

**PLACE SCRUTINY PANEL
HOME TO SCHOOL TRANSPORT**

SCRUTINY RECOMMENDATION	PROPOSED ACTION	POST TITLE	BUDGET COST	TIMESCALE
<p>A) Investigate whether it would be cost effective to devolve the provision of Home to School Transport to individual schools, as they may be able to provide a more localised service. Ideally the funding could be passed directly to the schools making them responsible for controlling costs, ensuring there was no additional cost to the Local Authority.</p>	<p>The service accepts the recommendation. The Council has a statutory duty to provide home to school transport and travel support. However, the Council currently fulfils its statutory duty to provide home to school transport under and Service Level Agreements (SLA) with some education settings. Each academic year, the service contacts schools, academies and settings for the delivery of their own home to school transport since 2020 with little or no take up.</p> <p>For the Academic Year 2025/6 the service will continue with an existing SLA and agree new SLA's for other staff support; adding resilience into the service for both transport and passenger assistant support.</p> <p>The service will further promote opportunities to settings to promote greater sustainable and active travel themselves. Relevant SLA's & purchase orders will be raised in line with procurement regulations and invoices submitted for timely payment by each setting in line with any agreed payment plan.</p>	<p>Integrated Transport Unit Manager</p> <p>Independent Needs Assessor</p>	<p>Within Existing Budget for 2025/26 of £5.01m</p>	<p>New SLA by August 2025</p> <p>Further opportunities to be explored during Academic Year 2025/26 and implemented as soon as practicable.</p>

	<p>Moving forwards the service will retain the responsibility for advice & guidance on referrals, communications with parents/carers, other stakeholders, assessments for eligibility and appeals.</p> <p>The service would suggest as an alternative:</p> <ol style="list-style-type: none"> 1) To continue existing discussions with schools and settings and to further explore opportunities to engage with the Council with an aim of delivering travel support & transport in an agreed Service Level Agreement (SLA). 			
<p>B) Review the eligibility requirements for free school travel, especially for post-16 students and for pupils who attend a school that is not in the catchment/nearest school by parental choice, but they meet the low-income criteria. There would need to be an option included for consideration of special circumstances.</p>	<p>Whilst the service acknowledges the concept of the recommendation in the report, it is unable to accept it; as currently all applications and referrals for free school travel and support are assessed (robustly) in line with the Home to School Travel Assistance Policy (Reception – Year 11 pupils) and Post 16 Transport Statement already making an offer of statutory minimum for eligible pupils (which meets their individual needs) including consideration of any special or exceptional circumstances.</p> <p>Currently, if a request for travel support is to attend a school which they are not eligible for support under the existing</p>	<p>Integrated Transport Unit Manager</p> <p>Independent Needs Assessor</p>	<p>Within Existing Budget for 2025/26 of £5.01m</p>	<p>During Academic Year 2025/26</p>

	<p>Home to School Support & Travel Assistance Policy and by association any statutory guidance, then the application is declined. This includes where a child is to attend a school that is over the statutory walking distance by parental choice, or not an eligible school based on distance and low income.</p> <p>Robust, evidence-based assessments mitigate the opportunity of a legal challenge or judicial review which could negatively impact the student's education, preparation for adulthood and the Council.</p> <p>To provide wider accessibility to education, the service is currently providing support to the DfE, whereby some students are educated off-site or not in a permanent setting. This exceptional and specific service provision is fully funded by the DfE.</p> <p>Middlesbrough Council does not provide transport or travel support for pupils once they leave education in Year 11, unless they have an EHCP with the setting named in it at Section I as per SEND Code of Practice and Children and Families Act.</p> <p>The removal of Post 16 SEND Transport could adversely affect the</p>		<p>£79,600 per academic</p>	
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	<p>education and preparation for adulthood outcomes for students and move financial responsibility to other areas of the Council with potentially no immediate or significant financial gain.</p> <p>It would not be possible to make any changes to planned support for Academic Year 2025/26.</p> <p>The service would suggest as an alternative:</p> <p>1) To continue with existing practices to robustly assess evidenced based applications for pupils in Reception – Year 11 and Post 16 Transport in line with the current statutory guidance or council policy offering support at statutory minimum level to meet the needs of that student.</p> <p>2) That Executive authorise a review of the current Home to School Travel and Transport Support Policy and Post 16 Transport Statement / Policy (including impact assessments and consultations including Members) and to present a revised draft policy for Executive’s consideration during Academic Year 2025/26.</p>		<p>school year for students not based in a provision aged 5-18</p>	
<p>C) Ensure closer collaboration between Children’s Services, Schools and the Home to School Transport Unit to make certain that the most cost-effective and</p>	<p>Whilst the service acknowledges the recommendation, it is unable to accept it as it is in the report. This is because legally, transport itself cannot be</p>	<p>Independent Needs Assessor</p>	<p>Within Existing Budget for 2025/26 of</p>	<p>Continually during Academic Year 2025/26</p>

<p>suitable transport arrangements are in place for each student, particularly in relation to students with SEND. The requirement for transport assistance should be included as a consideration in SEND assessments.</p>	<p>detailed within the pupil's EHCP assessment. The service assesses all applications attempting to provide the most cost-effective support to meet the needs of the pupils.</p> <p>ITU officers attend SEND Resource Panel weekly and are party to transport discussions on how an eligible child could attend a certain setting and its potential cost, the service attends the Middlesbrough SEND Parent & Carer Forum, are diarising education and awareness sessions (teach-ins) with Middlesbrough Council colleagues in SEND, Social Care - Caseworkers and other professional across the Tees Valley Team and other stakeholders including Schools, Colleges and health professionals.</p> <p>Referral outcomes (accept/decline) for SEND & Mainstream students (usually due to low income/distance) are reviewed at a weekly transport team meeting.</p> <p>This continued approach will mitigate the risk of not meeting the needs of the students at their allocated placement, enable any appeal to be defended also assist in making it clear the fiscal impact as well as the individual's own impact i.e. travelling times.</p>		<p>£5.01m</p>	
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	<p>As an alternative, the service suggests:</p> <p>1) ITU to continue to attend SEND Resource Panel weekly, Middlesbrough SEND Parent & Carer Forum(s), diarise education and awareness sessions (teach-ins) and continue review transport decisions weekly. Also, to explore what other links can be made to develop the service going forward.</p> <p>This continued approach will mitigate the risk of not meeting the needs of the students to their allocated placement but also assist in making it clear to colleagues the fiscal impact as well as the individual's own impact i.e. travelling times.</p> <p>2) To continue with evidence-based assessment for eligibility and needs conducted with a hierarchy of offer in place, to make certain that the most cost-effective and suitable transport arrangements are in place for each student, particularly in relation to students with SEND.</p>			
<p>D) Prioritise the promotion of independent travel to all parents and students, increase the number of travel trainers and bus buddies and encourage greater use of personal travel budgets.</p>	<p>Whilst the service acknowledges the recommendation to increase other forms of travel support, it is unable to accept it as it is in the report as transport assessments for eligible</p>	<p>Integrated Transport Unit Manager</p> <p>Independent</p>	<p>Within Existing Budget for 2025/26 of £5.01m</p>	<p>Standard practice across all Academic Years</p>

	<p>pupils must be carried out and take account of any individual needs and abilities of the pupil.</p> <p>Promotion for greater independence is incorporated into the EHCP & at the early stage. Any transport assessment (with families being an integral part of these processes) family barriers to accepting support for Independent Travel Training (ITT) and Personal Travel Allowances are successfully addressed at this stage.</p> <p>If appropriate, travel support offers currently prioritise the promotion of independent travel, refund of bus fares, parental travel allowances and travel training.</p> <p>Actively encouraging the promotion of independence for eligible children with special educational needs or disabilities and mainstream pupils aligns with Paras 55-62 of the Home to School Travel and Transport Statutory Guidance. Offers of support are currently made and attempt to mitigate any legal challenge under Para 62 of the Travel to School Transport Statutory Guidance where it stipulates that unless a parent is agreeable to their child undertaking ITT then the local authority must provide alternative support as per the successful</p>	<p>Needs Assessor</p> <p>Support and Compliance Officers</p> <p>Independent Travel Trainer</p>		
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	<p>challenge made to Birmingham City Council in 2025.</p> <p>The current programme for Independent Travel Training programme has 43 candidates ranging from pupils who are to start Secondary Education (Year 7) from September 2025 – Post 16 students. This assessed cohort is well within any delivery parameters before and during Academic Year 2025/26. If the candidate is unable to take part or complete their ITT prior to the start of term, travel training will continue during the term and temporary travel support will be offered to enable them to access their education setting. Recruitment of more travel trainers is not required at this time, however, weekly progress reviews of the programme enable timely reassessment.</p> <p>As an alternative to the Scrutiny recommendation the service suggests:</p> <p>1) Continue to assess eligible pupils transport needs in line with their abilities, policy and statutory guidance and if appropriate, continue to prioritise the promotion of independent travel and other types of support to eligible students.</p> <p>2) Continue to review progress of the</p>			
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	<p>current candidate base for ITT. Where ITT take up exceeds delivery timescales, consider the possibility of an increase in the number of travel trainers and/ or bus buddies and continue to encourage greater use of personal travel allowances.</p>			
<p>E) Introduce a spare seat scheme to offer discretionary transport assistance on existing transport for students who are not eligible for free travel assistance, with an option for part payment of the full cost.</p>	<p>The service is unable to support this Scrutiny recommendation as the Introduction of the Public Service Vehicle Accessibility Regulations 2000 (PSVAR) makes the sale of unused seats on non-wheelchair accessible vehicles with 22 seats or over illegal to do so for non-statutory pupils.</p> <p>The Council has procured non-wheelchair accessible vehicles to provide statutory transport to eligible pupils who travel, free of charge. After the introduction of PSVAR enforcement nationally in January 2020 there was a subsequent High Court challenge against North Yorkshire County Council about sale of seats on school buses where empty seats were sold to non-statutory pupils. The court decided that where unused seats were being sold, those seats could not be ringfenced for pupils only, which highlighted safeguarding issues.</p> <p>Allocation of spare seats to fare paying pupils would:</p>	<p>Support and Compliance Officers</p>	<p>Within Existing Budget for 2025/26 of £5.01m</p>	<p>Standard practice across all Academic Years</p>

	<ul style="list-style-type: none">• require procurement of wheelchair accessible vehicles to comply with PSVAR 2000 and• would impact the opportunity to offer vacant seats to eligible students and may require further procurement of more vehicles to meet changing demand levels for eligible pupils creating greater expense. <p>Route planning for both Mainstream & SEND transport considers the needs of the pupil, risks for other pupils, staff, contractors and other road users to ensure that they travel safely. Seats may be left empty for various reasons including being able to meet statutory travelling times, the use of a harness or car seat or that a pupil is not able to travel safely with someone beside them. To mitigate risk and where it is safe to do so, routes are planned to utilise the maximum seating capacity of vehicles.</p> <p>Reviews of existing transport take place and where it is economically advantageous to the council, the offer of an alternative travel support option to eligible students including refund of bus fares and parental travel allowance are made.</p>			
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	<p>To mitigate this proposed change of policy further offers for travel support are made only to eligible pupils or those who have exceptional circumstances. There are an estimated 16350 non-statutory pupils across the Borough. Providing travel support to eligible pupils only, ensures fairness, equality and removal of significant fiscal and administrative risk for the council.</p> <p>As an alternative the service recommends: 1) To continue with existing practices and to robustly assess evidenced - based applications for home to school compulsory transport and Post 16 Transport and in line with current policies and statutory guidance offering support to eligible pupils only (as assessed) at statutory minimum level to safely meet their needs.</p>			
<p>F) Investigate whether increasing the Council’s fleet of vehicles and reducing dependency on third party providers would be cost effective and whether this would enable better route planning.</p>	<p>Whilst the service agrees with the intent of the scrutiny recommendation it is unable to accept it as it is in the report as currently route planning carried out by the ITU is based on multiple factors and includes the needs of the students, kerbside pickups, statutory travelling times and where possible, localisation of the home which is in line with best practice. Any</p>	<p>Integrated Transport Unit Manager</p> <p>Independent Needs Assessor Support and Compliance Officers</p>	<p>Within Existing Budget for 2025/26 of £5.01m</p>	<p>During Financial Year 2025/26 i.e. by 31.3.26</p>

	<p>reduction of 3rd party dependency may reduce expenditure but should not affect route planning and the considerations noted.</p> <p>In some areas, providing transport internally ensures service delivery for the most vulnerable pupils with an increased level of internal delivery of routes planned for Academic Year 2025/26. This supports financial stability as routes with our most vulnerable pupils usually incur higher external procurement costs and limited providers.</p> <p>To aid passenger demand, resource sufficiency and validated financial reporting, data is recorded using DfE and SEND reportable pupil code references.</p> <p>As home to school transport provision changes significantly throughout any academic year continual assessment of demand and sufficiency is carried out within the service which provides valuable indicators on supply needs and other financial planning. This could require vacancy control actions to recruit staffing or prompt discussions (as are currently being held) to review what wider framework agreements may be available, assessing the longer-term economical options for</p>			
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	<p>revenue and capital investments and sufficiency and demand levels which are currently under review for Academic Year 2025/26 and 2026/27.</p> <p>As an alternative the service recommends:</p> <p>1) ITU to complete the implementation of home to school transport for Academic Year 2025/26 and continue to re-evaluate demand and sufficiency during the academic year in line with current and or known future demand levels for 2026/27.</p> <p>2) To conduct an evaluation of internal and external like for like costings to be validated by Finance and devise a cost analysis report in accordance with other reporting procedures.</p>			
<p>G) Explore whether entering into longer-term contracts with third party providers would provide for greater flexibility and consistency.</p>	<p>The service agrees with the Scrutiny recommendation.</p>	<p>Integrated Transport Unit Manager</p> <p>Support and Compliance Officers</p>	<p>Within Existing Budget for 2025/26 of £5.01m and future years budget allocations</p>	<p>31.3.26</p>