

SEN Home to School/College Transport Assistance

Changes for Post 16 students coming in from September 2021

Frequently Asked Questions (FAQs)

What is changing?

Like most local authorities, Leicestershire County Council is continuing to face significant financial challenges. This means difficult decisions about services in all areas of the council's work.

The Council does not have a statutory duty to provide home to school/college transport free of charge to students aged 16 to 19 in the same way it does for children aged 5-16 years. Students currently pay £660 per year (or £330 for low-income families) to access transport to Post 16 education. Some forms of transport provided e.g. taxis and minibuses cost the Council much more than the contribution made by families. The number of SEN children that we need to transport has also been increasing dramatically every year over the last decade.

Following a full public consultation during the autumn term 2017, the Council's Cabinet agreed on 9 March 2018 to change the School Transport policy for pupils as listed below. The changes were originally due to take effect from September 2019, but the policy was the subject of a Judicial Review (a court case challenging the implementation of the new policy) in April 2019 and a further appeal in February 2020. Whilst the Judicial Review case was being considered the Council paused the implementation of this new part of the policy. In both hearings the Council's policy was found to be legal on all counts, so it will now be started from **September 2021**.

The new policy will apply to all Post 16 students irrespective of the transport that they may have had up to that point i.e. there will be no transitional arrangements. This means your child will no longer receive the offer of a taxi or council minibus transport. The full change to the SEN transport policy is:

- For all eligible SEN children **aged between 16 and 19 years**: stopping traditional transport methods (taxis or Council fleet minibuses) and replacing them with a Personal Transport Budget (PTB) direct payment (although there may be some exceptions to this that will be considered on a case by case basis).
- The rules for students aged 19-25 years are different so transport has to be free of charge when deemed necessary by the Council, but a PTB will remain the standard **offer** for those students.

The PTB scheme has also been improved and is financially more generous to most families. The scheme is currently available as a **voluntary** option for all families who find it suitable for their needs during the 2020-21 academic year and will continue to be available as a voluntary option for children under 16 from September 2021.

See full details of the [consultation and Cabinet decision](#) (including changes to the Mainstream Home to School Transport policy).

Will my child still be eligible for support?

The policy changes the type of support young people may receive. It does not change the eligibility criteria. When a young person enters Post 16 education they are assessed annually to determine their ongoing eligibility and the suitability of their transport arrangements.

Will this affect my child's education options/choice?

Young people will still be able to choose the school/college course that meets their needs and aspirations, as agreed with the Council's Special Educational Needs and Assessment Service (SENA); but note that the Council will only fund transport assistance to the nearest school/college that meets the student's needs subject to eligibility criteria in the transport policy. Families should consider this now when evaluating options for their child's Post 16 education.

My child is currently in Post 16 education or is starting in September 2021. How will this affect him/her?

The Council's new policy on the provision of PTBs will affect all Post 16 students at the same time i.e. **from September 2021** (but see below for 19+ students). This means that if your child currently has a place on a Council minibus or a private taxi or is allocated one for the current 2020-21 academic year; this will end in July 2021 and will be replaced with a PTB in September 2021 and future years.

For students who will be aged **19 or over** on 1 September 2021, the legislation on school transport is different, so although the standard offer of transport will still be a PTB, families will have an option to request that traditional transport is provided. The Council will then assess this before making the final offer to those students.

If eligible for transport assistance, your child will receive assistance under the new SEN transport policy. As part of a young person's EHCP review, we will usually discuss Post 16 choices between years 9-11. An SEN assessment officer will speak to you as part of this process – including the location of any schools/colleges you may be considering and how you will be able to access those using a PTB.

Where can I find out more information on how PTBs work and how much money will I be entitled to?

The Council has improved its PTB Scheme for the 2020-21 Academic year. The new scheme is financially more generous than the previous scheme and is based on a simplified 'banding' arrangement depending on how far your child lives from school and whether they attend full time (5 days per week) or part-time (less than 5 days but achieving 540 guided learning hours in school or college, which is usually around 3 days per week).

Find out [how PTBs work, how payments are calculated, how much you might receive and the range of options open to you](#). The application form for assistance will also give you an indicative figure for the PTB to help you make your own arrangements.

Please note that PTBs will remain **entirely optional** for all eligible SEN children **under the age of 16**.

When will I know what my PTB offer is?

Families will still have to make a formal application for transport assistance (whether that is for a PTB or traditional transport) at Post 16 and a fresh transport application is still required for every year that your child is in Post 16 education. For the 2021-22 academic year we aim to have application forms available online from early in February 2021, with a closing date of the end of March 2021. We will then check your child's eligibility and aim to inform you as soon as possible after that, but all of the final transport offers will be made by June 2021 (but remember that the usual offer will be only for a PTB).

We will send you emails or letters to keep you informed of when application forms are available and when the closing date is coming up.

As not all parents will be aware of the future education plans for their child by the end of March the Council will accept later applications, but in all cases we would expect those parents to have applied by the end of June 2021. The Council will then give a decision as soon as possible after that.

What if I disagree with the provision of a PTB and still want to use a Council minibus or have a taxi?

The offer and type of Post 16 transport remains at the discretion of the Council, but we will take into consideration individual circumstances and the needs of your child (including a consideration of your application form, the EHCP and any current transport risk assessment that the Council has undertaken). Bearing in mind that the Council is aware that all of the children that are affected by these changes have varying degrees of SEN, some examples that the Council would **not** ordinarily see as exceptional (in their own right) are:

- Single parent families
- Parent(s) that work – see below for further information on this
- Having other children to look after and/or at other schools
- Living in a rural area with or without access to public transport
- Parents/students unable to drive or having access to a car
- Students in wheelchairs

However, it is likely that a family with a number of those circumstances listed above could be classed as exceptional. By the very nature of 'exceptions', the Council recognises that there may be many reasons why a student could only access school/college using council-provided transport; so it naturally follows that it will be for parents to demonstrate that – the Council will consider any exceptional circumstances advised for individuals on a case by case basis.

You can't use your PTB to buy back transport services through the Council, as the Council plans to maximise the usage of seats on taxis and fleet buses to those students that it must provide those services to.

You can only query your transport offer once you have been officially notified of this (which won't be until after **Easter 2021**). If you still believe that the Council has not applied its policy correctly, then there is a separate appeals procedure. You **cannot** appeal against the provision of a PTB just because you disagree with the policy. We will have further information available on the appeals process available from next Easter and will help parents with this as much as we can.

What if I feel that my PTB does not cover the costs of getting my child to school/college?

We expect that in many cases the PTB will cover your costs and remember that it can be used in a number of other ways, not just to drive your child to school/college directly e.g. paying someone else to take your child, paying for childcare for other children while you take your child to school/college, 'pooling' of PTBs with other parents to car share. Some students may also be eligible for a government bursary to 'top-up' the PTB (see below).

The Council will consider requests for additional funding above the standard PTB rate. As with 'exceptional circumstances' here are some examples that the Council would **not** ordinarily see as exceptional:

- More money to pay for a taxi (including when shared)
- Money to purchase a vehicle

Some examples where additional funding **might** be considered are:

- A small one-off amount to purchase a piece of equipment e.g. specialist car seat
- Extra funds to provide travel training

It will be for parents to demonstrate the essential need for additional funding and provide evidence of purchase of those essential items (receipts). Any equipment purchased by parents for use on home to school transport will be retained by the Council once transport assistance has ceased. Ultimately, as Post 16 transport is discretionary it is recognised that a small number of parents may also need to 'top-up' the PTB themselves if they are not transporting their own child or sharing transport.

My child also has transport to short-breaks/respite to and from school provided by the Council – will this be replaced with a PTB?

No, children who have transport to/from these venues have been given this after a Social Care assessment so this transport can continue. Any PTB payment made for home to school transport will be reduced by the number of journeys that the council provides for this transport.

What if my child is at a residential placement?

The same rules above apply i.e. the standard provision for Post 16 students will be a PTB only.

What other support is available to me?

There are a number of other things that can support families with getting their child to and from school/college as follows:

- Bursary funds: Schools, colleges and training providers have funds to help students studying a full-time course and who think they might struggle with the costs for their studies (including for transport). For advice speak to your school/college's student support services or course tutors.

There are 2 types of 16 to 19 Bursaries:

1. Vulnerable student bursary: you could get a bursary worth up to £1,200, depending on your circumstances and benefits.
2. Discretionary bursary: you could get a discretionary bursary if you need financial help but don't qualify for a vulnerable student bursary. Your education or training provider decides how much you get and what it's used for.

Bursaries can also be used to pay the charge that will be made to some families who will remain on traditional transport (following assessment of their individual circumstances) from September 2021.

See more [information on bursaries](#).

- In households where there is a child with higher needs there is an entitlement to mobility allowances. The Motability Scheme is available to anyone who receives one of the following allowances, with at least 12 months remaining:
 - Higher Rate Mobility Component of Disability Living Allowance (DLA);
 - Enhanced Rate of the Mobility Component of Personal Independence Payment (PIP);

Carers and parents can drive on behalf of the disabled person, so parents of children (from the age of three) and non-drivers can apply to join. The vehicle must be used by, or for the benefit of, the disabled person.

The Motability Scheme supports families with the purchase of vehicles, including:

- Liaising with dealers to arrange payments directly from DWP
- Provision of vehicles including all breakdown, servicing and insurance included in the price
- Assisting with securing adapted and wheelchair accessible vehicles
- The possibility of grants for adapting vehicles, driving lessons, etc., depending on family/individual circumstances.

View more information on the [mobility scheme and other government support](#).

- Concessionary travel passes for disabled people: through the English National Concessionary Travel Scheme. This offers free off-peak bus travel in Leicestershire, Leicester and throughout England. [Details of the scheme and how to apply](#).
- Taxis: some parents are concerned that taxis and private hire vehicles may charge more to carry wheelchair users, which would be a barrier to independence. With effect from 6th April 2017, taxi and private hire vehicle drivers with accessible vehicles are obliged by law to:
 - Transport wheelchair users in their wheelchair
 - Provide passengers in wheelchairs with appropriate assistance
 - Charge wheelchair users the same as non-wheelchair users.
- Flexible working to allow parents time to transport their child to school/college or to facilitate this in other ways: the Work and Families Act 2006 gives employees the right to request hours of work that fit around their caring responsibilities and for their request to be taken seriously by their employer. You must have worked for your employer for at least 26 weeks to make a formal request. If you haven't worked for your employer for 26 weeks and you need to change your hours of work then you can still talk to your employer about this.

Once your child reaches the age of 18, you still have the right to request flexible working. More information about your [rights to flexible working](#).

Contact details for further information

Email (our preferred method of contact, but please note that standard email is not secure): transportassessments@leics.gov.uk

Post: Transport Assessments
Transport Operations Service
Department of Environment & Transport
Leicestershire County Council
County Hall
Glenfield
LEICESTER LE3 8RJ

Phone: 0116 3050002

Please also note that the transportassessments@leics.gov.uk email address is **only** for enquiries relating to your child's [eligibility](#) to school transport; if you are enquiring about any of the following please use the specific email address shown:

- SEN Transport – queries about the actual SEN transport arranged or allocating transport after eligibility checking: SENTransport@leics.gov.uk
- Mainstream transport - queries about the actual mainstream transport arranged or allocating transport after eligibility checking: Mainstreamtransport@leics.gov.uk
- Risk assessments for SEN children's transport – queries relating to the risk assessment: TransportRA@leics.gov.uk

- Charges for school transport – queries relating to charges taken from you: Transportpayments@leics.gov.uk
- Payments for school transport where parents provide themselves – queries relating to payments made to you (e.g. PTBs): TO@leics.gov.uk