

NORTH SOMERSET COUNCIL DECISION



DECISION OF: COUNCILLOR HANNAH YOUNG. THE EXECUTIVE MEMBER FOR HIGHWAYS AND TRANSPORT

WITH ADVICE FROM: DIRECTOR OF PLACE

DECISION NO: 24/25 DP 247

SUBJECT: HOME TO SCHOOL TRANSPORT HTST MAINSTREAM & SEN POLICY

KEY DECISION: NO

REASON:

The authority does not incur additional expenditure or make savings of over £500,000, there is no significant impact in terms of effects on communities living or working in two or more wards.

BACKGROUND:

The Home to School Transport service is required to review its suite of statutory policies in line with the guidance and revisions published by the Department for Education (DFE). The DFE published revisions to Home to School Transport and Travel Statutory Guidance in July 2023 and then later in January 2024.

The Home to School Transport Service launched a formal consultation (from 03 June to 15 July 2024) on proposed changes that aligns our Mainstream and SEN policies with the DFE guidance. The purpose for the consultation was to inform the Council of both the views and impacts of proposed changes by engaging with parent/carers of students using the service (as well as other interested parties). Responses were received through the online consultation webpages and written responses via email.

North Somerset Council currently publicises its suite of policy documents on the council's webpages. The last revision to the statutory policies (within scope of this process) was in 2020. This process seeks to revise current statutory policies and publish them by September 2024. This is necessary to comply with the DFE guidance and support parent/carers with making their school choice decisions for the 2025/26 academic year.

In accordance with council governance processes, the Home to School Transport service published the consultation outcomes together with recommendations. This included proposals to rename the policy, service are and adopting the changes as guided by the Department for Education.

The current service area is named Home to School Transport and it is proposed proposal is that the service is renamed Home to School Travel which seeks to promote the flexibility of our travel offers that support young people access education.

DECISION:

To adopt the revised statutory policy documents for Mainstream and SEN, following the consultation and adopt the “Next Steps” as detailed in the Consultation Response document.

REASONS:

Option 1 is the officer recommendation as it ensures that North Somerset Council policies align to that published by the Department for Education. The DfE states that statutory guidance should be adopted by councils ‘unless there is good reason not to do so’. The outcomes of our consultation process have failed to identify any such reason why North Somerset Council should not comply.

Updates will be made to Sections 3.3, 3.5, 4.5 4.6 and 9.0 in the policy following feedback from the consultation.

Section 3.3 – Accompaniment

The new wording is as follows:

Reasons such as the parent’s working pattern or the fact they have children attending more than one school, on their own, will not typically be considered good reason for a parent being unable to accompany their child.

The Home to School Transport Service has recently awarded transport to families in the above categories as the current policy is not clear on when transport will or will not be awarded in exceptional circumstances. The new guidance from the DfE will clarify this position and allow for current discretionary awards to cease from September 2025.

Section 3.5 – Nearest suitable school

The existing policy does not detail at what point the application is made to the authority. The current policy is open to interpretation and could mean either the transport application or school admissions application. The new wording:

This determination is made by the Authority at the time of application during the school admission process.

The above clarifies the point of application to the authority is sat with the admissions process, and ensures that families are not able to work the system in their favour by applying for a school of their choice that they would not be able to get their student to and applying for Home to School Transport when the school capacity may have changed in the time between applying for the school place and then transport.

Section 3.6 – Discretionary Award

The discretionary award section has been relocated within the policy, now within the “Eligibility” section. This is easier to locate and gives parent/carers more information as to eligibility, or what support is available if students are not eligible under policy.

Section 4.2 – Passenger Assistants

Additional information has been included to detail the role of the passenger assistant on transport, confirming the reasoning for a Passenger Assistant being allocated to a route, and

the level of training that they have had for First Aid. It sets out expectations for medication and the administration of this on transport.

Section 4.5 – Independent Travel Training

The Home to School Transport service has introduced an independent travel training team during the 2024/25 financial year. The policy has been updated to include independent travel training as a possible type of travel assistance that may be offered to families.

Independent Travel Training is child-centric focussed, promoting independence to young people accessing Home to School Transport through the local authority. It enhances the confidence, skills and resilience of young people.

Section 4.9 – Cycling / Wheeling Allowance

The Home to School Transport team have added this new section to the policy, aligning to opportunities within the published DfE guidance. This is an exciting opportunity to promote sustainable travel initiatives for students.

Section 6 – Vacant Seat Payment Scheme

The policy has been updated to reflect the provision as being non-statutory and therefore would not offer an appeals process. The view of the authority is that the Vacant Seat Payment Scheme is either available or it is not available (based on routing or spare seats), therefore the decision cannot be appealed where it is non-statutory.

Section 9 – Appeals

This section has been reviewed and updated to remove information no longer relevant and to reflect that available on the website.

Policy Renaming

It is proposed that the policy will be renamed from “Home to School Transport” to “Home to School Travel”. This promotes a wider range of opportunities for supporting children with accessing their education provision, along with easier integration with initiatives such as Independent Travel Training. It will also allow for closer working with colleagues in the sustainable travel and road safety colleagues, aligning wording and terminology.

Additionally, the Home to School Transport Service is requesting a renaming from Transport to Travel, in line with the policy renaming above. This is beneficial to align closer with colleagues within Place Directorate and allows for a disassociation with the traditional “transport” being associated with a vehicle as the only travel option. The new Home to School Travel Policy encourages alternatives to be taken, including wheeling and cycling allowances, independent travel training and public transport.

Alongside the above recommendations, the following is also being included for implementation or further development to support the consultation outcomes and previous work conducted with IMPOWER consultancy.

- Custom Independent Travel Plans
 - Tailoring the training to individual students will encourage long-term uptake and improve pass rates of the scheme
 - The comprehensive plans will include enhanced journey care guidelines, and collaboration with SEN colleagues both in the local authority and the student learning establishment

- Personal Travel Allowance Scheme
 - Recently relaunched with a new policy and a new calculation to promote the scheme and widen the families that could benefit from it
 - Earlier visibility of the Personal Travel Allowance through our application forms
 - Opportunity for parent/carers to use the scheme to fund public transport tickets allowing them to accompany their children on the Home to School Transport journey
- Sustainable Infrastructure Enhancements
 - Working closer with sustainable travel and road safety colleagues to enhance the walking and cycling networks within North Somerset.
 - Better connectivity across the local authority
 - Section 4.9 of the policy includes “Cycling/Wheeling” allowance information and links externally to interactive maps published by North Somerset Council.
- Promotion of Active Travel Solutions
 - Working closer with schools to promote schemes that will lead to more sustainable transport options being adopted by students.
 - Exploration of “walking busses” and “cycling busses” where appropriate.

The consultation outcomes are considered in the above, those outcomes being:

- Clearer communication around Home to School Transport Policy Framework
 - Simplifying the language
 - Rephrasing sections to improve understanding of eligibility
- Safety and safeguarding of young people including those with SEND.
- Positive view (in general) of public transport and active travel options.
- Strong support for Independent Travel Training
 - Advantages for children and key in implementing more sustainable transport options
 - Training could enhance independence among young people

OPTIONS CONSIDERED:

1. To adopt the new policies for Mainstream and SEN, following the consultation and adopt the “Next Steps” as detailed in the Consultation Response document.
This is the officer recommendation.
2. To defer adopting any new policy but implement the “Next Steps” detailed in the Consultation Response document.
This is not recommended by officers and considers the expectation for active policies to align with published Statutory Guidance. Applying “Next Steps” in full will require the new policy to be adopted for them to be supported.
3. To not adopt the new North Somerset Council policy, and not pursue any of the recommendations.
This is not recommended by officers as the North Somerset Council active policies would not align with the published statutory guidance. As such this may place the council in position vulnerable to legal challenge and reputational damage.

FINANCIAL IMPLICATIONS:

Costs

- There are no additional costs incurred through the change of policy
- Independent Travel Training modelling indicates cost mitigations for the service which are delivered at the point the student(s) have graduated and travel offer has been revised.
- Personal Travel Allowances are a more cost-effective alternative for transport than contracted services in some cases, and expanding their availability will encourage uptake of alternative modes of transport
- Sustainable Infrastructure Enhancements will require investment, however, will form a separate set of works, following full process for feasibility within the authority and overall benefit to the local authority. Any funding “commitments” will be detailed within those separate processes for individual areas highlighted.
- Changes to the policy wording around accompaniment will have a small cost benefit, for the 2024/25 academic year, reducing instances where discretionary travel may be awarded.

FUNDING:

Adopting the revised statutory policies will not require any additional funding, however some of the recommendations may require additional funding to be provided. If contributions are needed for network improvements, these will be reviewed and a business case put forward at the time, including a decision notice requirement for approval.

Workstreams involving independent travel training and personal travel budget recommendations are already live, although yet to fulfil their full potential for financial mitigations. Funding implications for Personal Travel Allowances and Independent Travel Trainers have been captured and approved separately as part of IMPOWER workstreams. There are no additional funding implications foreseen, other than an uptake of Personal Travel Budget, which would represent either cost savings or cost mitigations to the Local Authority

LEGAL POWERS AND IMPLICATIONS

By not adopting the DfE guidance, North Somerset Council will not operate policies in line with national guidance. The policies provided by North Somerset Council should meet those items set out by the DfE to remain compliant and ensure consistency with the wider guidance.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

To reduce North Somerset's carbon emissions, we recognise the need to make significant changes to the way we live, work, and govern. We see these changes as a unique opportunity to improve our quality of life. This, in turn, will create an area that's healthier, better to live in and fairer for everyone.

Within HTST we are ensuring that emissions are reduced by improving on vehicle utilisation and reducing the number of vehicles commissioned for the service. In high population areas we have the ability to safely transport up to 70 students on one vehicle where they attend a secondary school. Increasing the capacity and planning our routes using centralised pick-up points helps to reduce congestion and HTST's carbon emissions.

We also encourage the use of cycle paths and Safe Walking Routes (SWR) where these are available.

The service will seek to explore sustainable travel options such as public transport, particularly where this is actively operating. First Bus is focused on becoming a leader in the transition to a low-carbon future and are committed to operating a zero-emission bus fleet by 2035; who have pledged not to purchase any new diesel buses after December 2022.

HTST aims to review each route at the end of the contract to ensure that the vehicle provided has the best capacity for each school. HTST looks to combine vehicles where possible to reduce vehicles on the road that could attend two schools in similar areas, in some cases increasing the vehicle capacity to do so.

The changes included in the proposals encourage sustainable transport initiatives and promote these with students and parent/carers, whilst also focussing on those students who would benefit from dedicated training resource to gain independence to access public transport and develop their personal skillsets as they approach adulthood.

CONSULTATION

The consultation was active from 03 June to 15 July 2024 and was published on the Council's e-consult system. Written submissions to the Council were also welcomed. Separately, the Council also consulted with North Somerset Parent Carer Working Together (NSPCWT), Children's Services and involvement with the three largest special schools (Baytree School, Ravenswood School, Westhaven School), along with the VLC (SEMH Provision).

PROCUREMENT

N/A – There may be changes to how the HTST services procures in the future, but these will be adopted as "Business as Usual" practices aligning to both the newly published Contract Standing Orders (CSO's) and relevant Governance Processes within the Place Directorate.

RISK MANAGEMENT

North Somerset Council will be at risk of legal challenge and reputational damage should its active suite of policies not align with statutory guidance from the DfE. This will complicate areas such as appeals and complaints where government guidance is not fully in place within the Local Authority. The Local Authority will have to advise the DfE the reasonings behind having a policy that is different to that statutory guidance published.

EQUALITY IMPLICATIONS

Have you undertaken an Equality Impact Assessment? **Yes**
Low impact so no further actions required.

CORPORATE IMPLICATIONS

If the local authority does not adopt the policy changes, made following the consultation and to align to the DfE Guidance, we risk being non-compliant and at risk of challenge.

APPENDICES

Please see separate document for changes made within Mainstream/ SEN Home to School


Travel Policies.

BACKGROUND PAPERS

[Travel to school for children of compulsory school age - DfE](#)

SIGNATORIES:

DECISION MAKER(S):

Signed:  Executive Member Highways and Transport

Date: 17 September 2024

Signed:  Director of Place

Date: 12 September 2024

