

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Children and Young People Select Committee
Date:	13 January 2021
Title:	The impact of changes to Post 16 Transport Policy Statement 2020 for students attending Post 16 provision in the 2020/21 academic year.
Report From:	Director of Children's Services

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Purpose of this Report

1. The purpose of the report is to provide an update following changes to Post 16 Transport Policy Statement 2020 approved by the Executive Lead Member for Children's Services and Young People at her 8 July 2020 Decision Day. The report highlights the use of the service so far during 2020/21.

Recommendation

2. That the Children and Young People Select Committee note the content of the report.

Executive Summary

3. The purpose of this report is to enable the Children and Young People Select Committee to recognise the role of the Post-16 Transport Policy Statement in supporting access to Post 16 education for young people with SEND.
4. Consultation on the 2021/22 Post-16 Transport Policy Statement will commence shortly and the new Policy must be determined before the statutory deadline of 31 May 2021.

Update

5. The 2020/21 Policy can be accessed from this link, <https://documents.hants.gov.uk/childrens-services/Post16-TransportPolicy.pdf>.

When a transport service is provided, an annual contribution towards the cost of the transport may be collected from parents of sixth form age students. This contribution is waived if the family meets low income thresholds. For adult age students there is no annual contribution charged.

6. In 2019/20, before the lockdown the numbers of students accessing this service were as follows:

Category	Number
Applications received	416
Applications agreed	390
Applications refused	26

7. In 2020/21 at the end of November 2020 the equivalent numbers were as follows:

Category	Number
Applications received	570
Applications agreed	372
Applications refused	168
Applications withdrawn	6
New applications in process as a priority	24
Appeals	87

8. The number of applications made were expected to rise as the cohort of possible eligible students has grown. The number of Year 11 students (Year 12 students in September 2020) with an EHCP increased between January 2019 and January 2020 by 77. Typically, 45% of students with an EHCP aged 16-19 are eligible for transport assistance from the local authority. Also, 'rolling forward' the number of students already in the 16 to 25 age range was expected to increase the size of this cohort.
9. It is often the case that families, particularly of Year 12 students, apply and at that point provide insufficient information for eligibility to be established. The test they must meet is that a HCC transport service is essential to facilitate attendance in their Post 16 setting.
10. The appeals process followed meets requirements of the DfE statutory guidance. All requests for transport that have been refused are advised of access to a two-stage appeals process. At Stage One, in most cases, parents submit more information and an officer assessment can result in transport being awarded. If still refused parents can appeal to an Independent Appeal Panel. Some families used legal advice whilst progressing the stages of the

appeals process and threatened further legal challenge of the County Council's policy and processes. However, the due process of Stage One and Two appeals followed in line with published information ensured that all cases were properly handled.

11. Guidance from the DfE on the provision of Home to School Transport for the Autumn term, in light of Covid-19 impacts, was received on 11 August. This added to the time pressure for setting up transport arrangements.

Conclusion

12. The County Council's Post 16 Transport Policy statement, determined in July, has been used to process applications for Post 16 transport. Families have applied in greater numbers this year, the policy has been applied consistently when processing applications and where appropriate requests for transport have been declined.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
Proposed Changes to Post 16 Transport Policy Statement 2020 https://democracy.hants.gov.uk/documents/s53625/Report.pdf	<u>Date</u> 8 July 2020
Direct links to specific legislation or Government Directives	
<u>Title</u> https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772913/Post16_transport_guidance.pdf	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

This is an update report to the Select Committee. An Equalities Impact Assessment was completed for the proposed changes to the Post 16 Transport Policy Statement 2020.