

NORTHUMBERLAND

Northumberland County Council

CABINET

Date: 13th February 2018

CONSULTATION EXERCISE FOR PROPOSED CHANGES TO POST 16 TRANSPORT POLICY

**Joint Report of the Executive Director of Children's Services, Cath
McEvoy and Paul Jones, Service Director - Local Services**

**Cabinet Members: Councillor Wayne Daley, Deputy Leader & Children's
Services**

Purpose of Report

The purpose of this report is to seek approval to undertake a consultation exercise on proposed changes to the Post 16 Transport Policy, namely the re-introduction of free Post 16 transport provision for those students that meet the defined eligibility criteria to qualify for free travel as set out in the revised Post 16 Transport Policy document.

Recommendations

It is recommended that Cabinet:

1. Approve for consultation the proposed changes to the Post 16 Transport Policy that seek the reintroduction of free post 16 transport provision, subject to defined eligibility criteria.
2. Approve the commencement of a consultation exercise on the proposed changes to the Post 16 Transport Policy that will take place over a 6 week period starting 19 February and ending on 30 March, so that changes to the policy can be considered and new post 16 transport arrangements implemented for the start of the 2018/19 academic year in September 2018.
3. Notes that the financial implications associated with the proposed reintroduction of the free post 16 transport based upon the eligibility criteria defined in the draft policy document of £1.413 million in 2018/19 and £0.800 million in 2019/20 have been included within the Council's proposed Medium Term Financial Plan.

Link to Corporate Plan

This report is relevant to the following key themes in the draft Corporate Plan for 2017-2021:-

- 'Connecting - We want you to have access to the things you need'
- 'Learning - We want you to achieve and realise your potential'

Key Issues

In order to meet the Administration's Manifesto pledge of removing Post 16 transport charges, the current policy and charging regime for Post 16 transport needs to be reviewed and amended.

Since the start of the 2014/2015 academic year when the policy changed, students aged over 16 have been required to pay for their travel.

Statutory Guidance requires that local authorities facilitate access to education and training for all learners of sixth form age but provides significant discretion to determine what transport and financial support are necessary for this purpose. The extent of transport provision and support is not prescribed, but account has to be taken of the needs of the most vulnerable or socially excluded learners, as determined by the authority in accordance with its annual transport policy statement.

The earliest opportunity to change the Post 16 Transport policy would require this consultation process to start in February 2018 so that a revised transport policy could be published by 31 May 2018 and be implemented in September 2018.

1. Background & Statutory Guidance

Section 509AA of the 1996 Education Act places a duty on local authorities to *'prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or otherwise that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education and training'*.

The Guidance requires that all local authorities facilitate access to education and training of learners of sixth form age and provides the discretion to determine what transport and financial support are necessary for this purpose. The extent of transport provision and support is not prescribed, but account has to be taken of the needs of the most vulnerable or socially excluded learners, as determined by the authority in accordance with its annual transport policy statement.

All local authorities have a statutory obligation to set out their arrangements for enabling the attendance of Post-16 students at schools, colleges or other

training establishments by 31 May each year. This means, as a statutory minimum, ensuring young people have access to affordable and appropriate transport services that are necessary for them to access their further education courses. However, this duty does not include a requirement to pay the actual fares of the students. The need to publish a Post 16 Transport policy by 31 May 2018 allows students, and their parents, to select their preferred courses / providers whilst being fully aware of the implications this has with respect to their travel costs.

2. The Current Situation

Since the start of the 2014/2015 academic year when the policy changed, students have been required to pay for their own travel if they can access their chosen learning provider via local bus and rail services.

For those students who cannot access a viable public transport network, subject to eligibility criteria stated in the Council's annual transport policy statement, arrangements are made for them to travel on school buses/taxis contracted by the Council. A charge is made for the provision of this transport service of £600/annum per student, however, this does not cover the full cost and it therefore remains a subsidised service.

3. Changes to Post 16 Transport Policy

Maintaining the current status quo does not address the Administration's Manifesto pledge. It will therefore be necessary to amend the existing policy to deliver new Post 16 Transport arrangements.

A revised Post 16 Transport Policy is therefore attached as Appendix A. This broadly maintains the same eligibility criteria as the current Post 16 Transport Policy, which are summarised below (see Appendix for full details), but enables transport to be provided free of charge on both contracted school services and public transport:-

*You may be eligible for free transport if **all** of the criteria as set out in Annex 1 are met by you. You must refer to Annex 1, however, in summary this includes:*

- *You are a Northumberland resident and*
- *You live more than three miles away (as measured by the local authority using it's approved measuring tool) from your learning provider and*
- *Your course is undertaken at your nearest appropriate provider, please see Annex 1 for further details and*
- *You are 16 years old or over, but under 19 on 31 August 2018 and*
- *You started the course in Y13 or earlier and*
- *Your course is full time, which is a minimum of 12 hours a week, within*

one academic year and

- *Your course is at a higher level than your previous achievements and equates to foundation learning 1, 2 or 3 and*
- *Your estimated journey time to your chosen educational establishment will be no more than 75 minutes (150 minutes daily travelling time) and*
- *The cost to the Council of your proposed journey is an efficient use of public resources in the view of NCC and*
- *You make the appropriate contribution (if applicable), i.e. the standard administration fee.*

As part of the policy review, it is also proposed to introduce a one-off administration fee of £50. The rationale for this being that the Council incurs significant time and resources when assessing applications to determine eligibility. Whenever a Post 16 policy offers free transport the Council also finds that many students take up the offer whether or not they actually intend to use it on a regular basis. This results in additional costs being incurred by the Council in securing transport arrangements and providing bus passes which are not routinely being used by the student, for example, where they are able to get a lift. The introduction of an administration fee at the time of application would therefore help offset some of the additional administration costs that will be incurred and also help to reduce the likelihood of the Council incurring unnecessary transport costs for services which may only be used occasionally. It should be noted that the £50 administration fee would not be charged to those students who are in receipt of benefits or on an EHC Plan, and would also be refunded if a student applied for Post 16 Transport but subsequently failed to attain the necessary entry requirements to take up their course of learning (details of exemptions etc can be found in Appendix 1) .

4. Cost Implications

It is estimated that the additional cost associated with the change of policy to re-introduce free Post 16 transport will be £2.213m per annum (£1.413 million in 2018/19 and £0.800 million in 2019/20). These costs have been included within the Council's proposed Medium Term Financial Plan. However, it should be noted that there are always significant uncertainties in being able to estimate the costs associated with the provision of Post 16 transport due to the wide range of factors involved, including levels of take up, numbers of students in education, locations of students etc which can vary. The budget figures are therefore the best possible estimate given the information available.

5. Implementation Timetable

In order to implement any changes to the Post 16 Transport Policy it is necessary to embark on a public consultation exercise, consider the responses, take the proposed changes through scrutiny and cabinet for formal decision making and to incorporate the additional costs within the MTFP. The

key deadline being the statutory requirement to have any changes published by 31st May 2018 ahead of the new academic year starting in September.

In order to enable free post 16 transport to be provided at the earliest opportunity it is therefore proposed that the Revised Post 16 Transport policy be subject to a 6 week consultation process to run from 19th February to 30th March 2018. The key dates are listed in the table below.

Date	Event
29 January	Publication of the Family and Children's Scrutiny Committee (FACS) report
6th February	FACS meeting
13 February	Cabinet
19 Feb- 30 March	6 Week Consultation
24 April	Special FACS
8 May	Cabinet
31 May	Publish Post 16 Transport Policy
3 September 2018	Start new post 16 transport scheme

Implications Arising out of the Report

Policy	Post-16 Transport Policy (complying with DfE statutory guidance) annual statement must be published by 31 May each year.
Finance and value for money	The proposed changes to the Post-16 travel scheme are estimated to cost an additional £2.213m in a full financial year and provision for this has been built into the MTFP due to be considered by the Council in February 2018. The introduction of a £50 administration fee will help offset some of the additional administration costs incurred in assessing the eligibility of applicants and also help to reduce the likelihood of the Council incurring unnecessary transport costs for services which may only be used occasionally.
Legal	There is a statutory duty to ensure students can access learning opportunities at post-16 level, however, there is no legal requirement to provide free transport for students in Post-16 Education.

Procurement	A re-designing of the transport network will be required as a result of the revised Post-16 Transport Policy.
Human Resources	Provision has been made within the MTFP to enable additional resources to be deployed to ensure the administration of the new policy can be undertaken effectively and efficiently.
Property	None – no Council property is involved
Equalities (Impact Assessment attached) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	An equalities impact assessment has been prepared and will be reviewed in light of consultation feedback and prior to any final decision being made regarding any policy changes.
Risk Assessment	Risk of reputational damage to the Authority varies with the proposals, however, the chosen option minimises this risk.
Crime & Disorder	None
Customer Consideration	The reintroduction of free Post 16 transport will ensure that students across the County are given an appropriate and affordable level of transport support by the Council, which enables them to access educational opportunities and realise their potential.
Carbon reduction	Greater use of bus transport for student travel may help reduce carbon use if displacing car journeys.
Wards	All

Background papers:

Post-16 Transport Policy 2017-18

Appendix 1 - Post-16 Transport Policy 2018-19

Report sign off.

Authors must ensure that relevant officers and members have agreed the content of the report:

	initials
Finance Officer	AM
Monitoring Officer/Legal	n/a
Human Resources	n/a
Procurement	n/a
I.T.	n/a
Director	PJ/CM
Portfolio Holder(s)	WD

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