

## **Transport policy statement - 2023/24**

### **For learners aged 16-18 in further education and continuing learners aged 19 to 25 who have Special Education Needs and/or Disabilities**

#### **1) Overview**

This policy statement gives information about the City of London Corporation's (City of London) schemes and support available for the provision of school and college transport for learners aged 16-18 and continuing learners aged 19-25 with SEND. The objective is to ensure that no learner is prevented from continuing in further education due to a lack of transport provision or lack of financial support with transport costs.

1.1 In accordance with sections 508F<sup>1</sup>, 508G, 509AA and s509AB of the Education Act 1996 (as amended) and Education and Skills Act 2008, this policy describes the arrangements which are in place and considered necessary to facilitate access by young people who are in need of support to their place of learning or training of their choice.

1.2 This policy covers assistance with travel to help:

- Young people aged 16 who are over compulsory age and aged 17 as at 31st August 2023.
- Young people continuing their education or training aged 19 to 25 with special educational needs and/or disabilities (SEND).

Provided:

- a. none of the exclusions at section 2 apply
- b. free and concessionary travel on the TfL network is not available or otherwise does not facilitate access to the place of learning
- c. the assistance listed at sections 4 or 6.2 is not available or otherwise does not facilitate access to the place of learning

The City of London will consider providing travel assistance taking the relevant eligibility criteria below into account.

#### **2) Exclusions**

You will not be eligible for travel assistance if any of the following statements applies:

- a) You are employed and starting or continuing an apprenticeship. Apprentices aged 16 to 18 can apply for a 16+ Oyster photo card.

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<sup>1</sup> In respect of those learners with an EHC plan who are above sixth form age and up to 25 years old.

Young people aged over 18 years and in the first year of their apprenticeship that will last for more than 12 months are eligible to apply for an Apprentice Oyster card.

b) Your study programme is at Level 4 or higher, including a foundation degree Education.

### 3) Free and concessionary travel on Transport for London Transport (TfL)

Age	Travel concession	Requirements
16-19	<p>1) Free bus and tram (must be in full-time education or on a work-based learning scheme, such as apprenticeships)</p> <p>2) Buy child-rate 7 Day, Monthly or longer period Travelcard and Bus &amp; Tram Passes</p> <p>3) Pay as you go at half adult rate on bus, Tube, tram, DLR, London Overground, TfL Rail and most National Rail services in London</p>	<p>Young people aged 16 and 17 need a 16+ Zip Oyster photocard. Young People aged 18 on 31 August who are still in full time education can also apply for a 16+ Zip Oyster</p>
18+	30% discount on bus, tram, Tube, DLR, London Overground and national rail travelcard season tickets	<p>18+ Student Oyster photo cards are available to young people who are aged 18 and over, who are attending a full-time course (and in certain circumstances a part-time course) at colleges, schools and universities registered on the TfL 18+ Student Oyster photo card scheme.</p>

### 4) Assistance with travel for 16 to 19 year olds offered by external organisations

#### 4.1 The 16–19 Bursary Fund

The 16–19 Bursary Fund, administered by individual learning providers is available to support any student who faces genuine financial barriers to participation in education, including transport costs. There are two types of 16–19 bursary available.

Those most in need are eligible for a vulnerable student bursary of up to £1,200 per year. To qualify, you must meet at least one of the following criteria:

- you are in or recently left local authority care
- you get Income Support (or Universal Credit in place of Income Support) in your name

- you are disabled, and you get both Employment and Support Allowance (ESA) (or Universal Credit in place of ESA), and either Disability Living Allowance (DLA) or Personal Independence Payment (PIP) in your name.

To receive the maximum bursary the programme of study must last for 30 weeks or more. If the programme is shorter than 30 weeks, you may receive less.

You could get a discretionary bursary if you do not qualify for the vulnerable student bursary. Learning providers may, at their discretion, distribute any remaining funds to young people in ways that best fit the needs and circumstances of their students. This is targeted at young people facing financial barriers to participation, including transport costs.

All learning providers must make available a copy of their 16–19 Bursary Fund policy upon request. Applications should be made directly to the school, college or training provider.

For further information on the 16–19 Bursary Fund visit: [www.gov.uk/1619-bursary-fund](http://www.gov.uk/1619-bursary-fund)

## **4.2 Residential Support Scheme**

The Residential Support Scheme is for students aged 16–18. If the programme of study being followed is not available locally and is more than 15 miles from the home, or more than a two-hour return journey away, you can apply for help with the cost of term-time accommodation.

How much assistance you receive will depend on household income and where the education provider is based.

For further information on the Residential Support Scheme, including eligibility criteria, visit [www.gov.uk/residential-support-scheme](http://www.gov.uk/residential-support-scheme)

## **4.3 Residential Bursary Fund**

Young People aged 16–18 may be able to get a bursary towards the cost of accommodation from some specialist residential colleges. This is different from the Residential Support Scheme.

Most of these colleges are ‘Specialist Residential Centres’ for subjects like agriculture, art and design or horticulture. Each has its own eligibility criteria, often including parental income. To apply for assistance, you should contact the college directly.

## **4.4 Discretionary Learner Support**

If you are aged 19 or over and studying on a further education course and facing financial hardship, you could get Discretionary Learner Support (DLS). This is similar to the 16–19 Bursary Fund.

You apply directly to your learning provider (e.g. your college) for DLS. How much you get will depend on your circumstances. The money can help with learning costs, including transport.

For more information visit [www.gov.uk/discretionary-learner-support](http://www.gov.uk/discretionary-learner-support)

### **5) Eligibility criteria for Young People of Sixth Form Age (age 16 to 18 years)**

The City of London will consider all sections below when assessing eligibility for support and will consider any place of learning if it makes sense to do so, even if it's not the closest to where you live:

5.1) the bus journey is more than one hour to the place of learning and the walking distance from home to the place of learning is more the 3 miles; and

5.2) Your learning provider is the nearest provider that can meet the majority of your needs; and

Travel assistance will not be provided on the basis of one subject not being available at your nearest learning provider.

5.3) Your study programme is full-time – equivalent to a minimum of 18 hours per week; and

Your study programme does not however have to last a full year

5.4) You are engaged in education or training at:

a) A school or academy (including a free school or university technical college (UTC);

b) Further education institution,

c) A local authority maintained or assisted institution providing further or higher education;

d) An establishment funded directly by the Education and Skills Funding Agency, for example independent specialist providers for young people with special educational needs and disabilities;

e) A 16 to 19 Academy

f) A learning provider that is funded by a local authority to deliver accredited programs of learning which lead to positive outcomes (this could include colleges, charities and private learning providers).

5.5) The City of London will take into account the following factors:

a) the availability of similar courses closer to home

b) the nature of the route to the learning provider, including the safety of the route and alternative routes available;

- c) the learner's reasons for studying at a particular educational institution,
- d) social factors presented by the learner to support his or her application, this includes those who are vulnerable or at risk of being classified as NEET (Not in Education, Employment or Training) at the age of 16 or 17 or who have already become NEET;
- e) young people who suffer from a temporary illness, medical condition or disability, which makes walking or travelling by public transport inappropriate
- f) any special educational needs which the young people may have;
- g) the need for specialist transport; and
- h) choice based on religion or belief.

This is not an exhaustive list of the information the City of London takes into consideration when determining whether it is necessary to make arrangements for the provision of transport. In addition, the City of London will consider each learner's individual circumstances on their merits and take account of any representations made to ascertain the need for transport and the type of transport that is available. The City of London will expect to see supporting documentation from a professional or consultant such as a doctor for support under social or medical grounds.

## **6) Additional Eligibility Criteria for Young People with Special Educational Needs and/or Disabilities (SEND) of Sixth Form Age (age 16 – 18 years)**

6.1 Many young people with SEND are able to travel independently on public transport. All applications for assistance will initially be assessed under Section 5 of this policy document. The decision to provide travel assistance will be based on consideration of whether the learner can reasonably be expected to walk or use public transport having regard to their mobility needs or associated health and safety issues related to their SEND. When appropriate, travel training to support the learner in traveling independently will be provided.

6.2 Below is a list of travel assistance schemes that may be available for young people with SEND; the City of London will consider the following schemes when deciding on the type of support that will be provided:

### **6.2.1 Disabled persons Freedom Pass**

Disabled persons Freedom Pass provides free travel across London and free bus journeys nationally.

### **6.2.2 Taxicard**

Taxicard is a scheme that provides subsidised travel for people who have a serious mobility impairment that makes using public transport difficult.

Taxicard holders make journeys in licensed London taxis and private hire vehicles, and the subsidy applies directly to each trip.

**You can contact the City of London's Adult Social Care Team on 020 7332 1224 for further information on Disabled persons Freedom Pass or Taxicard.**

6.3 In determining whether a young person can reasonably be expected to walk to their place of learning, the City of London will consider whether they could reasonably be expected to walk if accompanied and, if so, whether the learner's parent can reasonably be expected to accompany them.

6.4 Where a learner cannot reasonably be expected to walk to their place of learning (even if accompanied by an adult) and, due to the nature of their special educational or medical needs, cannot access public transport, assistance with another form of agreed transport will be made.

Such assistance will be in the following exceptional circumstances only:

- (a) The learner has a physical difficulty that rules out the use of public transport
- (b) Suitable public transport is not available.
- (c) The learner's circumstances are such that they would be vulnerable – i.e., at risk of suffering serious harm (even if accompanied by an adult).  
Consideration will be given to the age and special educational needs of the learner.

6.5 If the parents' or learner's preferred place of learning is further away from their home than the nearest school or college that can meet the child or learner's SEND. In such a case, the City of London can name the nearer place of learning if it considers it to be appropriate for meeting the child or learner's SEND. If the parents prefer the place of learning that is further away, the City of London may agree to this but is able to ask the parents to provide some or all of the transport funding.

## **7) Eligibility Criteria for Young People with Special Educational Needs and/or Disabilities (SEND) Aged 19-25**

7.1 For young people aged 19-25 with SEND the City of London will assess applications for assistance in accordance with section 6 above and otherwise on a case-by-case basis.<sup>2</sup>

## **8) Types of travel assistance provided**

Parents and/or learners cannot choose the type of transport they will receive for their

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<sup>2</sup> For those young people with an EHC plan and receiving education or training at institutions outside both the further and higher education sectors and for who the City of London has secured the provision of education or training at the institution in question, or the provision of boarding accommodation under section 514A of the Education Act 1996, the City of London shall have regard to the following when determining whether to grant travel assistance:

- a) its duty in respect of education and training for persons over compulsory school age under s15ZA of the Education Act 1996
- b) the age of the learner
- c) the nature of the route, or alternative routes, which they could reasonably be expected to take
- d) parents' wishes for their child to be provided with education or training at a particular education setting, where that wish is based on the parent's religion or belief.

Any travel arrangements that the City of London considers necessary to facilitate the attendance these learners, will be provided free of charge.

child. Wherever possible, learners will be expected to travel by the cheapest form of public transport, so the City of London can provide the most cost-effective service.

Where assistance with travel has been granted, the City of London will provide:

- a) assistance for the cost of a travel pass for bus or rail for the most appropriate and cost-effective route available
- b) Independent travel skills training to support the child or learner to become an independent traveller
- c) walking escort (This will only be provided where it can be demonstrated that the parent cannot accompany the learner to school and cannot make alternative arrangements and where the needs of the learner are such that they would be at risk if unaccompanied).
- d) reimbursement of mileage allowance for parents who are able to transport the learner to and from school
- e) a personal travel budget for learners/parents to arrange transport themselves
- f) a place on a shared taxi route with a passenger assistant
- g) an individual taxi with a passenger assistant where there is no opportunity for a shared route. Only in exceptional cases where it is deemed one to one
- h) See section 9 for learners with SEND attending termly residential schools.

Travel assistance is from home to place of learning on a daily basis (Mon-Fri) in accordance with the place of learning's opening hours. Other than transport to a residential provision, travel assistance outside of these times is not provided.

## **9) Other considerations - Residential schools**

For young people aged 16-25 with special educational needs and/or disabilities who attend residential schools on a termly basis, the City will support:

- one journey at the start of each half term; and
- one journey at the end of each half term

It is expected that the majority of these children and young people will travel either by public transport (accompanied by a parent or carer as necessary) or be transported in a parent or carer's vehicle. The City will offer reimbursement of mileage costs or public transport expenses in these cases. There may however be exceptional cases where specialist transport could be considered.

## **10) Reviewing support for travel**

Some young people will require travel support throughout their time in education. For others, increased independence and improved skills will mean that this provision is no longer necessary. The provision of travel support will therefore be reviewed at least annually. If the City of London believes support is no longer required, the offer of support may be withdrawn.

If a child or learner who is receiving travel support moves from one educational setting to another, or moves home, the City of London will reassess the need for travel support. It will not be agreed without a reassessment. Families should therefore advise the City of London well in advance of any such move.

## 11) Appeals

### 11.1 Stage 1

Parents or learners can ask the City of London to review its decision by appealing and sending any additional information to the Education and Early Years Team. When requesting a review, it is important to supply as much evidence as possible to support the request. For example, information about family circumstances, details of how the learner currently travels to college or school and any concerns arising from that, whether anyone is able to accompany the learner to and from college etc.

The appeal will be reviewed by a Senior Officer who will respond within 20 days outlining the reasons for their decision and notification of the option to escalate to stage 2.

### 11.2 Stage 2

The appeal will be reviewed by an Independent Appeal Panel made up of officers who were not involved in the original decision making process. Within 40 working days of receipt of the appeal, the Panel will review the decision and consider written and verbal representations from the parents and officers involved in the case and give a detailed written notification of the outcome (within 5 working days).

## Appendix A

### Home to school travel and transport – Review/Appeals Process Flowchart

The Education and Early Years' Service declines the home to school travel application or offers travel arrangements that the parent considers "unsuitable"



#### Parent challenges (within 20 working days)

Parent challenges the decision on the basis of:

- Entitlement
- Distance measurement
- Route safety
- Consideration of exceptional circumstances



**Stage 1 (within 20 working days): Review by a Senior Officer**



The Senior Officer will review the decision and sends the parent a written notification of the outcome including:

- Detailed reasoning for the decision made
- Notification of option to escalate to stage 2 (an independent appeal panel)

The Panel is independent of the process to date and suitably qualified



**Parent challenges (within 20 working days)**

Parent challenges the decision of the Senior Officer



**Stage 2 (within 40 working days): Review by an Independent Panel**

The Panel is independent of the process to date and suitably qualified.

The Panel will consider written and verbal representations from both the parent and officers involved in the case and will give written notification of the outcome (within 5 working days), setting out how the decision was reached.

**Local Government Ombudsman (LGO)**

If the applicant feels that the City of London did not comply with the procedural rules or if there are any other irregularities in the way the appeal was handled, they may make a complaint to the Local Government Ombudsman.

If the applicant feels that the decision of Independent Appeal Panel is flawed on public law grounds, they may also apply for judicial review.

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