



**West  
Northamptonshire  
Council**

**Home to School Transport  
Post-16 Policy  
Place Overview & Scrutiny Committee  
31<sup>st</sup> January 2024**



# Summary – Measures for Consultation

At its meeting on 16<sup>th</sup> October 2023, EPB agreed to consult on the following changes to the Council's Post-16 Transport Policy.

No.	Measure	EqIA Impact/Legal?	Potential Savings	Recommend for Consultation
1	Increase charge to £1,000	Significant negative response from previous consultation. LA can legally review its charges. £1,000 reflects actual cost for mainstream students.	£375k	Proceed to ensure MTFP savings realised. Parity with non entitled bus pass costs
2	Apprenticeships - support to educational setting attendance. No support for work place attendance	Proposed to continue to provide support for the education based learning (e.g. college attendance). Work placement to be funded by individual.	Proposal will limit Council's exposure to future costs.	Proceed as current policy does not cover apprenticeships.
3	Transport at standard start and finish times	Transport to be planned for the normal start and finish times of the establishments attended. Times to be agreed each year with schools/colleges.	Limited cost benefit - difficult to quantify. Will limit Council's exposure to future costs.	Proceed - some discretion applied to SEND cohort who finish earlier than mainstream students
4	No sole transport - Personal budget instead (unless in exceptional circumstances)	Where sole transport is the only available option either due to needs or logistical planning, a personal budget will be given instead for family to arrange/organise transport.	Savings unknown - Parents can often secure cheaper taxi costs than LA.	Proceed - compliant with statutory guidance.
5	Stringent & regular audits of colleges	More stringent audits on colleges who recharge the Council to ensure entitlement is in accordance with policy.	Will prevent incorrect re charges to WNC. No savings anticipated	Proceed as administrative process

Officers were asked by EPB for the following information:

**Personal Travel Budgets (PTB)** – Seek legal advice as to whether the Council can revert to only providing Personal Travel Budgets as is the case in Leicestershire.

**Benchmarking** – Provide a summary of what other Council's provide in terms of Post 16 transport support

## Overarching Duty on WNC:

1. WNC must encourage participation in education and training by people of 6th form age and must also encourage employers to participate in the provision of education and training for them.
2. WNC must ensure its functions are exercised, so far as possible, so as to promote the effective participation in education or training with a view to ensuring that they fulfil the duty that people aged 16-18 must participate in appropriate full-time education or training.
3. WNC must make available such services as it considers appropriate to encourage, enable or assist the effective participation of those persons in education or training.
4. Subject to certain relevant factors (set out below), it is in principle lawful for WNC to adopt a policy of providing for transport by means of payments to students or their families.

## Personal Travel Budgets (PTB):

1. Given the severe financial pressures, a change in policy from direct transport to the provision of allowances, should not amount to unjustifiable and therefore unlawful age discrimination or disability discrimination or a breach of the right to private and family life.
2. This is subject to the transport policy including exceptions for particular cases (for example where a student has particular disabilities, or the lack of a contractor or other arrangements to cover the particular route).
3. The right to appeal should be maintained in all cases.
4. Consideration of an equality impact assessment will be necessary to ensure compliance with the public sector equality duty.
5. The policy must be workable and the Council would need to be satisfied that alternative transport arrangements are available in practice, with evidence to demonstrate this.
6. The policy must have regard to the Statutory Guidance entitled 'Post-16 transport and travel support to education and training'.
7. The policy will need to promote the use of sustainable travel and transport.

## Personal Travel Budgets (PTB):

Introducing such a significant change to the policy, with minimal advance notice could be a difficult decision to defend, particularly where parents of children of compulsory school age were provide a full academic years notice.

Initial consultation has already taken place with colleges and the West Northants parent forum following the EPB meeting on 16<sup>th</sup> October and there were no significant objections, although concern was expressed over the increase in cost. To introduce a new measure now, just prior to full consultation could be seen as underhand.

The policy needs to be published by the 31<sup>st</sup> May and there is insufficient time available to adequately prepare the necessary EqIA and supporting evidence needed to ensure any decision can be robustly defended if challenged through JR.

Under the current proposed changes, PTB's will be the default position for students where sole transport would be the only feasible option.

It is proposed that a dedicated PTB policy be introduced setting out the Council offer with regard to PTB's for both compulsory and Post 16 age students. Subject to consultation requirements, this should be in place by September 2024.

# Post 16 Transport Policy

## Benchmarking

LA	POST 16 MAINSTREAM			POST 16 SEN		
	Post 16 Scheme	If No, are there exceptions?	If exceptions, what is the offer?	Does the LA have a Post 16 SEND offer?	If Post 16 SEND offer what is the offer?	Are there any other offers?
Cambridgeshire	Low Income - £425.25/yr Spare Seats Scheme - £835/yr	N/A	N/A	Yes - Case by case basis EHCP plan and conditions	£231 per term or £693/yr	Cycling Allowance - £40 per term Policy directs to 16 - 19 Bursary Fund
Buckinghamshire	Spare Seats Scheme - £868 Bucks residents £1,200 for non-Bucks residents	N/A	N/A	Yes - Case by case basis EHCP plan and conditions PTB or council arranged for a fee	PTB - 45p per mile  Council arranged transport - based on attendance £190 - £954/yr SEND low income from £127 - £636/yr	No - Policy directs to a number of Bus and Rail student offers
Luton	Yes	Yes - Low Income Families Those in LA care	LA will contribute 50% of a weekly bus ticket (max value £7.50 per week)	No - exception based only	Council Funded	No - Policy directs to 16-19 Bursary Fund Care to Learn Discounts from Local Operators
Oxfordshire	Spare Seats Scheme - 3 miles = £433.40/yr 3+ miles = £806.30/yr	N/A	N/A	Yes - 3 mile walking distance rules apply or disability/need prevents student being able to walk.	Council Funded	No Policy directs to 16-19 Bursary fund Care to Learn
Milton Keynes	N/A	No	N/A	Yes - based on criteria Those with transport need identified in EHCP	Council Funded	No Policy directs to: 16 - 19 Bursary Fund
Peterborough	£660 per annum (payment options available) Free for Low income	N/A	N/A	Yes	Council Funded	Yes Cycle Allowance £100 per term Policy directs to 16-19 Bursary fund and discounted public transport

# Timeline / Next Steps

Engagement with Schools/Colleges/NPFG – Oct 23

Draft revised policy (including equalities impact screening and assessment if required): Jan 23

Consultation: Feb-April 24

Cabinet: May 24

Publish Policies: 31<sup>st</sup> May 24

New policies take effect: From Autumn Term 24