Nottinghamshire County Council

Post-16 SEND Travel Consultation for Health and Social Care Professionals, Voluntary and Community Organisations and Transport Providers

Overview

We would like your views on how we should provide travel assistance in future for eligible young people aged 16 to 25 with special educational needs and disabilities (SEND).

Although the law does not require the Council to provide free or subsidised travel for young people with SEND who are attending post-16 education, the right travel support can make an important difference, helping young people attend school or college.

As part of our current Post-16 Transport Policy, eligible young people may currently receive:

- **Council-organised transport:** This could be a taxi, minibus or specialist vehicle. It costs the council an average of £11,000 per student each year.
- **A Direct Travel Assistance Payment (DTAP):** An upfront payment made directly to a young person or their parent or carer to arrange travel. This costs the council on average around £2,500 per student per year.
- **Parental mileage:** A payment at a lower rate than a DTAP that can only be used towards fuel costs for travel to school or college. This costs the council on average around £1,250 per student per year.

Why are we asking for your views?

We are asking for your views on the future of our post-16 SEND transport policy because demand for council-organised transport has almost doubled over the past five years.

Travel assistance for children and young people with SEND will cost around £29 million this year, and this figure is expected to rise by £6 million in the next two years to £35 million.

The county council is facing a significant budget shortfall to maintain all the services that we provide.

We want to make sure future SEND travel assistance continues to meet young people's needs and remains affordable.

We are therefore reviewing our Post-16 Transport Policy to try and reduce costs and we're consulting on four options.

Options

Option 1 – A contribution for organised transport

- Council-organised transport would continue to be available to eligible learners aged 16 to 25 with SEND.
- Families of young people aged 16-18 (years 12 and 13) choosing organised transport from September 2027 would be asked to pay £795, equivalent to 7% of the cost of the transport. This matches the proposed contribution for a council bus pass for pupils using mainstream school transport from September 2027.
- Families with household income below £7,400 would not be charged.
- This option is estimated to save the Council £0.4m.

Option 2 - Year 12 enhanced assessment from 2027 plus contributions

- Existing Post 16 SEND learners on organised transport would retain their current arrangements until they complete their post-16 education. However, from September 2027, families of young people aged 16 (in year 12) would only be granted organised transport in exceptional circumstances.
- To demonstrate exceptional circumstances, families would need to complete an enhanced assessment as part of their application for travel assistance.
- If families applied for a DTAP or parent mileage they would not need to complete the enhanced assessment. These options can be chosen at the application stage.
- If the Council decides the application does not meet exceptional circumstances, then a direct travel assistance payment (DTAP) will be offered.

- In addition, the Council would introduce the charge for organised transport from September 2027 for families of young people aged 16-18 (years 12 and 13) on organised transport (as outlined in Option 1).
- This option is estimated to save the Council £1.5m

Option 3 - Post 16 enhanced assessment from 2028 plus parental contributions

- From September 2028, families of young people aged 16-25 would only be granted organised transport in exceptional circumstances.
- From September 2028, all families with young people in or entering Post 16 education would need to apply for travel assistance.
- If a family wished to apply for organised transport, they would need to demonstrate they had exceptional circumstances
- To demonstrate exceptional circumstances, families would need to complete an enhanced assessment as part of their application for travel assistance.
- If families applied for a DTAP or parent mileage they would not need to complete the enhanced assessment. These options can be chosen at the application stage.
- If the Council decides the application does not meet exceptional circumstances, then a direct travel assistance payment (DTAP) will be offered.
- In addition, the Council would introduce the charge for organised transport from September 2027 for families of young people aged 16-18 (years 12 and 13) choosing organised transport (as outlined in Option 1).
- This option is estimated to save the council £2.3 million.

Option 4 - All Post 16 learners to have an enhanced assessment from 2027 plus parental contributions

- From September 2027, families of young people aged 16-25 would only be granted organised transport in exceptional circumstances.
- From September 2027, all families with young people in or entering Post 16 education would need to apply for travel assistance.
- If a family wished to apply for organised transport, they would need to demonstrate they had exceptional circumstances
- To demonstrate exceptional circumstances, families would need to complete an enhanced assessment as part of their application for travel assistance.

- If families applied for a DTAP or parent mileage they would not need to complete the enhanced assessment. These options can be chosen at the application stage.
- If the Council decides the application does not meet exceptional circumstances, then a direct travel assistance payment (DTAP) will be offered.
- In addition, the Council would introduce the charge for organised transport from September 2027 for families of young people aged 16-18 (years 12 and 13) choosing organised transport (as outlined in Option 1).
- This option is estimated to save the council £3.1 million.

Our legal duties

There are different legal duties when it comes to Post 16 SEND travel assistance, and we recognise this distinction. Any changes made following this consultation would need to comply with the relevant legal duties for each age group.

For young people of sixth-form age, broadly 16 to 19, the Council must consider what transport arrangements or other assistance it considers necessary to facilitate attendance at education or training. This does not create an automatic entitlement to free council-organised transport, and the assistance considered necessary may take different forms.

For adult learners, generally those aged 19 to 25, there is a different duty under section 508F of the Education Act 1996. Where the Council considers that transport is necessary to enable an adult learner to attend relevant education or training, it must make the necessary transport arrangements and those arrangements must be free of charge.

We will take these different legal duties into account in considering the outcome of the consultation and in developing any future policy. Nothing being proposed through this consultation is intended to remove or restrict the Council's statutory duties. Any individual assessment, including consideration of exceptional circumstances, would therefore need to be applied consistently with the legal duties relevant to the learner's age and circumstances.

What does exceptional circumstances mean?

We propose that exceptional circumstances would apply where, following an individual assessment of the young person and their circumstances, the Council considers that council-organised transport is necessary to enable them to attend their education or training.

In deciding whether exceptional circumstances apply and council-organised transport is necessary, the Council would consider whether:

1. the young person is eligible for post-16 SEND travel assistance; and
2. because of the young person's SEND, medical needs, journey requirements, family circumstances or a combination of relevant factors, neither a DTAP nor parent or carer mileage would provide a reasonable and practical way for them to attend their education or training; and
3. there is no other reasonable and practical travel arrangement that could meet the young person's needs, including arrangements that could reasonably be secured using a DTAP; and
4. taking all of the individual circumstances into account, council-organised transport is considered necessary to enable the young person to attend their education or training.

No single factor would automatically establish exceptional circumstances. The assessment would consider the individual circumstances as a whole and whether council-organised transport is necessary, rather than requiring a family to demonstrate that one particular circumstance is exceptional.

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Section A: About you

A4A) Which organisation are you part of?

Section B: Your views on the proposed changes

The council is looking at different ways of providing travel support in the future. Please read each option and tell us what you think.

Option 1 – A contribution for organised transport

- Council-organised transport would continue to be available to eligible learners aged 16 to 25 with SEND.
- Families of young people aged 16-18 (years 12 and 13) choosing organised transport from September 2027 would be asked to pay £795, equivalent to 7% of the cost of the transport. This matches the proposed contribution for a council bus pass for pupils using mainstream school transport from September 2027.
- Families with household income below £7,400 would not be charged.
- This option is estimated to save the Council £0.4m.

B1) Do you think the council should make this change from September 2027?

Please tick	Options
☐	Strongly agree
☐	Agree
☐	Neither agree nor disagree
☐	Disagree
☐	Strongly disagree

Option 2 - Year 12 enhanced assessment from 2027 plus contributions

- Existing Post 16 SEND learners on organised transport would retain their current arrangements until they complete their post-16 education. However, from September 2027, families of young people aged 16 (in year 12) would only be granted organised transport in exceptional circumstances.
- To demonstrate exceptional circumstances, families would need to complete an enhanced assessment as part of their application for travel assistance.
- If families applied for a DTAP or parent mileage they would not need to complete the enhanced assessment. These options can be chosen at the application stage.
- If the Council decides the application does not meet exceptional circumstances, then a direct travel assistance payment (DTAP) will be offered.
- In addition, the Council would introduce the charge for organised transport from September 2027 for families of young people aged 16-18 (years 12 and 13) on organised transport (as outlined in Option 1).
- This option is estimated to save the Council £1.5m

B2) Do you think the council should choose this option from September 2027?

Please tick	Options
☐	Strongly agree
☐	Agree
☐	Neither agree nor disagree
☐	Disagree
☐	Strongly disagree

Option 3 - Post 16 enhanced assessment from 2028 plus parental contributions

- From September 2028, families of young people aged 16-25 would only be granted organised transport in exceptional circumstances.
- From September 2028, all families with young people in or entering Post 16 education would need to apply for travel assistance.
- If a family wished to apply for organised transport, they would need to demonstrate they had exceptional circumstances
- To demonstrate exceptional circumstances, families would need to complete an enhanced assessment as part of their application for travel assistance.
- If families applied for a DTAP or parent mileage they would not need to complete the enhanced assessment. These options can be chosen at the application stage.
- If the Council decides the application does not meet exceptional circumstances, then a direct travel assistance payment (DTAP) will be offered.
- In addition, the Council would introduce the charge for organised transport from September 2027 for families of young people aged 16-18 (years 12 and 13) choosing organised transport (as outlined in Option 1).
- This option is estimated to save the council £2.3 million.

B3) Do you think the council should make this change from September 2028?

Please tick	Options
☐	Strongly agree
☐	Agree
☐	Neither agree nor disagree
☐	Disagree
☐	Strongly disagree

Option 4 - All Post 16 learners to have an enhanced assessment from 2027 plus parental contributions

- From September 2027, families of young people aged 16-25 would only be granted organised transport in exceptional circumstances.
- From September 2027, all families with young people in or entering Post 16 education would need to apply for travel assistance.
- If a family wished to apply for organised transport, they would need to demonstrate they had exceptional circumstances
- To demonstrate exceptional circumstances, families would need to complete an enhanced assessment as part of their application for travel assistance.
- If families applied for a DTAP or parent mileage they would not need to complete the enhanced assessment. These options can be chosen at the application stage.
- If the Council decides the application does not meet exceptional circumstances, then a direct travel assistance payment (DTAP) will be offered.
- In addition, the Council would introduce the charge for organised transport from September 2027 for families of young people aged 16-18 (years 12 and 13) choosing organised transport (as outlined in Option 1).
- This option is estimated to save the council £3.1 million.

B4) Do you think the council should make this change from September 2027?

Please tick	Options
☐	Strongly agree
☐	Agree
☐	Neither agree nor disagree
☐	Disagree
☐	Strongly disagree

B5) Do you have any other thoughts about these options?

(Please write your answer in the box below)

Thank you for completing this consultation.

Please send your response to:

Post-16 SEND Travel Review

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