

Lambeth Home to school/college transport policy for post-16 students 2023/24

Transport policy statement for young people aged 16-18 in further education, continuing learners aged 19 and those young people aged 19 – 24 (inclusive) with learning difficulties and/or disabilities

1. Introduction

Statutory guidance related to Local Authority Post-16 Transport Policy in the United Kingdom was outlined in the "**Post-16 Transport to Education and Training Statutory Guidance**" 2019 issued by the Department for Education (DfE). This guidance provides information and requirements for local authorities regarding the provision of transport for young people aged 16 to 19 who are in education or training.

Local authorities are responsible for implementing and managing transportation policies in line with the statutory guidance, ensuring that eligible students receive the necessary support for their education or training. They have the discretion to set their own policies within the framework provided by the statutory guidance.

Local authorities have a duty to prepare and publish an annual transport policy statement which specifies the arrangements for the provision of transport, or other support, that the authority considers it necessary to make in order to facilitate the attendance of all persons of sixth-form age receiving education or training at the relevant placement or institution. **The legal basis for this duty (the 'sixth form-age transport duty') can be found in Section 509AA of the Education Act 1996.**

Local authorities do not have the same obligations regarding travel support for post_16 learners as they do for 'eligible' children of compulsory school age (i.e. children aged between 5 and 16 years old). There is no requirement, for example, for local authorities to provide free or subsidised travel support students of sixth-form age.

As a London Borough, Lambeth benefits from an excellent transport infrastructure and we envisage that this will meet the needs of the vast majority of our post-16 learners. There are also several sources of funding for specific vulnerable groups, such as young parents, which may assist with travel costs.

There may be some circumstances in which a post-16 learner believes that they will require additional travel support from the local authority in order to access education or training. In such cases, learners can apply to Lambeth to request travel assistance. Lambeth will assess all such applications and will determine whether or not they consider it necessary to provide any assistance. Depending on the circumstances, there may be a charge for any provision made.

Further details regarding applying for assistance, Lambeth's criteria for assessing applications and the complaints and appeals procedures can be found in Sections 5, 6 and 7 of this document respectively.

2. Scope of policy

1. Academic year: 1 August 2023 to 31 July 2024.

2. Learner residency: young people who are resident in Lambeth. Learners not resident in Lambeth or who are looked after by another Council, but live in Lambeth, should refer to the transport policy issued by their local authority.

3. Learner age: young people aged over 16 but under 19 as at 31st August 2023

4. Learning institution: Young people who are engaged in education or training at:

- a school (including academies)
- a further education institution (including sixth form colleges)
- a local authority maintained or assisted institution providing higher or further education
- an establishment funded directly by the YPLA, e.g. independent specialist providers for learners with learning difficulties and/or disabilities
- a learning provider that is funded by the local authority to deliver accredited programmes of learning which lead to positive outcomes (this could include colleges, charities and private learning providers)

3. Available Support

Transport for London – free and discounted travel 16-18

Residents of London boroughs aged 16-18 and in full-time education or on a work based learning scheme (at least 12 guided hours per -week on courses at level 3 and below) can apply for a 16+ Oyster photocard.

The card gives:

- free travel on London buses and trams
- half adult-rate single fares on the tube, DLR and London overground
- child rate travelcard season tickets on the tube, DLR and London overground
- half adult-rate single fares on some national rail services
- child rate travelcard season tickets on national rail services.

Free travel is available until the end of the course or the academic year, whichever is earlier.

18+ Student Oyster

18+ Student Oyster photo cards are available to students who are aged 18 and over, and are attending a full-time course (and in certain circumstances a part-time course) at universities, colleges and schools registered on the TfL. The 18+ student card gives 30% discount on bus, tram, tube, DLR, London overground and national rail travelcard season tickets.

Application forms are available from Post Office® branches throughout Greater London and areas that are served by the London bus, tube and overground networks. For further details visit www.tfl.gov.uk

18+ Travel Mentoring

Transport for London operate a Travel Mentoring scheme to support those aged 18+ to develop the skills and confidence to use public transport independently. For further details visit www.tfl.gov.uk

The 16 -19 Bursary Fund

From September 2011 young people who need some financial support to help them stay in education and training after age 16 can apply to their school, college or training provider for the new 16-19 Bursary fund. For further information go to <https://www.gov.uk/1619-bursary-fund>

The 16-19 bursary fund has two elements:

Guaranteed bursary:

Those most in need will be eligible for a bursary of £1200 a year. To qualify students must meet at least one of the following criteria:

- in receipt of income support
- care leaver
- in care
- disabled student in receipt of both Employment Support Allowance and Disability Living Allowance

Discretionary bursary:

Providers may use their discretion to distribute any remaining funds to young people in ways that best fit the needs and circumstances of their students. Bursary funds should be targeted to young people facing financial barriers to participation, such as the costs of transport, books and equipment.

Providers have discretion to set policy, administer and allocate funds which best suit the needs of its learners. All organisations should have a 16-19 Bursary Fund policy which is available upon request. Applications should be made directly to the school, college or training provider. If a learner feels aggrieved about how their request for a bursary has been handled, they should follow the school's/college's/provider's standard complaints procedure. For further information on the 16-19 bursary fund visit: <https://www.gov.uk/1619-bursary-fund>

Apply for a disabled person's Freedom Pass

The disabled person's travel pass, known as the Freedom Pass, gives you free travel on buses, the tube, trains, Docklands Light Railway and trams in London.

You can apply for a disabled person's Freedom Pass if you live in Lambeth and have an eligible disability.

Eligible disabilities are (as listed in the Transport Act 2000):

- You are blind or partially sighted

- You are profoundly or severely deaf
- You cannot speak, in any language
- You have a disability, or have suffered an injury which makes walking more difficult
- You do not have arms or have lost the use of your arms, long term
- You have a learning disability. This is defined as 'a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning'
- You have been, or would be refused a driving licence on the grounds of your disability

<https://www.lambeth.gov.uk/streets-roads-transport/travel-permits-help-with-transport/apply-disabled-persons-freedom-pass>

Care to Learn

The Care to Learn scheme can help with childcare costs while you study. You must be aged under 20 at the start of your course.

For information on care to learn visit: www.gov.uk/care-to-learn

4. Support for learners with learning difficulties and/or disabilities

What Lambeth families should be reasonably expected to do regarding home school and college travel.

- Students will attend their nearest suitable local school or college.
- If a student cannot travel to school or college on their own the parent or carer will accompany them where it is reasonable to expect them to do so.
- If a parent or carer cannot accompany their children to school or college themselves, they should make other arrangements such as:
 - i. getting other family members or friends to help
 - ii. arranging formal childcare via a childminder, breakfast club or play centre
 - iii. asking an employer for flexible working arrangements

Families will make use of any suitable home to school travel is provided by someone else. E.g. travel provision made available to young people by Transport for London.

Families should support their children to learn and practice the skills they need to become independent travellers.

This includes:

- i. how to be safe when walking in public
- ii. how to use public transport
- iii. co-operating with schools and others that offer travel training

London Borough of Lambeth expects and would encourage most learners aged 16 to 18 to travel independently on public transport because of the beneficial effects this can have on the young person's

development. However, we recognise that in some circumstances, additional assistance with travel may be required.

Applications will be considered from 16-18 year old students against the following criteria:

- The learner has an EHCP
- The learner is aged between 16 and 18 and is on a course of further education at a school, college or training provider
- The course is deemed to be suitable and will provide an educational benefit to the learner – as assessed by the learner’s transition adviser and/or an educational psychologist nominated by the Local Authority
- The learner has a disability or learning difficulty that would make it impracticable or dangerous for them to try to undertake a journey to school or college. Applications will be assessed based on the individual circumstances

Travel assistance available for eligible 16 -18 year olds in Lambeth

If an assessment finds that a child is eligible for travel assistance to their nearest qualifying setting , the next step is to determine what the most appropriate form of travel assistance will be. This will depend on the child’s individual needs. Lambeth recognises the importance of providing ‘suitable’ travel which, taking into account the child’s individual needs, should be safe, stress-free and allow them to arrive at their educational placement ready to learn. Journey time is a factor in this, but we would remind parents that the Guidance recognises that ‘For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.’

Where more than one mode of transport is suitable, Lambeth will choose the option which represents the most efficient use of resources and/or the most sustainable.

Options for travel assistance can include:

- Provision of a travel card for the child to use on public transport (train, tube, and DLR in addition to the use of bus and tram currently available via Transport for London)
- Provision of an Oyster card or travel card for a parent, carer or other responsible adult
- Travel reimbursements or personal transport budget - a sum of money provided to families (on a pre-paid card), so they can arrange their child's home-to-school travel arrangements in a way that suits their circumstances best. A prepaid card is similar to a debit card, which is given to you by Lambeth. We will top up the card by the agreed daily amount. With a prepaid card, there is no requirement for you to open a bank account
- Independent Travel Training*
- A seat on a vehicle (suitably adapted as necessary). In most cases, the vehicle will be shared with children attending the same or nearby school
- Any other creative and efficient suggestions made by parents or carers

*Independent Travel Training (ITT)

Lambeth does not currently offer an Independent Travel Training scheme, However Lambeth is looking to commission independent travel support and will update as soon as possible.

An ITT scheme is intended to teach young people the skills and knowledge required to travel independently. Being able to travel independently is an important skill when preparing for adulthood, and opens many opportunities when considering college and employment options. Travel Training is adapted to the individual, but generally the scheme involves accompanying a young person on 1:1 basis on their usual home to school/college route, teaches the skills and knowledge required to make the step towards independence on public transport. The training covers road safety, route planning, travel payments, safe places/people, and contingency planning in case things go wrong.

5. Applications and contacts

Applications should be made online via Lambeth Local Offer

<https://www.lambeth.gov.uk/lambeths-send-local-offer/im-parent-or-carer/send-support-school-college/help-with-travel-school-or-college>

You can contact the team using the details below:

Email: transport@lambeth.gov.uk

Applications are considered by senior officers at a fortnightly Panel, and we endeavour to consider all cases within 30 days of receipt. Decisions letters will usually be sent, up to a week following Panel. If support is agreed, a member of the team will contact you by telephone to discuss arrangements. If you are unhappy with the decision, you can follow the appeals process (see below).

It is the responsibility of parents/carers to ensure that application forms have been completed fully and received by the SEND Transport Team. Incomplete applications may not be accepted and will cause delay to the request being scheduled for Panel.

At all times, including during the application process, it remains the legal responsibility of the parent/carer to ensure that their child attends school regularly.

Reviews and reapplications

Assessments of the need for assistance will be reviewed annually and more frequently where circumstances change within the year. Changes to the offer of support may be made, in line with best value. Whilst we endeavour to maintain consistency, there may be times when the transport provider and/or staff are reviewed and may be subject to change at short notice.

Changes in circumstances

Students must inform the Council of any changes in circumstances that may affect entitlement to assistance. These include a change of address or place of learning, changes in health or SEND or associated needs that affect travelling to the place of education/training.

Eligibility Checks

The Council has a duty to ensure that it protects public funds. The Council may contact students during the academic year, to ensure they are still eligible for assistance.

Awards made in error

Where an award of assistance has been made in error, the Council has the right to withdraw this after first considering the circumstances of each case to determine whether there are exceptional reasons for provision to continue. Where it is decided to withdraw assistance, up to one term's notice will be given. If the error was discovered before the commencement of the academic year the assistance will be withdrawn straight away.

Fraud

Where an award of assistance has been made as a result of fraud it will be withdrawn immediately. All monies paid will have to be repaid. Legal action to recover monies may be taken. Criminal proceedings may be taken, which may lead to conviction.

6. When to apply

Transport needs to be reapplied for prior to secondary transfer (even if there is no change of placement) and when a young person is moving into post 16 education.

Applications should be made in the same way as above. Please allow up to 30 days for applications to be processed. This is particularly important if applying for travel support to commence at the start of the academic year (September). The team have a large volume of requests at this time of year and late requests may not be processed in the desired timeframe.

7. Appeals

London Borough of Lambeth follows the appeals process set out in the Statutory Guidance.

Stage One: review by a senior officer

If a parent is not happy with Lambeth's decision regarding travel assistance, they have a right to request a review of the decision to be made by a senior officer to the person(s) who originally conducted the assessment.

The parent has 20 working days from receipt of Lambeth's decision to make a written request for such a review. In their written request, the parent should detail:

- why they believe the decision should be reviewed; and,
- any personal and/or family circumstances they believe should be taken into consideration when the decision is reviewed.

An officer senior to the original decision-maker will then review the original decision. In most cases, we would anticipate this to take place within 20 working days of receipt of the parent's written request. However, in a very complex case, we reserve the right to take more time to conduct the review.

After reaching a decision, the senior officer will send the parent a detailed written notification of the outcome of their review. This will set out:

- the nature of the decision reached;
- how the review was conducted;
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and,
- information about how the parent can escalate their case to stage two if they are still not satisfied with the outcome of their request.

Stage Two: review by an independent appeal panel

If a parent is not satisfied with the outcome of the first-stage review, they have the option to make a written request to escalate the matter to stage two. This must be made within 20 working days of receipt of the decision letter from the first-stage review.

Within 40 working days of receipt of the parent's request, an independent appeal panel will consider written and verbal representations both from the parent and officers involved in the case. A detailed written notification of the outcome will be provided within 5 working days of the decision.

This will set out:

- the nature of the decision reached;
- how the review was conducted;
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;

- the rationale for the decision reached; and,
- information about the parent's right to put the matter to the Local Government

The independent appeal panel members will be independent of the original decision-making process. They are not, however, required to be independent of Lambeth as a local authority. They will be suitably experienced to consider the specific issues in the individual case.

Further rights of appeal

If the parent does not consider the matter satisfactorily resolved after the second stage review, they may have further rights of appeal. If a parent considers that there was a failure to comply with the procedural rules, or that there were any other irregularities in the way the appeal has been handled, they have a right of complaint to the Local Government Ombudsman. If a parent considers that the decision of the independent panel was flawed on public law grounds, they may apply for a judicial review.

8. Support for young people 19+

Young people with difficulties and disabilities who are 19 years old or older should contact Lambeth's Adult Social Care Department for consideration for travel support. All applications will be considered individually.

The Adult Integrated Disabilities Team

Telephone: 0207 926 3250

Email: ALDduty@lambeth.gov.uk