

EDUCATION AND SKILLS SERVICE

Policy and Arrangements for the Provision of Transport for 16-25 Year Olds to Access Appropriate Education and Training for 2023/24

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1 INTRODUCTION

In accordance with sections 508 and 509 of the Education Act 1996, as amended by sections 54-57 of the Apprenticeships, Skills, Children and Learning Act 2009, this policy sets out Barnet Council's policy and arrangements for the provision of transport for 16-25 year olds to enable them to access appropriate education and training.

Any available funds held within Barnet Council will be used to support learners with Special Educational Needs and Disabilities (SEND).

Funds to support other learners can be accessed via application to the relevant school or college.

The policy is available on the Barnet Council website at <https://www.barnet.gov.uk/citizen-home/children-young-people-and-families/the-local-offer-and-special-educational-needs/transport-in-the-local-offer.html>

2 SCOPE

2.1 Academic year

This policy covers the period for the academic year 2021-2022.

2.2 Residential eligibility

This policy applies to anyone who is resident in the London Borough of Barnet. Learners not resident in Barnet or who are looked after by another Council, but live in Barnet, should refer to the travel assistance/transport policy issued by their home local authority.

2.3 Age

This policy applies to young people over 16 but under 25 years of age as at 31st August 2016, and those students who started their programme of learning before their 19th birthday.

2.4 Place of Study

This policy provides for learners who are engaged in education or training at:

- a school (including academies);
- a further education institution;
- a sixth form college;
- a local authority maintained or assisted institution providing higher or further education;
- an establishment funded directly by the Education Funding Agency (EFA) 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 a positive outcome (this could include colleges, charities and private learning providers).

If the student has an Education, Health and Care Plan (EHCP), then the place of learning will be the place named in Part I of the EHCP.

It is generally expected that learners study at the nearest reasonable and appropriate centre, utilising fare concessions and the most cost effective mode of transport. Learners should therefore carefully consider transport cost implications when selecting their place of study.

The Local Authority is unlikely to meet the transport costs of a course in a specific study area at one college, if a suitable course at the right level is available more locally.

3 TRANSPORT FOR LONDON AND OTHER PROVIDER'S CONCESSIONARY FARES, DISCOUNTS, SUBSIDIES BUS PASSES OR TRAVEL CARDS & CYCLE:

All students living in Barnet and attending qualifying full-time education or training establishments will qualify for a 16+ Zip Oyster photocard, which entitles them to free travel on London buses and trams, and 50% off on DLR, London Overground, TfL rail and most National Rail services in London.

Full details of current fares can be found on the Transport for London website
<https://tfl.gov.uk/fares/free-and-discounted-travel/>

3.1 16+ Zip Oyster photocard offers:

- Free and discounted travel on all TfL transport services
- 50% off adult pay as you go fares on bus, Tube, DLR, London Overground, TfL Rail and most National Rail services in London
- Child rate 7 Day, Monthly or longer period Travelcard and Bus & Tram Pass

Full details of current fares can be found on the Transport for London website
<https://tfl.gov.uk/fares/free-and-discounted-travel/16-plus-zip-oyster-photocard>

3.2 18+ Student Oyster Photo Card

- 30% reduction on adult-rate Travelcards and Bus & Tram Pass season tickets

Full details of current fares can be found on the Transport for London website
<https://tfl.gov.uk/fares/free-and-discounted-travel/18-plus-student-oyster-photocard>

3.3 18 + Bus & Tram Discount photocard

- 50% reduction on Adult pay as you go bus and tram fares
- 50% reduction on Adult 7 Day or monthly (up to six months) Bus & Tram Passes

Full details of current fares can be found on the Transport for London website
<https://tfl.gov.uk/fares/free-and-discounted-travel/bus-and-tram-discount>

3.4 Apprentice Oyster Photocard

- 30% reduction on adult-rate Travelcards and Bus & Tram Pass season tickets

Full details of current fares can be found on the Transport for London website
<https://tfl.gov.uk/fares/free-and-discounted-travel/apprentice-oyster-photocard>

3.5 Freedom Pass (Disabled)

- Travel for free or discounts on a range of transport services across London

Full details of current fares can be found on the Transport for London website
<https://www.barnet.gov.uk/adult-social-care/stay-connected-and-well/transport-options/freedom-pass-older-and-disabled-people>

3.6 Cycling

Cycling is an efficient, cheap, quiet, healthy and non-polluting sustainable form of transport. We seek to provide safe, convenient and clearly identified cycle facilities to make cycling easier and more fun, and as part of our traffic management measures.

Free cycle route maps are available from TfL online.

Most schools and colleges have secure cycle storage areas. Students should contact their school, college or training provider for information.

4 TRAVEL ASSISTANCE FOR STUDENTS WITH SEN AND DISABILITIES, INCLUDING THOSE WITH EHC PLANS

The local authority does not have a duty to provide free transport for young people that are of sixth form age for education or training. This means students aged 16 to 18. It also includes 19-year olds if they are continuing a course which they started before the age of 19.

The Local Authority expects and encourages most learners of this age to use public transport and travel independently because of the beneficial effects this will have on the young person's development and pathway to adulthood. However, we recognise that in some circumstances additional assistance with travel may be required.

Applications will be considered from 16-25-year-old learners against the following criteria:

- The learner is subject to a SEN statement, an Education Health and Care Plan or a learning difficulty assessment (LDA) conducted under section 139A of the Learning and Skills Act 2000.
- The learner is aged between 16 and 25 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 and has been agreed by the LA as appropriate.

- 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 of less than 3 miles. Applications will be assessed on their own merits.
- If a learner has been provided with a Motability allowance or vehicle, then this will be considered, and a decision may be made that additional travel assistance will not be provided.
- If a learner is in receipt of a 16-19 Bursary, this will be considered in any decision about the amount of travel assistance that may be provided.
- If a learner is in receipt of Disability Living Allowance, this will be considered in any decision about the amount of travel assistance that may be provided.

How to apply

Barnet Council's website- <https://www.barnetlocaloffer.org.uk/> sets out the process for application, including the application form and address for its return.

If deemed eligible a learner will be considered for a range of travel assistance solutions such as independent travel training or a personal transport budget, as well as vehicle transport. Young people with difficulties and disabilities who are 19 years old or older may be referred to the Council's Adult Social Services Department for consideration with travel assistance.

All applications will be considered individually, and provision will be agreed on an annual basis. This means all learners must re-apply annually.

5 SUPPORT AVAILABLE FOR 16-25 YEAR OLDS

5.1 16-19 Bursary Fund

The 16-19 Bursary Fund helps 16 to 19-year olds continue in education, where they might otherwise struggle for financial reasons. This may include transport costs to and from your school or college.

The fund comprises two parts:

1. Bursaries of £1200 a year are payable to young people who are:
in care;

- care leavers;
- in receipt of income support or universal credit; or
- disabled and in receipt of Employment Support Allowance (ESA) and also
- Disability Living Allowance (DLA) or Personal Independence Payments.

2. A discretionary fund for schools, colleges, academies and training providers to distribute to support any learner aged 16-19 who faces genuine financial barriers to participation such as costs of transport, meals, books or equipment.

How to apply

The 16-19 Bursary Fund is administered by education institutions, in accordance with their own Bursary Scheme Policy. Young people need to apply directly to their academy, school, college or other training provider for support from the scheme.

If a learner wishes to challenge any decision regarding their request for a bursary, they should follow the school's/college's/provider's standard complaints procedure.

Further information can be found here <https://www.gov.uk/1619-bursary-fund> .

5.2 Care to Learn

Care to Learn provides financial support for young parents (aged under 20) who want to continue their education and need help with the cost of childcare and any associated travel.

It pays up to £175 for each child to help with the cost of:

- childcare while the parent is learning, on work placements linked to the course or
- programme of study or doing private study;
- any registration fees (up to £80) or deposit (up to £250) charged by the childcare provider;
- fees the student needs to pay during summer holidays to keep the childcare place open; and/or
- additional travel costs the student has to pay so they can take their child from home to the childcare provider.

The childcare provider will receive payments direct from Care to Learn. Funding to help with travel costs will be paid to the student's learning or training provider regularly and the provider will reimburse the student or arrange travel for them.

The Care to Learn scheme is available to parents in England who are aged under 20 when they start a course or training programme.

How to apply

Young parents need to apply for Care to Learn for each academic year.

Learners can obtain more information and request a Care to Learn application pack online from www.gov.uk/care-to-learn/overview Alternatively, you can call the Learner Support Helpline Mon-Fri 9am to 5pm on 0800 121 8989.

5.3 16-18 Residential Bursary Fund (RBF)

The Residential Bursary Fund is intended to provide financial support towards the costs of accommodation for young people attending one of the designated providers delivering specialist provision, where their course requires the young person to be resident in order to participate because it is not available locally and/or because it requires students to be available at unsociable hours on a regular basis.

Institutions may determine their own eligibility criteria and process for considering applications for Residential Bursary Fund support. Priority must be given to young people who are unable to access relevant learning within daily travel from their home or where the costs of such travel are prohibitive.

Further information can be found here <https://www.gov.uk/guidance/residential-bursary-fund-guide-for-the-2020-to-2021-academic-year>

How to apply

The Residential Bursary Fund is administered by institutions. Young people should apply directly to their institution for support and/or for further information.

5.4 Residential Support Scheme (RSS)

The Residential Support Scheme provides financial support with accommodation costs for learners aged between 16 and 18, who need to live away from home to study because their course is not available locally.

Learners must meet the eligibility criteria (which includes an income assessment) in order to receive support from the Residential Support Scheme. If they are assessed as eligible, the amount of award they receive will be based on their actual accommodation costs up to a maximum award level.

Further information can be found here <https://www.gov.uk/residential-support-scheme/residential-bursary-fund>

How to apply

Learners can request an application pack from their school/college, or you can call the Learner Support Helpline Mon-Fri 9am to 5pm on 0800 121 8989.

5.5 ACADEMY, SCHOOL & COLLEGE SUPPORT

If you are aged 19 or over, on a further education course and facing financial hardship, you could receive Discretionary Learner Support (DLS). Young people need to apply directly to their academy, school, college or other training provider for support from the scheme. Further details on the scheme can be obtained by visiting the following website: <https://www.gov.uk/discretionary-learner-support>

6 COMPLAINTS & APPEALS PROCEDURE

6.1 Complaints

6.1.1 Raising complaints to the Transport Brokering Team

The Transport Brokering Team (TBT) would be the first point of contact if you would like to raise any concerns/complaints. The TBT will endeavour to resolve any complaints to a satisfactory standard in a swift manner, when possible

In order to raise a complaint, we would advise that this is sent in writing to the TBT, outlining the logic and reasoning behind the complaint. We also advise that any evidence is forwarded with the complaint.

In the event an individual is unable to put their complaint into writing due to barriers beyond their control, please contact the TBT, who will take down your statement in writing over the phone.

If the TBT do not manage to resolve or respond to your complaint, then you may exercise your right to raise a complaint against the service to the Education & Skills complaints department.

6.1.2 *Raising complaints to the Education & Skills complaints service*

The Local Authority would like to settle complaints as quickly as possible, without recourse to formal procedures when possible. For this reason, if you have a general complaint about a transport related issue we would advise you to contact the Transport Brokering Team first, unless the complaint is directly against the Transport Brokering Team.

If you would like to raise a complaint to the Education & Skills service please email your complaints to E&SComplaints@Barnet.gov.uk .

Please see the following link for further information on the Education & Skills complaints process. <https://www.barnet.gov.uk/citizen-home/schools-and-education/parents/Education-and-Skills-Complaints-Process.html>

6.2 Appeals

6.3 Decisions that can be appealed

- The transport arrangements offered
- Their child's eligibility
- The distance measurement in relation to statutory walking distances
- The safety of the route

6.4 *Stage one of the Appeal*

The first stage of the appeal is for the decision to be reviewed by a senior officer.

Please see the requirements from all parties below.

6.4.1 Requirements of the requestor for stage one of the appeal

- The parent/carer can nominate a representative on their behalf
- The requestor has 20 working days from receipt of the Local Authorities decision, to make a request for the decision to be reviewed.
- The requestor must send their request in writing to the TBT.
- If the requestor does not meet the 20 day deadline, the Local Authority may still consider the request to review the decision.
- The requestor must provide reasons to why they believe the decision should be reviewed.
- The requestor should provide information on their personal and/or family circumstances if it is relevant to the case.
- The requestor should also provide any supporting evidence for their request.

6.4.2 Requirements of the senior officer for stage one of the appeal

- The senior officer must confirm receipt of the request.
- The senior officer then has 20 working days from the date of receipt to review the original decision.
- The senior officer would generally review the original decision in the weekly SEN transport Panel, in presence of the other panel members.
- The senior officer must also have sent the parent written notification of the outcome from the review within the 20 day window; although that does not guarantee that the decision will be with the requestor if it is sent by post with the 20 day period.
- The written outcome should include information on how the decision was reached, how the review was conducted, information about other parties that may have been contacted for information, the rationale and factors behind the decision.
- Within the written notification, the senior officer must also include details on escalating the appeal to stage two, in the case that the requestor is not satisfied.

6.5 Stage two of the appeals process

The second stage of the appeals process is for the decision to be reviewed by an independent appeals panel.

Please see the requirements from all parties below.

6.5.1 Requirements of the requestor for stage two of the appeal

- The parent/carer can nominate a representative on their behalf
- The requestor has 20 working days from receipt of the Local Authorities decision from the stage one of the appeals process, to make a request for the case to be escalated to stage two.
- The Transport Brokering Team are to send an appeals form to the requestor which should be completed within the 20 day time frame.
- If the requestor does not meet the 20 day deadline, the Local Authority may still consider the request and escalate the case.
- At this point the requestor should provide any additional/supporting information that may have not been provided earlier or that may act as a grounds to challenge the decision from stage one.

6.5.2 Requirements of the independent appeals panel

1. The independent appeal panel members should not have been involved in the original decision-making process. They must be independent to the process thus far.
2. Barnet council generally aim to have a senior representative from the Education & Skills department, a medical/health professional and a member of the public present at the independent appeals panel.
3. The independent appeals panel have 40 working days from receipt of the parents request to reach an outcome.
4. The independent appeals panel must send written notification of the outcome within 5 working days of their decision.

5. The written outcome should include information on how the decision was reached, how the review was conducted, information about other parties that may have been contacted for information, the rationale and factors behind the decision.
6. Within the written notification, the independent appeals panel must also include details on raising a complaint to the Local Government Ombudsman.

6.6 Raising a complaint to the Local Government Ombudsman

A requestor has every right to raise a complaint to the Local Government Ombudsman

Please see below for further information on raising a complaint to the Local Government Ombudsman.

6.7 Reasons to complain to the Local Government Ombudsman

We would generally advise to complain to the Local Government Ombudsman once the Local Authorities own appeals/complaints process has been completed. However you can raise a complaint at any point if:

- The LA did not comply with the procedural rules
- If there were any irregularities in the way the appeal was handled

6.7 Flowchart of the review/appeals process

Please see the following flowchart for a visual representation of the appeals process.

