Some students may take longer to complete their course and consideration will be given to providing assistance for students who have not yet completed their course. This is looked at on a case by case basis.

For students with an EHCP please see Section 2 above.

## 6. How will Post-16-18 students be assessed to see if they are eligible for support?

~~How will students be assessed to see if they are eligible for support? e.g. means testing or must they be on benefits?~~

Transport assistance is provided if the student meets the following eligibility conditions:

- students make a contribution of £490 / £245 if the family is in receipt of the low income reduction (charge from September 2018) towards their travel costs each year;
- the sixth form/college attended is more than three miles from the student's home by the nearest walked route; or have a special education need /disability which would prevent them walking the 3 miles.
- the sixth form/college is the nearest sixth form or college of further education to their home regardless of local government boundaries or is the sixth form of the secondary school which is recognised as the normal school for the student's home address;
- the sixth form/college is the nearest establishment offering a course that the Authority consider suitable to a student's career choice and for students with an EHCP is named in their EHCP, or that is a pre-requisite for entry into higher education.\*

\* When assessing applications for transport assistance, we look at the combination of subjects a student wishes to study and also the career path they wish to follow. We will check job profiles and the UCAS website (<http://search.ucas.com/> ) for qualification requirements to see if the subjects are a specific requirement for entry to a higher education course or career the student wishes to follow. Only when the course or combination of subjects is **essential** will we approve assistance with transport to a sixth form or college that is not the nearest to the student's home address. It is rare that a specific course or particular subject needs to be studied to access a higher education course, i.e. 'A' level law is not an essential entry requirement to study a law degree.

For details of any transport assistance or support available separately through the school or college please see question 3.

## 7. When should students start to apply for transport support and do I need to renew for a second year of a course?

Students can apply for transport assistance from the end of May onwards and should do so as soon as possible, this is so their travel passes can be arranged in good time for the start of the term in September. It can take up to 20 working days to assess applications and make travel arrangements for Post 16 transport assistance.

If students apply in August, as they have waited until they get their exam results, or apply in September there is no guarantee that transport will be in place for the start of term and they may need to make alternative arrangements in the interim.

Students do not need a definite place on a course before they apply. The first payment is not taken until October so if they change their mind about where they are going or choose a different course there is plenty of time to cancel the payment plan.

Applications can be made on line. If students/parents want to pay by direct debit or by any other means e.g. cheque or credit card, forms are available to download. Visit [www.northyorks.gov.uk/post16transport](http://www.northyorks.gov.uk/post16transport).

Students will need to renew every year as transport is not automatically renewed. If the course is longer than one year then students will need to renew their transport for the second year. It is a student's responsibility to renew if they require transport assistance for another year.

## **8. How to apply for Post 16 transport assistance**

Students can apply on line and pay by direct debit. This can be in 9 monthly instalments from October to June or by one payment for the full amount.

Paper applications requesting alternative payment methods can also be made if necessary.

To apply online or down load an application visit [www.northyorks.gov.uk/post16](http://www.northyorks.gov.uk/post16)

Once we have received their application we will normally advise whether their application has been successful within 10 working days. Their details are then sent to colleagues in Integrated Passenger Transport who arrange the issue of travel passes or allowances within a further 10 working days. For students with SEND requiring additional transport assistance, the SEND transport team will contact families to gather further information about individual needs and requirements.

## **9. What help can students apply for if they need to travel to a course that is beyond your LA area?**

Travel assistance is available to the nearest sixth form or college offering a suitable course. We do not impose any restriction on students who wish to attend a school or college that is outside North Yorkshire as long as it is the nearest to the home address.

**For students with an EHCP travel assistance will be considered to the education establishment named in Section I of their plan regardless of distance.**

## **10. What help is available for students who attend a further education institution which is beyond daily travelling distance and they need to stay away from home?**

Travel assistance is generally only available to students who attend school or college on a daily basis. If students need to reside away from home to attend their course they should contact the sixth form or college about a residential grant. Under the Residential Support Programme, residential grants may be payable if they are unable to attend a similar course within daily travelling distance from home. Please contact the Education Funding Agency - Learner Support helpline on 0800 121 8989 Monday to Friday, 9am to 5pm.

Students **with an EHCP** who attend residential placements at special needs schools or colleges are normally entitled to claim 12 return journeys per year. Reimbursement is in the form of a mileage allowance and normally at the rate of **45p** per mile.

## **11. Appeals, Comments and Complaints process**

### **Making an Appeal**

This section outlines the appeal procedure to be used when you believe that the decision made with respect to your eligibility for travel assistance is incorrect **or you disagree with the type of travel assistance arrangements that have been offered**. They should be made in writing in the first instance to the appropriate team (see Post 16 contact details in section 12). This is not a statutory right of appeal.

## Stage 1:

A Stage 1 review must be made in writing within 20 working days of the letter refusing assistance or proposing changes to existing arrangements:

- Your letter must provide reasons for your challenge and include any new documentary evidence.
- This will be reviewed by two senior officers **from Children and Young People's Services and in the case of Post-19 students with an EHCP one of the senior officers will be from Health and Adult Services**, the original decision may be upheld, overturned or alternative solutions maybe suggested.
- Where transport assistance is agreed the Authority will make the necessary transport arrangements.
- Where transport is not agreed, you will be told in writing of the decision and if you remain unsatisfied you will be informed of the next and final stage of the appeal process.

## Stage 2:

A stage 2 appeal must be made in writing by completion of an appeal form within 20 working days of receipt of the stage 1 response

- The form must clearly state the reasons why you challenge the stage 1 response and provide any new documentary evidence.
- Stage 2 appeals are heard by the Appeals Committee which consists of a small group of Elected Members of the county council,
- You can attend the appeal in person
- When a decision is made you will be notified in writing of the final decision and the reasoning behind the decision.
- Where you are unhappy with the outcome you will be advised how escalate it to the Local Government Ombudsman [www.lgo.org.uk](http://www.lgo.org.uk) or complain to the Secretary of State [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

There is no right of appeal if the decision is made to vary the form of travel assistance

## **Making a complaint**

The Authority's Complaints procedure should be followed if you wish to complain about the type of provision provided, the ceasing of travel arrangements for example where they were obtained on the basis of fraudulent or misleading information, issues with the transport service or the administrative process.

Complaints received about the post 16 transport policy statement including the charge and rate of allowances cannot be investigated through the complaints procedure and will be treated as a query/comment.

Any formal complaint should be handled through the North Yorkshire Councils Corporate complaints process:

Corporate Complaints Team (Children and Young People's Service)  
Chief Executive's Office  
North Yorkshire County Council  
County Hall  
Northallerton  
North Yorkshire

DL7 8AD

<https://www.northyorks.gov.uk/comments-and-complaints>

## 12. Points of contact for students seeking transport support.

| Information  | Email  | Useful websites  |
|--|--|--|
| Transport Team – Post 16 only<br>Business Support,<br>Jesmond house<br>31-33 Victoria Avenue<br>Harrogate<br>HG1 5QE<br>01609 534953 | <a href="mailto:post16@northyorks.gov.uk">post16@northyorks.gov.uk</a>               | <a href="http://www.northyorks.gov.uk/post16">www.northyorks.gov.uk/post16</a>   |
| SEND Transport Team<br>Inclusion<br>County Hall<br>Northallerton<br>DL7 8AE<br>01609 535002  | <a href="mailto:Sendtransport@northyorks.gov.uk">Sendtransport@northyorks.gov.uk</a> | <a href="http://www.northyorks.gov.uk/transport-send-children-and-young-people">www.northyorks.gov.uk/transport-send-children-and-young-people</a> |
| SEND Team – Post 16 & Post 19<br>Business Support<br>County Hall<br>Northallerton<br>DL7 8AE<br>01609 535002                         | <a href="mailto:sen@northyorks.gov.uk">sen@northyorks.gov.uk</a>                     | <a href="http://www.northyorks.gov.uk/transport-send-children-and-young-people">www.northyorks.gov.uk/transport-send-children-and-young-people</a> |
| NYCC Post 16 website   |  | <a href="http://www.northyorks.gov.uk/post16transport">www.northyorks.gov.uk/post16transport</a>   |
| Information on education and<br>public transport services  |  | <a href="http://www.northyorks.gov.uk/publictransport">www.northyorks.gov.uk/publictransport</a>   |
| Information on local bus times<br>and school services  |  | <a href="http://www.northyorks.gov.uk/businfo">www.northyorks.gov.uk/businfo</a>   |
| Traveline<br>0114 221182   |  | <a href="http://www.traveline.info/">http://www.traveline.info/</a>  |
| Yorkshire Travel.Net   |  | <a href="http://www.yorkshiretravel.net/">http://www.yorkshiretravel.net/</a>  |
| English National Travel<br>Concessionary Scheme  |  | <a href="https://www.northyorks.gov.uk/disabled-persons-bus-pass">https://www.northyorks.gov.uk/disabled-persons-bus-pass</a>                      |
| Railcard   |  | <a href="http://www.nationalrail.co.uk/stations_destinations/44965.aspx">http://www.nationalrail.co.uk/stations_destinations/44965.aspx</a>        |

## COLLEGE CONTACTS

| <b>College contact</b>   | <b>Email</b>   | <b>Useful Website</b>   |
|--|--|---|
| <b>Askham Bryan College</b><br>Askham Bryan<br>York<br>YO23 3FR<br>01904 772277                                    | <a href="mailto:enquiries@askham-bryan.ac.uk">enquiries@askham-bryan.ac.uk</a>           | <a href="https://www.askham-bryan.ac.uk/students/student-transport">https://www.askham-bryan.ac.uk/students/student-transport</a>   |
| <b>Bishop Burton College</b><br>Bishop Burton<br>Beverley, HU17 8QG<br>Tel 01964 553000                            | <a href="mailto:enquiries@bishopburton.ac.uk">enquiries@bishopburton.ac.uk</a>           | <a href="https://www.bishopburton.ac.uk/student-life/free-transport">https://www.bishopburton.ac.uk/student-life/free-transport</a>   |
| <b>Bradford College</b><br>Great Horton Road<br>Bradford , BD7 1AY<br>01274 433333                                 | <a href="mailto:information@bradfordcollege.ac.uk">information@bradfordcollege.ac.uk</a> | <a href="https://www.bradfordcollege.ac.uk/study/16-18-students/study-money/travel">https://www.bradfordcollege.ac.uk/study/16-18-students/study-money/travel</a>                         |
| <b>Craven College</b><br>Gargrave Road<br>Skipton<br>North Yorkshire, BD23 1US<br>Tel 01756 791411                 | <a href="mailto:enquiries@craven-college.ac.uk">enquiries@craven-college.ac.uk</a>       | <a href="https://www.craven-college.ac.uk/support/travel-support/">https://www.craven-college.ac.uk/support/travel-support/</a>   |
| <b>Darlington College</b><br>Central Park<br>Haughton Road<br>Darlington, DL1 1DR<br>Tel 01325 503050              | <a href="mailto:enquire@darlington.ac.uk">enquire@darlington.ac.uk</a>                   | <a href="http://www.darlington.ac.uk/about/student-welfare-and-support/transport-arrangements/">http://www.darlington.ac.uk/about/student-welfare-and-support/transport-arrangements/</a> |
| <b>East Riding College</b><br>Bridlington Campus<br>St Mary's Walk,<br>Bridlington, YO16 7JW<br>Tel: 0345 120 0044 | <a href="mailto:info@eastridingcollege.ac.uk">info@eastridingcollege.ac.uk</a>           | <a href="https://www.eastridingcollege.ac.uk/study-with-us/transport">https://www.eastridingcollege.ac.uk/study-with-us/transport</a>   |
| <b>Goole College</b><br>Boothferry Road<br>Goole, DN14 6SR<br>Tel: 01405 762420                                    | <a href="mailto:gooleinfo@hull-college.ac.uk">gooleinfo@hull-college.ac.uk</a>           | <a href="https://www.goole-college.ac.uk/study/16-18/free-transport">https://www.goole-college.ac.uk/study/16-18/free-transport</a>   |
| <b>Harrogate College</b><br>Hornbeam Park<br>Harrogate, HG2 8QT<br>Tel 01423 879466                                | <a href="mailto:oncourse@harrogate.ac.uk">oncourse@harrogate.ac.uk</a>                   | <a href="https://www.harrogate-college.ac.uk/how-to-get-here-1">https://www.harrogate-college.ac.uk/how-to-get-here-1</a>   |
| <b>Kendal College</b><br>Milnthorpe Road<br>Kendal , LA2 5AY<br>Tel: 01539 814700                                  | <a href="mailto:enquiries@kendal.ac.uk">enquiries@kendal.ac.uk</a>                       | <a href="http://www.kendal.ac.uk/student-life/transport-to-kendal-college">http://www.kendal.ac.uk/student-life/transport-to-kendal-college</a>   |
| <b>Lancaster &amp; Morecambe College</b><br>Morecambe Road<br>Lancaster, LA1 2TY<br>Tel 01524 66215                | <a href="mailto:info@lmc.ac.uk">info@lmc.ac.uk</a>                                       | <a href="https://www.lmc.ac.uk/the-college/free-bus-service">https://www.lmc.ac.uk/the-college/free-bus-service</a>   |
| <b>Leeds City College</b><br>Park Lane<br>Leeds, LS3 1AA<br>Tel: 0113 3861997                                      | <a href="mailto:courses@leedscitycollege.ac.uk">courses@leedscitycollege.ac.uk</a>       | <a href="https://www.leedscitycollege.ac.uk/student-support/financial-support/">https://www.leedscitycollege.ac.uk/student-support/financial-support/</a>                                 |
| <b>Leeds College of Art and Design</b><br>Vernon Street, Leeds   | <a href="mailto:admissions@leeds-art.ac.uk">admissions@leeds-art.ac.uk</a>               | <a href="https://www.leeds-art.ac.uk/about-us/find-us/">https://www.leeds-art.ac.uk/about-us/find-us/</a>   |

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|---|--|---|
| LS2 8PH<br>Tel: 0113 2028000  |  |   |
| <b>Leeds College of Building</b><br>North Street, Leeds<br>LS2 7QT<br>Tel: 0113 2226000               | <a href="mailto:info@lcb.ac.uk">info@lcb.ac.uk</a>                                       | <a href="https://moovitapp.com/index/en-gb/public-transportation-Leeds-College-of-Building-Yorkshire-efsite-52986b17498e59fe0da3bd1d-2109">https://moovitapp.com/index/en-gb/public-transportation-Leeds-College-of-Building-Yorkshire-efsite-52986b17498e59fe0da3bd1d-2109</a> |
| <b>Leeds College of Music</b><br>3 Quarry Hill, Leeds<br>LS2 7PD<br>Tel: 0113 2223416                 | <a href="mailto:hello@lcm.ac.uk">hello@lcm.ac.uk</a>                                     | <a href="https://moovitapp.com/index/en-gb/public-transportation-Leeds-College-Of-Music-Yorkshire-site-8433071-2109">https://moovitapp.com/index/en-gb/public-transportation-Leeds-College-Of-Music-Yorkshire-site-8433071-2109</a>   |
| <b>Middlesbrough College</b><br>Dock Street,<br>Middlesbrough, TS2 1AD<br>Tel: 01642 333333           | <a href="mailto:courseinfo@mbro.ac.uk">courseinfo@mbro.ac.uk</a>                         | <a href="https://www.mbro.ac.uk/student-services/travelling-to-college">https://www.mbro.ac.uk/student-services/travelling-to-college</a>   |
| <b>New College – Pontefract</b><br>Park Lane, Pontefract<br>WF8 4QR<br>Tel: 01977 702139              | <a href="mailto:reception@ncpontefract.ac.uk">reception@ncpontefract.ac.uk</a>           | <a href="https://ncpontefract.ac.uk/getting-here/">https://ncpontefract.ac.uk/getting-here/</a>   |
| <b>Queen Elizabeth Sixth Form College</b><br>Vane Terrace<br>Darlington. DL3 7AU<br>Tel: 01325 461315 | <a href="mailto:enquiry@qeliz.ac.uk">enquiry@qeliz.ac.uk</a>                             | <a href="https://www.qeliz.ac.uk/life-at-qe/transport-financial-support/">https://www.qeliz.ac.uk/life-at-qe/transport-financial-support/</a>   |
| <b>Scarborough Sixth Form College</b><br>Sandybed Lane<br>Scarborough, YO12 5LF<br>Tel 01723 380700   | <a href="mailto:studentservicesstaff@s6f.org.uk">studentservicesstaff@s6f.org.uk</a>     | <a href="https://s6f.org.uk/travel/">https://s6f.org.uk/travel/</a>   |
| <b>Scarborough TEC</b><br>Lady Edith's Drive<br>Scarborough, YO12 5RN<br>Tel: 01723 372105            | <a href="mailto:enquiries@ycoastco.ac.uk">enquiries@ycoastco.ac.uk</a>                   | <a href="https://scarboroughtec.ac.uk/transport/">https://scarboroughtec.ac.uk/transport/</a>   |
| <b>Selby College</b><br>Abbot's Road<br>Selby, YO8 8AT<br>Tel: 01757 211000                           | <a href="mailto:info@selby.ac.uk">info@selby.ac.uk</a>                                   | <a href="http://selby.ac.uk/contact-us/getting-to-selby-college/free-transport-to-college/">http://selby.ac.uk/contact-us/getting-to-selby-college/free-transport-to-college/</a>   |
| <b>York College</b><br>Sim Balk Lane<br>York, YO23 2BB<br>Tel 01904 770200                            | <a href="mailto:studentservices@yorkcollege.ac.uk">studentservices@yorkcollege.ac.uk</a> | <a href="http://www.yorkcollege.ac.uk/contact-us/travel-transport.htm">http://www.yorkcollege.ac.uk/contact-us/travel-transport.htm</a>   |

## 14. Details of Concessionary Fares Offered by Local Bus Operators

| Company  | Young Persons Concessions   | 2017/18 price   |
|--|---|---|
| <p><b>Arriva North East</b></p> <p>Tel: 0191 5204231</p> <p><a href="mailto:studentsne@arriva.co.uk">studentsne@arriva.co.uk</a></p> <p><a href="https://www.arrivabus.co.uk/north-east/bus-tickets/studentsne/">https://www.arrivabus.co.uk/north-east/bus-tickets/studentsne/</a></p>            | <p>Regionwide Student Saver gives you unlimited travel on every Arriva North East service, except Dalesbus, Moorsbus and Whitby Park &amp; Ride during the academic year September to July.</p> <p>Specific zone tickets also available.</p> <p>Buy discounted day/weekly tickets from the driver when presenting valid student ID or Arriva Teencard</p> | <p>£795 (per annum) or £285 (15 week term ticket)</p> <p>Zone depending</p> |
| <p><b>Arriva Yorkshire</b></p> <p>Tel: 01915 204231</p> <p><a href="mailto:studentsyk@arriva.co.uk">studentsyk@arriva.co.uk</a></p> <p><a href="https://www.arrivabus.co.uk/yorkshire/bus-tickets/studentsyk/">https://www.arrivabus.co.uk/yorkshire/bus-tickets/studentsyk/</a></p>               | <p>You can travel during the academic year as well as half terms, weekends and evenings with any student saver tickets</p> <p>Student tickets are available to purchase online or on bus (day and weekly tickets only where applicable), however a valid form of student ID is required to purchase on bus.</p>   | <p>£515.00 per academic year or from £135.00 per term</p>                   |
| <p><b>Dales &amp; District</b> (Procters Coaches)</p> <p>Tel: 01677 425203</p> <p><a href="mailto:enquiries@procterscoaches.com">enquiries@procterscoaches.com</a></p> <p><a href="http://www.procterscoaches.com/">http://www.procterscoaches.com/</a></p>  | <p>Discounted 10 trip ticket on services X34, 29 and 72</p> <p>Sixth Form students studying at Northallerton School &amp; Sixth Form College can travel to and from college for just £1 per trip during term time. This is only valid if the college's ID badge is produced.</p>  | <p>Contact operator for details</p>   |
| <p><b>East Yorkshire Motor Services including Scarborough &amp; District</b></p> <p>Tel: 01482 592929</p> <p><a href="mailto:BusLine@eyms.co.uk">BusLine@eyms.co.uk</a></p> <p><a href="https://www.eyms.co.uk/students/college-students">https://www.eyms.co.uk/students/college-students</a></p> | <p>Go card available for 16-18 year olds. It allows 20% discount on single and return fares when using the pre-paid card</p>  | <p>No charge for card.</p>  |



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| <p><b>Harrogate &amp; District Travel - Transdev</b></p> <p>Tel: 01423 56 60 61</p> <p><a href="mailto:hello@harrogatebus.co.uk">hello@harrogatebus.co.uk</a></p> <p><a href="http://www.harrogatebus.co.uk/">http://www.harrogatebus.co.uk/</a></p>  | <p>Purchase a BOB card for 1/3 off adult fares until the day before your 19th birthday.</p> <p>Student termly or annual tickets available to St John Fisher &amp; St Aidan's Schools</p>   | <p>£5.00 per annum</p> <p>Contact operator for details</p> |
| <p><b>Keighley &amp; District Travel - Transdev</b></p> <p>Tel: 01535 603 284</p> <p><a href="mailto:hello@keighleybus.co.uk">hello@keighleybus.co.uk</a></p> <p><a href="http://www.keighleybus.co.uk/">http://www.keighleybus.co.uk/</a></p>  | <p>If you are between 11 and 18 years old a BOB card entitles to the lower young person's fares on most services except those wholly within West Yorkshire. For these journeys you'll need a METRO pass – see below for more details.</p>  | <p>£5.00 per annum</p>                                     |
| <p>Metro – West Yorkshire Area</p> <p>Tel: 0113 245 7676</p> <p><a href="mailto:metroline@westyorks-ca.gov.uk">metroline@westyorks-ca.gov.uk</a></p> <p><a href="https://ticketsandpasses.wymetro.com/tickets-and-passes/under-26-and-students/16-18-photocard/">https://ticketsandpasses.wymetro.com/tickets-and-passes/under-26-and-students/16-18-photocard/</a></p> | <p>Metro 16-18 Photocard is available to West Yorkshire residents and allows half price travel on buses and trains within West Yorkshire.</p> <p>With a 16-18 Photocard you can travel on all Transdev Keighley &amp; District, Harrogate &amp; District and Coastliner services into and within North Yorkshire. On these services you will receive a third off the fare for your journey in North Yorkshire.</p> <p>A 16-25 MCard is available to anyone (no residence requirement) and offers reduced price period tickets for journeys wholly within West Yorkshire.</p> | <p>£5.00 one off charge.</p>                               |
| <p>Pride of the Dales</p> <p>Phone 01756-753-123</p> <p><a href="mailto:info@prideofthedales.co.uk">info@prideofthedales.co.uk</a></p> <p><a href="http://www.prideofthedales.co.uk/">http://www.prideofthedales.co.uk/</a></p>   | <p>14-18 years old can travel at ½ fare.</p>   |  |
| <p>Reliance Motor Services</p> <p>Telephone - 01904 768262</p> <p><a href="https://reliancebuses.co.uk/">https://reliancebuses.co.uk/</a></p>   | <p><i>Easi - Student 10 Journey</i> - This ticket gives the user 10 journeys to use at their leisure, no time limit applies. Please note that a valid student ID card may be required.</p> <p><i>Easi - YO61 10 Journey</i> - Do you live in the YO61 postcode? Travelling to Easingwold 6<sup>th</sup> Form? Then the YO61 ticket is for you! This ticket can be used for travel to and from Easingwold 6<sup>th</sup></p>  | <p>£19.00</p> <p>£15.00</p>                                |



|   |   |   |
|---|---|---|
|   | <p>Form. A valid student ID card from Easingwold 6<sup>th</sup> Form may be required by the driver.</p> <p><i>Student Contract ticket - 16&gt;</i> - The reliance student contract ticket gives the user travel between the two nominated places on the ticket, for example Easingwold to York College. These tickets can be purchased for varying periods, minimum 1 term - maximum 1 year. This ticket is NOT available from the driver.</p> <p><i>Student Plus Contract Ticket - Enhanced - 16&gt;</i> - Reliance offer students the chance to enhance their tickets for the period of its issue to student plus. This gives the user unlimited travel, 7 days a week, including holiday periods, for the period stated on the ticket. Minimum 1 term, maximum 1 year.</p> | <p>Contact the operator</p> <p>Contact the operator</p> |
| <p>Yorkshire Coastliner – Transdev</p> <p>Tel: 01653 692 556</p> <p><a href="mailto:hello@coastliner.co.uk">hello@coastliner.co.uk</a></p> <p><a href="http://www.yorkbus.co.uk/">http://www.yorkbus.co.uk/</a></p> | <p>If you are aged between 11 and 18, you can travel with a BOB card for the 1/3 off adult fares until the day before your 19<sup>th</sup> birthday. If you are a full time student who is over 19 you can travel with a BOB card and get a discount, but you will have to carry your college ID. A BOB card entitles you to the lower young person's fares on most services.</p>   | <p>£5.00 per annum</p>                                  |

## NORTH YORKSHIRE COUNTY COUNCIL

### COUNTY COUNCIL

16 May 18

#### Employment Appeals Committee – Update

#### **Report of the Assistant Chief Executive (Business Support) and Assistant Chief Executive (Legal and Democratic Services)**

#### **1.0 PURPOSE OF REPORT**

- 1.1 To update County Council on the current operating arrangements and to seek approval for an extension to April 2021 of the two additional seats originally approved by County Council on 19 July 2017.

#### **2.0 EMPLOYMENT APPEALS COMMITTEE**

- 2.1 Full Council agreed in July 2017, following a successful 2 year pilot, that appeals against dismissal (disciplinary and capability) be heard by a 2 person panel of 1 Officer and 1 Councillor instead of the previous Employment Appeals Committee. This panel is an officer of appropriate seniority (a member of Management Board) and 1 Councillor (pulled from the members of the Employment Appeals Committee) chaired by the officer, with a Head of HR/senior HR Adviser advising the Panel and the Panel members having no prior involvement in the case. This appeal process for conduct/capability dismissals has now been in place since July 2015, starting with the two year pilot, and mirrored the process for sickness/ill health dismissal appeals which had worked well for many years
- 2.2 The Employment Appeals Committee continues to exist for collective disputes and to be the disciplinary appeal body for the post of Chief Executive (excluding dismissal) and officer's line managed by the Chief Executive. The Committee has not met since the arrangements were made permanent in July 2017. Whilst it still requires a Chair, it does not warrant an allowance and this has been agreed by the Members' Remuneration Committee.
- 2.3 As part of the change further checks and balances were introduced as a result of consultation with both UNISON and the Members Workforce Planning Group including:
- Members sit on Appeal Panels on a rotational basis.
  - A longer time for exchange of documentation before a panel.
  - The Assistant Chief Executive (Business Support) and Unison review the list of suspensions quarterly. Whilst these are not usually large in number, it is important staff are not suspended for long periods of time.
  - A case review stage prior to an appeal, where senior HR and UNISON officers review cases to ensure these have been managed appropriately and to identify any issues relevant for the appeal panel.
- 2.4 There continues to be very few conduct/capability dismissal appeals because, for the size of the workforce, there are relatively few dismissals and many relate to sickness/ill health reasons. To illustrate, over the last 15 months there have been (excluding

schools) only 15 conduct or capability dismissals resulting in 8 appeals. Members also sit on ill health dismissal appeals but there have not been any for some time.

2.5 It is a requirement that all involved in appeals attend training and a number of training sessions on hearing appeals have taken place with both Members and officers to ensure all involved have been suitably trained.

2.6 Members sit on appeals panels on a rotation basis taking into account attendance at training sessions and availability. The appeal hearings held during this period have continued to work well with Senior Officers and Members working jointly on decision making. It is hoped that the Members involved acknowledge how well the arrangements have worked.

2.7 At County Council on 19 July 2017, it was agreed that two additional seats, not subject to the rules of proportionality, were created for the period of one year on the Employment Appeals Committee. County Councillors John Blackie and Tony Randerson were appointed to these seats due to their previous involvement and their resulting experience and knowledge.

2.8 It is proposed that this arrangement is continued for the duration of the current Council, through to April 2021 to help ensure there are enough trained and experienced Councillors available to take on the responsibility for this technical and demanding role.

2.9 Apart from County Councillors John Blackie and Tony Randerson, the current committee members are County Councillors Caroline Patmore, Angus Thompson, Richard Cooper, Derek Bastiman, Bryn Griffiths, Gill Quinn, and Caroline Goodrick.

### 3.0 **FINANCIAL, AND LEGAL IMPLICATIONS**

3.1 There are no financial or legal implications.

### 5.0 **HUMAN RESOURCES IMPLICATIONS**

5.1 The human resource implication is that staff dismissal appeals could be delayed if there are not sufficient councillors available to attend panels.

### 6.0 **EQUALITIES IMPLICATIONS**

6.1 The report is compliant with the Council's equalities' responsibilities.

### 7.0 **HEALTH AND SAFETY IMPLICATIONS**

7.1 The report is compliant with the Council's health and safety responsibilities.

### 8.0 **REASONS FOR RECOMMENDATIONS**

8.1 To ensure there are sufficient skilled and experienced councillors available to support the appeals process

**9.0 RECOMMENDATIONS**

- 9.1 That County Council approve an extension of the two additional seats until April 2021 as set out in paragraphs 2.6 & 2.7.

JUSTINE BROOKSBANK, Assistant Chief Executive (Business Support) and  
BARRY KHAN, Assistant Chief Executive (Legal and Democratic Services)

County Hall  
NORTHALLERTON

3 May 2018