

North Tyneside Council

Report to Cabinet

Date: 11 June 2012

ITEM 7(g)(ii)(d)

Title: Travel Plan for 16 –
18 Year Olds

Portfolio(s): Children, Young People and
Learning

Cabinet Member(s): Cllr David Lilly

Report from Directorate: Children, Young People and Learning

Report Author: Mark Longstaff
Head of Commissioning and Fair Access
Tel: (0191)
643 8782

Iain Betham
Senior Manager – Education Capital Planning
Tel: (0191)
643 8092

Wards affected: All

PART 1

1.1 Purpose:

The purpose of the report is to note the current Post 16 travel arrangements and to consider other options available in the light of the Implementation Plan agreed by Cabinet at its meeting on 28 March 2012.

1.2 Recommendation(s):

It is recommended that Cabinet:

- (1) Note the current arrangements for Post 16 Travel; and
- (2) Endorse the current arrangements associated with Post 16 Travel as set out at paragraph 1.5 of this report and authorise the Strategic Director of Children, Young People and Learning to continue with the arrangements as described.

1.3 Forward plan:

This report appears on the Forward Plan for the period 1st May 2012 to 31st August 2012.

1.4 Council plan and policy framework

This report is relevant to the following priority in the Council Strategic Plan 2012-15:

Priority 2: Maintaining excellent education, training and employment opportunities, including apprenticeships and working in collaboration with partners.

1.5 Information:

1.5.1 This report is presented to Cabinet pursuant to the Implementation Plan for the Budget 2012/13 and Council Strategic Plan 2012/15 agreed by Cabinet on 28 March 2012, and relates to Priority 2 item 5 of the Council Strategic Plan relating to the loss of the EMA grant and the need to ensure a scheme is in place which will minimise the cost of travel for 16 to 18 year olds attending further education and training.

1.5.2 Post 16 Transport Provision - School/College Students of Sixth Form Age

Pupils continuing their education full time in an Authority school qualify for student travel assistance. The chosen course of study must be a full-time course of Further Education (FE) at a publicly funded establishment of at least 30 weeks' duration.

In order to qualify for assistance students must be attending a full time course of study and travelling 3 miles or more between their home and the nearest FE College or school providing the course. Applicants shall be aged 16 and under 18 on the 1 September of the year they intend to commence the course.

The scheme currently provides reimbursement of 50% of the standard commercial ticket price following initial purchase by the applicant of the Network One 16-19 Ticket or 16-18 Metro Student Card and confirmation of attendance by the school or college.

Students who have had a statement of special educational needs up to the age of 16 or where appropriate up to 19 who wish to attend a FE College as a direct continuation of their education may be eligible for free transport if it is appropriate to their needs. The Education Funding Agency (EFA) funds placements for post-16 students with special needs at specialist colleges outside of North Tyneside, where no appropriate provision exists within the local area. These specialist colleges are usually residential and placements typically last two years, but occasionally for three, depending upon the duration of the course. Cases for transport will be considered on an individual basis.

A student may continue to receive help past 21 years of age if a continuing course of study commenced before the age of 21. However, we do consider a study to be no longer than 2-3 years. Transport assistance will not be afforded to applicants over the age of 24 years prior to the start of the new term.

In all cases when considering applications for assistance with transport the Local Authority will take account of transport arrangements, distance, journey times, and the efficient use of resources and whether an appropriate alternative course is available at a nearer college.

There is no facility for the reimbursement of travelling expenses on an individual basis, or for special transport arrangements unless approved in advance.

Students who change course after they have been assessed as being eligible for assisted transport, or who change the address from which they applied, may no longer be eligible for support under the terms of the current policy and should notify the LA immediately the change occurs.

1.5.3 Current Position

North Tyneside Council provides a 50% discretionary contribution to Post 16 travel for students. North Tyneside is the only local authority in Tyne and Wear which provides this

subsidy, the cost of which to North Tyneside Council is approximately £33,000 per annum (based on the 2011/12 academic year).

1.5.4 Department for Education 16-19 Bursary Fund

On 28 March 2011 the Government announced a new £180 million bursary scheme to help the most vulnerable 16-19 years olds continue in full-time education. This is the successor fund to the Education Maintenance Allowance (EMA) (EMA annual budget was £560 million).

The scheme started in North Tyneside in September 2011 and operates as an agreed scheme across all secondary schools in the borough. Funding is delegated to all secondary schools and following agreement in 2011 to pool resources, the bursary scheme is administered and operated by the Local Authority. This initially excluded Monkseaton High School but the arrangements for 2012/13 will now include the school providing a boroughwide scheme. The scheme has an agreed bursary payment rate and set of criteria for access to bursary funds.

The purpose of the bursary is to help the most vulnerable young people aged 16 to 19 to participate in full-time education or training and is paid direct into the young person's bank account. The scheme is designed to cover the additional costs of staying in education and can be used by an individual student towards the costs of transport, food and meals, accommodation, etc.

The scheme guarantees a bursary for the most vulnerable learners and provides for a discretionary element thereafter. Vulnerable Learners (known as Tier 1 in the North Tyneside scheme) are guaranteed bursaries of a minimum of £1,200 a year. 26 bursaries were awarded to young people in North Tyneside in academic year 2011/12. Vulnerable learners are defined as:

- Young people aged 16 and 17 in care.
- Care leavers aged 16, 17 and 18.
- Young people aged 16, 17 and 18 who are in receipt of income support, for example, young people who are living independently of their parents; those whose parents have died; young people with severe disabilities; and teenage parents.
- Young people in receipt of Employment Support Allowance and Disability Living Allowance.

Outside the defined vulnerable group North Tyneside schools have defined two further categories. They are:

- Tier 2. Young people whose families and are in receipt of Free School Meals or receive Working Tax credits and with a household income below £16,500. In 2011/12, 77 young people were awarded Tier 2 bursaries of £600 per year.
- Tier 3. A discretionary fund that students can apply to with the support of their Head of Sixth form and which is awarded based on financial hardship and household income. Awards in this fund have ranged from £100-£500 and so far in 2011/12, 30 awards have been made.

1.5.5 Bursary Bonus

All students in receipt of the bursary have also received a bonus where their progress, attainment and attendance has been judged to be satisfactory.

1.5.6 2012/13 Academic Year

All Head Teachers have agreed to continue the North Tyneside 16-19 Bursary scheme and Monkseaton High School have also joined the scheme. The bursary rates have been set for next year based on the same categories and are:

Tier 1 (vulnerable learners) £1,400

Tier 2 (Free School Meals and Working Tax Credits) £700

Tier 3 (Discretionary bursary with the award level set and agreed by the Bursary Panel).

1.6 Decision options:

- (1) Retain the current arrangements and determine that the Council's Home to School/College Transport Policy (set out at Appendix 1) should remain unchanged in relation to the Post 16 subsidy as set out at paragraph 1.5 of this report.
- (2) Undertake a full review of the current arrangements and authorise the Head of Commissioning and Fair Access to consider all alternative options available to support Post 16 Travel and report back to a future Cabinet meeting.

1.7 Reasons for recommended option:

Cabinet is asked to approve Option 1.

The Post 16 travel arrangements currently offered by North Tyneside Council provide a valuable financial benefit of 50% of the standard commercial ticket price following initial purchase by the applicant. North Tyneside is the only local authority in Tyne and Wear which provides this subsidy to support the cost of travel for 16 to 18 years olds attending further education and training living in North Tyneside.

1.8 Appendices:

Appendix 1 – Home to School/College Transport Policy May 2007

1.9 Contact officers:

Mark Longstaff: Head of Commissioning and Fair Access – tel: 643 8782
Iain Betham: Senior Manager – Education Capital Planning – tel: 643 8092
Anthony Gollings, Finance Business Manager supporting Children, Young People and Learning and Finance and Resources - tel: 643 8071

1.10 Background information:

The following background information has been used in the preparation of this report and is available at the office of the author:

- (1) 7 March 2011 Cabinet Report: Home to School/College Transport Policy
- (2) Education Act 1996 (the Act)
- (3) Department for Education: Home to School Travel and Transport Guidance.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

North Tyneside Council currently spends approximately £33,000 on Post 16 Travel. The DfE 16-19 Bursary (referred to at paragraphs 1.5.3 to 1.5.5) is fully funded by external grant.

2.2 Legal

- 2.2.1 The law requires that local authorities must secure that suitable home to school travel arrangements to relevant education establishments are provided free of charge to eligible children (S.508B Education Act 1996).

Section 509AA of the Education Act 1996 (inserted by Education Act 2002) places a duty on local authorities and their partners to plan and publish annual transport policy statements locally for pupils over the age of 16. They are required to follow clear criteria about the transport support they will offer to further education (FE) students aged 16-19, to ensure that no student is prevented from accessing or participating in FE due to lack of transport services or support.

The Education and Inspections Act 2006 inserted a new section 508B into the Education Act 1996. Section 508B (1) requires local authorities to ensure that suitable travel arrangements for “eligible children” in their area are made where necessary to facilitate their attendance at “qualifying schools” or other relevant institution where the child is receiving education.

Religion or Belief

S.509AD of the Education Act 1996 places a duty on local authorities, in fulfilling their duties and exercising their powers relating to travel, to have regard to any wish of a parent for their child to be provided with education or training at a particular school or institution on the grounds of the parent’s religion or belief.

Where the child is of 6th form age the local authority must have regard to any wish of the child to be provided with education or training at a particular school or institution on the grounds of their religion or belief.

The duty under S.509AD is in addition to the duty on local authorities to make travel arrangements for children of parents on low incomes.

Religions include those that are widely recognised, for example Christianity, Islam, Hinduism. Examples of beliefs include Humanism and Atheism. Case law indicates that a number of beliefs fall outside of the S.509AD duty, including beliefs that a child should be privately educated, attend a particular category of school or receive a particular type of educational provision.

- 2.2.2 The responsibilities for the proposals referred to in the report are a matter for Cabinet.

2.3 Consultation/community engagement

- 2.3.1 Internal consultation

The Cabinet Member for Children, Young People and Learning has been consulted in relation to the proposals in this report.

2.3.2 External consultation/engagement

Should Cabinet accept the recommendations as set out in the main body of this report, formal consultation will need to be undertaken with a range of stakeholders including Headteachers, Governors and parents, Diocesan Authorities and other neighbouring local authorities.

2.4 Human rights

The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. Admissions Authorities, however, do need to consider parents' reasons for expressing a preference when they make decisions about the allocation of school places, to take account of the rights of parents under the Act, though this may not necessarily result in the allocation of a place. These might include, for example, the parents' right to ensure that their child's education conforms to their own religious or philosophical convictions (so far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

Under the European Convention on Human Rights (ECHR), parents do not enjoy any right to have their children educated at a faith or secular school, or to have transport arrangements made by their local authority to and from any such school. The Department for Education's Home to School Travel and Transport Guidance (at paragraph 131) expresses a hope that local authorities will not disturb established arrangements and indicates that wherever possible local authorities should ensure that transport arrangements support the religious or philosophical preference parents express.

2.5 Equalities and diversity

Equality and Diversity implications have been considered in paragraph 2.4 of this report.

2.6 Risk management

There are no risk management implications directly arising from this report.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

PART 3 - SIGN OFF

- Chief Executive X
- Strategic Director(s) X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Strategic Manager for Policy and Partnerships X

Report authors:

Mark Longstaff, Head of Commissioning and Fair Access
Iain Betham, Senior Manager – Education Capital Planning