

Leicester  
City Council

## **MEETING OF THE CHILDREN, YOUNG PEOPLE AND EDUCATION SCRUTINY COMMISSION**

**DATE: THURSDAY, 22 MAY 2025**

**TIME: 5:30 pm**

**PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles  
Street, Leicester, LE1 1FZ**

### **Members of the Commission**

Councillor membership to be confirmed at the meeting following Annual Council appointments.

#### Co-opted Members (Voting)

Dr Joycelin Eze-Okubuiro

Parent Governor Representative

#### Standing Invitees (Non-Voting)

Young People's Council Representatives

Jennifer Day

Teaching Unions representative

Janet McKenna

UNISON Branch Secretary

Members of the Commission are invited to attend the above meeting to consider the items of business listed overleaf.

For the Monitoring Officer

#### **Officer contacts:**

**Ed Brown (Senior Governance Officer)**

**Julie Bryant (Governance Officer)**

e-mail: [governance@leicester.gov.uk](mailto:governance@leicester.gov.uk)

Leicester City Council, City Hall, 3rd Floor Granby Wing, 115 Charles Street, Leicester, LE1 1FZ

## Information for members of the public

### Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings, City Mayor & Executive Public Briefing and Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

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- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

### Further information

If you have any queries about any of the above or the business to be discussed, please contact: **Ed Brown** ([edmund.brown@leicester.gov.uk](mailto:edmund.brown@leicester.gov.uk)) or **Julie Bryant** ([Julie.Bryant@leicester.gov.uk](mailto:Julie.Bryant@leicester.gov.uk)). Alternatively, email [governance@leicester.gov.uk](mailto:governance@leicester.gov.uk), or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**.

## USEFUL ACRONYMS IN RELATION TO OFSTED AND EDUCATION AND CHILDREN'S SERVICES

(updated November 2015)

Acronym	Meaning
APS	Average Point Score: the average attainment of a group of pupils; points are assigned to levels or grades attained on tests.
ASYE	Assessed and Supported Year in Employment
C&YP	Children and Young People
CAMHS	Child and Adolescent Mental Health Service
CFST	Children and Families Support Team
CICC	Children in Care Council
CIN	Children in Need
CLA	Children Looked After
CLASS	City of Leicester Association of Special Schools
COLGA	City of Leicester Governors Association
CPD	Continuing Professional Development
CQC	Care Quality Commission
CYPF	Children Young People and Families Division (Leicester City Council)
CYPP	Children and Young People's Plan
CYPS Scrutiny	Children, Young People and Schools Scrutiny Commission
DAS	Duty and Advice Service
DCS	Director of Children's Services
EAL	English as an Additional Language
EET	Education, Employment and Training
EHA	Early Help Assessment
EHCP	Education Health and Care Plan
EHP	Early Help Partnership
EHSS	Early Help Stay Safe
EIP	Education Improvement Partnership
ELG	Early Learning Goals: aspects measured at the end of the Early Years Foundation Stage Profile
EY	Early Years

EYFS	Early Years Foundation Stage: (0-5); assessed at age 5.
EYFSP	Early Years Foundation Stage Profile
ESFA	Education Skills and Funding Agency
FS	Foundation Stage: nursery and school Reception, ages 3-5; at start of Reception a child is assessed against the new national standard of 'expected' stage of development, then teacher assessment of Foundation Stage Profile areas of learning
FSM	Free School Meals
GCSE	General Certificate of Education
GLD	Good Level of Development
HMCI	Her Majesty's Chief Inspector
HR	Human Resources
ICT	Information, Communication and Technology
IRO	Independent Reviewing Officer
JSNA	Joint Strategic Needs Assessment
KPI	Key Performance Indicator
KS1	Key Stage 1: National Curriculum Years (NCYs) 1 and 2, ages 5-7; assessed at age 7.
KS2	Key Stage 2: NCYs 3, 4, 5, and 6, ages 7-11; assessed at age 11.
KS3	Key Stage 3: NCYs 7, 8 and 9, ages 11-14; no statutory assessment.
KS4	Key Stage 4: NCYs 10 and 11, ages 14-16; assessed at age 16.
KTC	Knowledge Transfer Centre
LA	Local Authority
LADO	Local Authority Designated Officer
LARP	Leicester Access to Resources Panel
LCCIB	Leicester City Council Improvement Board
LCT	Leicester Children's Trust
LDD	Learning Difficulty or Disability
LESP	Leicester Education Strategic Partnership
LLEs	Local Leaders of Education
LP	Leicester Partnership
LPP	Leicester Primary Partnership

LPS	Leicester Partnership School
LSCB	Leicester Safeguarding Children Board
LSOAs	Lower Super Output Areas
MACFA	Multi Agency Case File Audit
NCY	National Curriculum Year
NEET	Not in Education, Employment or Training
NLEs	National Leaders of Education
NLGs	National Leaders of Governance
OFSTED	Office for Standards in Education, Children's Services and Skills
PEPs	Personal Education Plans
PI	Performance Indicator
PVI	Private, Voluntary and Independent
QA	Quality Assurance
RAP	Resource Allocation Panel
RI	Requires Improvement
SA	Single Assessment
SALT	Speech and Language Therapy
SCR	Serious Case Review
SEN	Special Educational Needs
SEND	Special Educational Needs and Disabilities
SIMS	Schools Information Management Systems
SLCN	Speech, Language and Communication Needs
SLEs	Specialist Leaders of Education
SMT	Senior Management Team
SRE	Sex and Relationship Education
TBC	To be Confirmed
TFL	Tertiary Federation Leicester
TP	Teenage Pregnancy
UHL	University Hospitals Leicester
WIT	Whatever it Takes
YOS	Youth Offending Service
YPC	Young People's Council

## **PUBLIC SESSION**

### **AGENDA**

#### **FIRE / EMERGENCY EVACUATION**

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Governance Services staff. Further instructions will then be given.

#### **1. WELCOME AND APOLOGIES FOR ABSENCE**

To issue a welcome to those present, and to confirm if there are any apologies for absence.

#### **2. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

#### **3. CALL-IN OF EXECUTIVE DECISION: SEND POST-16 TRANSPORT: PROPOSED POLICIES** [\*\*Appendix A \(Pages 1 - 102\)\*\*](#)

An Executive decision taken by the Assistant City Mayor for Children and Young People on 13 May 2025 relating to Post-16 SEND Transport has been the subject of a 5-member call-in under the procedures at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules, of the Council's Constitution.

The Commission is recommended to either:

- a) Note the report without further comment or recommendation. *(If the report is noted the process continues and the call in will be considered at a future meeting of Full Council); or*
- b) Comment on the specific issues raised by the call-in. *(If comments are made the process continues and the comments and call in will be considered at a future meeting of Full Council); or*
- c) Resolve that the call-in be withdrawn *(If the committee wish for there to be no further action on the call-in, then they must actively withdraw it. If withdrawal is agreed the call-in process stops, the call-in will not be considered at a future meeting of Full Council and the original decision takes immediate affect without amendment).*







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**CALL-IN OF EXECUTIVE DECISION**  
**SEND Post-16 Transport: Proposed Policies**

Children, Young People, and Education Scrutiny  
Commission – 22 May 2025  
COUNCIL – TBD

**REPORT OF THE MONITORING OFFICER**

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### Useful information

- Ward(s) affected: All
- Report author: Jacob Mann
- Author contact details: Jacob.Mann@leicester.gov.uk
- Report version number: V1

## 1. Summary

An Executive decision taken by the Assistant City Mayor for Children and Young People on 13 May 2025 relating to Post-16 SEND Transport has been the subject of a 5-member call-in under the procedures at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules, of the Council's Constitution.

The procedure rules state that a scrutiny committee or any five councillors may request formally that the decision be called-in for a further review by giving notice in writing to the Monitoring Officer within five working days of the decision.

The 5 Councillors who signed the call in were: Councillor Bonham (Proposer), Councillor Moore (Seconder), Councillor Cole, Councillor March, and Councillor Surti

## 2. Recommended actions/decision

The Committee is recommended to either:

- a) Note the report without further comment or recommendation. *(If the report is noted the process continues and the call in will be considered at a future meeting of Full Council);* or
- b) Comment on the specific issues raised by the call-in. *(If comments are made the process continues and the comments and call in will be considered at a future meeting of Full Council);* or
- c) Resolve that the call-in be withdrawn *(If the committee wish for there to be no further action on the call-in, then they must actively withdraw it. If withdrawal is agreed the call-in process stops, the call-in will not be considered at a future meeting of Full Council and the original decision takes immediate affect without amendment).*

Council is recommended to either:

- a) Support the Assistant City Mayor's decision, and thus confirming the decision with immediate effect; or
- b) Recommend a different decision to the Assistant City Mayor. (The original decision will still stand, unless the City Mayor takes a further decision to amend the original.)

### **3. Scrutiny / stakeholder engagement**

A draft decision report was considered by the Children, Young People, and Education Scrutiny Commission on 25 February 2025.

The decision report details the public consultation on the policy.

### **4. Background and options with supporting evidence**

The Executive Decision Report, and Decision Notice are attached at as appendices alongside the proposed policy, policy statement, Equality Impact Assessment and additional information document.

### **5. Detailed report**

The call-in submitted to the Monitoring Officer was in the following terms:

*' The Children, Young People and Education Scrutiny Commission meeting on 25/02/25 had expressed concerns about the proposals contained within the SEND Post-16 Transport draft policy, this debate led to several recommendations. We feel that this is such an important policy it requires scrutiny oversight in its revised form ahead of a formal decision by the Executive.'*

The Monitoring Officer has confirmed that the call-in satisfies the requirements of the procedure rules and it has, therefore, proceeded as per the process set out at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules of the Council's Constitution.

Where a call-in has been made, officers are to take no further legally binding action, unless the circumstances of Rule 12 (f) are fulfilled, and the matter shall be referred to a meeting of the full Council. Prior to this it shall be referred to the relevant Scrutiny Committee if one is programmed or a special scrutiny committee if one is convened.

The call-in may however be withdrawn if:

The relevant scrutiny committee/commission makes a resolution to withdraw; or

The sponsor and seconder of the call-in inform the Monitoring Officer that they wish the call-in to be withdrawn.

Following consideration of a call-in by Full Council, the original decision will be deemed to be revived in its entirety. Any agreement by the decision maker to change the original decision will require a further formal Executive Decision.

## **6. Financial, legal, equalities, climate emergency and other implications**

### 6.1 Financial implications

There are no financial implications arising from the call-in beyond those in the decision report.

Signed: Mohammed Irfan, Head of Finance

Dated : 13 May 2025

### 6.2 Legal implications

The legal implications arising from the call-in are explained in sections 2 and 5 above

Signed: Kamal Adatia, Monitoring Officer

Dated: 14 May 2025

### 6.3 Equalities implications

There are no comments in addition to those in the decision report.

Signed: Surinder Singh, Equalities Officer

Dated: 13 May 2025

### 6.4 Climate Emergency implications

There are no further climate emergency implications to those provided in the decision report.

Signed: Duncan Bell, Change Manager (Climate Emergency)

Dated: 13 May 2025

### 6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

## **7. Background information and other papers:**

None

## **8. Summary of appendices:**

Appendix A Executive Decision Report – SEND Post-16 Transport: Proposed Policies dated 13 May 2025

Appendix B Children and Young People With Special Educational Needs and/or Disabilities (SEND) Home to School and College Travel Policy – April 2025

Appendix C Post-16 Transport Policy Statement Academic Year 2025-2026

Appendix D Equality Impact Assessment: Post-16 SEND Transport dated 13 May 2025

Appendix E Additional Information – SEND Post-16 Transport: Proposed Policies

Appendix F Decision Notice - SEND Post-16 Transport: Proposed Policies dated 13 May 2025

**9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

No



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## **SEND Post-16 Transport: Proposed Policies**

Decision to be taken by: Assistant Mayor (Children &  
Young People)

Decision to be taken on: 13 May 2025

Lead director: Strategic Director, Social Care & Education

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## Useful information

■ Ward(s) affected: All

■ Report author: Laurence Jones

■ Author contact details: [laurence.jones@leicester.gov.uk](mailto:laurence.jones@leicester.gov.uk)

■ Report version number:

### 1. Introduction and Summary

- 1.1. The purpose of this report is to seek approval to new policies for the provision of transport assistance to children and young people in education or training. In certain important respects, the new policies make significant changes to the current policies, by reducing the level of support that will be provided to young people and adults (aged 16 to 25) who have special educational needs and disabilities (SEND).
- 1.2. The Council currently supports transport needs through a combination of taxis, bus journeys and personal transport budgets (PTBs). There is a statutory requirement to provide support to children of school age; provision for the post-16 age group is discretionary. As at March 2025, over 200 post-16 students were receiving such support.
- 1.3. In light of the Council's severe budgetary outlook, Council services are seeking savings. Consequently, post-16 transport assistance has been reviewed. Many authorities have already done this, but we have maintained provision so far. This review has resulted in proposed new policies which would reduce entitlement to service. Following public consultation, the original proposals have been amended, mitigating their impact. Revised policies are now proposed for adoption, which will reduce cost to the Council by an estimated £2.1m per year in due course. Our proposed approach will help promote independent travel where this is possible, further strengthening what we have done to promote independence and to help prepare young people with SEND for adult life; the Council provides travel training to support this which is being enhanced.
- 1.4. The new policy for post-16 transport tightens the qualifying criteria for assistance, which will now require "complex SEND." In essence, a student will have "complex SEND" if he or she is unlikely to be able to travel independently. The majority of those who qualify for support will receive a personal transport budget; alternative support will only be available in very limited circumstances (essentially, where further support is needed to help ensure they can attend their educational institution).
- 1.5. The policy for children of compulsory school age is unchanged, as is that for young people and adults who do not have SEND, apart from some minor changes to improve our procedures (there is no impact on entitlement).
- 1.6. By law, support available to the 16 to 25 age group must be set out in a transport policy statement. There is a statutory duty to publish this statement by 31 May 2025.
- 1.7. All references in this report to people (students) who are post statutory school age "with SEND" means those with an Education Health and Care Plan (an EHCP).

### 2. Recommendation

- 2.1. The Assistant City Mayor is asked to:
  - approve the new SEND travel policy for the 2025/26 and subsequent academic years, as set out in Appendix 1
  - approve the new post-16 transport policy statement for the 2025/26 academic year, as set out in Appendix 2



### 3. Current Scheme

- 3.1. The Council's policies for the current academic year are published and available here: [Home to school transport | LCC Family Hub](#).
- 3.2. The policies set out arrangements for provision of transport assistance to the following groups who attend schools, colleges or certain other institutions:
  - children who are not yet of compulsory school age or who are of compulsory school age;
  - **"young people"** – individuals who are of sixth form age (between 16 and 18 and those aged 19 or over who are continuing on a course which they started before they turned 19), including young people with SEND; and
  - **"adults"** – individuals who are aged 19 or over. This group consists of young adults aged between 19 and 25 who have SEND.
- 3.3. The law makes separate stipulations about support to "young people" and to "adults", who are the chief concern of this report. Each is dealt with separately in our current policies, but in practice, young people and adults are treated the same way: this enables us to ensure we provide the right level of support to meet their individual needs. (The new policies will make this explicit).
- 3.4. The assistant mayor is asked to note that we do not make any transport provision for young people or adults who do not have SEND. The new policies adopt the same approach, as it is not considered necessary or appropriate to expend the Council's scarce resources on young people or adults who do not have particular needs.
- 3.5. This report uses the term "student" to refer to both young people and adults.
- 3.6. The current policy states that the Council may provide travel assistance to a young person (with SEND), subject to them having "foundation eligibility" as follows:
  - resident in Leicester and started his/her course prior to their 19th birthday;
  - attends the nearest appropriate institution;
  - attends an institution which is more than 3 miles' walking distance from the student's home (unless the route is unsafe or the student has a disability which impacts on his or her ability to walk); and
  - attends a full-time, publicly funded course.
- 3.7. In determining a young person's eligibility for support, the Council will take into account:
  - whether the student has additional needs or a disability which gives rise to a serious risk of danger to themselves or others;
  - whether the student has a mobility difficulty which requires specialised facilities (such as a wheelchair-accessible vehicle);
  - whether the young person might require medical or personal care during the journey;
  - the complexity of the journey; and
  - whether travel is an essential requirement to fulfil the learning outcomes identified in the young person's Education, Health and Care Plan (EHCP).
- 3.8. The current policy states that the Council will consider providing travel assistance for adults only where:

- the Council considers it necessary to facilitate the attendance of a learner receiving education at institutions which are maintained or assisted by a local authority and are providing further education, or other institutions within the further education sector; or
- Where the council has secured the provision of education or training outside the further education sector **and** the provision of boarding accommodation in connection with that education or training, and the council considers that the provision of travel assistance is necessary to facilitate the learner's attendance.

3.9. Available support depends on need, but might include any of the following (provided free of charge):

- (a) Arrangement of a taxi by the Council;
- (b) Bus travel on a Council provided vehicle;
- (c) A personal transport budget (PTB) – a sum of money which can be used to pay for any means of transport (including a lift in a family car, or a bus pass). The current rate is 45p per mile plus £500 per year.

3.10. From the Council's point of view, a PTB is by far the least costly, and is recommended whenever feasible. It also provides flexibility for students and their families. Costs will vary depending on the package provided, but using caseload at March 2025 as a snapshot, unit costs of the various means of transport are:

	<b>Average annualised cost per student (£)</b>
Taxis	12,000
Seat on a Council provided bus	7,100
Personal Transport Budget	2,400

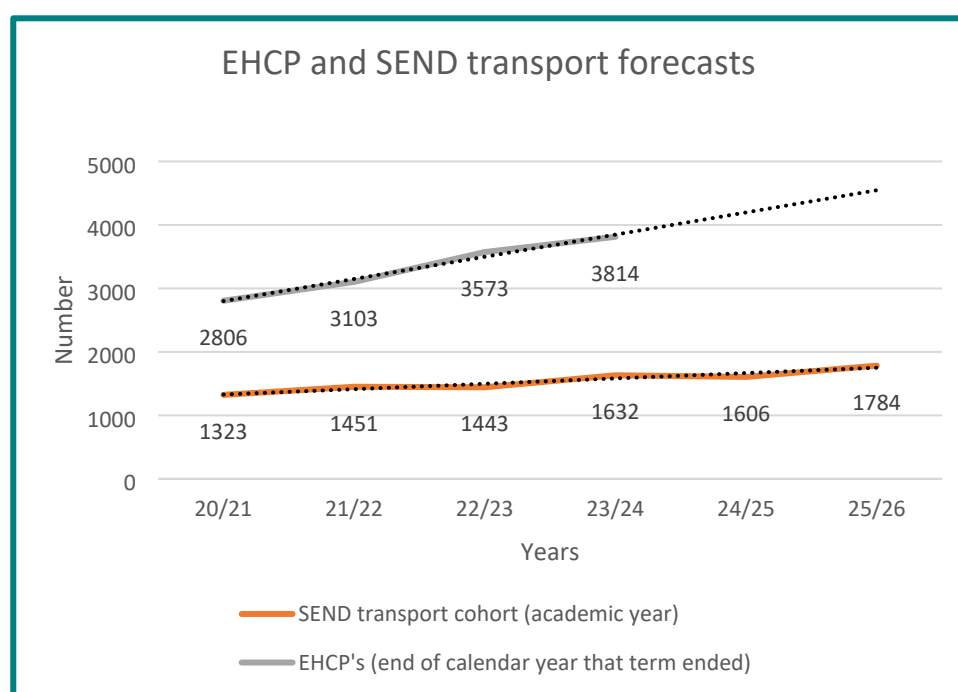
#### **4. Reasons for Change**

- 4.1. The key driver for change is the Council's budget outlook. Like many authorities, the Council is facing substantial gaps between its expenditure and income in the years ahead. The Council's budgeted spending for the next 3 years is currently supported by reserves, which is not sustainable.
- 4.2. The Council's Revenue Budget Report for the financial year 2025/26 projected an estimated shortfall of £68m between recurrent income and expenditure by 2027/28, after assuming savings of £23m will be found. The Council is also seeking to constrain growth in the cost of demand led services. £30m of reserves are projected to be required in 2025/26 alone.
- 4.3. This is the financial context in which changes to transport policies are proposed. As the service is discretionary, the Council feels compelled to consider whether, and to what extent, post-16 transport support should continue. Many other authorities have already reviewed provision.
- 4.4. In addition, in some cases there are good service reasons to discourage the more expensive modes of transport which are less likely to promote independence. Alternatives which encourage independent travel provide a better preparation for adult life (where individual needs allow).
- 4.5. The Council accounts for the cost of SEND transport in its entirety. We do not keep separate accounting records for pre-16 and post-16. Thus, we have accurate historical records for the total cost, but the cost of post-16 transport has to be extrapolated from caseload as and when required.

- 4.6. Over recent years the cost to the Council of providing SEND transport (all ages) has grown year-on-year, and this is projected to continue as demand for service rises. This can be seen in the following table: a small contribution from Dedicated Schools' Grant (£0.4m in 2024/25) has been deducted from these figures:

2021/2022 (£m)	2022/2023 (£m)	2023/2024 (£m)	2024/2025 (Forecast) (£m)	2025/2026 (Budget) (£m)
10.8	13.3	14.7	14.3	15.8

- 4.7. The trend can also be seen from the following graph. This projects future demand for travel support under the current policies (all ages). It also shows forecast growth in the number of EHCPs, which (whilst EHCPs do not necessarily lead to travel assistance) also helps indicate likely future demand for travel support:



- 4.8. As of March 2025, 208 post 16 students were receiving support at a cost of approximately £1.8m per year:

	Numbers	Annual Cost (£m)
Taxis	108	1.3
Council provided bus	60	0.4
Personal transport budget	40	0.1
<b>Total</b>	<b>208</b>	<b>1.8</b>

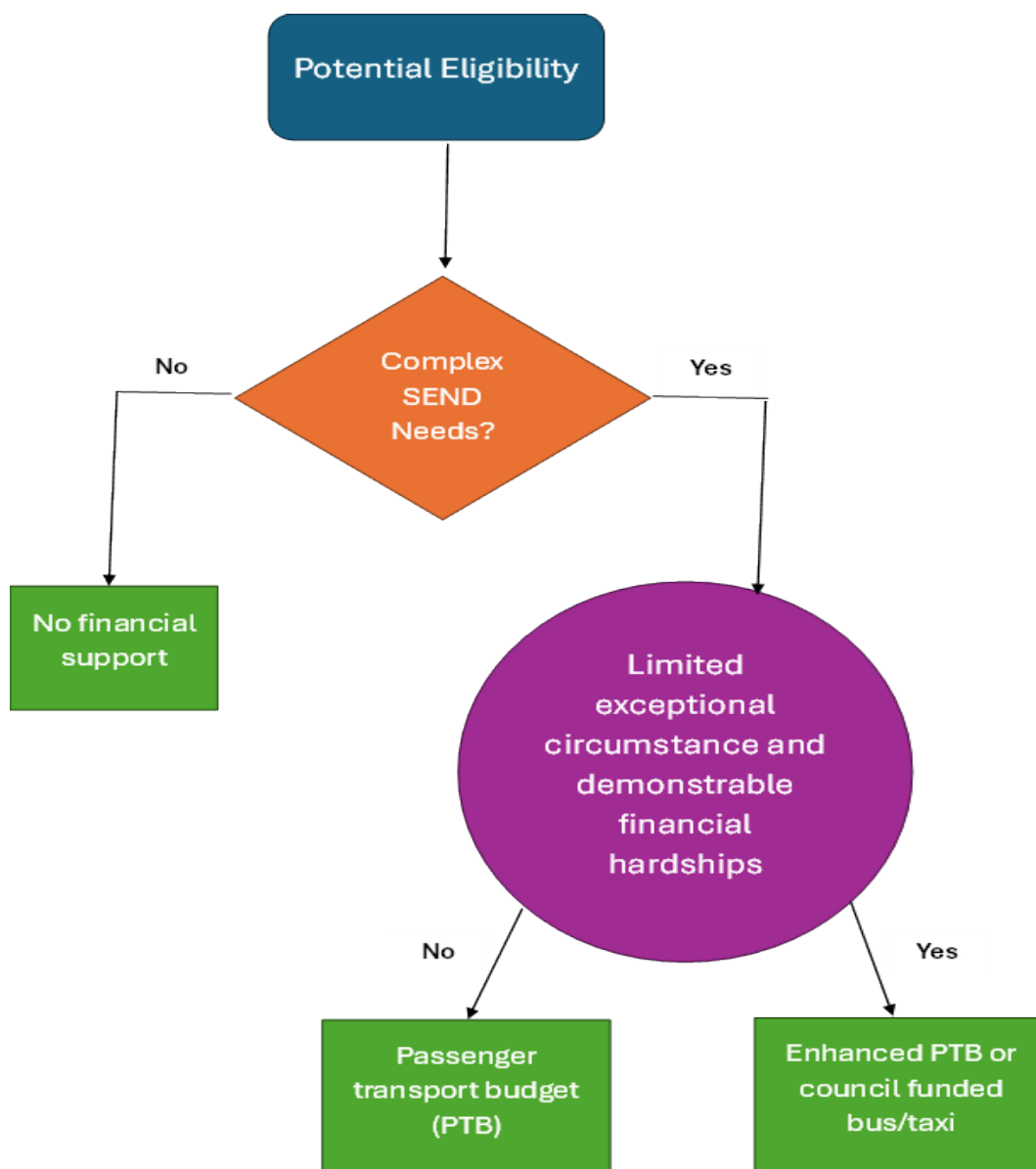
- 4.9. It is noted that estimated cost of post-16 transport is less than would have been anticipated at the time of the consultation exercise. Reasons for this include a successful taxi procurement exercise, and parents making alternative arrangements in anticipation of a policy change. Nonetheless, the rationale for the change in policy is unaltered (there remains a huge gap between forecast spending and income in 2027/28).

- 4.10. The cost is expected to rise to at least £2.6m in 2025/26 unless action is taken, and the cost is predicted to continue to grow thereafter (in line with the costs of SEND transport more generally).
- 4.11. The Assistant Mayor has written to the Government seeking consideration of a new statutory duty to provide post-16 transport, along with additional funding to meet the cost. This would avoid the need for the Council to consider these exceedingly difficult decisions. To date, there is no sign that the Government is amenable to this suggestion.

## **5. Proposed New Policies**

- 5.1. The aim of the new policy is to save money by reducing entitlement, particularly to the more expensive forms of support, whilst (as far as possible) protecting the position of those who would otherwise be unable to pursue their course of education. In practice, this means we will focus support on those who (due to the nature of their disability) are unable to learn to travel independently and cannot finance private arrangements without harm to their general wellbeing. An additional (important) aim is, wherever realistic, to prepare students for adulthood by encouraging independence.
- 5.2. Following responses to the consultation exercise, the original proposals have been revised to enable a more generous and more individualised offer. As previously proposed, where support is offered, the emphasis will be on PTBs (many other authorities have taken this approach). Most young people are capable of using public transport with the right support. However, there will now be a category of students who will qualify for additional support where appropriate, in line with the aim above.
- 5.3. To complement the policy (and to support those who will not qualify at all), the Council is enhancing its independent travel training offer.
- 5.4. In order to be potentially eligible for support under the proposed new policy, a student must have “foundation eligibility” (as is currently the case):
- be resident in Leicester;
  - attend the nearest appropriate institution;
  - attend an institution which is more than 3 miles’ walking distance from the student’s home (unless the route is unsafe or the student has a disability which impacts on his or her ability to walk); and
  - attend a full-time, publicly funded course.
- 5.5. Under the proposed new policy, a potentially eligible student will be entitled to support in the form of a PTB if he or she has “complex SEND needs”. Otherwise, a potentially eligible student will not be entitled to support. Support can be increased and include taxi or bus provision if a student also has “limited exceptional circumstances” and failure to provide this support would lead to “demonstrable financial hardship”. The rationale is as follows:
- (a) The “complex SEND needs” test is used as a proxy for identifying those students who would otherwise be unable to travel independently, and therefore need support. This is because they are more likely to have physical disabilities, learning disabilities or other health issues that suggest without support they face more challenges travelling to school or college;
- (b) Those whose circumstances are such that support needs “topping up” are identified through consideration of “limited exceptional circumstances”. The “demonstrable financial hardship” test identifies those who would not have the means to top up support from their own resources.

5.6. The decision process is shown in the diagram below:



5.7. The policies now explicitly provide the same qualifying criteria for both young people and adults, so that all post 16 students are treated consistently, in recognition of the fact that those with SEND may take longer to complete courses. The criteria for “foundation eligibility” (see 5.4 above) have therefore been amended to remove the requirement that students have started a course of study prior to their 19<sup>th</sup> birthday.

5.8. The “**complex SEND needs**” test is defined as follows, together with the rationale for each criterion. One or more of the following criteria must be satisfied to create entitlement to a PTB:

Test	Rationale
A diagnosed terminal illness which has a severe impact on the student’s physical or mental health and which is likely to significantly reduce his/her life expectancy.	Being expected to walk can cause additional strain to the student at a time when their health is deteriorating. Providing a PTB helps prevent this. Further support for “exceptional

	circumstances” could be considered for severe cases.
If required to travel independently, the student’s SEND needs or disability would jeopardise his/her safety or that of others	The nature of their SEND means that it is likely to cost more to safely support them to get to their institution. They are more likely to need a parent/carer or professional to accompany them.
Has a mobility difficulty which requires the provision of specialised seating or a specialised vehicle which would otherwise be unavailable	Whilst many wheelchair users can successfully travel independently, there are cost, dignity and time implications for a young person whose mobility difficulty means they cannot. There may also be increased risk of injury. This makes accessing education more challenging.
Likely to require medical intervention or personal care during the journey to and from school.	There are cost, health, dignity and time implications for the young person which mean that they face additional hardship due to their needs. This makes accessing education more challenging.

5.9. Based on the Council’s experience of appeals, this definition of “complex SEND” should identify students who are unlikely to be able to travel independently. It is similar to the approach adopted in other authorities’ policies.

5.10. **“Limited exceptional circumstances”** will be considered on a case by case basis. Applications can be made in cases where a student or a parent/carer believes the student’s needs are such that the standard PTB offer will be insufficient and without further support they could not travel to attend their place of education. Other reasons may exceptionally be considered.

5.11. Whilst each case will be considered on its own merits, the following will not normally constitute “exceptional circumstances”:

Example	Rationale
Has a single parent/carer.	This does not impact the student’s ability to travel independently.
Parent(s) or carer(s) work.	This does not impact the student’s ability to travel independently
Parent(s) / carer(s) have another child or young person who attends a different school	This does not impact the student’s ability to travel independently
Attends an independent school which is outside the Council’s area.	This does not impact the student’s ability to travel independently
Parent(s) / carer(s) are unable to drive or do not have access to a car.	This does not impact the student’s ability to travel independently
Student uses a wheelchair.	This may (but need not necessarily) impact the student’s ability to travel independently, but “exceptional circumstances” could be considered where specialised seating or a specialised vehicle is required.

- 5.12. **‘Demonstrable financial hardship’** mirrors eligibility for free school meals (essentially, calculated on the household income of the parents/ carers - the one with the main caring responsibility if separated). Where a student is living independently, the test will be applied to their own means. This is a nationally recognised measure of financial hardship.
- 5.13. Families in financial hardship are less likely to have their own transport or have the means to supplement travel costs. Focussing resources on those in financial hardship helps address the Council’s budget position whilst supporting those most unable to attend education without support. We estimate that, based on the current cohort, less than 10% of those with "limited exceptional circumstances" will be able to "demonstrate financial hardship".
- 5.14. Those with no recourse to public funds who can demonstrate comparable income levels will not be excluded from the same level of support.
- 5.15. The process for decision making and an appeals procedure is set out in the policy.
- 5.16. It is recognised that young people who are already engaged in programmes of study may be at the mid-point of achieving their qualifications. Given the potential disruption through implementation of a new policy at this juncture, it is proposed to allow a twelve-month transition period: those currently in year 12 who are receiving transport provision will therefore receive the same provision during their year 13. The majority of those on two year courses will be in year 12, moving into year 13: others already engaged on a fixed length two year course can be considered on a case by case basis. This transitional arrangement will apply for the academic year 2025/26 only.
- 5.17. Those young people whose EHCP (unusually) specifies transport as an educational requirement will continue to receive this, notwithstanding the new policies.
- 5.18. When considering the recommendations to this report, the assistant mayor must consider what provision for transport assistance it is necessary or appropriate to make for young people, and whether or not the recommendations to this report achieve this. In respect of adults, she must consider whether the policy facilitates their attendance at educational institutions to the extent she considers necessary; and whether the arrangements ensure that those with the most severe disabilities with no other means of transport are able to undertake further education and training after their 19<sup>th</sup> birthday, in order to help them move towards more independent living.
- 5.19. In respect of young people, the assistant mayor must have regard to the following **legal criteria**. Given we are proposing policies that apply equally to adults and young people, the same factors have been considered for both adults and young people – the assistant mayor will need to consider whether this enables her to make the judgement required. In essence, a balance has been struck between the Council’s forecast budget position and the needs of those most in need of support to continue their education. This can only be a judgement given we can only estimate the Council’s budget outlook and the impact of the new policy:

Legal Criteria	Comment
The needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made.	Leicester is a compact city measuring 7.8 miles in diameter at its widest point. It is well served by transport links in the whole area. Where a student has access needs, a PTB may be provided and, in exceptional circumstances, additional support provided appropriate to their needs.

		<p>The availability of additional support is focussed on those who would be most vulnerable to non-attendance if no arrangements were put in place.</p>
	<p>The need to secure that students have reasonable opportunities to choose between different establishments</p>	<p>Leicester is well served with education and training providers. There are 14 post-16 providers who have over 500 city residents aged 16-25 with an EHCP on their roll. The city has a train station and two bus stations. There is a well-developed transport network to local county towns and regional cities. The choice of an establishment in the surrounding county can be requested, and could be supported if the cost was comparable to undertaking an appropriate course in the city taking into account the transport cost, or if there was no appropriate course in the city. If the cost was significantly different the request would not be supported if the student's needs could be met elsewhere. A challenge could be mounted to an unfavourable decision through appeal.</p>
	<p>The duty to provide enough education and training to meet the reasonable needs of young people and adults.</p>	<p>The city is well served with appropriate education and training institutions as discussed above. The 208 students currently receiving support attend 11 different institutions.</p>
	<p>The distances and journey times between the homes of persons of sixth form age in Leicester and relevant institutions at which education or training suitable to their needs is provided.</p>	<p>Of the 208 students currently receiving support (which includes young people and adults), 139 are attending institutions within the city of Leicester. A further 67 attend institutions in Leicestershire, with just 2 further afield. Average journeys are 6.7 miles for young people and 6.8 miles for adults each way. The two out of county places are 30 and 21 miles away respectively (journeys taking 45 and 30 minutes one way by car). Some of Leicester's educational institutions have additional bus contract arrangements, which learners or their parents can use to purchase places. Travel of more than 75 minutes by public transport is unlikely to most educational or training institutions within the city area. Some circumstances in which a student has a placement far from home could constitute "exceptional circumstances."</p> <p>The definition of complex SEND has been developed to take account of the impact that a learning difficulty or other disability may have on a student's ability to travel to their education setting without incurring</p>



	stress, strain or difficulty. Some may also be able to demonstrate “exceptional circumstances.”
The cost of transport to the relevant institutions and of any alternative means of facilitating the attendance of persons receiving education or training at them	<p>Travel distances are short within the city. Bus fares are set by the operators, and adult fares are charged once a student reaches the age of 16. Fares are however currently capped by the Government at £3 for a single journey until January 2026. Locally, fares are also limited to £6.30 per day and £24 per week regardless of the number of journeys, either in the city or in a wider “flexi area” which stretches into the county. Operators may decide to increase these charges if the £3 cap is removed or increased in January. Students of any age can buy a season ticket for an academic year (£575) or a single term (£240). More details on fares and the extent of the “flexi area” can be found here: <a href="#">multi operator ticketing — Leicester Buses</a>. Certain categories of disabled user may also be eligible for free bus travel under the English National Concessionary Travel Scheme, described here: (<a href="#">Apply for a disabled person's bus pass</a>). This will entitle them to free bus travel, nationally, between certain times of the day. The city council provide a local enhancement to the scheme to extend hours of operation and provide train travel between certain stations.</p> <p>Where a student has complex SEND need (which could increase the cost of travel) a PTB would be available. The PTB provides the flexibility to choose the mode of travel. For higher levels of need, further support could be available. Some FE colleges also offer direct support to students, and the Government has a bursary fund.</p> <p>Support for those with higher levels of need will be targeted to those who need it most, by virtue of requiring applicants to demonstrate financial hardship were support not to be given. The provision of support for families experiencing financial hardship is in line with other local authorities’ provisions.</p> <p>It is recognised that those with SEND may take longer to complete courses. To address this, the new policy treats young</p>

	people and adults consistently with no “cut off” point at age 19.
Guidance issued by the Secretary of State to ensure young people can access education and training of their choice, and to assess and provide support for access where necessary.	These requirements are addressed above.
The nature of the route (or alternative routes) which the young person could reasonably be expected to take.	The nature of the route is addressed above.
Any wish of the young person to attend a particular institution on grounds of his or her religion or belief.	As Leicester is a multi-cultural city, providers are accustomed to meeting the needs of different faiths. If there was an individual need to meet a religious requirement, this could be considered in its individual context.

- 5.20. In summary, we are not proposing to exercise our discretion to provide more than is now recommended.

## 6. Miscellaneous Changes to Existing Policies

- 6.1. The proposed policies include minor changes to existing policies, to improve procedures and make them consistent with each other. These changes may affect all age groups, but do not affect entitlement for school age children.
- 6.2. In future, there will be no requirement to review travel arrangements as part of EHCP reviews. This is to reflect the fact that review of travel support should usually take place separately. The following wording in the current policies is therefore omitted from the new policies:

### *Annual Review*

*When a Personal Travel Budget or SEND travel is agreed for a child with a statement of special educational needs or an EHCP, travel arrangements will be reviewed on an annual basis at the statement/plan review meeting. Parents / carers will be expected to sign a declaration agreeing to the terms and conditions of the agreement.*

- 6.3. If travel support to any particular student does not lead to attendance, support will cease unless the student remains eligible (See Appendix 1, section 10)
- 6.4. Support may in future be provided by means of bus pass, and a parent may be offered a bus pass to accompany their child (See Appendix 1, section 8.3). This helps the student to get used to travel by bus and is more cost effective and more environmentally friendly than car use.
- 6.5. It is proposed that, for all ages in the travel policy there is improved clarity about multiple addresses. The proposed policy (See Appendix 1, section 9.4) explains that:

*If a pupil has more than one place that may be considered a home address, parents/carers must nominate a primary address for travel purposes. Home addresses should be for primary carers and travel to the homes of extended family members will not usually be considered a home address.*

*The council acknowledges that families need flexible arrangements and will support travel to multiple addresses where it is specifically highlighted and agreed at the point of application. In year arrangements for changes will require a new application. Where there are multiple home addresses being requested the home address closest to the child or young person's school or college will be considered the primary home address. That primary home address will be used to determine eligibility. The council will not generally support applications which mean that travel to multiple addresses will result in increased journey time or cost of provision. Personal Transport Budgets may be the best option to meet need in these situations.*

- 6.6. The Council may investigate whether transport is being provided to someone who is not, in fact, eligible. If proven, transport could be withdrawn with 4 weeks' notice.
- 6.7. The Council intends to be more proactive in withdrawing travel support on grounds of challenging behaviour as this is detrimental to providers and other transport users. If travel is temporarily or permanently withdrawn, parents/carers would be responsible for getting their child to school and for any costs incurred. The distinction between behavioural problems and needs attributable to SEND will be determined in collaboration with professionals in a supportive manner.

## 7. Consultation

- 7.1. Consultation took place on proposed revisions to the policies by means of an online survey. An option to use paper was available, but not requested by any respondent. Consultation closed on 2<sup>nd</sup> January.
- 7.2. Respondents were asked to select whether they wished to answer "questions for young people", or "questions for adults". Questions for young people were directed at students themselves (all ages up to 25, including children), and those in the same age group as students. Questions for adults were directed primarily at parents/carers and professional respondents. In total 348 responses were received, broken down as follows:

Questions for young people:

Young people living in Leicester, attending school or college	98
Young people living in Leicester who did not give further information	13
Young people not living in Leicester or who did not say	12
<b>Total</b>	<b>123</b>

Questions aimed at adults:

Leicester adults responding on behalf of a child or young person	24
Parents / carers of Leicester children / young people responding on their own behalf	120
Service staff, professionals, organisations, professional bodies	48
Other adults who do not live in Leicester, or who did not say	33
<b>Total</b>	<b>225</b>

- 7.3. The following tables analyse the responses from all respondents, excluding those who do not live in the city. Questions were optional, so not every respondent answered every

question. Members are asked to note that the responses were given in respect of the original proposals – appropriate change is now proposed to mitigate their impact.

7.4. Responses to questions aimed at children and young people:

Do you think the way you travel will change as a result of the new policies?	52% said yes, 26% did not know
What might change?	28% felt they may have to pay for transport, 15% felt their parent/carer might make other arrangements, 54% did not know
What would be the impact on you?	All felt there would be an adverse impact, 18% believed they wouldn't be able to continue in education.
How do you feel about your journey to school/college potentially changing?	63% felt it would be difficult, 23% felt a bit worried or anxious.
Are the policies clear?	33% said yes, 39% said no, 28% were unsure.
<b>Below shows the percentage of respondents who agreed or disagreed with the following statements:</b>	
When I want to go somewhere, I will need to think carefully about the cost	81% agreed
The cost of transport won't stop me doing things I want to do	83% disagreed
I am anxious about how I will afford to get to places	93% agreed
The proposed policies are a good idea	81% disagreed
I'll be confident to travel to places like a college or a workplace by myself	88% disagreed
I will only choose college or work near home	60% agreed

Responses to questions aimed at adults:

Do you think the way you/your child travels will change as a result of the new policies?	34% said yes, 42% did not know
What might change?	31% felt transport may have to be paid for, 12% felt they might make other arrangements, 19% felt other things might change, 7% felt their child might change school/college, 31% did not know
What would be the impact on you?	Nearly all felt there would be an adverse impact, 29% believed their child wouldn't be

	able to continue in education.
How do you feel about you/your child's journey to school/college potentially changing?	80% felt it would be difficult, 16% felt a bit worried or anxious.
Are the policies clear?	56% said yes, 26% said no, 18% were unsure.
<b>Below shows the percentage of respondents who agreed or disagreed with the following statements:</b>	
When I want to go somewhere, I will need to think carefully about the cost	91% agreed
The cost of transport won't stop me doing things I want to do	35% disagreed
I am anxious about how I will afford to get them to places	91% agreed
The proposed policies are a good idea	88% disagreed
They will be confident to travel to places like a college or a workplace on their own	92% disagreed
They will only choose college or work near home	52% agreed

- 7.5. The consultation included an opportunity to add anything else the consultees wished to tell us ("free form" comments). Below is a summary of the free form comments made by young people with SEND who live in Leicester:

- Some describe the challenges faced by students with disabilities, particularly concerning transport to school and college. Many of the students depend on special transport services, because they feel their disabilities make it unsafe or impossible for them to travel independently. They believe loss of this support would severely impact their education, mental health, and overall well-being.
- Students with disabilities say their parents/carers are also under significant strain. Often, they cannot transport their children personally because of work commitments, financial limitations, or physical disabilities. The financial burden of alternative transport options, such as taxis, would be difficult to bear. These changes would affect the whole family, increasing stress and creating barriers to education.
- Some individuals express feelings of frustration with central and local government policies, and concern about the future if transport support is cut.
- The most common request is to continue providing accessible transport services for students with special needs.

- 7.6. The following is a summary of the free form comments made by parents/carers of young people with SEND (in year 11 and above) who live in Leicester and who believe they will be affected by the policy change:

- Reliable transport is crucial for children with SEND to attend school or college. Without it, they may face barriers to education, missing school / college or essential services.

- Many families already struggle financially and emotionally to care for their disabled children. Removing transport services would add to this burden, potentially forcing parents to reduce work hours, lose / change jobs, or incur high costs for private transport.
- Public transport can be unsafe for children with disabilities. Parents highlight the importance of safe, structured transport options to help children build independence while minimising anxiety.
- Some respondents argue that removing transport services could violate children's rights to education and protection from discrimination, especially for those who cannot travel independently.
- Parents urge local councils to continue providing tailored transport services for SEND students, considering each child's unique needs and the serious consequences families face without this support.
- For children with autism or severe learning disabilities, public transport is often not an option. The removal of transport services could increase anxiety, disrupt education, and put children at risk.
- Many families report a lack of suitable alternatives, particularly for children with complex needs. Without local authority transport, children may miss out on education, requiring more care and support.
- The policy could disproportionately affect low-income families who cannot afford alternative transport.
- Some criticise the policy for failing to consider neurodiverse children or those with mental health challenges, potentially leading to discrimination and unequal access to education.
- The removal of transport services could have long-term negative effects, including limiting education and employment opportunities, and increased reliance on social care and benefits.
- Overall, parents are calling for a more flexible, individualised approach to transport support, ensuring that children with SEND have equal opportunities for education, safety, and social development. They argue that the proposed changes could lead to further financial strain on families and increased costs for public services in the long run.

- 7.7. The minor changes to the policies proposed at paragraph 6 above were also subject to consultation, but nothing of significance was received.
- 7.8. The assistant mayor (as decision maker) has been provided with a list of all free form responses made.
- 7.9. Consultation also took place with the Children, Young People and Education Scrutiny Commission on 25<sup>th</sup> February. Minutes of that meeting can be found here: [\(Public Pack\)Minutes Document for Children, Young People and Education Scrutiny Commission, 25/02/2025 17:30](#). At this meeting, both the budgetary constraints and the strength of feeling amongst consultees was noted. The revised proposal addresses many of the concerns raised.
- 7.10. The Scrutiny Committee discussed a proposal from STILL SEND 16+, which would have involved a universal entitlement to a basic level of PTB, and a more individualised approach to higher levels of need, including (where appropriate) an enhanced PTB, Council employees accompanying young people on public transport, and an increase in minibus provision. Whilst the general package proposed was not considered practical, some elements have been incorporated into our revised proposals (e.g. a basic level of PTB where there is complex need, and options for an enhanced level where there are limited exceptional circumstances).

- 7.11. The director subsequently (as promised to the committee) looked again at policy wording concerning choice of provision - this states that the student must be attending the nearest appropriate education or training provider. The wording of the policy is felt sufficient to allow for choice as providers will be able to offer a variety of educational opportunities, whilst meeting our aspiration to reduce travel and enable young people to make connections with others local to them. As demonstrated above, there is a wide choice of provision locally within the city.
- 7.12. As requested by the committee, the impact of the new policy will be tracked and reported to them.
- 7.13. In summary, there was a high level of concern over the proposals, and a strong view amongst those who responded to the consultation that they should not be implemented. Nonetheless, the Council's budget position is extremely difficult as discussed above, and it is felt that the current level of discretionary support is hard to justify in a small compact city like Leicester. We have, however, revised the proposals to allow a more generous level of provision than originally envisaged. This is targeted at those who (local knowledge and experience of appeals data suggests) would otherwise find it most difficult to continue their education. This has resulted in the full year saving being £0.9m less than it otherwise would have been. In addition, one off transition arrangements will support some of those who are part way through their post 16 studies at the start of the 2025/26 academic year.
- 7.14. In addition to the changes made in response to the consultation, the Council will continue to mitigate risks by offering independent travel training and has a good track record of providing this.

## **8. Risk**

8.1 The changes are significant, and therefore inevitably carry risk. Some of these can be mitigated by operational and procedural controls.

8.2 If not applied correctly there is a risk that students will be awarded support beyond what the policy envisages, and (conversely) that students will be unable to attend education in circumstances where the policy states that they should be supported. To mitigate this risk, we will need to ensure that officers are appropriately trained and skilled and that the policy is interpreted in a consistent manner. Adequate oversight will be essential. There will also be a two stage appeals process, but this will only address the situation where students are inappropriately denied support and not the converse.

8.3 There is also a risk that some students who do not meet the definition of complex SEND (and who therefore don't qualify for support) prove in fact to be unable to travel independently. There is a risk that these students could drop out of education because they can't get to their courses. The same risk applies to those whose applications for "limited exceptional circumstances" are unsuccessful. This issue will be monitored as the new policies bed in, and we will seek to tailor travel training to address these needs if and where they become apparent.

## **9. Conclusion**

9.1 After considering the Council's overall financial position, the rationale for change, the legal criteria to be taken into account in any new policy, the views of consultees and the equality implications, the Assistant Mayor is invited to consider whether or not the proposed policies will result in transport assistance for young people and adults which she considers necessary (as further described at para. 5.18 above), and if so to approve the recommendations.

## 10. Financial Implications

The budget for SEND transport is £15.8m in 2025/26, which includes both all age school transport and post 16 transport.

The budget for SEND transport is managed in total – we do not account separately for pre and post 16 age. Post 16 costs can be estimated, however, by taking a snapshot of caseload at any given time. In 2024/25, the post 16 element of SEND transport is costing us £1.8m. If we do nothing, the cost could rise to £2.6m in 2025/26. The proposals achieve savings by reducing entitlement, particularly to the higher cost packages of support (taxis and buses). The proposals on which we originally consulted would have meant qualifying students would only receive personal transport budgets (the lowest cost means of support) although many would no longer have qualified for support at all. Changes made since consultation will result in some students continuing to be provided with transport – these are likely to be the ones with the most complex needs and therefore highest costs per journey.

Proposals in this report will reduce the cost of the post 16 service in 2025/26 by an estimated £1.7m, although the saving may be reduced to a limited extent by additional take up of passes under the English National Concessionary Travel Scheme. (Estimating the cost of this is not possible due to the way the concessionary travel formula works).

The proposals will also reduce costs of the pre 16 service by freeing space on buses which could be allocated to children of compulsory school age. This is estimated to save an additional £0.4m. Total savings are therefore:

Reduction in post 16 transport costs	£1.7m
Releasing capacity for pre 16 transport costs	£0.4m
<b>Total saving</b>	<b>£2.1m</b>

Estimates have been made based on the following assumed changes to entitlement – a sample of the current cohort has been checked to produce the most reliable estimate available with the data we have:

	Estimated entitlement in 25/26 with no policy change (number of students)	Estimated entitlement in 25/26 with policy change (number of students)
Taxis	143	11
Passenger Transport Budgets	57	238
Buses	87	0
No entitlement		38
<b>Total</b>	<b>287</b>	<b>287</b>

If we don't change the policy, transport cost would be £2.1m higher than currently intended in a full year, disregarding the (anticipated) cost increases that would otherwise occur post 2025/26.

In the 2025/26 (academic) year, additional costs of £0.5m are estimated for the transitional arrangements.

The table below shows savings by financial year, with the transition cost dropping out by 2027/28:

	2025/26	2026/27	2027/28
Gross saving	£1.2m	£2.1m	£2.1m
Transitional cost	(£0.3m)	(£0.2m)	0
<b>Net saving</b>	<b>£0.9m</b>	<b>£1.9m</b>	<b>£2.1m</b>



The savings can be contrasted with estimates for the option proposed in the consultation exercise, which would have seen the cost of the post 16 service become minimal in the 2025/26 academic year. Savings from releasing capacity on buses would also have been achieved making a total cost saving approaching £3m.

The total estimated saving from the recommended option (£2.1m per year) will contribute to the Council's budget strategy and help maintain the long-term financial sustainability of the Council.

Signed: Mohammed Irfan, Head of Finance

Dated: 8 April 2025

## **11. Legal implications**

### **11.1 Legal Framework**

The main relevant duties on the Council are provided for by the Education Act 1996 ("the Act"). In broad terms, the relevant duties are as follows.

Under s 15ZA of the Act, the Council is under a duty to secure that enough suitable education and training is provided to meet the reasonable needs of those "in its area who are over compulsory school age but under 19" (in effect, young people), and those "who are aged 19 or over and for whom an EHCP is maintained" (i.e. young adults with SEND).

### **11.2 Children of Compulsory School Age**

The Council's duties in relation to children of compulsory school age are provided for by s 508B of and Schedule 35B to the Act, which impose a duty to make home-to-school travel arrangements for certain "qualifying children", including certain children with SEND, free of charge.

For completeness, it should be noted that, under s 508A of the Act, the Council has a discretionary power to make school travel arrangements in relation to a child who is not a qualifying child.

### **11.3 Young People**

In relation to young people, under ss 509AA and 509AB of the Act, the Council has a duty to prepare and publish for each academic year a transport policy statement which specifies the arrangements for the provision of transport or otherwise, and for the provision of financial assistance, that the Council considers it necessary to make for facilitating the attendance of young people who are receiving education or training at: schools, an institution maintained by the Council which provides further or higher education, any further education institution, any 16-19 academy, or any other establishment at which the Council secures the provision of education or training under s 15ZA (together, "relevant institutions"). The transport policy statement must state the extent to which the arrangements specified in it include arrangements for facilitating the attendance at relevant institutions of disabled persons and persons with learning difficulties or disabilities (in effect, young people with SEND). In this context, the key question that the Assistant City Mayor should consider is, in essence, what provision for transport assistance for young people is it necessary or appropriate to make.

When considering this key question, the Assistant City Mayor must have regard to (amongst other things):

- (1) the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made;
- (2) the need to secure that persons in Leicester have reasonable opportunities to choose between different establishments at which education or training is provided;
- (3) the requirements of s 15AZ in relation to persons of sixth form age;

- (4) the distances and journey times between the homes of persons of sixth form age in Leicester and relevant institutions at which education or training suitable to their needs is provided;
- (5) the cost of transport to the relevant institutions and of any alternative means of facilitating the attendance of persons receiving education or training at them;
- (6) the guidance issued by the Secretary of State.

Further guidance on certain of these matters is set out in paragraph 9 of the Secretary of State's guidance.

It is also necessary to consider the fact that, in considering whether or not it is necessary to make arrangements in relation to a particular young person or persons, the Council must have regard (amongst other things) to: (a) the nature of the route (or alternative routes) which the young person could reasonably be expected to take; and (b) any wish of the young person to attend a particular relevant institution on grounds of his or her religion or belief.

The Council is required to put into effect the arrangements specified in its transport policy statement for persons of sixth form age under s 509AA.

The Secretary of State's guidance explains that the overall intention of the duties in relation to young people is to ensure that persons of sixth form age are able to access the education and training of their choice and, if support for access is requested, it will be assessed and provided where necessary.

#### 11.4 Adults

In relation to adults, under ss 508F and 508G of the Act, the Council has a duty to make such arrangements for the provision of transport and otherwise as it considers necessary for the purposes of:

- (1) facilitating the attendance of adults (including young adults with EHCPs) receiving education at institutions which are maintained or assisted by the Council and which provide further or higher education, or at institutions in the further education sector; and
- (2) facilitating the attendance of young adults with EHCPs receiving education or training at institutions outside the further and higher education sector in cases in which the Council has secured the relevant education or training and the provision of boarding accommodation.

Any transport provided pursuant to such arrangements must be provided free of charge.

In considering what arrangements it is necessary to make for young adults with EHCPs, the Assistant City Mayor must have regard (amongst other things) to what the Council is required to do under s 15ZA in relation to such young adults. It is also necessary to have regard to the fact that, in considering whether or not it is necessary to make arrangements in relation to a particular adult, the Council must have regard (amongst other things) to the nature of the route (or alternative routes) which the person could reasonably be expected to take.

In addition, the Council has a discretionary power to pay all or part of the reasonable travelling expenses of a young adult who receives education at a relevant institution but for whom no transport arrangements are made. The Council has a duty to prepare and publish for each academic year a transport policy statement which specifies the transport or other arrangements which will be made, and the travelling expenses which be paid, in relation to that year.

In this context, the key question that the Assistant City Mayor should consider is, in essence, what provision for transport for young adults it is necessary or appropriate to make.

When deciding on what arrangements should be made, and on the contents of a transport policy statement, the Assistant City Mayor must have regard to the guidance issued by the Secretary of State. The guidance explains that the overall intention of the duties in relation to adults is to ensure that those with the most severe disabilities with no other means of transportation are able to undertake

further education and training after their 19th birthday, in order to help them move towards more independent living.

#### 11.5 Safeguarding and Promoting the Welfare of Children/Promotion of Education and Training

The functions referred to above should be exercised with a view to safeguarding and promoting the welfare of children (see s 175 of the Education Act 2002).

Also, the functions referred to above should be exercised so as to promote the effective participation in education and training of persons in Leicester aged 16 to 18 with a view to ensuring that they participate in appropriate full-time education or training (see s 10 of the Education and Skills Act 2008)

#### 11.6 Public Sector Equality Duty

In accordance with our public sector equality duty (section 149 of the Equality Act 2010), the Assistant City Mayor must, when taking her decision, “have due regard” to the following statutory objectives:

- (1) the need to eliminate unlawful discrimination, harassment and victimisation;
- (2) the need to advance equality of opportunity between those who share a relevant protected characteristic and those who do not;
- (3) the need to foster good relations between those who share a relevant protected characteristic and those who do not.

The relevant protected characteristics age, disability, gender reassignment, pregnancy/maternity, race, religion or belief, sex and sexual orientation.

The Assistant City Mayor should carefully consider the Equality Impact Assessment when reaching her decision (attached at Appendix 3). In particular, she should take into account, and attach particular weight to, the equalities implications of the proposals and the likely impact on any groups of persons who share protected characteristics which would be affected. She should consider whether any action should be taken to eliminate or mitigate any negative impact.

#### 11.7 Other

The report sets out the proposed changes to the relevant local policies and details the arrangements that the council consider are necessary to facilitate the attendance of young people and relevant young adults in education and training post the age of 16. In particular, the decision maker should have regard to the specific matters set out above.

The statutory guidance requires the local authority to consult widely on any proposed changes with all interested parties. Consultations should last for at least 28 working days during term time. In compliance with these requirements, the proposed policies have been subject to the consultation exercise set out in the body of this report.

The results of the consultation should be analysed, prior to any final decision being made, to ensure that any decision making is lawful, follows a fair process and is reasonable.

The Post-16 Transport Policy Statement is required to be published on or before 31 May for the following academic year.

A party may seek to challenge a decision by way of an application for judicial review, where there is scope to challenge the reasonableness and fairness of, or the process followed in reaching, a decision in accordance with the judicial review principles. Other authorities have seen their new policies subjected to judicial review. There is no way of guaranteeing that this will not occur, but legal advice has been provided throughout the process

Signed: Julia Slipper, Principal Lawyer (Education & Employment); Tel ext 6855

Dated: 28 April 2025

## 12. Equalities implications

As discussed in the legal implications above, the Council is subject to the Public Sector Equality Duty (PSED). The Assistant City Mayor should carefully consider the equality impact assessment when reaching her decision (attached at Appendix 3). In particular, she should take into account, and attach particular weight to, the equalities implications of the proposals and the likely impact on any groups of persons who share protected characteristics which would be affected. She should consider whether any action should be taken to eliminate or mitigate any negative impact. This section summarises the implications of the recommendations for equalities.

The new policies concern changes to transport support for students with SEND, aged 16-25. Thus, they inevitably have a disproportionate impact on persons who share the protected characteristic of age, given their impact on young people. They also impact the parents and carers of young people who are likely to be in broadly the same age bracket (working age adults). As caring responsibilities are more likely to be assumed by women, there is a potential disproportionate impact on persons who share the protected characteristic of sex.

Many of those who would otherwise be entitled to travel support will be disabled, so persons who share this protected characteristic are likely to be significantly affected.

Disproportionate impacts on any other characteristic will depend on the extent to which those with that characteristic are likely to have conditions which give rise to entitlement under the current policy. The only one we have identified is race, where (if all age SEND is a predictor of entitlement to transport for the 16-19 age group) there would be a disproportionate negative impact on the white British group.

The impact of the original proposals has been mitigated by changes to the policy, which will allow more students to qualify for support, or for higher levels of support. These measures are focussed on need: more specifically they are aimed chiefly at those who cannot realistically learn to travel independently, and cannot afford to make alternate transport provision. Thus, there will be a direct benefit to individuals, mitigating the adverse impact which would otherwise have been suffered by those with the protected characteristics of age and disability (and potentially the adverse impacts on other groups identified).

There are other avenues of support to students who lose support, and there is to be an increase in the Council's programme of travel training. There will also be an appeals process.

More detail is provided in the full equality impact assessment at Appendix Three, which includes an action plan. This includes improving our data to help monitor the impact of the new policy.

Signed: Sukhi Biring, Equalities Officer

Dated: 23 April 2025

## 13. Climate Emergency implications

There are substantial carbon emissions (and air pollution emissions) generated by home to school transport overall in the city and in broad terms the 'carbon intensity' (the quantity of carbon emissions per student-mile) for different modes of transport will go up according to the following hierarchy:

Walking and cycling (non e-bike)	Zero emissions
E-bike	Very low emissions

Public bus	Moderate emissions due to multiple passengers per bus (and reducing, on average, as electric buses introduced)
School bus	Moderate emissions (Likely higher than public bus as most school-organised services use older, more polluting vehicles.)
Minibus	Somewhat higher emissions – due to fewer passengers per vehicle and, where applicable, door-to-door service. Electric minibuses not yet widely available/affordable.
Taxi/private hire or private family car	Likely to be highest emissions.  However, emissions lower if the vehicle is a smaller model a hybrid or fully electric. Also lower if the journey is shared.

Currently, SEND transport provision contributes to the council's carbon footprint through:

- emissions from fleet vehicles i.e. the buses referred to in the report. Emissions from these are estimated to be in the region of 200-250t per year, and
- emissions from taxi journeys arranged and funded by the Council, for which it hasn't been possible to reliably estimate the carbon emissions, due to mileage and vehicle data not being available.

The carbon emissions impact of the proposal presented in the report will depend on any alternative travel arrangements put in place by affected families. The proposal would lead to a reduction in the council's own carbon footprint, due to journeys shifting from council-arranged travel, which is counted as part of the council footprint, to privately organised travel.

In terms of the impact on the city-wide carbon footprint, which includes council services and all other activity in the city, the changes are unlikely to have a significant impact assuming that journeys continue to be made either by taxi/private hire or private family car.

Signed: Duncan Bell, Change Manager (Climate Emergency). Ext. 37 2249

Dated: 22 April 2025

#### 14. Background information and other papers:

None, excepted where referenced elsewhere in the report.

#### 15. Summary of appendices:

Appendix 1 - Proposed Home to School and College Travel Policy, from 2025/2026

Appendix 2 - Proposed Post 16 Transport Policy Statement, for 2025/26

Appendix 3 - Equalities impact assessment

The statutory guidance can be found here: [Post-16 transport and travel support to education and training](#)

#### 16. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)? No

**17. Is this a “key decision”? If so, why?**

Yes. Due to all wards being affected and the size of the budgetary implications.



## **Children and Young People With Special Educational Needs and/or Disabilities (SEND)**

### **Home to School and College Travel Policy**

**April 2025**

This policy is applicable from the start of the 2025/2026 academic year

# Contents

1. Introduction.....	4
2. Travel principles and policy .....	4
Eligibility criteria.....	6
3. Pre-school children with SEND .....	6
4. Compulsory school-aged children aged 5-16 with SEND .....	7
4.1 Eligibility Review .....	7
4.2 Statutory Walking Distance.....	7
4.3 SEND or mobility difficulties.....	8
4.4 Unsafe walking route .....	8
4.5 Extended rights eligibility (for low-income families) .....	8
4.6 Preparing for Travel arrangements once your child reaches age 14.....	9
5. Post 16 (young people 16-19) with SEND.....	10
5.1 Council support for young people with special educational needs or a disability (SEND) .....	11
5.2 Young people aged 16 - 19 with SEND.....	11
6. Young people aged 19 - 25 with SEND.....	14
7. Assessments .....	14
8. Type of travel assistance available .....	14
8.1 Personal transport budget (PTB).....	14
8.2 Independent travel training (ITT) .....	14
8.3 Public transport bus pass .....	15
8.4 Contracted minibus, private hire vehicle or taxi .....	15
9. Travel service provision.....	15
9.1 Passenger Assistants .....	16
9.2 Travel to and from pick-up / drop-off points .....	17
9.3 Travel to and from home addresses .....	17
9.4 Multiple home addresses.....	17
10. Review of travel Arrangements .....	18
11. Behaviour whilst travelling .....	18
12. Our commitment to promoting independence and choice .....	19
13. How to apply.....	19



14.	How decisions are Made .....	19
15.	How to appeal if you are unhappy with a decision .....	20
	Appeals Process for pupils with a special educational need or disability .....	20
16.	The legal framework .....	22
16.1	SEND Code of Practice 2015 .....	23
16.2	Equality Act 2010 .....	23

DRAFT

# 1. Introduction

It is parents and carers responsibility to ensure their child or young person attends the education provision identified for them. Within this policy we aim to promote and support parental duties further through offering different travel options (where eligible).

Local authorities have a responsibility to encourage, enable, support and assist young people with learning difficulties/ disabilities to participate in education and training. This policy looks to promote and encourage the independence and social inclusion for children and young people. It also promotes the council's commitment to support children and young people to develop their independence, enabling them to prepare for adulthood.

This policy sets out how Leicester City Council will meet its obligations to provide home to school and college travel to children and young people with Special Education Needs and/or Disabilities, living in Leicester who are eligible to receive it. The policy also gives advice on the support available and the commitment to encourage independent travel to and from school or college.

When considering whether to provide home to school travel assistance, Local Authorities (LA's) are under a statutory duty to have regard to the Education Act 1996 and Schedule 35B of the Act which was inserted by Part 6 of the Education and Inspections Act 2006.

Sections 508B and 508C of the Act makes provision for local authorities to ensure that suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school. Leicester City Council has developed its travel policy in accordance with this legislation and equalities legislation to ensure it is able to meet its statutory duty.

It is important that families understand the eligibility criteria and whether their child is likely to meet this before taking the time to make an application. In most instances, children will not meet the statutory conditions for travel assistance.

It is strongly recommended that all parents read this guidance carefully along with the information on our website at [Travel to school and college \(leicester.gov.uk\)](https://leicester.gov.uk/travel-to-school-and-college/)

## 2. Travel principles and policy

Leicester City Council is committed to working together with young people, families, schools and colleges to ensure that:

- Children and young people are safe and supported to access education.
- Young people and families have confidence in the travel offer.

Parents and carers have a duty to:

- Ensure their child(ren) receive an education via ensuring they attend school or college.
- Make the necessary travel arrangements for their child(ren) to attend regularly.
- Ensure their child attends the educational establishment identified for them.

The council recognises that:

- The travel offer should respond to and be based on the needs of children and young people as they develop and progress and should promote and encourage their independence and social inclusion.
- Any travel assistance provided by the council is based on the needs of the child or young person and is provided to support young people and children to follow an appropriate educational course. The needs of the child and the travel provision will be periodically reviewed to ensure the child or young person is still accessing the most appropriate travel method.
- The council has a duty to support and enable young people to develop and achieve independence to enable them to prepare for adulthood.
- Encouraging young people's independence will develop their skills for better experience in adult life, their confidence and social skills, and increase their opportunities for continuing education, training and social inclusion.

The council also has a duty to:

- Manage public money responsibly.
- Provide value for money services.
- Promote the use of sustainable transport and travel.

If eligible for travel assistance, this will only be provided from the child's home to the school or college at which they are on roll at the beginning and end of the normal school day (as published on the school or college's website).

If the child attends another school or establishment that is arranged through their school as off-site provision, it will be the school/parent's responsibility to arrange travel to and from that school or establishment, for their off-site learning.

The child's address will normally be the one that they spend the most school nights at, and any travel arrangements to or from an alternative address will be the responsibility of the parent to arrange.

Parents regular work commitments or domestic arrangements will not normally be taken into account when deciding the eligibility of a child or young person or the type of assistance offered.

Parents and carers are responsible for ensuring that their child is prepared and ready to travel, at their pickup points at the right time, and that any behavioural concerns whilst travelling are positively managed. In very rare instances where there are serious safeguarding concerns travel will be denied.

Travel assistance will not be provided for any medical appointments or domestic arrangements, or for the child to go to or from a different address other than their main residence. Travel assistance is not provided for breakfast or after school clubs or activities.

## Eligibility criteria

### 3. Pre-school children with SEND

Travel assistance for children under the age of five is discretionary as council's have no legal duty to provide or arrange travel for children who have not yet reached the statutory school age. However, travel applications will be considered for children below statutory school age in exceptional circumstances.

In considering these circumstances, the council will need to be satisfied that, without such assistance, the child would be prevented from attending an appropriate nursery or early years' education setting.

In considering assistance for pre-school children, the following factors will be taken into account:

- The age of the child.
- The distance between home and nursery.
- The SEN and disabilities of the child.
- The reasons for the pre-school placement.

The parent/carers will be required to complete an online application form to demonstrate that the child has a special educational need, disability or mobility need. They will also be required to provide evidence from an appropriate professional (external to the school and parents/carers) to support the application.

Further information and application forms are published on Leicester Local Offer webpages.

## 4. Compulsory school-aged children aged 5-16 with SEND

Compulsory school age begins at the start of the term following the child's fifth birthday and ends on the last Friday in June of the school year in which a child or young person turns 16.

There are four factors which may determine if children and young people aged 5-16 are eligible for travel assistance:

- Statutory walking distance eligibility.
- SEND or significant mobility problems eligibility.
- Unsafe route eligibility.
- Extended rights eligibility.

### 4.1 Eligibility Review

**Eligibility will be reviewed each academic year and the type of travel will be reviewed annually.** This review will determine whether a child or young person continues to be eligible for travel assistance, and where eligible, that the type and level of assistance is most appropriate to their needs as they develop independence and transition into adulthood.

Set out in law/legislation and with our Mainstream Travel Policy children are eligible for travel in the following circumstances.

### 4.2 Statutory Walking Distance

The council is required to provide free travel assistance options for all children and young people of compulsory school age (5-16). This will be assessed using the distance to the nearest qualifying school to their home when they are unable to walk the statutory distance to school safely, even when accompanied by an adult, if their nearest suitable school is:

- Beyond 2 miles, if below the age of 8; or
- Beyond 3 miles, if aged between 8 and 16.

The nearest suitable school is defined as the nearest school with places available and which the council deems to provide education appropriate to the age, aptitude and

ability of the young person, and any special educational needs or disability they may have.

When establishing whether the nearest suitable school is within walking distance, the distance between home and school will be measured by the shortest available safe walking route, accompanied as necessary. The route may include footpaths and other pathways as long as it is safe to walk along them.

### 4.3 SEND or mobility difficulties

In circumstances where a child with a special educational need, disability or mobility need is able to use public travel, even when accompanied, they will be assessed using the same criteria as all other children.

The council is required to provide travel assistance for children and young people unable to walk to school by reason of their special educational needs, disability or significant mobility difficulty.

The parent/carers will be required to complete an online application form in order to demonstrate that the child has a special travel need. They will also be required to provide evidence from an appropriate professional (external to the school and parents/carers) to support the application.

Further information and application forms are published on Leicester Local Offer webpages.

### 4.4 Unsafe walking route

The council is required to make travel assistance arrangements for children who cannot reasonably be expected to walk to their nearest suitable school because the nature of the route is deemed unsafe to walk even when accompanied by an adult.

### 4.5 Extended rights eligibility (for low-income families)

For low-income families i.e. for children entitled to free school meals or whose parents are in receipt of the maximum level of Working Tax Credit, eligibility for free travel assistance is extended as follows:

- For children aged between 8 and 11, the walking distance is reduced from 3 to 2 miles.

- Secondary age children (11 – 16) can receive free travel assistance to any of their three nearest suitable schools but only where the distance between home and school is more than 2 miles but less than 6 (Note: schools below 2 miles are included when assessing which are the 3 nearest).
- For secondary age children (11 – 16), the council will provide free travel assistance to the nearest suitable school preferred by reason of a parent's religion or belief (including any single sex school in the city), If it is over 2 miles and under 15 miles from the home address. The council will normally seek documentary evidence of faith or belief e.g. a minister's letter.

The council will review travel assistance under the extended rights eligibility rules on an annual basis. Free travel may be withdrawn in subsequent years if a child ceases to qualify under low income extended rights.

Travel will not be provided where suitable arrangements have been made by the council to enable the child to become a registered pupil at a qualifying school nearer to the child's home.

## 4.6 Preparing for Travel arrangements once your child reaches age 14

When your child reaches the age of 14 / during academic year 9, the council will write to parents and carers who have a child currently receiving a form of council travel assistance. We will reiterate the responsibility of the parent and carer to arrange travel from home to school, and provide the date that travel provided by the council will stop. The council does not have a statutory responsibility to provide travel assistance to young people aged 16-18. This two-year transition period will give parents and carers the opportunity to make suitable arrangements for transporting their child to their chosen educational establishment once they reach age 16.

Due to the timeframes involved, for the 2025/2026 and 2026/2027 academic years it will not be possible to provide this two-year notice period. As soon as practicably possible families will be notified and as much notice as is reasonably possible will be provided going forward. At a minimum general notice of 4 weeks will be provided in line with the standard, all age notice period in section 10 below. Where this causes hardship to individuals who have already commenced courses this can be highlighted as part of the holistic review of exceptional circumstances but will not in its own right constitute an exceptional circumstance.

## 5. Post 16 (young people 16-19) with SEND

The support the Council will provide to young people with SEND is set out in the Council's Post-16 Transport Policy Statement which is reviewed on an annual basis.

## 6. Young people aged 19 - 25 with SEND

The support the Council will provide to young people with SEND is set out in the Council's Post-16 Transport Policy Statement which is reviewed on an annual basis

## 7. Assessments

As part of the statutory assessment process, which may lead to an EHCP the council receives written reports from a range of professionals, such as a school, educational psychologist and medical or clinical professionals. When an application for travel support is received, if they are available the local authority will consider the information contained in these reports to determine whether pupils meet the SEND Travel / Personal Travel Budget eligibility criteria.

Further evidence may be requested and the council reserves the right to make reasonable enquiries of the council's electoral services and other teams, and the Driver and Vehicle Licensing Authority to investigate applications.

## 8. Type of travel assistance available

### 8.1 Personal transport budget (PTB)

Personal Travel Budgets (PTBs) are designed to give families the freedom and to flexibility to make travel arrangements that best meet their family's needs. They enable parents to retain responsibility for ensuring their child attends school whilst providing the means to do so when the child is eligible.

For further information and to apply please see [Family Information | Personal Travel Budget \(leicester.gov.uk\)](https://www.leicester.gov.uk/family-information/personal-travel-budget/)

### 8.2 Independent travel training (ITT)

Independent travel training provides young people with tailored and practical assistance to travel safely by public travel, on foot or by bicycle to their school, college and placement. It also supports young people socially, to access other key services and connect with friends and family.



Independent travel is an essential life skill, and helps to better prepare young people for adulthood, and for accessing further education and employment by raising their confidence in their abilities.

The council's Independent Travel Trainer's will work with schools and colleges to be able to deliver travel training to their students.

If a young person is identified as potentially suitable for travel training, their parent/carer will be contacted by the council or their school to arrange a consultation with the nominated travel trainer.

Following the consultation, the young person and family (where appropriate) will then be supported to undertake the training programme. If they are not ready or suitable for training, a future review date will be set, and they will continue to be provided with travel assistance if they remain eligible.

Further information about [Independent Travel Training](#) can be found on our Local Offer page.

### 8.3 Public transport bus pass

Where children and young people are eligible and the method of transport is determined to be appropriate to offer but the child or young person requires accompanying, the council may offer a public transport bus pass to a parent / carer to meet its obligation to provide free home to school travel assistance [View details of eligibility and how to apply \(leicester.gov.uk website\)](#).

### 8.4 Contracted minibus, private hire vehicle or taxi

This includes but may not be limited to:

- Pick up and drop off from/to a collection point or central location locally
- Shared or individual, private hire vehicle or minibus for groups of young people
- Individual taxi, private hire vehicle or minibus for solo travellers (exceptional circumstances only)

## 9. Travel service provision

Leicester City Council aims to make travel arrangements that allow eligible pupils to travel in safety and reasonable comfort, without the journey being unreasonably long or complicated, and to arrive at school without such stress, strain, or difficulty that they are prevented from benefitting from the education provided.

It is the council's policy to review travel assistance arrangements annually or at times of transition, in consultation with service providers, to minimise surplus places on vehicles and the total number of vehicles used. The council will endeavour to coordinate dedicated school travel journeys and local public bus services to ensure that best value for money and efficiency of service is achieved.

The council is committed to minimising disruption to children and young people but retains the right to review eligibility at any time, if ineligibility is determined the council may withdraw travel assistance during an academic year.

The council will determine the overall level of service, the number and type of vehicles, and the seating capacity requirements to meet the travel needs of pupils and students, taking the following into account:

- the regulations relating to the provision of passenger travel services.
- that a single journey to or from school should ideally not exceed 75 minutes including the time taken for a change of bus – though this is not always possible where services operate to more than one school or site.
- that pupils should not be expected to change buses more than once within a single journey to or from school.
- that it is desirable in the interests of safety and comfort to provide a seat for each pupil/student – though this is not always possible when local public travel services are used.
- that services coordinate with school or college session times (provided that the appropriate notice and procedures required by education legislation have been followed). Head Teachers, Principals and Governing Bodies are requested to consult with the council as soon as possible on proposed changes to session times, so that the effect of any change can be assessed.
- that Head Teachers, parents and other interested parties must be consulted regarding proposed changes to the SEND Home to School Travel policy.
- that service delivery must be monitored, and complaints dealt with as soon as possible to ensure quality, efficiency and reliability.
- the promotion of the use of sustainable travel and travel modes.
- the promotion of equal opportunities.

## 9.1 Passenger Assistants

The council will determine whether it is necessary to provide a passenger assistant, supervisor or other facilities (e.g., on-bus communication facilities) on any of the vehicles used based on individual needs.

Some pupils with special travel needs may require a passenger assistant for the home to school journey. The council will decide if a passenger assistant is necessary, taking individual circumstances into consideration:

Under these circumstances, the parent/carer may be required to act as the escort for their child. If the journey is beyond the maximum walking distance, the parent would be provided with transport support home from the morning school drop off journey and picked up in the afternoon for the return journey. If the journey is less than the maximum walking distance, the parent would be expected to walk home after the morning drop and walk back to the school for the afternoon pick-up.

## 9.2 Travel to and from pick-up / drop-off points

In most cases parents/carers will be expected to accompany their child to a pick-up point identified by the council. Pick-up points will be safe and appropriate places for vehicles to pull up and wait. Every effort will be made to minimise the distance to and from pick-up and drop off points but the nearest pick-up point may be up to half a mile away from home for primary age pupils and up to 1 mile away from home for secondary age pupils.

The pick-up points and times may change throughout the year, as routes will be regularly reviewed following changes to passenger lists. The council will endeavour to give reasonable notice (4 weeks) of any such changes.

Parents/carers must ensure that appropriate supervisory arrangements are in place for their child's walk between home and the pick-up point at the beginning and end of the school day.

## 9.3 Travel to and from home addresses

The duty placed on the council does not extend to the provision of a "door to door" service, however, for a very few applicants, exceptional circumstances may result in travel arrangements being made to and from the home address.

## 9.4 Multiple home addresses

If a pupil has more than one place that may be considered a home address, parents/carers must nominate a primary address for travel purposes. Home addresses should be for primary carers and travel to the homes of extended family members will not usually be considered a home address.

The council acknowledges that families need flexible arrangements and will support travel to multiple addresses where it is specifically highlighted and agreed at the point of application. In year arrangements for changes will require a new application.

Where there are multiple home addresses being requested the home address closest to the child or young person's school or college will be considered the primary home address. That primary home address will be used to determine eligibility.

The council will not generally support applications which mean that travel to multiple addresses will result in increased journey time or cost of provision. Personal Transport Budgets may be the best option to meet need in these situations.

## 10. Review of travel Arrangements

All travel arrangements will be reviewed annually or at times of transition to assess whether the basis for entitlement has changed or whether the mode of travel assistance provided remains appropriate. Travel assistance entitlement will be re-assessed if the home address, pupil needs, educational establishment or course details change.

Parents/carers and/or Post-16 students will be given reasonable notice (4 weeks) if it is decided to withdraw or significantly alter the means of travel assistance.

If parents/carers and/or Post-16 students request a variation to the current travel arrangements, the council will require reasonable notice (3 weeks) of the change and will apply the relevant assessment criteria. Parents/carers and/or Post-16 students may be required to make and pay for their own interim travel arrangements in the period between application and, if approved, the receipt of any travel assistance provided under this policy.

Post-16 students will be expected to maintain both satisfactory attendance and progress, and these factors will be taken into account when reviewing entitlement to travel assistance.

Any amendment to, or withdrawal of, travel assistance does not excuse a child of compulsory school age from attending school and it will remain the responsibility of the parent/carer to ensure their child's continued attendance at school.

## 11. Behaviour whilst travelling

The health and safety of drivers and passengers is dependent on good pupil behaviour, alongside positive management of behaviours from drivers and passenger assistants, in line with legislation and the council's safeguarding policies. The council takes a serious view of incidents of poor conduct.

The Education and Inspections Act 2006 empowers head teachers to take action to address unacceptable behaviour even when this takes place outside the school

premises. Persistent poor behaviour on the journey to and from school can be grounds for exclusion.

In some cases, if either the council or a travel operator refuses to allow a pupil to continue to access a particular vehicle due to the pupil's poor conduct, an alternative arrangement may be offered, but only after an assessment of the nature and seriousness of the case. In the event of a serious incident of indiscipline, vandalism, or anti-social behaviour, or persistent offences of this nature, travel provision may be permanently withdrawn. In these cases the LA would not be implying that travel arrangements were not necessary and should not be provided, but rather that travel arrangements were necessary and had been made but the pupil's behaviour was such that they were unable to take advantage of them. If these circumstances arise, no alternative travel assistance arrangements will be made.

If travel is temporarily or permanently withdrawn parents would be responsible for getting their children to school and for any costs incurred.

## 12. Our commitment to promoting independence and choice

Alongside the existing schemes detailed in this policy, Leicester City Council will continue to explore and promote additional ways of promoting independence and choice for children in the City with home to school travel. We will work with families and schools to develop and promote new ideas and pilot schemes where appropriate.

## 13. How to apply

Applications for travel for children and young people with special educational needs or disabilities should be made via the website:

[Family Information | Personal Travel Budget \(leicester.gov.uk\)](https://leicester.gov.uk/family-information/personal-travel-budget/)

Applications for travel assistance for students age 16 and above in colleges of further education to commence at the start of the Autumn Term should be made wherever possible by the last day of the summer term prior to the start of the new academic year. The LA cannot guarantee to provide travel assistance from the first day of the Autumn Term if applications are received after this date. Where late applications are submitted, parents/carers and/or sixth form students may have to make their own interim travel arrangements, the cost of which cannot normally be reimbursed.

Young people attending Further Education establishments will need to re-apply annually, providing evidence of both satisfactory attendance and progress.

## 14. How decisions are made

For all children and young people with SEN and disabilities, a travel eligibility assessment will be undertaken by the Special Educational Needs Service at the point of application, and reviewed yearly or when circumstances change, e.g. a change of educational establishment, change of home address.

The information used for the assessment is gathered from various sources including:

- School reports
- Parents
- The young person
- Medical reports (including CAMHs)
- Social care
- Education, health and care plans

The travel assistance eligibility assessment or review will consider the individual needs of the child or young person in 6 key areas:

- Mobility
- Medical needs
- Behavioural issues
- Vulnerability
- Practicality
- Independence and Independent Travel Training suitability

When the assessment is completed, the SEN Service will decide whether or not a child or young person is eligible as a result of their SEN and disability to travel assistance, the type of travel assistance to be offered, and whether or not it is appropriate to offer Independent Travel Training.

## 15. How to appeal if you are unhappy with a decision

### Appeals Process for pupils with a special educational need or disability

Should parents/carers wish to appeal against the council's decision not to provide travel or against the mode of travel provided they should email [SEND.approvals@Leicester.gov.uk](mailto:SEND.approvals@Leicester.gov.uk) or write to:

Transport Appeals  
Special Education Needs Service  
Pindar Road  
Leicester  
LE3 9RN

The council has a 2-stage review and appeals process as recommended by the Department for Education. The timings for responses may be extended if additional time is required to gather supporting information or delayed by school/college holidays.

Please note that whilst the review and appeal process takes place the parent/carer will remain responsible for arranging and funding for any travel arrangements that a parent/carer may feel is necessary. Throughout the appeals process parents may wish to seek independent advocacy support and advice

The appeals procedure is in two stages:

Stage 1: Review by a Senior Officer of the council.

- A parent/carer has 20 working days from the date of the travel decision letter, to make a formal written request asking for a review of the decision.
- The written request should detail why the parent/carer or young person believes the decision should be reviewed and give details of any personal and/or family circumstances, including medical evidence, they believe should be considered when making the decision is reviewed.
- Within 20 working days of receipt of a written request, a Senior Officer will review the original decision and send a detailed written notification of the outcome of their review, including information about how the parent/carer can escalate their case to stage two (if appropriate)

Stage 2: Review by an Independent Appeal Panel:

- If a parent/carer are dissatisfied with the outcome of the review of their case, they have 20 working days from the receipt of their decision letter to make a written request to escalate the matter to stage two.
- Within 40 working days of receipt of the parent/carer's written request an Independent Appeal Panel will be arranged to consider both written and (if the parent /carer wishes to attend the panel hearing) verbal representations from both the parent/carer and officers involved in their case.

The Independent Appeal Panel members will be independent of the original decision-making process (but not required to be independent of the local authority) and suitably experienced, to ensure a balance between meeting the needs of the parent/carers and the local authority.

If a parent/carers or student is still not satisfied with the outcome of the appeal, there is no further right of appeal to the council. However, there is still the right to appeal to the Secretary of State or to take independent legal action.

If a parent/carers or young person feels that their appeal has not been treated fairly or in accordance with the LA's policy, the Local Government Ombudsman can be contacted for help and advice on:

Telephone: 0300 061 0614

Website: [lgo.org.uk](http://lgo.org.uk)

## 16. The legal framework

S508B and 508C of the Education Act (the "Act") make provision for local authorities to ensure that suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school. The provisions apply to home to school travel arrangements and vice versa.

Under s444 of the same Act, parents are responsible for ensuring that their children attend school regularly.

S508B of the Act deals with the duty on local authority to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children. Schedule 35B of the Act defines eligible children – those categories of children of compulsory school age (5 – 16) in an authority's area for whom free travel arrangements will be required.

The categories of eligible children include those who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special education needs or disability. Eligibility, for such children, should be assessed on an individual basis to identify their particular travel arrangements.

In determining whether a child cannot reasonably be expected to walk the local authority will need to consider whether the child could reasonably be expected to walk if accompanied, and if so, whether the child's parent can reasonably be expected to accompany the child.



The council has a statutory duty under Section 10 of the Education and Skills Act 2008 to exercise its functions so as to promote the effective participation in education or training of persons belonging to its area with a view to ensuring that those persons participate in appropriate full-time education or training, an apprenticeship, or are in full time occupation and participate in sufficient relevant training, all pursuant to section 2 of the 2008 Act.

The council also has a statutory duty to publish a Post 16 Travel Policy Statement every year. This statement should set out the arrangements for the provision of travel or otherwise that the authority considers it necessary to make for facilitating the attendance of persons of sixth form age at:

- schools,
- institutions maintained or assisted by the authority which provides further education or higher education or both
- institutions within the further education sector, any 16-19 academy or any other establishment at which the authority secures the provision of education or training.

Post 16 travel to education and training statutory guidance dated February 2014 requires the council, in planning travel provision to take into account its duty to promote effective participation under the 2008 act and the duty under section 2 of that act on young people to participate in education or training up to age 18.

## 16.1 SEND Code of Practice 2015

The Code of Practice (Special Educational Needs and Disability 2015) indicates that transport should be recorded in an Education, Health Care Plan only in exceptional cases where the child has very specific travel needs.

## 16.2 Equality Act 2010

The council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 section 149(1).

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149(7)

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.
- Compliance with the duties in this section may involve treating some persons more favourably than others.



Leicester  
City Council

## **Post-16 Transport Policy Statement Academic Year 2025 – 2026**

April 2025

The council's travel policy statement for young people aged 16 - 18 in further education, continuing learners aged 19 and those young people aged 19 – 25 (inclusive) with learning difficulties and/or disabilities.

## Contents

1. Introduction .....	3
2. Aims and Objectives .....	3
3. Travel and travel support .....	4
4. Transport support from schools and colleges .....	4
5. Travel support from the government .....	6
5.1 The 16-19 Bursary Fund .....	6
5.2 Young parents / Care to Learn .....	6
6. Council support for young people without special educational needs or disabilities .....	8
7. Council support for young people with special educational needs or a disability (SEND) .....	8
7.1 Young people aged 16 - 19 with SEND .....	9
7.2 Young people aged 19 - 25 with SEND .....	10
8. Apprenticeships .....	11
9. Those not in education, employment or training (NEET) .....	11
10. Useful contact details .....	11
10.1 Leicester City Council .....	11
10.2 Department for Education .....	12
10.3 Bus routes and timetable information .....	12
10.4 Learner Support Service .....	12
11. Applying for council travel support .....	13
12. Appeals .....	13
12.1 Appeals Process for pupils with a special educational need or disability .....	13

# 1. Introduction

Local authorities (LAs) **do not** have to provide free or subsidised Post 16 travel support.

The council does have a duty to prepare and publish an annual travel policy statement specifying the arrangements for the provision of travel or other support that the authority considers it necessary to make, to facilitate the attendance of all persons of sixth form age receiving education or training.

**All young people carrying on their education post 16 must reapply for travel support via the council's local offer pages. These will only be approved under exceptional circumstances. This is significantly different practice to previous years and is likely to affect rights to travel support even where currently being received on existing courses.**

'Sixth form age' refers to those young people who are over 16 years of age but under 19 or continuing learners who started their programme of learning before their 19th birthday (years 12,13,14).

Local authorities also have a duty to encourage, enable and assist young people with learning difficulties / disabilities to participate in education and training, up to the age of 25.

This policy uses the term 'Post 16' to include both learners of sixth form age and those with learning difficulties / disabilities up to the age of 25.

This policy document specifies the support that Leicester City Council considers necessary to facilitate the attendance of Post 16 learners receiving education or training.

Education or training refers to learning or training at a school, further education institution, a council maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which can lead to positive outcomes and are funded by the council, for example, colleges, charities and private learning providers.

## 2. Aims and Objectives

This document describes the support available to young people of Leicester entering or continuing with full-time Post 16 Education. It gives information from the local authority, schools, academies and FE colleges and other relevant sources.

The aim is to provide the most up to date details of the support available from various sources to encourage participation and prevent travel being a barrier to young learners.

This statement gives advice on the types of support available to learners with learning/mobility difficulties and explains the commitment to encourage independent travel to and from the place of learning.

### **3. Travel and travel support**

#### **Concessionary tickets for young people 16 – 25 from public transport providers**

Many local operators have student season tickets available offering discounts compared to normal adult fares and/or at cheaper rates when bought on a termly or academic year basis. It is advised students contact the bus-operators directly as below:

#### **Bus Operators**

- Arriva website: [arrivabus.co.uk](http://arrivabus.co.uk)
- Kinchbus website: [kinchbus.co.uk](http://kinchbus.co.uk)
- First Bus website: [firstbus.co.uk](http://firstbus.co.uk)
- Centrebus website: [centrebus.info](http://centrebus.info)

#### **Disabled Person's Bus Pass**

If you live in Leicester and have a qualifying disability, you are entitled to a concessionary travel pass or an annual payment of £22 by bank transfer. This allows free travel on local buses in all parts of England at certain times.

Disabled Person's Bus Passes are valid for free train travel at all times on train journeys between Leicester and stations in Leicestershire, and between Leicester and Derby, Nottingham, Grantham, Peterborough, Kettering and Nuneaton.

Website: [Apply for a disabled person's bus pass](#)

#### **Train Services**

Train services are available throughout Leicester and Leicestershire, with the option to purchase either:

- a 16 - 17 Saver Railcard to receive up to 50% of the price of eligible train tickets
- a 16 - 25 Railcard to receive up to 1/3 off the price of eligible train tickets
- a Disabled Persons Railcard to receive up to 1/3 off the price of eligible train tickets for you and an adult companion

Website: [eastmidlandsrailway.co.uk](http://eastmidlandsrailway.co.uk)

#### **Dedicated school buses**

Similarly, some of Leicester and Leicestershire's mainstream schools have commercial school special services operating to them. More information can be found directly from your school and the main operators of such services are:

- Confidence buses: [confidencebus.co.uk/school-bus-routes](http://confidencebus.co.uk/school-bus-routes)
- Beaver Buses: [beaver-bus.co.uk/school-buses](http://beaver-bus.co.uk/school-buses)
- Roberts Coaches: [buspass.robertstravelgroup.co.uk](http://buspass.robertstravelgroup.co.uk)
- G.H. Watts Coaches: [ghwatts.co.uk/school\\_buses](http://ghwatts.co.uk/school_buses)

## 4. Transport support from schools and colleges

Some of Leicester's secondary schools, academies and 6th Form/FE colleges have additional bus contract arrangements on which learners or their parents can purchase places. Some FE colleges also offer direct support to students. Arrangements vary between schools and colleges, so it is always best to check directly with the individual schools/colleges for details.

You can find details of all Leicester schools on the council's website (this will also give you a link to the school's individual website): [Schools Directory \(leicester.gov.uk\)](http://leicester.gov.uk/schools-directory)

Contact details and websites for all the Leicester and Leicestershire FE Colleges are shown below:

**Brooksby Melton College** (Leicestershire):

Contact the Travel Department on:

Telephone: 0166 485 5211

E-Mail: [travel@brooksbymelton.ac.uk](mailto:travel@brooksbymelton.ac.uk)

Information available at interview and in 16-18 Travel Guide by visiting: [brooksbymelton.ac.uk](http://brooksbymelton.ac.uk)

**Gateway Sixth Form College** (Leicester):

Telephone: 0116 274 4500

(Student services)

E-Mail: [studentservices@gateway.ac.uk](mailto:studentservices@gateway.ac.uk)

Website: [gateway.ac.uk](http://gateway.ac.uk)

**Leicester College** (Leicester):

To discuss any travel queries with a member of the Student Advice and Guidance Team:

Telephone: 0116 224 2240 or 0116 224 4048

For information regarding travel provision for students with learning difficulties contact the Travel Coordinator: Telephone: 0116 224 2240 extension 2098

For any other travel queries:

Website: [leicestercollege.ac.uk](http://leicestercollege.ac.uk)

E-Mail: [info@leicestercollege.ac.uk](mailto:info@leicestercollege.ac.uk)

**Loughborough College** (Leicestershire):

Telephone: 01509 517 140

E-Mail: [dez.gentlemen@loucoll.ac.uk](mailto:dez.gentlemen@loucoll.ac.uk)

Website: [loucoll.ac.uk](http://loucoll.ac.uk)

**North Warwickshire & South Leicestershire College** (Leicestershire):

Customer Service Team:

Telephone: 0330 058 3000

Email: [enquiries@nwslc.ac.uk](mailto:enquiries@nwslc.ac.uk)

Website: [nwslc.ac.uk](http://nwslc.ac.uk)

**Wyggeston and Queen Elizabeth I College** (Leicester):

Divisional administrators 'The Hub'

Telephone: 0116 255 4629

Email: [enquiries@wqe.ac.uk](mailto:enquiries@wqe.ac.uk)

Website: [wqe.ac.uk](http://wqe.ac.uk)

**Stephenson College** (Leicestershire):

Telephone: 01530 836 136

Email: [services@stephensoncoll.ac.uk](mailto:services@stephensoncoll.ac.uk)

Website: [stephensoncoll.ac.uk](http://stephensoncoll.ac.uk)

## 5. Travel support from the government

As it is not a statutory requirement to provide Post 16 travel the Council expect all eligible students to apply for a bursary fund. Details of funds are noted below:

### 5.1 The 16-19 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 2 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 travel, meals, books and equipment
2. Discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of travel, 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 2022 or



- be aged 19 or over at 31 August 2022 and have an Education, Health and Care Plan
- be aged 19 or over at 31 August 2022 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: [16 to 19 Bursary Fund \(GOV.UK website\)](https://www.gov.uk/guidance/16-to-19-bursary-fund)

## 5.2 Personal Independence Payment (PIP)

Personal Independence Payment (PIP) can help with extra living costs if you have both:

- a long-term physical or mental health condition or disability
- difficulty doing certain everyday tasks or getting around because of your condition

You can get PIP even if you're working, have savings or are getting most other benefits. The mobility element of PIP could be used to support home to school transport.

### How PIP works

There are 2 parts to PIP:

- a daily living part - if you need help with everyday tasks
- a mobility part - if you need help with getting around.

Whether you get one or both parts and [how much you get](#) depends on how difficult you find everyday tasks and getting around.

### Mobility part

You might get the mobility part of PIP if you need help with:

- working out a route and following it
- physically moving around
- leaving your home

You do not have to have a physical disability to get the mobility part. You might also be eligible if you have difficulty getting around because of a cognitive or mental health condition, like anxiety.

Website: [www.gov.uk/pip](http://www.gov.uk/pip)

If you receive the enhanced rate mobility part of a PIP you may also be eligible to join the Motability scheme to support access to a car, scooter or wheelchair.

Website: [Motability Scheme | Lease a car, WAV, scooter or wheelchair](#)

### **5.3 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.

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 for those aged 19 and over can apply for the 19 – 25 card.

For more information, please visit [Care to learn how to claim \(GOV.UK website\)](#)

## 6. Council support for young people without special educational needs or disabilities

Please note that there are **no free bus passes available for learners aged 16-19 through the city council**. However, a flexi-ticket bus ticket is available to purchase for Leicester resident pupils over statutory school age if the student is aged 16, 17 or 18 at the start of the college year.

The pass allows travel on multiple bus companies to get to school/college. Details of the pass are available on the [Choose How you Move website](#)

There are alternatives to the flexi-ticket. If you only need to use a bus from one operator, you could get better value in terms of price and flexibility by purchasing a season ticket directly from a commercial bus operator. Before you apply for any bus pass or ticket, we strongly urge you to consider all the commercially available alternatives.

## 7. Council support for young people with special educational needs or a disability (SEND)

Many young people in Post 16 Education and older with SEND are able to travel independently or accompanied by a parent, carer, or guardian, using public transport, and the council cannot offer services to replace parental responsibility.

Many young people with a special educational need (SEND) may also be able to travel with a parent or guardian accompanying them.

For those with a diagnosed SEND or as part of Preparing for Adulthood, as detailed on our [Local Offer \(leicester.gov.uk\)](https://www.leicester.gov.uk), we also support Young People with Independent Travel Training.

### 7.1 Young people aged 16 - 19 with SEND

Those already in receipt of SEND Transport in Year 12 in the 2024/2025 academic year will continue to receive support in the 2025/2026 academic year ie in Year 13, to support the transition in policy.

To be considered for travel assistance, a young person must meet each of the following conditions:

- i) the young person must be resident in Leicester City; and
- ii) the young person must have a complex SEND need and a placement specified in an Education Health and Care Plan. A complex SEND need for the purposes of this policy is where a young person has:
  - a) A diagnosed terminal illness that has severe impact on their current physical and / or mental health and that is likely to significantly reduce their life expectancy and/or;
  - b) If required to travel independently, the student's SEND needs or disability would jeopardise his/her safety or that of others and/or
  - c) The student has a mobility difficulty which requires specialised seating or a specialised vehicle e.g. tail-lift access that is not available to them (including on public transport where that has to be relied upon) and / or
  - d) The learner is likely to require medical intervention or personal care during the journey to and from school;
- iii) the young person must be attending the nearest appropriate education or training provider; and
- iv) either:

- a. the education or training provider is more than 3 miles walking distance from the young person's home, or
  - b. if the walking distance is 3 miles or less, the young person is unable to walk to and from the education or training provider because of a disability or because the walking route is unsafe; and
- v) the young person must be attending a full-time, publicly funded course (a full-time course is a programme of at least 580 study hours per year).

A young person who satisfies each of the conditions above will be eligible for a personal transport budget, as explained in section 10.1 below. In "limited exceptional circumstances", and where there would otherwise be "demonstrable financial hardship", additional assistance may be offered. Section 10 below details the types of travel assistance that may be available.

Whether exceptional circumstances exist are determined by the Strategic Director of Social Care (or another officer exercising delegated authority) in the light of the specific circumstances of that case following an application. In each case, the Council will require appropriate evidence as to any claimed exceptional circumstances. Applications can be made in cases where a young person or a parent/carer believes the young person's needs are such that the standard PTB offer will be insufficient and without further support they could not travel to attend their place of education. Other reasons may exceptionally be considered.

None of the following is (taken in isolation) likely to constitute an exceptional circumstance:

- Single parent families.
- Parent(s)/ carers who work.
- Having other children to look after and/or at other schools.
- Travelling to an independent school out of area.
- Parents/carers/students unable to drive or having access to a car.
- Student uses a wheelchair.

There would otherwise be 'demonstrable financial hardship' if in receipt of one of the following:

- Income support
- Income-based jobseeker's allowance
- Income-related employment and support allowance
- Support under Part VI of the Immigration and Asylum Act 1999
- Child tax credit (provided you're not also entitled to working tax credit and have an annual gross income of no more than £16,190)
- The guarantee element of state pension credit
- Working tax credit run-on - paid for four weeks after you stop qualifying for working tax credit.
- Universal credit with annual net earned income of less than £7,400

For children and young people up to their 18<sup>th</sup> birthday, the financial hardship test will be based around the income of parents / carers. For adult learners, the financial situation of the adult learner will be considered in the context of the household income.

The fact that transport or travel assistance may have been provided in previous years does not indicate that the young person will be provided with travel assistance, under this policy. Accordingly, any planning that a young person and/or their family makes for future arrangements should take this into account.

## **7.2 Young people aged 19 - 25 with SEND**

The arrangements for young people with SEND aged 16 to 19 also apply to young adults with SEND aged 19-25.

Section 7.1 applies to young adults with SEND aged between 19 and 25.

## **8. Apprenticeships**

For students on traineeships or apprenticeships, the learning provider is responsible for ensuring that reasonable expenses are met in full where they are needed to overcome barriers to learning. These may include the cost of travelling to or from the place of learning or work placement. Please contact your learning provider for more information. Students may also be eligible for a bursary (see Bursary Fund section above).

## **9. Those not in education, employment or training (NEET)**

Connexions Leicester is a careers service for young people who live in Leicester City and are aged 16 to 19, or up to 25 for young people with special educational needs or disabilities (SEND).

Connexions also have specialist personal advisers who are trained to work with young people with SEND to help them make decisions about their future. Please contact

Telephone: 0116 454 1770

Email: [connexions@leicester.gov.uk](mailto:connexions@leicester.gov.uk)

Website: [leicesteremploymenthub.co.uk](http://leicesteremploymenthub.co.uk)

Address:  
Connexions,  
2 Wellington Street,

## **10. Type of travel assistance available**

### **10.1 Personal transport budget (PTB)**

Personal Transport Budgets (PTBs) are designed to give families the freedom and to flexibility to make travel arrangements that best meet their family's needs. They enable parents to retain responsibility for ensuring their child attends school whilst providing the means to do so when the child is eligible.

For further information and to apply please see [Family Information | Personal Travel Budget \(leicester.gov.uk\)](https://leicester.gov.uk/family-information/personal-travel-budget/)

### **10.2 Independent travel training (ITT)**

Independent travel training provides young people with tailored and practical assistance to travel safely by public travel, on foot or by bicycle to their school, college and placement. It also supports young people socially, to access other key services and connect with friends and family.

Independent travel is an essential life skill, and helps to better prepare young people for adulthood, and for accessing further education and employment by raising their confidence in their abilities.

The council's Independent Travel Trainer's will work with schools and colleges to be able to deliver travel training to their students.

If a young person is identified as potentially suitable for travel training, their parent/carer will be contacted by the council or their school to arrange a consultation with the nominated travel trainer.

Following the consultation, the young person and family (where appropriate) will then be supported to undertake the training programme. If they are not ready or suitable for training, a future review date will be set, and they will continue to be provided with travel assistance if they remain eligible.

Further information about [Independent Travel Training](#) can be found on our Local Offer page.

### **10.3 Public transport bus pass**

Where young people are eligible and the method of transport is determined to be appropriate to offer but the child or young person requires accompanying, the council may offer a public transport bus pass to a parent / carer to meet its obligation to provide free home to school travel assistance [View details of eligibility and how to apply \(leicester.gov.uk website\)](#).

### **10.4 Contracted minibuss, private hire vehicle or taxi**

This includes but may not be limited to:

- Pick up and drop off form/to a collection point or central location locally
- Shared or individual, private hire vehicle or minibus for groups of young people
- Individual taxi, private hire vehicle or minibus for solo travellers (exceptional circumstances only)

## **11. Useful contact details**

### **10.1 Leicester City Council**

If you want information about the assistance that is provided by Leicester City Council for mainstream pupils, call Education Travel on:

Telephone: 0116 454 1009 (Option 2)

Website: [School travel \(leicester.gov.uk\)](http://School%20travel%20(leicester.gov.uk))

If you need individual special needs travel assistance, call the Special Education Service on 0116 454 2050 or email [ses@leicester.gov.uk](mailto:ses@leicester.gov.uk)

If you have any comments on this document that would assist in the policy making, including in-year changes, please contact us as follows:

SEND Transport  
Special Education Needs Service  
Pinder Road  
Leicester  
LE3 9RN

### **10.2 Department for Education**

Website: [Subsidised college travel 16 to 19 \(GOV.UK website\)](http://Subsidised%20college%20travel%2016%20to%2019%20(GOV.UK%20website))

### **10.3 Bus routes and timetable information**

Telephone: 0871 200 2233 (calls cost 12p per minute plus your phone company's access charge)

Telephone: 0145 563 2719

Website: [traveline.info](http://traveline.info)

### **10.4 Learner Support Service**

Residential Support Scheme

Website: [Residential support scheme \(GOV.UK website\)](http://Residential%20support%20scheme%20(GOV.UK%20website))



## 12. Applying for council travel support

Applications for travel support for children and young people with special educational needs or disabilities should be made via the website.

Website: [Transport to school and college \(leicester.gov.uk\)](http://leicester.gov.uk/transport-to-school-and-college)

Applications for travel assistance for students age 16 and above in colleges of further education to commence at the start of the Autumn Term, should be made wherever possible by the last day of the summer term prior to the start of the new academic year. The LA cannot guarantee to provide travel assistance from the first day of the Autumn Term if applications are received after this date. Where late applications are submitted, parents/carers and/or sixth form students may have to make their own interim travel arrangements, the cost of which cannot normally be reimbursed.

Website: [Personal Transport Budget \(leicester.gov.uk\)](http://leicester.gov.uk/personal-transport-budget)

Young people attending further education establishments will need to re-apply annually, providing evidence of both satisfactory attendance and progress.

## 13. Appeals

### 13.1 Appeals Process for pupils with a special educational need or disability

Should parents/carers wish to appeal against the council's decision not to provide travel or against the mode of travel provided they should email [SEND.approvals@Leicester.gov.uk](mailto:SEND.approvals@Leicester.gov.uk) or write to:

Transport Appeals  
Special Education Needs Service  
Pindar Road  
Leicester  
LE3 9RN

The council has a 2-stage review and appeals process as recommended by the Department for Education. The timings for responses may be extended if additional time is required to gather supporting information or delayed by school/college holidays.

Please note that whilst the review and appeal process takes place the parent/carer will remain responsible for arranging and funding for any travel arrangements that a parent/carer may feel is necessary. Throughout the appeals process parents may wish to seek independent advocacy support and advice

The appeals procedure is in two stages:

Stage 1: Review by a Senior Officer of the council.

- A parent/carer has 20 working days from the date of the travel decision letter, to make a formal written request asking for a review of the decision.
- The written request should detail why the parent/carer or young person believes the decision should be reviewed and give details of any personal and/or family circumstances, including medical evidence, they believe should be considered when making the decision is reviewed.
- Within 20 working days of receipt of a written request, a Senior Officer will review the original decision and send a detailed written notification of the outcome of their review, including information about how the parent/carer can escalate their case to stage two (if appropriate)

#### Stage 2: Review by an Independent Appeal Panel:

- If a parent/carer are dissatisfied with the outcome of the review of their case, they have 20 working days from the receipt of their decision letter to make a written request to escalate the matter to stage two.
- Within 40 working days of receipt of the parent/carer's written request an Independent Appeal Panel will be arranged to consider both written and (if the parent /carer wishes to attend the panel hearing) verbal representations from both the parent/carer and officers involved in their case.

The Independent Appeal Panel members will be independent of the original decision-making process (but not required to be independent of the local authority) and suitably experienced, to ensure a balance between meeting the needs of the parent/carers and the local authority.

If a parent/carer or student is still not satisfied with the outcome of the appeal, there is no further right of appeal to the council. However, there is still the right to appeal to the Secretary of State or to take independent legal action.

If a parent/carer or young person feels that their appeal has not been treated fairly or in accordance with the LA's policy, the Local Government Ombudsman can be contacted for help and advice on:


Telephone: 0300 061 0614

Website: [lgo.org.uk](http://lgo.org.uk)

Equality Impact Assessment (EIA) Tool: Post 16 SEND Transport

Title of proposal	EIA related to the removal of post 16 SEND travel support, as included in the: <ul style="list-style-type: none"><li>proposed SEND travel policy for the 2025/26 and subsequent academic years; and</li><li>proposed post-16 transport policy statement for the 2025/26 academic year</li></ul>
Name of division/service	Social Care and Education
Name of lead officer completing this assessment	Maria Coulson, Strategic SEND Transport Lead
Date EIA assessment commenced	18 October 2024
Date EIA assessment completed ( <i>prior to decision being taken as the EIA may still be reviewed following a decision to monitor any changes</i> )	30 April 2025
Decision maker	Assistant City Mayor, Children and Young People

EIA sign off on completion:	Signature	Date
Lead officer		13.05.2025

EIA sign off on completion:	Signature	Date
Equalities officer (has been consulted)	Sukhi Biring, Equalities Officer Surinder Singh, Equalities Officer	13.05.2025
Divisional director		13.05.2025

89

Please ensure the following:

- That the document is **understandable to a reader who has not read any other documents** and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy but must be complete and based in evidence.
- That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.
- That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.
- That the equality impact assessment is started at an early stage in the decision-making process, so that it can be used to inform the consultation, engagement and the decision. It should not be a tick-box exercise. Equality impact assessment is an iterative process that should be revisited throughout the decision-making process. It can be used to assess several different options.
- Decision makers must be aware of their duty to pay 'due regard' to the Public Sector Equality Duty (see below) and 'due regard' must be paid before and at the time a decision is taken. Please see the Brown Principles on the equality intranet

pages, for information on how to undertake a lawful decision-making process, from an equalities perspective. Please append the draft EIA and the final EIA to papers for decision makers (including leadership team meetings, lead member briefings, scrutiny meetings and executive meetings) and draw out the key points for their consideration. The Equalities Team provide equalities comments on reports.

## 1. Setting the context

Describe the proposal, the reasons it is being made, and the intended change or outcome. Will the needs of those who are currently using the service continue to be met?

The proposal concerns intended new policies for the provision of transport assistance to children and young people in education or training. The new policies make significant change to the current policies, by reducing the level of support to young people and adults (aged 16 to 25) who have special educational needs and disabilities (SEND). The changes are being proposed chiefly due to the Council's budget outlook.

The Council provides transport assistance to individuals who attend schools, colleges, and certain other institutions. Broadly speaking that includes children up to the age of 16, young people both between 16 – 18 and in post-16 education, and adults aged 18 or over and often between the ages of 19 – 25 with special educational needs and disabilities (SEND) who have an Education Health and Care Plan (EHCP).

In some cases, those without EHCPs may also receive transport assistance, and the Council looks to support the transition from compulsory education and towards adulthood by focusing on helping young people and adults become independent travellers. The Council has some discretion when it comes to helping young people (post-16 and in education) with transport assistance.

The Council typically provides this transport assistance by a (1) a Council funded bus journey, (2) a Council funded and arranged taxi journey, and (3) a Council provided Personal Transport Budget (PTB). A personal transport budget is a £500 annual payment and a mileage allowance of 45p per mile for four journeys per day.

The Council has a statutory duty to make clear its arrangements for how it will assist certain children, young people, and adults. Those arrangements are outlined in the current SEND Travel Policy and Post-16 Statement. This contains the details of alternate support that may be available at post 16 education and above age.

Although developing independence skill is a valuable life skill, a significant reason for the proposed policy change is the fact that the service is discretionary and the Council needs to make savings.

In the 2024-2025 academic year, the Council is providing transport assistance to approximately 1,600 children, young people, and adults in education. As of March, 2025, this included 208 young people and adults.

The total cost of that provision for young people and adults in 2024/25 is estimated to be £1.8m. Further detailed information about this is contained in the decision report related to this EIA. Formal consultation on future transport assistance took place between 7 November 2024 and 2 January 2025. As a consequence, changes have been made which mitigate the impact and will result in more young people and adults receiving support than originally proposed. This EIA therefore assesses the policy now proposed.

There are 208 young people and adults with SEND in post 16 education in the 2024 - 2025 academic year and who currently receive some form of council funded support. This is estimated to increase to 287 in 2025/26 if the policy does not change.

If the proposed policy and statement were introduced for the 2025 – 2026 academic year, it is currently estimated that;

- Approx. 13% (38 young people or adults) would receive no travel support at all. These young people and adults are not likely to meet the complex SEND definition in the proposed policy, meaning that they, in principle are likely to be able to travel independently.
- Approx. 83% (238 young people or adults) would receive PTB for their individual use instead of Council arranged transport. This may not cover the cost of a taxi for instance but will contribute to the financial burden associated with any additional transport needs.
- Approx. 4% (11 young people or adults) might receive council commissioned transport support because of their exceptional circumstances, but this would be assessed on a case-by-case basis.

The Council recognises that it is not possible to entirely mitigate the impact of the proposed changes on all those affected. Additionally, we cannot realistically find out what travel skills and/or other support arrangements those individuals currently receiving support (or who might have received support in the future) may be able to rely on once changes to the policy take place. Many will have the ability to travel independently, be able to rely on parents/carers to get them to further education, or have other support available to them. Nonetheless, the risk that some young people and adults may leave education, employment or training (despite our best efforts) is acknowledged.

## 2. Equality implications/obligations

Which aims of the Public Sector Equality Duty (PSED) are likely be relevant to the proposal? In this question, consider both the current service and the proposed changes.

### a. Eliminate unlawful discrimination, harassment and victimisation

- How does the proposal/service ensure that there is no barrier or disproportionate impact for anyone with a particular protected characteristic?
- Is this a relevant consideration? What issues could arise?

Post 16 travel assistance is intended to support young people aged 16-25, and there is clearly therefore an impact on the protected characteristic of age (their parents/carers will also be affected and are likely to fall into the working age bracket). All those in receipt of support have some form of disability, and this protected characteristic is therefore highly relevant. The proposals may also affect the characteristics of sex and race as discussed below.

### b. Advance equality of opportunity between different groups

- How does the proposal/service ensure that its intended outcomes promote equality of opportunity for people?
- Identify inequalities faced by those with specific protected characteristic(s).
- Is this a relevant consideration? What issues could arise?

Post 16 travel helps advance equality of opportunity for children with SEND who may otherwise be unable to continue in education. There is a risk that some will no longer be able to do so because of the change in policy, but these risks have been mitigated as discussed below. By providing information surrounding eligibility, in principle the proposed policy will empower more young people to travel independently wherever possible and support families to plan ahead.

The Council is unlikely to be able to fully mitigate the impact of the changes to the policy and statement on those with SEND, though to do everything reasonably possible to mitigate the impact the Council will consider exceptional circumstances, and that commitment is contained within the proposed policy. The Council has embedded systems in place to ensure that each young person's situation is evaluated at a senior level with cross-team support to ensure effective communication.



### **c. Foster good relations between different groups**

- Does the service contribute to good relations or to broader community cohesion objectives?
- How does it achieve this aim?
- Is this a relevant consideration? What issues could arise?

This aim is furthered by enabling post 16 students with SEND to continue in education, socialising with their peers who do not have SEND. There is a risk these opportunities will diminish, but the mitigating factors apply equally to this aim.

## **3. Who is affected?**

Outline who could be affected, and how they could be affected by the proposal/service change. Include people who currently use the service and those who could benefit from, but do not currently access the service.

The changes to the policy will affect young people and adults with SEND, including those with a care experienced background. In future, some of those currently receiving support will no longer do so, or will receive lesser support. They may consequently have to make alternative arrangements or pay for travel themselves. The same considerations apply to those who would otherwise have received support in the future.

## **4. Information used to inform the equality impact assessment**

What **data, research, or trend analysis** have you used?

Describe how you have got your information and what it tells you

Are there any gaps or limitations in the information you currently hold, and how you have sought to address this? E.g. proxy data, national trends, equality monitoring etc.

Data is collected within Social Care and Education Department but there is a need to improve data on the protected characteristics of those awarded or denied transport support. This is reflected in the action plan. We have the following:

- Overview of main protected characteristics of those using the service including from other sources within the Council which might lead to a travel plan.
- Research with other councils to understand their SEND Transport arrangements (many other councils have similar policies to the proposed policies, including Leicestershire).
- Research with post-16 providers to understand the available support they offer to learners.
- Research into the level and quality of independent travel training
- Lead commissioner attendance at the “Big Mouth” Young People’s Forum, to hear the views of young people with SEND who represent their peers.
- Engagement with parents of some young people who are affected by the changes, to support the drafting of consultation questions
- A consultation exercise – see section 5 below and section 7 of the report.

## 5. Consultation

What **consultation** have you undertaken about the proposal with people who use the service or people affected, people who may potentially use the service and other stakeholders? What did they say about:

- What is important to them regarding the current service?
- How does (or could) the service meet their needs? How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)?
- Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

- Planning for these changes has been taking place for some years, and the Council has worked with the Parent Carer Forum and the “Big Mouth Forum” representing young people. The Council has also worked with those who represent learners, parents and carers to determine how best to prepare for adulthood.
- An 8-week public consultation on Citizen Space was undertaken between 7th November, 2024 and 2nd January, 2025 on the original proposed policy.
- A group of parents helped shape the consultation questions.
- There were 348 responses to the consultation on the original proposed policy. These are discussed in more detail in the report, but in summary there was a high degree of concern about the proposals. The final policy seeks to mitigate these concerns by increasing the support offered, including a more individualised “limited exceptional circumstances” process.
- The Children, Young People and Education Scrutiny Committee considered the proposals on 25<sup>th</sup> February, at a meeting with significant public engagement. This is further discussed in the report.
- It is apparent from this work that impact is felt not just by a student with a protected characteristic – there are knock-on consequences for parents / carers. This emphasises the need for a consistent focus on preparing for adulthood from an early age (year 9 at the latest), with particular emphasis on independent travel.

## 6. Potential Equality Impact

Based on your understanding of the service area, any specific evidence you may have on people who use the service and those who could potentially use the service and the findings of any consultation you have undertaken, use the table below to explain which individuals or community groups are likely to be affected by the proposal because of their protected characteristic(s). Describe what the impact is likely to be, how significant that impact is for individual or group well-being, and what mitigating actions can be taken to reduce or remove negative impacts. This could include indirect impacts, as well as direct impacts.

Looking at potential impacts from a different perspective, this section also asks you to consider whether any other particular groups, especially vulnerable groups, are likely to be affected by the proposal. List the relevant groups that may be affected, along with the likely impact, potential risks and mitigating actions that would reduce or remove any negative impacts. These groups do not have to be defined by their protected characteristic(s).

### Protected characteristics

#### Impact of proposal:

Describe the likely impact of the proposal on people because of their protected characteristic and how they may be affected. Why is this protected characteristic relevant to the proposal? How does the protected characteristic determine/shape the potential impact of the proposal? This may also include **positive impacts** which support the aims of the Public Sector Equality Duty to advance equality of opportunity and foster good relations.

#### Risk of disproportionate negative impact:

How likely is it that people with this protected characteristic will be disproportionately negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?

#### Mitigating actions:

For disproportionate negative impacts on protected characteristic/s, what mitigating actions can be taken to reduce or remove the impact? You may also wish to include actions which support the positive aims of the Public Sector Equality Duty to advance equality of opportunity and to foster good relations. All actions identified here should also be included in the action plan at the end of this EIA.

## **a. Age**

Indicate which age group/s is/ are most affected, either specify general age group - children, young people working age people or older people or specific age bands

### **What is the impact of the proposal on age?**

This policy affects young people with SEND (post 16 up to age 25), and those in years 9 to 10 who will shortly be in this age group.

The council's travel assistance policy currently provides for assistance to be awarded for young people aged 16-25 in line with the statutory offer for children and young people aged 5-16.

Amending the travel assistance policy and reducing service provision will impact young people aged 16-25 who would otherwise receive this support. It is projected that 287 students aged 16-25 would have benefitted under the current policy in the 2025/26 academic year, and could therefore be negatively affected by the proposed policy change.

Also affected are the parents/carers of young people, who are likely to be predominantly working age.

### **What is the risk of disproportionate negative impact on age?**

There is clearly a risk that the new policies will have a disproportionate impact on the protected characteristic of age, given that only young people benefit from the policy.

Appropriate support for children, young people/young adults to develop through education is required, particularly travel training which the Council provides and plans to enhance.

There is a risk that educational attendance will be impacted: this is monitored closely by educational settings. Students may also be impacted by longer journeys if parents need to use public transport to support attendance. There is likely to be an impact on families who will need to support their children's travel to and from educational settings.

### **What are the mitigating actions?**

Changes have been made to the original proposed policy to mitigate its impact, as discussed in the report.

Whilst it is not possible to entirely mitigate the impact, the changes go a long way towards this, and will be complemented by a major enhancement to the Council's travel training provision. Other sources of funding and support are available, and there is an appeals process.

'Exceptional circumstances' will be investigated thoroughly on every occasion that they are claimed.

A review of SEND placement sufficiency is underway to maximise educational choice in the city for learners, parents and carers.

The "Preparing for Adulthood" strategy has been developed and implemented to ensure an adequate focus is placed upon independence skills.

A Post 16 SEND education strategy is being developed to support the right education being available at the right time for the learner.

Travel training has been offered to educational institutions and other adult stakeholders to equip them to teach young people. A communication plan to support engagement with key stakeholders has been developed.

A project is looking at the way in which SEND transport for all age groups is currently provided and with the specific purpose of identifying opportunities for service improvement and efficiency.

Continued engagement takes place with a range of professionals to ensure that potential exceptional circumstances are communicated to the council, so that arrangements can be put in place where appropriate.

## **b. Disability**

If specific impairments are affected by the proposal, specify which these are. Our standard categories are on our equality monitoring form – physical impairment, sensory impairment, mental health condition, learning disability, long standing illness or health condition.

## What is the impact of the proposal on disability?

Disability is clearly a protected characteristic where there is inevitably disproportionate impact. SEND encompasses a broad range of learning challenges and disabilities, including those that impact a child's ability to learn, understand, or perform tasks. Not all children with special educational needs are disabled. At the same time, a child or young person may be disabled but will only have special educational needs if the disability impacts on his or her learning.

Young people with SEND are affected by this proposed policy, which could lead to them receiving reduced or no transport support compared to the current policy

The following data is from the [CYP Data Briefing December 2024](#):

- There are over 10,000 children in Leicester schools with recorded SEND. This includes about 3,000 children with an EHCP, and 7,500 children with other SEND support resident in Leicester.
- The proportion of EHCP is rising in Leicester, England and comparator areas. It is currently 4.2% in Leicester and 4.8% in England.
- The percentage of pupils receiving any SEND support (excluding EHCP) in Leicester is 11.9%. This is also lower than the national rate of 13.6%.
- There are higher rates of SEND and EHCP in our most deprived areas, particularly the outer social housing estates. SEND and EHCP rates are significantly lower in some of our most diverse neighbourhoods. In March 2025, approximately 1,600 children and young people were receiving SEND transport support.

It is projected that 287 students aged 16-25 would have benefitted under the current policy in the 2025/26 academic year, and could therefore be negatively affected by the proposed policy change. Some of these will meet the definition of “complex SEND needs” which will automatically qualify for support under the new proposals. Some may also have “limited exceptional circumstances”

Where an application has multiple dimensions, a panel of subject matter experts will convene to ensure all relevant factors are taken into account in the decision making process.

### **What is the risk of disproportionate negative impact on disability?**

Pupils who have an EHCP may not have the independence skills to access public transport and may require additional support from parents/carers.

There is a risk that young people with SEND will not be able to continue in post 16 further education if learners, parents / carers and educational establishments do not work with the council to plan practically for post 16 further education.

### **What are the mitigating actions?**

Changes have been made to the original proposed policy to mitigate its impact, as discussed in the report. More comment is made under age (above) and is not repeated here.

## **c. Gender reassignment**

Indicate whether the proposal has potential impact on trans men or trans women, and if so, which group is affected.

### **What is the impact of the proposal on gender reassignment?**

It is not anticipated that the policy changes will impact on transgender people.

### **What is the risk of disproportionate negative impact on gender reassignment?**

- None anticipated

### **What are the mitigating actions?**

- Not applicable as no negative impacts are anticipated.



**d. Marriage and civil partnership**

**What is the impact of the proposal on marriage and civil partnership?**

- None identified

**What is the risk of disproportionate negative impact on marriage and civil partnership?**

- None anticipated

**What are the mitigating actions?**

- Not applicable as no negative impacts are anticipated.

**e. Pregnancy and maternity**

**What is the impact of the proposal on pregnancy and maternity?**

None identified

**What is the risk of disproportionate negative impact on pregnancy and maternity?**

- None anticipated

**What are the mitigating actions?**

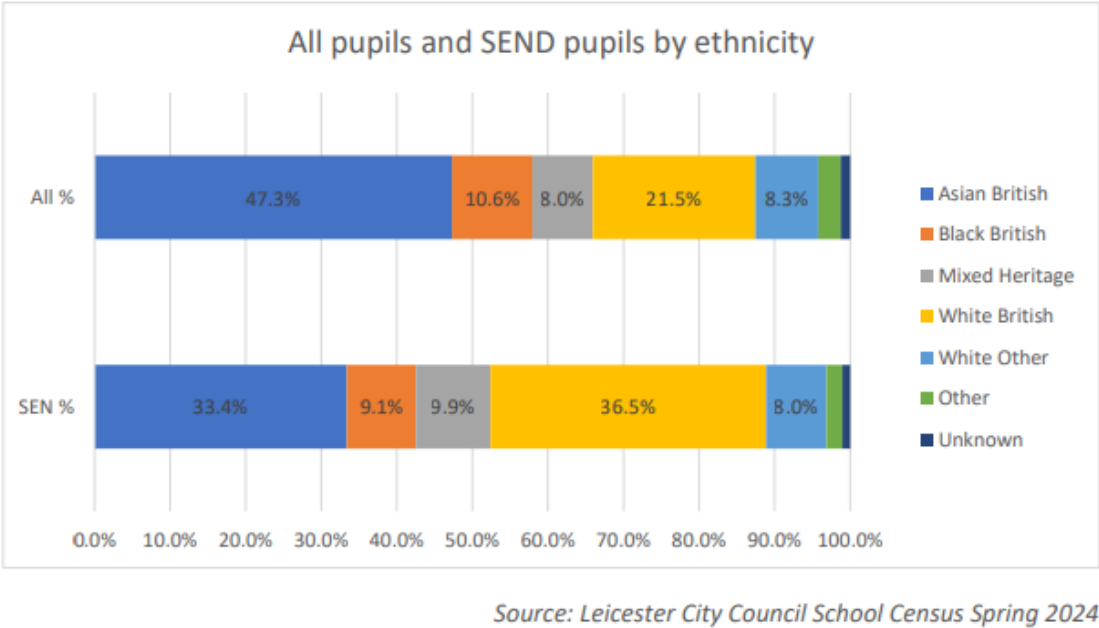
- Not applicable as no negative impacts are anticipated.

**f. Race**

**What is the impact of the proposal on race?**

The following data is from the [CYP Data Briefing December 2024](#)

Leicester is a diverse city with significant minority communities. As can be seen from the data below, white British children and young people are proportionately more likely to have SEND, and British Asian children and young people proportionately less so.



**What is the risk of disproportionate negative impact on race?**

- The changes could disproportionately affect white British children and young people, as long as all age SEND is a reasonable predictor of 16-25 entitlement to travel support (intuitively, it should be).

### **What are the mitigating actions?**

- The mitigation measures as discussed under “age” above.

### **g. Religion or belief**

If specific religious or faith groups are affected by the proposal, our equalities monitoring form sets out categories reflective of the city’s population. Given the diversity of the city there is always scope to include any group that is not listed.

#### **What is the impact of the proposal on religion or belief?**

None identified.

#### **What is the risk of disproportionate negative impact on religion or belief?**

- None anticipated

#### **What are the mitigating actions?**

- Not applicable as no negative impacts are anticipated.

### **h. Sex**

Indicate whether this has potential impact on either males or females

#### **What is the impact of the proposal on sex?**

It is recognised that in family convention generally it is the woman that takes on more of the childcaring role and therefore if parents are required to have more involvement that may well disproportionately impact women. As such it is implied that there may be an increased burden on female parents/carers compared to male parents/carers.

**What is the risk of disproportionate negative impact on sex?**

That where there is increased an increased burden on parents/carers, it would disproportionately impact women.

**What are the mitigating actions?**

As discussed above under “age.”

**i. Sexual orientation**

**What is the impact of the proposal on sexual orientation?**

- is not anticipated that there will be an impact on people depending on their sexual orientation

**What is the risk of disproportionate negative impact on sexual orientation?**

- None anticipated

**What are the mitigating actions?**

- Not applicable as no negative impacts are anticipated.

## **7. Summary of protected characteristics**

**a. Summarise why the protected characteristics you have commented on, are relevant to the proposal?**

The new policies concern transport support to students with SEND, aged 16-25. Thus, they inevitably have a disproportionate impact on the protected characteristic of age, given their impact on young people. They also impact the parents and carers of young people who are likely to be broadly in the same age bracket (working age adults). As caring responsibilities are more likely to be assumed by women, there is a potential disproportionate impact on the protected characteristic of sex.

Disproportionate impacts on any other characteristic will depend on the extent to which those with that characteristic are likely to have conditions which give rise to entitlement under the current policy. The only one we have identified is race, where (if all age SEND is a predictor of entitlement to transport for the 16-19 age group) there would be a disproportionate negative impact on the white British group.

Many of those who would otherwise be entitled to travel support will have a disability, so this protected characteristic is significantly affected.

**b. Summarise why the protected characteristics you have not commented on, are not relevant to the proposal?**

- No identifiable impact.

## 8. Armed Forces Covenant Duty

The Covenant Duty is a legal obligation on certain public bodies to 'have due regard' to the principles of the Covenant and requires decisions about the development and delivery of certain services to be made with conscious consideration of the needs of the Armed Forces community.

When Leicester City Council exercises a relevant function, within the fields of healthcare, education, and housing services it must have due regard to the aims set out below:

**a. The unique obligations of, and sacrifices made by, the Armed Forces**

These include danger; geographical mobility; separation; Service law and rights; unfamiliarity with civilian life; hours of work; and stress.

**b. The principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the Armed Forces**

A disadvantage is when the level of access a member of the Armed Forces Community has to goods and services, or the support they receive, is comparatively lower than that of someone in a similar position who is not a member of the Armed Forces Community, and this difference arises from one (or more) of the unique obligations and sacrifices of Service life.

**c. The principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the Armed Forces**

Special provision is the taking of actions that go beyond the support provided to reduce or remove disadvantage. Special provision may be justified by the effects of the unique obligations and sacrifices of Service life, especially for those that have sacrificed the most, such as the bereaved and the injured (whether that injury is physical or mental).

Does the service/issue under consideration fall within the scope of a function covered by the Duty (healthcare, education, housing)? Which aims of the Duty are likely be relevant to the proposal? In this question, consider both the current service and the proposed changes. Are members of the Armed Forces specifically disadvantaged or further disadvantaged by the proposal/service? Identify any mitigations including where appropriate possible special provision.

The proposed policy and statement falls within the scope of the armed forces covenant duty. There is no evidence that the armed forces are specifically disadvantaged.

## 9. Other groups

### Other groups

#### Impact of proposal:

Describe the likely impact of the proposal on children in poverty or any other people who we may consider to be vulnerable, for example people who misuse substances, ex armed forces, people living in poverty, care experienced young people, carers. List any vulnerable groups likely to be affected. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their needs/address inequalities they face?

#### Risk of disproportionate negative impact:

How likely is it that this group of people will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?

#### Mitigating actions:

For negative impacts, what mitigating actions can be taken to reduce or remove this impact for this vulnerable group of people? These should be included in the action plan at the end of this EIA. You may also wish to use this section to identify opportunities for positive impacts.

### a. Care Experienced People

This is someone who was looked after by children's services for a period of 13 weeks after the age of 14', but without any limit on age, recognising older people may still be impacted from care experience into later life.

#### What is the impact of the proposal on Care Experienced People?

Care experienced young people have often experienced trauma. This can be known to affect SEND needs. They may also not have the level of family support surrounding them as others. We do not hold the data to know whether or not they are more likely than others to receive transport support, but intuitively it seems likely.

### **What is the risk of negative impact on Care Experienced People?**

Potentially greater than the population as a whole.

### **What are the mitigating actions?**

- b. As discussed under 'age' above, and potential consideration under the “exceptional circumstances” criteria.

### **c. Children in poverty**

#### **What is the impact of the proposal on children in poverty?**

Children in poverty are likely to be from families with less financial resilience. This is likely to affect the options to transport their children to school.

Those in post 16 education who become NEET (not in employment education or training) do not have benefit entitlements.

#### **What is the risk of negative impact on children in poverty?**

Those with legal parental responsibility may not have as many available options to transport their young person if they cannot travel independently.

#### **What are the mitigating actions?**

Express provision within the policy for those with “limited exceptional circumstances” who would otherwise experience “demonstrable financial hardship”.

### **d. Other groups**

#### **What is the impact of the proposal on any other groups?**

All service users accessing this provision are vulnerable in some way. Young people who are looked after may be affected to a greater extent than young people as a whole.



**What is the risk of negative impact on any other groups?**

Children who are looked after have already experienced adversity during childhood and may be experiencing or recovering from trauma. They may require additional parental/carers support to continue in post-16 education.

**What are the mitigating actions?**

Partnership working between council teams to ensure arrangements appropriately mitigate needs.

A robust approach to safety in the consideration of applications.

## **10. Other sources of potential negative impacts**

Are there any other potential negative impacts external to the service that could further disadvantage service users over the next three years that should be considered? For example, these could include:

Government policies or proposed changes to current provision by public agencies (such as new benefit arrangements) that would negatively affect residents.

Possible further economic downturn increasing financial pressures on families and particularly those where young people are in poverty.

The ability of the council (and other services such as the NHS) to continue to fund non-statutory services that support young people (due to the current financial situation).

## **11. Human rights implications**

Are there any human rights implications which need to be considered and addressed (please see the list at the end of the template), if so please outline the implications and how they will be addressed below:

Part 1: The convention rights and freedoms, Article 14 – the right not to be discriminated against

Students with SEND are entitled to access education, and the law affords them specific protections. However, as the law affords an element of discretion to local authorities, it is critical that our operational processes are robust and applied consistently.

### Part 2: First Protocol, Article 2 – the right to education

It is essential to implement the new policies consistently, to avoid creating barriers to education.

## **12. Monitoring impact**

You will need to ensure that monitoring systems are established to check for impact on the protected characteristics and human rights after the decision has been implemented. Describe the systems which are set up to:

- monitor impact (positive and negative, intended and unintended) for different groups
- monitor barriers for different groups
- enable open feedback and suggestions from different communities
- ensure that the EIA action plan (below) is delivered.

If you want to undertake equality monitoring, please refer to our [equality monitoring guidance and templates](#).

- As part of a project to ensure that SEND transport is delivered as effectively as possible in the city there is a strong focus on looking at the cost and benefit of journeys for children and young people. This is built into operational processes and management information will be reported at director level regularly.
- The council recognises that it does not collect information about all protected characteristics. We will begin to collect it through the application form for transport, and collate it.
- Monitoring of the appeal process will allow for impacts to be tracked across protected characteristics.
- Student attendance is monitored.

### 13. EIA action plan

Please list all the equality objectives, actions and targets that result from this assessment (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Officer Responsible	Completion date
Greater educational choice for students with SEND to continue to be developed within Leicester City.	A review of SEND placement sufficiency	Michael Wilsher – Head of Education Sufficiency and Admissions	April 2026
To ensure that engagement with stakeholders takes place, to continue to monitor the impacts of the policy once implemented.	To develop an engagement strategy	Caroline Joliffe – Head of SEND Integrated Services	April 2026
Improved independence skills for young people post-16	Continued implementation of the Preparing for Adulthood Strategy including travel training.	Caroline Joliffe – Head of SEND Integrated Services	March 2026
Support is provided to those most in need.	‘Exceptional circumstances’ are investigated thoroughly on every occasion where claimed.	Sophie Maltby – Director of SEND and Education.	Business as usual activity with no end date.
Ensure we have accurate data on protected characteristics of those using the service to monitor the impact on particular protected characteristics over time.	Collect information through the application form for transport and collate it	Maria Coulson, Strategic SEND Transport Lead	Ongoing

This EIA will be updated pending the outcome of the Assistant Mayor’s decision and will be regularly considered following any decision.

## **Human rights articles:**

### **Part 1: The convention rights and freedoms**

**Article 2:** Right to Life

**Article 3:** Right not to be tortured or treated in an inhuman or degrading way

**Article 4:** Right not to be subjected to slavery/forced labour

**Article 5:** Right to liberty and security

**Article 6:** Right to a fair trial

**Article 7:** No punishment without law

**Article 8:** Right to respect for private and family life

**Article 9:** Right to freedom of thought, conscience and religion

**Article 10:** Right to freedom of expression

**Article 11:** Right to freedom of assembly and association

**Article 12:** Right to marry

**Article 14:** Right not to be discriminated against

### **Part 2: First protocol**

**Article 1:** Protection of property/peaceful enjoyment

**Article 2:** Right to education

**Article 3:** Right to free elections

### **Purpose of The Briefing Paper**

- 1.1 This briefing paper provides further context to proposals to:
  - approve the new SEND travel policy for the 2025/26 and subsequent academic years
  - approve the new post-16 transport policy statement for the 2025/26 academic year
- 1.2 The paper gives a short history of the Council’s consideration of making changes to the policy, the response to previous recommendations by the Children, Young People and Education Scrutiny Committee, the submissions by lobby group STILL SEND (16+) and benchmarking with other Councils.
- 1.3 The drivers for the proposed changes are to mitigate an unsustainable growth in costs and provide better services to promote independence.

### **SEND Home to School Travel Policy and Post-16 Travel Policy Revision 2022**

- 2.1 A revised SEND Home to School Travel Policy and Post-16 Travel Policy was agreed on 25 March 2022. This followed a consultation process which, despite writing to some 700 parents directly and publicity through the Parent Carer Forum, SENDIASS and special schools, garnered a very minimal response. The proposed changes removed transport for post 16 individuals bar “exceptional circumstances”. Transitional arrangements were put in place so that the policy was effectively not to be implemented until September 2024. The proposed changes were to affect new and existing children with SEND. The policy was reviewed by the Children Young People and Education Scrutiny Commission on 8 March 2022 who supported approval of the policy change.
- 2.2 The policy was prepared for implementation in 2024 but received a belated threat of legal challenge; an omission in publishing a post-16 Transport Policy Statement in 2023 left a significant risk of a Judicial Review and as such the changes were withdrawn with a fresh consultation taking place in 2024.
- 2.3 The proposed policy being put forward for decision in 2025 is significantly more generous than the policy which received support from the CYP&E Scrutiny Commission in 2022.

### **Children, Young People and Education Scrutiny Commission - 25 February 2025**

- 3.1 The Director of SEND and Education submitted a report. The report set out the approach that the Council intended to adopt during the 2025-2026 academic year, for the provision of transport assistance to certain individuals who attend schools, colleges or other providers.
- 3.2 It was explained that whilst it was compulsory for all young people to remain in education, employment or training until the age of 18/19 years, there was not a statutory duty to provide Post 16 SEND School Transport. A change in legislation was recommended, to allow funding for said transport. A letter had been sent to the Secretary of State for Education and City MPs were urged to lobby on the issue.
- 3.3 The Strategic Director of Social Care and Education gave an overview of the prospective Post-16 SEND Home to School Transport policy. Key points to note were as follows:
  - The decision was still pending, allowing due scrutiny.
  - A formal decision had been made recently to accept the budget proposals for the upcoming year recently agreed in Full Council.

## APPENDIX X - ADDITIONAL INFORMATION - SEND Post-16 Transport: Proposed Policies

- There was a savings target of half a million pounds in the budget proposal for Children and Young People's services but it where the savings were to be found was unspecified
  - Funds normally taken for discretionary provision would now be utilised for statutory school age transport arrangements including earlier intervention with travel training.
  - Pressures on SEND school transport had increased with the numbers of Education and Health Care Plans (EHCPs), rising National Insurance costs for transport providers, fuel costs and enhanced National Living wage.
  - The cost of discretionary travel for Post 16 SEND students presents an unsustainable pressure going forward.
  - Efforts had been made to provide clear policy proposals, despite the complexity of legislation.
- 3.4 The Chair invited The Strategic Director of Social Care and Education to provide a response to the statement submitted by STILL SEND 16+ (attached). It was advised that the report covered the areas raised, but the statement could be taken for reflection when forming the final decision.
- 3.5 The Scrutiny Commission made the following recommendations and officers have responded to them as follows:
- **Officers to reflect on wider implications of the statement from Ms Northey and consideration to be given to the option contained within it**
- When drafting the final proposed policy for a decision by the Assistant Mayor officers considered the implications of the statement Ms Northey combined with consultation response and recommendations made by scrutiny. Changes have been made to the policy itself to ensure that there is individual assessment of needs and for inclusion of a wider cohort to receive Personal Transport Budgets. Transitional arrangements have been added to the policy.
- **Officers to look again at suggestion that parents and Young People should choose educational institutions closer to home**
- The draft decision report highlighted the legal obligation of the Assistant City Mayor to ensure that individuals in Leicester had reasonable opportunities to choose between different education or training establishments, and the final decision report also takes this into account. The policy does not undermine the fact that the placement must meet educational need as specified in a young person's EHC Plan. There remains choice by the parents and young person to request an institution, which may be further from home, but the local authority will not need to fund this unless directed to do so by a Tribunal. Tribunals tend only to direct this where costs are similar.
- **Officers to consider how to enable as many young people as possible to remain in relevant educational institutions and reassurance to be given that places are available for young people to continue education for as long as possible in the appropriate educational institution**
- Our response:** The final policy makes transitional arrangements for those going from year 12 to 13 where they are continuing a course of education so that their education is not disrupted. We talk later in this document about the need to ensure appropriate provision across the city.
- **Impact to be tracked and reported on to scrutiny**

**Our response:** A commitment has been made to report back to scrutiny on the impact of any policy change as soon as meaningful data is available.

- **Wording on 4.4.35 "If travel is temporarily or permanently withdrawn for behavioural reasons parents would be responsible for getting their children to school and for any costs incurred." to be revised.**

**Our response:** The wording has been changed to reflect the need for full assessment of the factors behind any such behaviour and engagement in attempts to address and modify it.

- **Data to be provided on Travel Plans and how they affect families**

**Our response:** This was interpreted to reference Cllr March's question surrounding data regarding Independent Travel Training and data was provided. There are plans and a commitment to extend the range of travel training over the course of the next academic year drawing from best practice and with a medium-term goal to start this earlier in a young persons' schooling to build confidence over time.

- **Forecasts and assumptions on costs to be looked at again**

**Our response:** Forecasts and assumptions have been reviewed based on the latest data. This has included an improved financial position because of a taxi re-tendering exercise which has driven out savings by using a dynamic purchasing system. There has also been an uptake in Personal Transport Budgets by parents of school aged children. This has allowed us to alter the proposed policy so that our forecast is that 83% of young people will receive a Personal Transport Budget and 4% will receive commissioned transport or an enhanced offer. All young people will be able to benefit from a travel training offer.

- **Consideration to be given to the need to avoid young people becoming NEET**

**Our response:** The Council continues to operate a Connexions service to support the most vulnerable young people before they leave school, those at risk of becoming NEET and those who are NEET. The service supports young people up to the age of 18 or up to 25 years old if they have an EHC plan working across secondary mainstream, special and independent schools, colleges, training providers and in the community.

The Connexions team has 15 members of staff of whom 6 who are employed as SEND Personal Advisors (SEND PA). In 23/24 academic year the service supported 481 pieces of work with young people who have an EHCP plan. These pieces of work have included:

- advice and guidance with a young person and/or their parent
- attendance at Annual Reviews
- completion or support with applications for Post-16 provision
- advocacy (both across the Local Authority and with external partners)
- interview/assessment support (including attending visits and interviews with young people)

Leicester City Council also continues to invest significantly in the development and expansion of Supported Internship (SI) opportunities. Led by the Connexions Team, Ellesmere, Gateway and Leicester Colleges in partnership with Project Search. SIs are 1-year programmes designed for young people up to the age of 25 with an EHCP. A young person accesses academic support in an education provision, whilst spending the majority of their time in a host workplace. During the SI a job coach works alongside them to help them to break down and learn different tasks, enabling increased independence and work readiness. Travel training is also an integral part of the SI offer. Host businesses currently include Leicester City Council, University Hospitals

Leicester, Voco Hotels, Marriott Hotels, Leicester University and Chartwells. In 23/24 academic year 73% of interns went on to secure paid employment.

### **“STILL SEND 16+” Statement to Scrutiny - 6th April**

- 4.1 In their statement to the 6th April Children, Young People and Education Scrutiny Commission STILL SEND 16+ welcomed the progress made by Leicester City Council in developing its Post-16 Transport policy, particularly the involvement of finance and legal teams in shaping a more robust framework. However, the group noted that since submitting its original statement to the council, the policy landscape had shifted significantly—most notably due to the High Court judgement in the case of *TYC (by his litigation friend and mother, KVD) v Birmingham City Council*, delivered on 13 March 2025.
- 4.2 **Our response:** This ruling was directly relevant to the concerns raised by STILL SEND 16+. In the Judge’s analysis and conclusion, it was made clear that local authorities must act reasonably in the performance of their duties. Specifically, the Judge stated that councils must not implement blanket policies that exclude the possibility of discretionary travel support. Instead, they were required to consider the individual circumstances of each applicant and properly engage with the reasoning provided by families. STILL SEND 16+ argued that this judgement supported their previously proposed Option 4—namely, a flexible policy in which each application was individually assessed, and alternatives to a Personal Transport Budget (PTB) were made available where appropriate. It was confirmed that the local authority was aware of the ruling and that it was being taken into account in the drafting of the final policy and transport statement.
- 4.3 STILL SEND 16+ also expressed concern over the continued assertion, stated in the council’s Action Update (2.3), that the needs of all young people with SEND could be met within the boundaries of Leicester City. While the group supported efforts to expand local provision, it insisted that the council must recognise that, in some cases, provision outside the city was necessary to meet specific and often complex needs. Many young people required placements in therapeutic or highly specialist settings not available within the city limits. To deny this, they argued, was inconsistent with the council’s own history of out-of-area placements.
- 4.4 **Our response:** It is recognised in the final policy that provision may not all be within the boundaries of Leicester City itself and provision named in an EHC plan might be further afield either due to any provision in the city that can meet need or as a matter of parental preference.
- 4.5 Further concerns were raised regarding Actions 3 and 4 of the council’s update, which related to young people already undertaking post-16 courses. STILL SEND 16+ emphasised that those who had begun study programmes needed to be supported to complete them, regardless of location. This position was, they stated, backed by the High Court judgement, which noted that transport disruption had led to sharp declines in school attendance and had negatively affected the claimant’s wellbeing. The group asserted that Leicester City Council had a duty to ensure that no local young person suffered similar consequences due to changes in transport policy.
- 4.6 **Our response:** Mitigation has been made to the policy to allow for the transition year to minimise the disruption to those in the middle of courses during what would be their sixth-form years,
- 4.7 Another key issue identified was the oversimplification of behavioural and SEND needs. STILL SEND 16+ strongly challenged the implication, found in Action Update 6.2, that such complex factors could be generalised or uniformly categorised.



## APPENDIX X - ADDITIONAL INFORMATION - SEND Post-16 Transport: Proposed Policies

- 4.8 **Our response:** The claimant in the Birmingham case, for example, had a range of overlapping conditions including behavioural challenges, and the success of that legal case underscored the need for a nuanced understanding and greater flexibility which is now embedded into our assessment process. As stated above, the authority has taken the ruling into consideration in the final policy which has had oversight from a specialist barrister.
- 4.9 The group also relayed concerns expressed by Minister Liz Kendall in a meeting, where she expressed concern regarding the potential increase in NEET (Not in Education, Employment or Training) figures resulting from restrictive transport policies.
- 4.10 **Our response:** The Assistant Mayor has written to government to lobby for a change in duties, and the consequent funding, to extend education transport to young people with SEND past statutory school age. This report goes on to describe the support given to students with SEND who are risk of becoming NEET.

### STILL SEND Statement 6 May 2025

- 5.1 The intention to make a decision on SEND Transport was published on 2 May 2025 with the decision due on 13 May 2025. The “STILL SEND” group produced an additional statement on 6 May 2025 which they sent to an audience including members of the Children, Young People and Education Scrutiny Commission. In their statement they begin with a general point about the potential level of saving.
- 5.2 **Our response:** The financial picture is covered in the Decision report including the issue of the wider Council finances and the additional pressure of providing discretionary transport provision. Reasonable assumptions and projections have been made on finances based on a case-by-case review of the entire current cohort.
- 5.3 The statement goes on to raise three areas and provide a position from the STILL SEND group. In relation to financial hardship their position is that “the “demonstrable financial hardship” test should instead be used to determine whether parents should pay a reasonable contribution towards the cost of transport, as in Leicestershire County Council and others”.
- 5.4 **Our response:** Leicestershire’s policy, and that of other local Councils, is explained in the Benchmarking section below. It is correct that parents are asked for a financial contribution if the young person as exceptional circumstances and transport is provided but generally. Leicester City Council is not suggesting that parents would be asked to make a contribution in such circumstances. The proposal put forward for the decision is more generous than that in the Leicestershire County Council.
- 5.5 The statement also comments on exceptional circumstances.
- 5.6 **Our response:** The policy is now in line with the legal judgement, highlighted by the STILL SEND group themselves, *f TYC (by his litigation friend and mother, KVD) v Birmingham City Council* which means there will be an individual assessment in each case and the ability of parents to put forward evidence of the impact on issues such as employment (for example where working hours cannot be changed or employers will not consider reductions or flexible working in relevant cases) and household finances so that families do not find themselves in poverty, as the statement describes.
- 5.6 The process of individual assessment builds on the current process and sufficient resource is already in place to manage these. The process will be improved through the development of a web-based portal for applications at minimal cost as part of the department’s efficiency plans. An appeals process has been designed with timescales in line with national guidance.

## APPENDIX X - ADDITIONAL INFORMATION - SEND Post-16 Transport: Proposed Policies

- 5.7 The statement also touches on the transitional arrangement. Post-16 courses are almost exclusively one or two years aside from university courses where funding and support are separate from the local authority and an EHCP. If a young person on a three-year long course was at risk of their education being disrupted due to transport the policy makes provision for this to be looked at as an exception on a case-by-case basis.
- 5.8 **Our response:** For those who have places specified for year 12 they will be aware of the possibilities of a policy change. Support will be available to any young person and family where year 12 arrangements risk reduction due to the change of policy. This may include travel training over the summer holiday in appropriate cases.

### **Independent Travel Training**

- 6.1 There are some very good and effective practice examples of independent travel training (ITT) at some schools and colleges which can be built on. The financial modelling for all age SEND includes an additional investment of £300,00 per annum to grow the availability of ITT and to ensure that where appropriate this happens early in a child's secondary education journey so that they are confident in independent travel before the age of 18. Plans for how this will be delivered are currently being formulated ready for the new academic year.

### **Benchmarking**

- 7.1 Many local authorities have already reviewed and revised their post-16 SEND transport policies to better meet the needs of young people with special educational needs and disabilities, while also managing demand and resources more effectively. A comparison of the current offers from Nottingham City, Derby City, and Leicestershire reveals a range of approaches, each tailored to local circumstances and priorities.
- 7.2 Nottingham City considers eligibility based on the presence of "significant SEND," a term broadly aligned with what some authorities define as "complex SEND need." The support provided can vary, including options such as travel training, a Personal Transport Budget (PTB), or council-funded transport. However, if council-funded transport is provided, there may be a charge, though the exact amount is not specified in the policy. Eligibility and the type of support offered are determined by the Special Educational Needs (SEN) service following an individual needs assessment.
- 7.3 Derby City offers a more flexible, discretionary approach. In some cases, free shuttle buses are available to Derby College, which provides an accessible transport option for students attending that institution. The standard offer across the city is a Personal Transport Budget, supporting families in arranging their own transport solutions. Council-funded transport is reserved for exceptional circumstances, assessed on a case-by-case basis, and there is no charge when such transport is approved.
- 7.4 Leicestershire has adopted a more uniform approach for young people aged 16 to 19 with eligible SEND needs. Since September 2021, traditional transport methods—such as taxis and council fleet minibuses—have largely been phased out and replaced by direct payments in the form of a Personal Transport Budget. The value of the PTB is determined by factors including journey length and number of days required. Exceptions to this model may still be made on a case-by-case basis. The authority also applies a means-tested contribution system: low-income families are asked to pay an annual contribution of £330, while non-low-income families pay 50% of the full charge. Notably, there is no charge at all for eligible students aged 19 to 25. Leicester City Council would not be requesting a financial contribution under the new policy.

## **APPENDIX X - ADDITIONAL INFORMATION - SEND Post-16 Transport: Proposed Policies**

- 7.5 Nottinghamshire assess that a need or transport support may arise if evidence is provided that a student is unable to walk or travel safely when accompanied to the special school, sixth form or college or is unable to use public transport when accompanied. Eligibility is based on residence, a full-time course, having an EHC Plan and travel distance. Travel assistance normally takes the form of the provision of a Direct Travel Assistance Payment (DTAP) at 22.6 pence per mile or provision of special/medical transport provided to and from a designated collection/drop off point located within one mile of the home address in exceptional case. All students are enabled to undertake independent travel training.
- 7.6 Derbyshire County Council's scheme is similar to that of Nottinghamshire but offers 45 pence per mile in terms of a transport budget. For those who are both eligible and assessed as requiring other types of transport an annual contribution is required of £438 or £296 for those assessed as being on a "low income" (i.e. maximum Working Tax Credit, Income Support or Universal Credit where income does not exceed £660 per month). As stated above Leicester City Council would not be requesting a financial contribution under the new policy.
- 7.7 Together, these examples illustrate how local authorities are balancing equity, flexibility, and financial sustainability in their approaches to post-16 SEND transport. Each model offers a different blend of targeted support and personalisation, often underpinned by a focus on promoting independence through options like travel training or direct payments. The offer from Leicester City Council far outweighs the offer from other authorities. The policy strongly considers the financial need of individuals with a strong commitment to promoting independent living.

Laurence Jones

Strategic Director, Social Care and Education

13 May 2025




# Appendix F

## RECORD OF DECISION BY CITY MAYOR OR INDIVIDUAL EXECUTIVE MEMBER

1.	Decision title	SEND Post-16 Transport: Proposed Policies
2.	<b>Declarations of interest</b>	
3.	<b>Date of decision</b>	13 May 2025
4.	<b>Decision maker</b>	Assistant City Mayor – Children and Young People
5.	<b>Decision taken</b>	To: <ul style="list-style-type: none"> <li>• approve the new SEND travel policy for the 2025/26 and subsequent academic years</li> <li>• approve the new post-16 transport policy statement for the 2025/26 academic year</li> </ul>
6.	<b>Reason for decision</b>	By law, support available to the 16 to 25 age group must be set out in a transport policy statement. There is a statutory duty to publish this statement by 31 May 2025. Small changes are also required for the SEND travel policy to support the statement.
7.	<b>A) KEY DECISION Yes/No?</b> b) If yes, was it published 5 clear days in advance? Yes/no	Yes  Yes
8.	<b>Options considered</b>	<ul style="list-style-type: none"> <li>• To publish an unchanged transport statement</li> <li>• To publish a transport statement with minimal change but not providing the level of saving required</li> <li>• To cease all travel support for post-16 SEND</li> <li>• To provide limited support for post-16 without transitional arrangements</li> </ul>
9.	<b>Deadline for call-in</b> <ul style="list-style-type: none"> <li>• 5 members of a scrutiny commission or any 5 councillors can ask for the decision to be called-in.</li> <li>• Notification of call-in with reasons must be made to the monitoring officer</li> </ul>	20 May 2025

RECORD OF DECISION BY CITY MAYOR OR INDIVIDUAL  
EXECUTIVE MEMBER

<b>10.</b>	<b>Signature of decision maker</b> (City Mayor or where delegated by the City Mayor, name of executive member)	
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