

TELFORD & WREKIN COUNCIL

CABINET – 12 SEPTEMBER 2019

TRAVEL ASSISTANCE POLICY AND TRANSPORT REVIEW

JOINT REPORT OF:

ASSISTANT DIRECTOR OF EDUCATION AND CORPORATE PARENTING

LEAD CABINET MEMBER – CLLR SHIRLEY REYNOLDS

ASSISTANT DIRECTOR OF ADULT SOCIAL CARE

LEAD CABINET MEMBER – CLLR ANDY BURFORD

ASSISTANT DIRECTOR OF CUSTOMER & NEIGHBOURHOOD SERVICES

LEAD CABINET MEMBER - CLLR DAVID WRIGHT

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

To seek Cabinet approval to commence a formal consultation process in respect of the proposal to refresh the current Home to School Transport Policy and to introduce an Adult Social Care Travel Assistance Policy. Following a review of the current processes and practice, these proposals have been designed to provide greater choice, independence and control for residents of the borough, improving their outcomes. Approval is also sought to commence a review, following the outcome of consultation, on the most cost effective way of transporting customers which will include a review of the Council's Fleet Services, use of taxi's and community transport provision to ensure our offer remains fit for purpose and able to demonstrate value for money.

2. RECOMMENDATION

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| 2.1 | That Cabinet approves the consultation process for the revised Home to School Transport Policy attached at Appendix A to this report. |
| 2.2 | That Cabinet approves the consultation process for an Adult Social Care Travel Assistance Policy, as attached at Appendix B, and for Post 16 Travel Assistance to start in November 2019 |
| 2.3 | That Cabinet approves a review of all council's transport services, following the outcome of consultation, to ensure the modes of transport used to transport service users and customers can demonstrate value for money and fitness for purpose. |

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	Yes they will contribute to several priorities by supporting the health and wellbeing of our communities, helping to protect and support vulnerable children and adults, support people's prospects through skills training, and putting our children and young people first
	Will the proposals impact on specific groups of people?	
	Yes	These policies address issues in all age groups and have the potential to make a positive influence in all areas of the borough.

<p>TARGET COMPLETION/DELIVERY DATE</p>	<p>Consultation for the Home to School Travel Assistance Policy will commence late September 2019 and run for longer than the statutory 28 working day period. This is due to the fact that the Department for Education is also consulting on their home to school guidance at the same time and we want to be able to consider their finding alongside our own feedback. Consultation for the Adult Social Care Travel Assistance Policy and Post 16 Travel Assistance Policy will commence in November 2019. All draft policies will be presented to full council in April 2020 and if approved, be in place from May 2020. This will mean that the new Home to School Travel Assistance Policy and Post 16 Policy will apply to all those starting/continuing education from 1st September 2020.</p> <p>The wider Transport Review will commence once it is clear what the impact of the policy changes will be. The review likely to be completed by Summer 2020 with the outcomes reported back to Cabinet.</p>	
<p>FINANCIAL/VALUE FOR MONEY IMPACT</p>	<p>Yes</p>	<p>Travel assistance for children and young people (CYP) and adults is a significant area of expenditure for the Council. The majority of CYP transport expenditure is for transporting CYP with high needs and thus is under similar budgetary pressure to the overall area of high needs provision within the Borough. This is a national issue, not just one for Telford & Wrekin. One significant contributor to this pressure is that since legislative changes in 2014, high needs provision can continue until age 25 (previously 19) with consequent cost implications but with inadequate new burdens additional funding given to Local Authorities. The Local Government Association were clear at the time that new responsibilities placed on councils in the Children and Families Act were underfunded by the Government and continue to raise this underfunding of SEND reforms as one of the biggest issues that councils are having to deal with. Local Authority Treasurers societies have recently also requested a post-implementation review of the legislation to assess whether sufficient funding has been allocated to meet the objectives of the Act. The 2019/20 Home to School transport budget is £3.1m. and the budget for the transport of adults in 2019/20 is £905k</p> <p>The implementation of consistent travel assistance policies will help to ensure fair, appropriate, efficient and effective use of transport across the Borough.</p> <p>Provision of travel assistance is through both internal and external providers via the Council's fleet transport and the use of taxis. Clients accessing in house care provision also make use of this transport. Once proposals have been developed, following the outcome of consultation, the impact on in house service provision and council wide budgets will be assessed.</p> <p>One of the aims of the full review of all of the council's transport services to include Fleet Services and subsidised bus services is to establish how a more</p>

		<p>sustainable and cost effective service can be provided. Financial implications of this review will need to be determined when, or if, any revision to the current service is proposed</p> <p>KC & TAS 29/08/19</p>
LEGAL ISSUES	Yes	<p>Local authorities have a duty to consult with service users in respect of proposed changes which are significant. There is statutory guidance for the individual types of travel assistance on how and who to consult. The guidance specifically provides that local authorities should consult widely on school/SEND travel arrangements and such consultations should last for at least 28 working days excluding school holidays.</p> <p>Proper consultation demonstrates the Authority's Co-operative Council values and is vital for good governance. In addition effective consultation reduces the chances of successful challenges which delay implementation and can be costly.</p> <p>There is also specific statutory guidance in respect of local authorities complying with their duties in relation to education/training and SEND related transport.</p> <p>The draft revised Policy has been drafted taking into account relevant statutory guidance.</p> <p>Additionally, as a public sector organisation, the Council must comply with the Public Sector Equality Duty set out at s,149 Equality Act 2010; to do so the Council will need to have regard to the consultation responses received when preparing an equalities impact assessment with regard to the final draft proposals.</p> <p>AL 5/8/19</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	<p>The policies have been produced in an easier to read style. The draft policy has considered the 'School Transport Learning From Complaints' guide produced by the LGO along with conversation with parents, schools and representative groups over the past 5 months</p> <p>It should also be noted that an increased personal choice in respect of both the on-going provision of adult social care services and travel could lead to a reduction in the number of passengers travelling in Fleet Buses. Potential impact will be modelled by the transport review proposed in this report.</p>
IMPACT ON SPECIFIC WARDS	No	<p>This is a key decision and will impact on all wards. A full Impact analysis will be carried out following the outcomes of the consultation.</p>

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

4.1 Ambition for vulnerable adults, children and young people lie at the heart of the Council's priorities, 'the right support at the right time to support independence'. In the proposed review of these travel assistance policies the Council will focus on:

- 4.1..1 getting the basics right by explaining what our statutory duties are and what parents, carers and adults can expect from us, and signposting for those not eligible for these services so that we offer 'something for everyone';
- 4.1..2 Solving problems and promoting social responsibility by offering a range of travel assistance options;
- 4.1..3 Believing in, and challenging our service users by encouraging independence, for example by expanding travel training, increasing the offer of personal transport budgets; and
- 4.1..4 Offering spare seats to those who are not eligible but who may benefit from them for a contribution

4.2 We need to rationalise transport policies by having:

- 4.2..1 a clear Home to School Travel Assistance Policy; and for those with eligible adult social care needs
- 4.2..2 an Adult Travel Assistance Policy.

Both policies focus on a local and personal approach.

4.3 There is a statutory requirement for the Council to publish a Post 16 Travel Assistance Policy every year in May. This year's policy has already been published and is attached for reference. However, we will be launching a consultation of an updated policy that will be shared in November 2019.

4.4 The proposed updated and new policies focus on the Council's statutory duty to provide travel assistance. The main changes are:

- 4.4..1 eligibility criteria and assessment process have been made clearer;
- 4.4..2 all options available for travel assistance have been listed;
- 4.4..3 there is a clear appeals process for all age groups; and
- 4.4..4 it covers areas where the Council may charge for services.

4.5 The objective of all our travel assistance policies is to enable people to have more choice and control by accessing general travel services where possible. The Council's current transport service is a traditional model that provides transport for people from door to door that encourages dependency. The proposed policies are attached as Appendices to this report, with the current Post 16 Policy attached for information only at this stage.

- 4.6 The Department for Education is currently consulting on revised statutory guidance on home to school transport¹. Whilst there have been no changes to the law there is a need to clearly state the Council's statutory duties. The Council has been working alongside the DFE² and the LGO to help review both policies so they do align to the current best practice. This will also be the case with regard to the drafting of a revised Post 16 Policy which will need to consider how travel assistance may be considered for those students aged between 19 and 25 who have Special Educational Needs and Disabilities.
- 4.7 Other councils, including Wolverhampton and Shropshire, have recently reviewed and consulted on their travel policies. In the drafting of the attached policies, the Council has considered the lessons learned both from councils that have completed their processes and paid due regard to lessons from the latest Local Government Ombudsman reports into school transport decisions³, best and local practice for Post 16 travel, and for adults with links into 'think local and act personal'⁴.
- 4.8 The Home to School Policy provides more choice, independence and control. It also brings a number of improvements to existing ways of working by:
- 4.8.1 Considering the introduction of a Spare Seat Offer; this enables parents of children not eligible for Council funded travel assistance or adults accessing services to purchase a spare seat on a Council funded vehicle if available;
 - 4.8.2 Introducing independent travel training for all ages; by starting this with our young people we can, where possible, bring more independence to their lives both during the week when attending school and beyond, providing the skills to access future employment and become less dependent;
 - 4.8.3 Explaining how safe walking routes to schools are assessed;
 - 4.8.4 Ensuring that travel assistance remains in place should there be a local change of home address for children in Year 6 and Year 11, for example, to minimise disruption during important exam years; and
 - 4.8.5 Increase the efficiency of the systems, for example, introducing online forms to enable online applications, making sure that information is collected and stored in one place and, where applicable, mileage claims.
- 4.9 The Council will be seeking views around the proposed changes in delivering statutory services:

For Home to School Travel Assistance

- 4.9.1 Eligibility for travel to faith schools will only be provided to those families on low income, where the school is over the statutory walking distances.
- 4.9.2 Children under 5 years old are not eligible for funded travel assistance.

For Adults Travel Assistance

¹ <https://consult.education.gov.uk/home-to-school-transport-and-admissions-team/home-to-school-travel-and-transport-statutory-guid/>

² <https://tinyurl.com/y5mtkwg>

³ <https://www.lgo.org.uk/decisions/education/school-transport>

⁴ <https://www.thinklocalactpersonal.org.uk/browse/careact2014/>

4.9.3 Eligibility for travel assistance will be assessed alongside eligibility for care. Eligibility for care does not automatically mean that a person is eligible for travel assistance and each case will be assessed in its own right.

For Post 16 Travel Assistance

4.9.4 Suggested revisions to the Post 16 Travel Assistance Policy will be shared when the consultation process starts in November 2019.

- 4.10 The proposed policies will relate to a large number of our residents and so it is essential there is sufficient time for meaningful consultation.
- 4.11 As mentioned, Government has recently launched a consultation on its Home to School Travel and Transport. The consultation ends on 31st October 2019 after which they will need to respond to that consultation and finalise the statutory guidance with its outcomes by spring 2020. We will incorporate the statutory guidance when it is released.
- 4.12 In the meantime, the Council will commence consultation for the Home to School Travel Assistance Policy on 26 September 2019 until 15 November 2019. The Government will not have finalised their statutory guidance by that time, but if the changes are significant, this might mean our policies do not align with the guidance and therefore, we might need to re-consult. The timing of the Council's consultation will ensure that families and carers have a chance to review and comment on the policy as they are making decisions regarding primary and secondary school applications.
- 4.13 Consultation for the Adult Social Care Travel Assistance Policy and Post 16 Travel Assistance will commence on 4th November 2019 until 16th December 2019. This two phased consultation approach will allow for sufficient resource to be available to support full and meaningful engagement with children and their parents/carers, adults and their carers, schools, day centres, voluntary organisations, partners, commercial services and all residents of the borough.
- 4.14 Consultation is online with paper support. The easy read nature of the policies will make consultation easier and more accessible.
- 4.15 The indicative timetable for consultation and final policy approval is at Appendix C
- 4.16 As per the timetable above, it is envisaged that the Travel Assistance Policies will be in place by spring 2020. Anyone receiving Travel Assistance as part of a social care service or an Education Health and Care Plan (EHCP) after this date, will have their travel considered along-side the Policies as part of their EHCP annual review or social care annual review. The Council is mindful that any final Policy could lead to changes to, or the withdrawal of, travel assistance for some receiving it. Where this is the case, officers will work with the person, their family and support network to ensure that they are given information and advice to help support them.
- 4.17 There are a number of options the Council can consider around community transport including community bus schemes and volunteer car driver schemes. The consultation process will be used to explore people's preference. When this has been established the

Council will work with the relevant organisations to develop appropriate schemes and agree the detail around how such schemes will operate.

- 4.18 Although these proposed policies may contribute some savings, the fundamental purpose is to ensure that the Council is fair and equitable in its delivery of travel assistance in line with statutory guidance and promotes independence and sustainability through personalisation.
- 4.19 The Council is proposing to undertake a review of all its public and private passenger transport services following this consultation exercise. The review will consider the current and future needs of residents in the borough and how we can best support these with an environmentally sustainable and cost effective service.

5. INFORMATION

- 5.1 The approach taken in the policy and the consultation process is consistent with that taken by other councils across the country and in accordance with draft statutory guidance and Local Government Ombudsman guidance on best practice.

6. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

- 6.1 An initial equality analysis in respect of the Public Sector Equality Duty set out in s.149 Equality Act 2010 has been undertaken. It has identified a range of affected individuals and stakeholders who share protected characteristics who would potentially be affected by this policy. Those affected include people with a disability, children and young people, older people, and their parents and carers.
- 6.2 The consultation is inclusive of the needs of these groups and will ensure informed engagement.
- 6.3 A full equality impact analysis can only be undertaken after meaningful consultation when all views and comments have been received and presented for consideration. This is planned into the process and will enable us to understand the impact of the policy itself and any other areas that have been highlighted as part of the process. We will then be able to establish if there are any specific groups or individuals who could be disadvantaged by the policy and take appropriate action.

7. PREVIOUS MINUTES

N/A

8. BACKGROUND PAPERS

Appendix A: Home to School Travel Assistance Policy



Appendix A Travel Assistance Policy
Appendix A1 Spare Seat offer Draft v0.3
Appendix A2 Travel Assistance Policy 3 Pc

Appendix B: Adults Travel Assistance Policy



Appendix B Adult Social Care Travel Ass

Appendix C: Indicative Consultation Timeline



Appendix C Travel Assistance Policy Con:

Report prepared by Sarah Bass, Service Delivery Manager Commissioning, Procurement & Brokerage