

Bracknell Forest Council

Post-16 Transport Policy Statement

Academic Year 2022 – 2023

Legal and policy framework

The requirements placed on a local authority are defined in the Education Act 1996 (as amended), Education and Skills Act 2008, Education and Inspections Act 2006, Apprenticeships, Skills, Children and Learning Act 2009 and the Equality Act 2012. These Acts require that:

- (1) A local authority shall prepare for each academic year a transport policy statement.
- (2) The statement shall specify the arrangements for the provision of transport or otherwise that the authority consider it necessary to make for facilitating the attendance of persons of sixth form age, receiving education or training at:
 - (a) A school
 - (b) A college of further education
 - (c) An authority maintained or assisted institution providing further education
 - (d) An establishment supported by the Education Funding Agency
 - (e) A learning provider funded by the authority to deliver accredited programmes of learning which lead to a positive outcome.
- (3) This requires the authority to have regard to the need to include sufficient information in their transport statement and the need to publish the statement in good time, so that young people and their parents are able to take account of these matters when choosing an establishment.
- (4) The statement shall specify the arrangements that the authority consider it necessary to make for the provision of financial assistance in respect of the reasonable travelling expenses of persons of sixth form age, receiving education or training at any establishment such as is mentioned in subsection (2).
- (5) The statement shall also provide information about the travel provision put in place for young adult learners aged 19+ and those aged 19 – 25 with an Education, Health and Care (EHC) plan.

The Department for Education 'Post-16 transport and travel support to education and training', January 2019 advises that local authorities should not differentiate between providers or institutions in the arrangements it provides to support students in facilitating their attendance in education or training. In preparing this Policy Statement, Bracknell Forest Council ('the Authority') is mindful of the requirements under the Education and Skills Act 2008, which are as follows:

Raising the Participation Age

Young people are required to continue in education or training until the end of the academic year in which they turn 18.

Raising the participation age (RPA) does not mean that young people must stay in school; they will be able to choose one of the following choices:

- Full-time education, such as school, FE college or home education
- Apprenticeships, work-based learning
- Part-time education or training if they are employed, self-employed or volunteering for at least 20 hours a week

Scope

Whilst there is no legal duty to provide free or subsidised transport to all post-16 students, the scheme operating under this policy recognises that the Authority needs to support all young people, including those from low-income families and those with learning difficulties and/or disabilities.

All young people carrying on their education post-16 **must** re-apply for travel support.

This policy supersedes all previous policies and applies only to the academic year 2022/23.

Key contact details:

Education Transport Team	The Special Educational Needs (SEND) Team
Time Square	Time Square
Market Street Bracknell	Market Street Bracknell
RG12 1JD Tel.: 01344 352002	RG12 1JD Tel.: 01344 354039
Email: education.transport@bracknell-forest.gov.uk	Email: Sen.education@bracknell-forest.gov.uk

1 Students of sixth-form age

This is defined as being a person receiving education or training at an establishment and he/she is over compulsory school age but is under the age of 19 or has begun a particular course at the establishment before attaining the age of 19 and continues to attend that course, or is over the age of 16 and out of cohort, repeating year 11. This definition also applies to a young person with an EHC plan up to age 25, if they are continuing a course started before their 19th birthday.

1.1 Eligibility criteria for support

- The student must reside within the administrative boundary of Bracknell Forest and be in full-time (12 hours a week minimum) further education at one of the following:

A school or academy; a further education institution; a local authority maintained or assisted institution providing higher or further education; a learning provider, funded by the local authority, which leads to a positive outcome (this could include colleges, charities and private learning providers).

- Students may be entitled to receive appropriate support providing the distance between their home address and place of study is more than 3 miles. The distance between a student's home (i.e. a single permanent residence) and place of study will be measured by the shortest available safe walking route.
- Students who live within 3 miles of their nearest* suitable school, college or nearest training provider, offering an appropriate level of study, will not normally receive support with transport unless there are exceptional circumstances which mean the student is unable to travel independently or with assistance from a parent, guardian or carer. Consideration will be given by the Authority to the nature of a student's learning difficulty and/or disability on a case by case basis. Wherever possible, independent travel will be promoted for all students including students with learning difficulties and/or disabilities from the start of Year 9.
- Support may be provided for a student of a family on low income in the following circumstances:
 - i. they reside within the administrative boundary of Bracknell
 - ii. they reside more than 3 miles from their nearest suitable educational establishment or training provider; and
 - iii. they have parents/legal guardian (or who are themselves) in receipt of one of the following benefits:
 - Universal Credit (as appropriate)
 - Free School meals for their child, or family is entitled to maximum working tax credit (for learners aged 16-19)
 - Support under Part VI of the Immigration and Asylum Act 1999
 - Guaranteed element of state pension credit

Those students who are over 19 years and receive benefits in their own right will be assessed as an individual on the grounds of low income.

*The nearest suitable learning provider is the closest school or college to the home address able to offer a suitable level of study in accordance with the young person's educational needs. Normally account is not taken of preferred courses or specialist courses, which are not available at the nearest educational setting. If parents choose to send their young person to a school or college (or the young person chooses this themselves) which is not the nearest suitable setting, as described above, assistance with travel arrangements will not normally be provided by the Authority.

- Where a student is attending an alternative education provider through personal preference, the Council will have regard to requests for transport assistance, and may provide support where the reason for choosing the alternative provision is based on the parents' or student's religion or faith.
- The Authority must be notified in writing of a change in the home address so that travel eligibility can be re-assessed.

1.2 Contribution to travel costs

The principles in which the policy is founded remain broadly the same as in previous years and are set out below, but include the requirement for eligible students to contribute towards their transport costs:

- The arrangements under this policy are that all students who are entitled to support contribute £750 per annum towards the costs of their transport.
- Where a student qualifies on the grounds of low income then the contribution by the student will be 50% (£375 per annum).
- This will apply to all students whether attending Bracknell mainstream or special/specialist post-16 education provision, independent schools or FE colleges and other suitable training establishments.
- Support for the provision of transport will be considered for students of sixth form age i.e. a student who is over compulsory school age, but below 19, or in exceptional circumstances a student who has begun a particular course of education or training before they reached 19 and continues to attend that course. Please note that where the student becomes 19 years of age during their course, transport assistance will cease at the end of the academic year in which their 19th birthday falls.
- Students of sixth form age must be enrolled on a full-time education course, scheduled to provide a minimum of 12 hours weekly of guided learning. Exceptional circumstances may arise, where a student has, for example, had to take a break in learning due to medical needs and is unable to meet the minimum number of study hours.
- The Authority does not provide support for transport assistance for part-time courses or non-state funded education
- Where a school/college or parent/guardian/carer have been making their own transport arrangements, the Authority will not agree to pay these costs retrospectively.

The contribution to travel costs will apply to **all** students of sixth-form age (including those with learning difficulties and/or disabilities and those with an EHC plan) whether attending Bracknell mainstream or special educational post-16 provision, independent schools or FE colleges and other suitable training providers.

1.3 Apprenticeships and traineeships

Where a student considers that they may be eligible for travel assistance and they wish this to apply to either an apprenticeship or to a traineeship, they should submit an on-line application as for all other learners. The above contribution to travel costs will also apply.

1.4 Type of support/mode of travel offered for students

The type of support/mode of travel will depend on the individual circumstances of the student, which will be assessed by the Authority.

The Authority recognises that it is the parent/guardian/carer's and/or the student's responsibility for ensuring attendance at a school, FE college or training provider.

1.5 Public Bus and Rail Services

Where a student is entitled to support and their journey can reasonably be accommodated using existing public bus or rail, then the student will be expected to pay up to the first £750 (see above “Contribution to travel costs”).

1.6 Other Transport Provision

Where public transport is not available, or the student is unable to use public transport due to a learning difficulty and/or disability, then it may be necessary to provide contracted transport to accommodate a student’s journey to and from school or college. In such cases the student will be expected to contribute £750 (see above “Contribution to travel costs”).

If a student is unable to travel unaccompanied on either public transport or on transport commissioned by the education establishment or training provider, parents/guardians or carers of students will be encouraged to provide transport for which a mileage allowance will be paid. The amount of this mileage allowance will take into account contribution costs (see above “Contribution to travel costs”). Where a student is in receipt of a Personal Independence Payment (PIP) or has received a bursary from the 16-19 Bursary Fund, this may be used to transport the student to and from school or FE College.

1.7 Students with Learning Difficulties and/or Disabilities

The Authority wishes to encourage, enable, and assist the participation of young people with special educational needs and disabilities in education and training. Travel training will be considered for pupils as part of the annual review process.

Students with an EHC plan will be assessed on their transport eligibility by the Authority at the phase transfer stage, i.e. when they move from compulsory education to post-16 education. Suitable travel arrangements will then be provided to address the needs of eligible students.

Decisions/recommendations will be made in accordance with the legal framework and statutory guidance for post-16 transport provision. Suitable travel arrangements will then be provided to address the needs of eligible students.

1.8 Out of Borough Education

This policy applies where the educational needs of a student with learning difficulties and/or disabilities cannot be addressed within Bracknell Borough and a suitable out of borough establishment is identified by the Authority.

Attendance at out of borough education establishments may include weekly or termly boarding and hence the travel arrangements for each student will vary accordingly. In such cases, the scheduling of transport will be agreed with the school, FE college or training provider, in conjunction with the parents/guardians/carers or young person.

1.9 The 16 – 19 Bursary Fund

<https://www.gov.uk/1619-bursary-fund>

The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation so they can remain in education.

There are two types of 16 to 19 bursaries:

1. A vulnerable bursary of up to £1,200 a year for young people in one of the defined vulnerable groups below:
 - in care
 - care leavers
 - in receipt of Income Support, or Universal Credit in place of Income Support, in their own right
 - in receipt of Employment and Support Allowance or Universal Credit and Disability Living or Personal Independence Payments in their own right
 - discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment
2. Discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment

To be eligible for the discretionary bursary young people must:

- be aged 16 or over but under 19 at 31 August in the academic year of the statement, or
- be aged 19 or over at 31 August in the academic year of the statement and have an Education, Health and Care (EHC) Plan
- be aged 19 or over at 31 August in the academic year of the statement and continuing on a study programme they began aged 16 to 18 ('19+ continuers')
- be studying a programme that is subject to inspection by a public body which assures quality (such as Ofsted), the provision must also be funded by either a Government funding agency or the local authority

Schools and colleges are responsible for managing both types of bursary. Young people who want to apply for support from the bursary fund should contact their chosen school or college to make an application. Further information can be found at www.gov.uk/ search for post 16 bursaries.

1.10 Young parents / Care to Learn

If you are a young parent under 20, Care to Learn can help pay for your childcare and related travel costs, up to £160 per child per week, while you're learning.

Care to Learn can help with the cost of:

- childcare, including deposit and registration fees
- a childcare 'taster' session (up to 5 days)
- keeping your childcare place over the summer holidays
- taking your child to the childcare provider

Types of childcare

The childcare provider must be Ofsted registered and can be a:

- childminder
- pre-school playgroup
- day nursery
- out of school club

If your child needs specialist childcare, the provider must also be on the Care Quality Commission's register for specialist provision.

If you want a relative to get Care to Learn for looking after your child, they need to be both:

- providing registered childcare for children they're not related to
- living apart from you and your child

Payments

Childcare payments go directly to your childcare provider. Before your childcare provider can be paid:

- your childcare provider needs to confirm your child's attendance
- your school or college needs to confirm that you're attending your course

Payments for travel costs go to your school or college - they'll either pay you or arrange travel for you.

Attendance

Payments will stop if:

- you stop attending your course
- you finish your course
- your child stops attending childcare

Eligibility

You can get Care to Learn if:

- you're a parent under 20 at the start of your course
- you're the main carer for your child
- you live in England
- you're either a British citizen or a national of a European Economic Area (EEA) country
- your course is publicly funded (check with your school or college)
- your childcare provider is registered with Ofsted or the Care Quality Commission

Type of course

Care to Learn is only available for courses in England that have some public funding.

This includes courses that take place in:

- schools
- school sixth forms
- sixth form colleges
- other colleges and learning providers, including Foundation Learning
- your community at Children's Centres

Young parents are also entitled to apply for an Under 19 Bus Only Ticket, or those aged 19 and over can apply for the 19 – 25 card. For more information please visit <https://www.gov.uk/care-to-learn/how-to-claim>

1.11 Applying for post-16 travel support (A. Students of sixth-form age)

All requests for travel arrangements must be made by completing the online application form which is available at <https://www.bracknell-forest.gov.uk/schools-and-learning/schools/school-transport>. Applications must be made annually and will be reviewed to assess whether travel arrangements are still required. In cases where the Authority considers that the criteria have not been met and travel assistance will not be provided, an appeal against this decision can be made through the published appeals process.

If the need for travel assistance indicates that a vehicle is required, the Education Transport Team will first offer a mileage allowance. to the appropriate educational establishment **subject to payment of the appropriate contribution (see above).**

It is unlikely that the transport provided will be the same as when the learner attended school, and every encouragement will be made towards independent travel by public transport. However, should there be a need for additional support on the grounds of the student's learning difficulties and/or disabilities, this will be considered.

Students travelling to a place of further education, where the Local Authority already provides transport, may be offered a seat in that vehicle. However, students should be aware that the transport will only operate at the times, arranged by the Local Authority for existing students and no changes or additional transport will be provided for post-16 students.

2 Adult learners (i.e. those aged 19 or over)

Where a young person started a course after their 19th birthday at a local authority maintained or assisted further or higher education institution, or institutions within the further education sector, arrangements may be made for travel provision to facilitate a young person's attendance if the Authority considers these to be necessary. This also applies to young people with an EHC plan.

Please note that this is intended to ensure that those with the most severe learning difficulties and/or disabilities, with no other means of transportation, are able to undertake further education and training after their 19th birthday, to help them move towards more independent living.

Where travel arrangements are agreed, these will be free of charge.

Each case will be considered on its own merits.

2.1 Young adult learners, aged 19 – 25 with an Education, Health and Care plan

Please note that this section does not apply to young adults who are not in education or training and who do not have an Education, Health and Care plan.

- The Authority wishes to encourage, enable and assist the participation of young people with special educational needs and disabilities up to the age of 25 in education and training and the following will be considered:

Free transport will be provided to a young adult learner (not being a person of sixth form age), where the Authority has secured and named a setting in an EHC plan which provides **both** the provision of education or training **and** the provision of boarding accommodation. This applies to an adult learner aged under 25, subject to an EHC plan and where it is considered necessary to facilitate that person's attendance at the place of education or training.

Free transport assistance may be provided where an adult learner was receiving education or training at an establishment maintained or assisted by the Authority and providing Further Education, or at a College of Further Education, and the Authority considered that:

- (a) the person's attendance on that course was reasonably necessary; and
- (b) it was necessary for the Authority to provide transport to facilitate that person's attendance on the course.

In deciding whether it is necessary for the Authority to provide free transport assistance for an adult learner, the Authority would amongst other things, have regard to:

- the learner's age, ability and aptitude
- any learning difficulties and/or disabilities the person may have
- the locations and times at which the education or training is provided
- the nature of the route, or alternative routes, which the learner could reasonably be expected to take.

For the purposes of deciding whether to provide free transport the Authority would not consider it necessary, other than in exceptional circumstances, for a young adult learner to attend an additional Further Education course at the same level or equivalent where the learner had previously attended and completed a course at an establishment within the Further Education sector. The Local Authority expects to see evidence of the learner making progress, but each case will be considered on its own merits.

2.2 Applying for post-16 travel support (B. and C. Adult learners)

All requests for travel arrangements must be made by completing the online application form which is available at <https://www.bracknell-forest.gov.uk/schools-and-learning/schools/school-transport>. Applications must be made annually and will be reviewed to assess whether travel arrangements are still required. In cases, where the Authority considers that the criteria have not been met and travel assistance will not be provided, an appeal against this decision can be made through the published appeals process.

Useful contacts

Berkshire College of Agriculture

The college operates their own bus service to the college and students can purchase passes directly from the college.

Tel: 01628 827482

Email: enquiries@bca.ac.uk

Bracknell and Wokingham College

Further Education College offering a range of full and part time courses.

Tel: 0845 330 3343

Email: study@bracknell.ac.uk

Farnborough College of Technology

Further Education College offering a range of full and part time courses.

Tel: 0845 330 3343

Email: info@fam-ct.ac.uk

Farnborough 6th Form College

6th Form College covering a wide range of full time courses.

Tel: 01252 688200

Email: admin@farnborough.ac.uk

R-Bus

The R-Bus is a bus service for adults with learning disabilities and their carers, who are resident in the Bracknell Forest area. Although it has limited capacity, transport may be available to BWC Bracknell campus.

The cost of each trip is £2.20

Tel: 01344 352095

Email: rbus@bracknell-forest.gov.uk

Disabled persons Bus pass:

<https://www.bracknell-forest.gov.uk/roads-parking-and-transport/travel-and-public-transport/disabled-persons-bus-pass>

Appeal procedures

Parents/guardians/carers or a young person are entitled to challenge the decision of the Authority to refuse to provide assistance with transport as set out in this policy or when the parents/guardians/carers or young person consider that the travel arrangements, agreed by the Authority, are unsuitable.

A decision may be challenged on the following grounds:

- eligibility
- distance measurement; and/or
- safety of the route
- transport arrangements offered

Stage 1 – Review of decision

You have 20 working days from the receipt of the transport decision to make a request, asking for a review of the original decision.

The request should detail why the decision should be reviewed and give personal and/or family circumstances, which should be considered during the appeal process.

An Officer from the Authority will review the original decision and will send you a letter, detailing the outcome of the review within 20 working days of the receipt of the written request.

This will set out the following information:

- the nature of the decision reached
- how the review was concluded
- information about other departments and/or agencies consulted as part of the process
- what factors were considered
- the rationale for the decision reached
- Information about escalation to Stage 2, if appropriate.

How to make a Stage 1 appeal

Please provide us with the following information and then email your request to:

and

Sen.education@bracknell-forest.gov.uk

- Confirmation that you are the legal parent or guardian of the child and please provide the date you received our transport notification
- Child's first name and family name
- Child's date of birth
- Your full name and address
- Your email address
- Your phone/mobile number

- Reasons for the appeal (i.e. eligibility, distance, route safety or transport arrangements) and your reasons for challenging the Authority's decision.

Stage 2 - Appeal

You will have 20 working days from the receipt of the Authority's decision following a Stage One appeal, to make a request to escalate the matter to appeal.

An independent appeal panel made up of three members of the Council will be convened to consider the appeal within 40 working days.

The independent appeal panel will consist of three Borough councillors, who will be supported by:

- A Senior Officer
- A democratic services officer (acting as clerk)

No member of the appeal panel will have been involved in the original decision to decline transport assistance. This panel will consider verbal and written representations from parent/guardian/young person, involved in the request.

You will be invited to attend the hearing to present your case.

The Officer involved in the review of the decision at Stage 1 may also be invited to attend.

You will receive a letter, detailing the outcome of the appeal hearing, which will set out the following information:

- the nature of the decision reached
- how the review was concluded
- information about other departments and/or agencies consulted as part of the process
- what factors were considered
- the rationale for the decision reached
- information about escalation to the Local Government Ombudsman (LGO)

How to make a Stage 2 Appeal

Please send your written request, clearly marked POST 16 TRANSPORT APPEAL, to:

By email: committee@bracknell-forest.gov.uk

By post: Democratic Services, Bracknell Forest Council, Time Square, Bracknell, RG12 1JD.

Local Government Ombudsman (LGO)

If you are not satisfied with the outcome of the appeal, you have a right of complaint to the LGO on the grounds that there was a failure on the part of the Authority to comply with procedural rules or there was an irregularity in the way the appeal was handled.

The LGO can be contacted at:

www.lgo.org.uk