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To: Education Cabinet Committee – 9 May 2012

Subject: Post 16 Transport Policy

Classification: Unrestricted

Summary: The purpose of this paper is to seek agreement to KCC's proposed Post-16 Transport Policy for 2012.

KCC has a statutory duty to consult on its Post 16 Transport Policy before determining and publishing arrangements. A six week consultation is underway which ends on 5 May – the outcomes of the consultation will be tabled at the Education Cabinet Committee on 9 May.

There is no statutory duty to provide support for Post 16 Transport other than for those pupils with a statement of special educational need that names a specific requirement for transport.

At its discretion the Local Authority has historically chosen to support Post 16 learners directly where they attend their nearest appropriate provision and meet certain criteria. Changes in the way students will be funded in 2012 will result in learning providers being resourced directly by government, and they will be able to offer additional support to learners where needed. This change means that the existing approach to transport support by the LA is no longer fit for purpose. Students will no longer receive an Education Maintenance Allowance, as a result of a change in government policy, and they will not be in a position to contribute directly in the way they have in the past. Funding is now directed to schools and colleges to allocate to learners on the basis of need, for transport and other costs.

Recommendations Members are asked to:

- (1) note the consultation summary feedback, and
- (2) consider and either endorse or make recommendations on the Cabinet Member decision on the proposed 16+ Transport Policy and Eligibility Criteria as set out in this report.

Existing Provision

1. (1) Currently a yearly transport pass is available to students attending their nearest appropriate school or college where they live more than 3 miles from the

provision, at a cost of £490. This fee is waived if the family get Income Support, Income Based Job Seekers Allowance, Guaranteed Element of State Pension Credit, Income-Related Employment and Support Allowance or Child Tax Credit. Provided that the family do not get Working Tax Credit and have a yearly Income according to HM Revenue & Customs of not more than £16,190.

(2) The transport pass entitles learners to a single journey at the beginning and end of the school day to and from school or college only. The most appropriate form of transport is determined by KCC and can include bus travel, rail travel and in some circumstances a mixture of both.

Context for change

2. (1) Kent County Council introduced the Kent Freedom Pass in 2009. It has proven to be an extremely popular and important form of support for young people in Kent, in enabling them to access a range of activities including learning, work and leisure.

(2) The pass is however only available to learners attending school in Years 7 to 11, and KCC have been lobbied to develop some sort of Post 16 Travel Card that can provide similar flexibility to Kent's 16-19 year old learners. KCC is keen to introduce similar benefits to those enjoyed by pre 16 learners in an affordable way. To achieve this will require a different approach to the way discretionary travel support to post 16 learners is provided.

(3) The existing level of support offered by KCC to Post 16 learners is not sustainable. Post 16 learners no longer receive funding they can use to subsidise their transport directly, following the government's cessation of the Education Maintenance Allowance (EMA). KCC have therefore proposed a policy that allows for transport to be funded in a different way, whilst recognising the importance of supporting those families most in need.

(4) The KCC Post-16 Transport Policy for 2012 is written against the backdrop of the need to fulfil the Authority's responsibility to ensure full participation in learning and work based training for all 18 year olds by 2015, the removal of the Education Maintenance Allowance (EMA) and introduction of the government's new 16-19 Bursary scheme.

(5) With more post 16 learning institutions funded directly by government through the Bursary scheme, they are now able to provide support for transport through their various grants. KCC cannot sustain a growing demand for support with post 16 transport when there is no legal duty to do so, or any funding direct from government for such provision. KCC will however continue to offer financial subsidy for Post 16 transport in the event this policy is agreed. In future it will do so by working closely with post 16 education and training providers to develop improved access to all schools and colleges capitalising on the revised funding streams to ensure the sustainability of such support.

(6) All indications are that learning providers are keen to progress this approach to Post 16 Transport Support in a collaborative way. A formal response by providers will form part of the consultation feedback. This policy is recommended as

the best way forward in supporting the most needy young people to access education and training by having some transport subsidy.

Proposed 16+ Transport Policy

(1) The recommended KCC Post 16 Transport Policy is to allow schools and colleges to secure a travel pass which will provide extended access to all students in a fair and sustainable way. KCC will provide the opportunity for all education and training providers to secure a Post16 Transport Pass available for use on all registered public service bus routes in Kent.

(2) The subsidised pass will be available to schools and colleges for an annual fee of £520, or £10 a week, and can be further subsidised by them for their registered students.

(3) The changes in government funding arrangements will mean that these will be procured directly from the education providers by students. It is expected that such providers who will have benefited from the government's new 16-19 Bursary scheme can use elements of this funding to support the cost of their students' travel.

(4) If bus travel is not the most appropriate form of transport for a learner, it will be up to the learning provider to facilitate an alternative. KCC will, where required, continue to act as a broker to procure other transport at attractive rates, as a paid-for service to learning providers.

(5) Any learner in education or training who is not eligible for a contribution from their provider or employer would pay the full cost of the Post 16 Freedom Pass at £520.

Eligibility Criteria

From the start of the academic year 2012/13 all year 12, 13 and 14 learners will be able to apply for a pass through their employer (if in an apprenticeship), or their college or school sixth form.

4. (1) It will be for learning providers to determine the level of subsidy they wish to introduce, however KCC recommends that providers model their support structures along the criteria set out below:

a) A learner whose family income is not more than £16,190, who is on Income Support, Income Based Job Seekers Allowance, Guaranteed Element of State Pension Credit, Income Related Employment and Support Allowance or Child Credit, but not Working Tax Credit; it is recommended that they pay no more than 50% for the Pass. This would result in providers reducing the cost to the learner of their Pass to between £0 and £260.

b) A learner whose family income is between £16,190 and £20,817. It is recommended that they may receive a learning-provider contribution to the cost of the Pass, at a level set by the learning provider, reducing the cost of their pass to the learner to between £260 and £520. This is to be in addition to the KCC subsidy. For example learners may benefit from a further subsidy payable by, and at the discretion

of, their learning provider, reducing the cost to the learner of their Pass to between £260 and £520.

c) A learner whose family income is above £20,817. It is recommended that they pay the maximum amount of £520 .

d) Where a 16-19 year old apprentice falls outside these criteria, but can demonstrate hardship caused by travel-to-learn and travel-to-work pressures, then they can be treated as category (b) above. Employers should be approached for additional funding support.

e) All eligible learners must demonstrate to their institutions that they have a genuine travel-to-learn need.

f) While the learning-provider funding or employer funding that could be used to further subsidise each Pass is entirely discretionary, the guidance in (a) to (e) above is designed to assist in ensuring a standard level of subsidy for all learners in Kent.

Summary Feedback to the Consultation

5. (1) A six week consultation designed to target schools, colleges, training providers and most importantly Post 16 learners took place between 26 March and 4 May 2012. Details of the proposals were available on the KCC website, and included an online survey and comments form, in addition changes were promoted through Twitter and Facebook entries. Links to appropriate webpages were distributed to schools and colleges who were asked to encourage the greatest possible feedback from young people. Hard copies of all online information was also made available.

(2) To increase the level of feedback from young people KCC's Youth Service made use of all its registered contacts to direct them towards the consultation. A paper survey and comment form was also available to young people to complete.

(3) Posters and other material were sent to schools and colleges for display which directed students to the consultation pages on KCC's website.

(4) The consultation used a variety of activities to gather feedback on the proposals, which has been summarised for consideration by the Education Committee.

Feedback on the results and outcomes of the consultation will be released publicly by 1st June 2012 and will be tabled for the Education Committee on 9 May.

Equalities Impact Assessment

6. (1) An equalities screening has been undertaken in order to identify any adverse impacts that may exist in relation to the implementation of the policy. The impact assessment has formed part of the consultation and further analysis will be tabled for the Education Committee on 9 May 2012.

Transitional arrangements

7. (1) Students currently in Year 12 will have started their courses with a reasonable expectation that their KCC-facilitated transport arrangements will continue

into Year 13. Some of these students may be disadvantaged by new Post-16 transport arrangements and some may prefer the new arrangements. To meet the expectations of the first group, it is proposed that the existing non-SEN KCC discretionary Post-16 transport arrangements should remain in place for a transitional year. It will be important to keep the new arrangements under review during the transitional year and determine the costs for future years on the basis of our monitoring of the scheme. We will ensure continuity for current 16-19 learners but may adapt the scheme in future to reflect changing needs.

Recommendations

Members are asked to:

- (1) note the consultation summary feedback, and
- (2) consider and either endorse or make recommendations on the Cabinet Member decision on the proposed 16+ Transport Policy and Eligibility Criteria as set out in this report.

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