

Divisions Affected - All

EDUCATION & YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE – 28 February 2025

Revised Home to School Transport & Post 16 Travel Policies for Consultation

Report by Lisa Lyons, Director of Children, Education and Families (DCS)

RECOMMENDATION

1. The Committee is RECOMMENDED to acknowledge and support the public consultation of the Home to School Transport (compulsory school age) policy and the Post 16 Travel Policy Statement.
2. The Committee is RECOMMENDED to acknowledge and support the inclusion within the public consultation of proposed changes to existing discretionary elements and the possible introduction of contribution payments for Post 16 travel provision for young people with SEND.
3. The Committee is RECOMMENDED to acknowledge and support the inclusion of early engagement through the consultation of discretionary aspects of the existing policies, to explore if they remain a necessary, sustainable, likely impact if support is changed, which will inform future policy development and thinking.
4. The Committee is RECOMMENDED to acknowledge and accept the findings of the Spare Seats Sprint Group.

Executive Summary

5. At a meeting on the 20 July 2024, the Education & Young People Overview and Scrutiny Committee received a report on Home to School Transport. This included an update on the actions arising from recommendations the Committee had submitted to Cabinet in April 2023 and provided further information around the spare seats scheme.
6. Spare Seats Sprint Group
A Spare Seats Sprint Group was established with Cllr Simpson identified as the chair; all members of the Committee were able to attend. The purpose of the

group was to gain detailed understanding of the Spare Seats scheme (funded/operated) and identify recommendations in relation to how it should be set up and implemented going forward.

7. The Spare Seats Sprint Group identified that the purpose of the Spare Seat scheme was to enable children/young people and their families to utilise existing spare capacity within the Home to School Transport network where the Council has sourced capacity (seats) that exceed the demand and requirements of those children and young people who meet those statutory/eligibility criteria within the Council's Home to School Transport policies for free travel. Spare seat provision is identified in the DfE's statutory Home to School Transport Guidance as a provision under discretionary powers provided to all Local Authorities.
8. The Sprint Group confirmed that the Spare Seat scheme's purpose was not to extend the transport network or create additional seats for the specific use of children/young people who fail to satisfy the agreed statutory/eligibility criteria for free travel to school.
9. The Sprint Group agreed that the existing description within the Home to School Transport Policy and application of scheme is appropriate and reasonable.
10. Improving access to travel to School and other educational settings for those who do not meet the eligibility criteria detailed in the Home to School Transport policies and unable to benefit from accessing any spare seats is an issue that sits outside the remit of the Home to School Transport service and remains a community and access issue which would require significant council investment in the wider transport network in Oxfordshire.
11. There are no planned operational changes to the Spare Seat Scheme within the proposed updated Home to School Transport Policies, which is being consulted upon between 23 February 2025 and 9 March 2025. There will continue to be a review of routes and available spare seats annually.

Home to School Transport Policy & Post 16 Policy Statement Review

12. The existing Home to School Transport Policies were last consulted upon in 2014 (Compulsory School Age) and 2018 (Post 16). DfE Guidance was last updated in 2019 for Post 16 Travel and in 2023 and 2024 for Compulsory School Age, and therefore a review and update are necessary to reflect and align with latest guidance.
13. The service has continued to receive feedback and engagement from the OxPCF SEND Listening Event in October 2024, parents/families, officer feedback, and feedback from committees/sprint groups. This has identified that the current policies are hard to understand, with the locating of specific information hard to identify/locate. This causes frustration and contributes to difficulty understanding the detail of the policy amongst all interested parties.
14. A key focus of the review and update of the policies has been to improve accessibility of the Policy document by improving its structure, flow, and

language. The aim of which is to improve effectiveness and usefulness of the documents for both officers, families, schools, and other key stakeholders.

15. Included in the review was the identification of any discretionary provision within the policy to determine to explore if continued discretionary provision remains necessary, financially viable and possible impact. Feedback will support any development of proposals post consultation.
16. The review identified that the majority of both policies aligned with the Council's statutory obligations.
17. The review has identified discretionary aspects in existing policy provision as:
 - (a) Split Village Support – applies in villages where at least 20% of addresses are nearest to the designated school and the remainder are nearest to another school
 - (b) Spare Seat Scheme

Public Consultation

18. The public consultation will run between 23 February 2025 and 9 March 2025 (11:59pm) It includes the proposed refreshed policies, a proposal to introduce contribution charges to Post 16 travel, and early engagement seeking feedback about existing discretionary provision that will contribute to future thinking around school travel.
19. The consultation focuses seeking views on the following areas:

Review area 1: Updates to the format and language used in our home to school transport policy and our post 16 transport policy statement to improve customer understanding, awareness and overall experience.

Review area 2: Specific updates to the use and application of direct travel payments in our home to school transport policy to ensure the language is more user friendly and consistent with current government guidelines.

Review area 3: Specific updates to our home to school transport policy for travel arrangements to Alternative Education Provision settings to meet current government guidelines and to reflect Oxfordshire's current alternative provision arrangements.

Review area 4: Proposals to ask for a financial contribution for post 16 pupils with special educational needs and disabilities (SEND) for travel to post 16 settings.

As well as consulting on the proposed changes as mentioned above, we are also exploring views on the following discretionary elements of both policies where proposals for change have not been developed:

Review area 5: Discretionary travel at split village locations

Review area 6: Spare seat scheme

20. Feedback from the public will be through an online survey. Members of the public can see clarification and further understanding of the proposals and

consultation information through planned engagement events supporting them to submit their consultation survey response.

21. Children and young people will be provided opportunity to engage with officers and provide feedback in relation to the consultation and transport, whilst targeted events are scheduled to support focussed interest and discussion, such as with OxPCF and youth parliaments.
22. To support those who may find the level of information overwhelming, easy read versions of the consultation will be available. Whilst engagement sessions will be held both during the day and in the evening in an attempt to support individuals existing commitments and family responsibilities.
23. Feedback from the consultation will be reviewed during March, with the aim to seek cabinet approval on 29 April 2025 after navigating the required governance and approval processes.

Background

24. Oxfordshire County Council as a local authority, has a statutory duty to provide free travel for children and young people of compulsory school age (5-16 years of age) who meet those thresholds detailed in legislation. These thresholds are set out in sections 508A, 508B, 508C and 509D and Schedule 25B of the Education Act 1996 (as amended by Part 6 of the Education and Inspections Act 2006).
25. Compulsory School age is set out in section 8 of the Education Act 1996 and the Education (Start of Compulsory School Age) Order 1998 as follows: a child reaches compulsory school age on the prescribed day following their fifth birthday, or on the fifth birthday if it falls on a prescribed day. The prescribed days are 31 December, 31 March and 31 August. A child ceases to be of compulsory school age on the last Friday in June in the academic year in which they reach age 16.
26. The Education Act 1996 duty applies to all local authorities in England in respect of arrangements for young people (over compulsory school age) aged 16-18 and those continuing learners up to age 25 with EHC plans who started their programme of learning before their 19th birthday. There are also duties that apply to local authorities in England in respect of arrangements for adults aged 19 and over, who started their programme of learning after their 19th birthday. The legislation therefore gives local authorities the discretion to determine what transport and financial support are necessary to facilitate young people's attendance at their setting.
27. Where the Council is proposing changes to the Compulsory School Age Travel Policy and the Annual Post Transport Policy Statement, and those changes may affect eligibility for travel/transport then the Council should consult locally and should include:

- Consulting with Schools whose pupils will be affected by the proposed changes, including those located in other local authority areas
- Consult with parents/carers whose children will (or may) be affected by the proposed changes, including those who may be affected in the futures
- The local Parent Carer Forum
- The consultation should last for a least 28 working days during term time

Service Delivery & Spend

28. In Oxfordshire the total number of statutory school aged pupils is circa 100,000. The number of pupils conveyed to school every day are set out in the tables below:

Table 1. Numbers of pupils using Home to School Transport

Category of Passenger	2022/23	2023/24
Mainstream	6605	6871 (+4%)
SEND	1,162	1,428 (+19%)
Spare Seat	1105	1314
Total	8,872	9,613

(Figures for 24/25 are not yet available)

29. As demand for travel support and provision has grown spend in this area continues to grow annually.

Table 2. Annual Spend of Home to School Transport as per Supported Transport IBC

Category of Spend	2022/23 Actual £'000	2023/24 Actual £'000	2024/25 Forecast £'000
Mainstream	£8,362	£8,932	10,188*
SEND	£20,793	£25,988	28,784*
Total Spend	£29,155	£34,910	Not Available
Total Budget	£26,869	£31,797	38,971

*Budget figures as outturn figures for 24/25 are not yet available

30. SEND and Mainstream transport spend reflects the growth in passenger numbers for each category of spend.

Policy Review

31. The Council last consulted on its Home to School Transport Policy for Compulsory Aged Children in 2014, whilst it last consulted on its policy for Post 16 Travel in 2018.

32. A legal review of both existing policies relating to Home to School and Post 16 Travel was undertaken between April and July 2024 to identify improvements and to ensure alignment with the current statutory guidance and legislation.
33. Due to the significant time since the policies were last consulted upon it was agreed by the service that the refreshed policies should be consulted upon in order to seek views from the public and key stakeholders/users of the service. This should include feedback in relation to existing discretionary travel arrangements to explore whether they continue to be necessary and a sustainable use of Council resources.
34. The service review of the policy identified that the majority of the policy details the statutory obligations of the Council, the remainder contains a few discretionary elements, these include:
 - (a) Spare Seat Scheme
 - (b) Split Villages
 - (c) Travel operations arrangements such as Personal Transport Budgets, Independent Travel Training
35. The policy review also identified a requirement to update the description and detail in relation to travel support for those children and young people attending Alternative Education Provision (AEP).

Spare Seat Sprint Group

36. At a meeting on the 20 July 2024, the Education & young People Overview and Scrutiny Committee received a report on Home to School Transport. This included an update on the actions arising from recommendations the Committee had submitted to Cabinet in April 2023 and provided further information around the spare seats scheme.
37. The scope of the Sprint Group was to undertake a 'deep dive' into the Spare Seats Scheme. Seeking to gain a detailed understanding of how the Spare Seats scheme is funded and operates to be able to recommend how and whether it should continue to be implemented going forward. Considering other aspects of the policy was not in scope.
38. The Spare Seat Sprint Group discussed the statutory obligations of the Council in relation to Home to School Transport and Post 16 Travel. Confirming that the offer of supporting non-eligible children is an example of discretionary travel where a charge is permitted and is an enhancement on the Council's statutory offering of support with travel.
39. Details of the Spare Seat Scheme captured within the existing Home to School and Post 16 Travel policies was shared and reviewed.
40. It was acknowledged that spare seats are part of the Council's Home to School Transport policies and that spare seats are not planned for, they arise opportunistically whenever vehicles contracted for eligible children and a

surplus of capacity exists, e.g a 53-seat coach is used to convey 42 eligible children.

41. Due to the opportunistic nature of spare seats it was noted that spare seats can arise on any vehicle, but they mostly arise on buses being used to take children to and from secondary schools.
42. Operationally buses may be contracted for up to 4 years, as a result the number of eligible children and spare seats available on those services will vary over that period.
43. When the contracting of buses for Home to School Transport was undertaken 3 or 4 years ago the cost per seat on buses closely matched the spare seat charge.
44. The number of eligible children has been decreasing over this period. Fewer eligible children have led to fewer contracted vehicles which in turn has reduced the number of available spare seats, in line with the scheme, as detail in the Council's policies. When contracting vehicles the service uses the requirements for eligible children to design routes and contracts.
45. The group agreed that the existing Spare Seat Scheme enables the Council to sell spare seats/capacity where it exists on organised home to school transport routes that are supporting those children and young people entitled to free home to school transport.

Consultation of Home to School and Post 16 Transport Policies

46. Due to the time that has elapsed since the existing Home to School and Post 16 Transport policies were last consulted upon, it is necessary to consult to ensure they remain appropriate and effective.
47. Feedback from key stakeholders during this timeframe has indicated that the format, language and detail impacted individuals' ability to understand what support was available and the responsibility of the Council, families, Schools and transport providers.
48. Whilst consulting on the refreshed policy and in recognition of the Council's financial situation it was identified that discretionary elements of both policies should also be consulted upon to establish if they remain a necessity, whether alterations were required, and whether they continue to be appropriate for the Council to support.

Consultation Detail

49. As per the DfE Guidelines, there is a requirement to consult for a minimum of 28 working days, which should be held during term time. In accordance with these guidelines the proposed dates for consultation are 23 January 2025 to 9 March 2025.

50. The consultation seeks to obtain the views of the following aspects of Home to School & Post 16 Transport:

- **Review area 1:** Updates to the format and language used in our home to school transport policy and our post 16 transport policy statement to improve customer understanding, awareness and overall experience.
- **Review area 2:** Specific updates to the use and application of direct travel payments in our home to school transport policy to ensure the language is more user friendly and consistent with current government guidelines.
- **Review area 3:** Specific updates to our home to school transport policy and our post 16 transport policy statement for travel arrangements to Alternative Education Provision settings to meet current government guidelines and to reflect Oxfordshire's current Alternative Education Provision arrangements.
- **Review area 4:** Proposals to ask for a financial contribution for post 16 pupils with special educational needs and disabilities (SEND) for travel to post 16 settings.

As well as consulting on the proposed changes as mentioned above, we are also exploring views on the following discretionary elements of both policies where, to date proposals for change have not been developed:

- **Review area 5:** Discretionary travel at split village locations
- **Review area 6:** Spare seat scheme

51. Engagement activity is planned throughout the consultation period includes:

- Consultation documentation, information & survey - Online
- Easy Read version of consultation documentation/information - Online
- Social Media
- Local Offer
- Letters/emails to those currently directly accessing the service
- Direct communication with education establishments and/or Head Teachers
- Focussed direct communication with local support groups (OxPCF) – Online Meeting x 2
- Online consultation sessions – Lunchtime x 2 and Evening x 2
- Young person engagement sessions

52. Once the consultation closes, feedback will be analysed and reviewed. Analysis will be used to inform if any changes will be made to the current offer of Home to School and Post 16 Transport, seeking Cabinet Approval in April 2025.

53. The consultation can be accessed via Lets Talk using the following link <https://www.oxfordshire.gov.uk/hometoschool>. It provides the public with details of the consultation, the draft policies, details of the proposals, access to the consultation survey, and access links to book attendance at scheduled engagement events.

54. The consultation pack, survey, and draft policies can be found in the annex of this paper. This provides the necessary information in relation to each review area to enable individuals to respond to the consultation survey.

Corporate Policies and Priorities

55. The consultation of the refreshed Home to School Transport and Post 16 Travel policies and the review of the Council's discretionary provision enables the service to continue to support the Council's existing priorities.
56. Undertaking the proposed activity will enable the service to ensure both policies create opportunities for children and young people to reach their full potential by supporting travel and access in accordance with the Council's statutory obligations and discretionary powers.

Financial Implications

57. There are no financial implications relating to the recommendations contained within this report. Any financial implication relating to the options included in the consultation will be developed during the analysis of the consultation feedback, reflecting any necessary adjustments and considerations resulting from feedback that is received.
58. Any financial implications relating to any final proposed changes to the policies will be reported post consultation period in relation to final recommended changes seeking approval at cabinet in April 2025.

Comments checked by:

Jane Billington, Strategic Finance Business Partner,
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Legal Implications

59. The consultation on the refreshed policies and the identified discretionary elements of the existing policies does not carry any legal implications.
60. The review and update of the existing policies and identification of aspects of those policies being consulted upon reflect the statutory guidance and legal framework underpinning these policies and the service.

Comments checked by:

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(Legal)

Staff Implications

61. No staffing implications have been identified at this stage. A review of implications will be undertaken following analysis of consultation feedback and the development of final policy proposals, in advance of the April 2025 cabinet meeting.

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HR Business Partner

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(HR & Culture Change)

Equality & Inclusion Implications

62. A full Equality Impact Assessment will be carried out as part of the consultation and decision-making processes, to be included in the cabinet approval process.

Sustainability Implications

63. No sustainability implications have been identified relating to the proposed review areas included in the consultation. This will be reviewed once the consultation period has ended as part of the cabinet approval process.

Risk Management

64. The planned engagement supporting the consultation process identifies that key groups will be provided sufficient support and focus to enable key issues and concerns to be addressed and listened to. Activity will be inclusive with representatives from the Council breaking down the detail of the consultation to support improved understanding.
65. Feedback provided through the Consultation survey will be reviewed and taken into consideration when deciding whether to implement any of the proposals detailed in the consultation.
66. Risks identified through the consultation process will be reviewed, and suitable mitigation identified. This will be included in the consultation and decision-making processes when seeking approval of the updated policies, once the consultation has concluded and feedback has been analysed.

Consultations

67. The consultation of proposals relating to Home to School Transport and Post 16 Travel is live between 23 January 2025 to 9 March 2025. A range of engagements are scheduled to encourage sufficient responses and ensure understanding is established amongst interested stakeholders. This will include easy ready versions of the consultation, engagement events, direct dialogue with young person groups and the OxPCF.

68. Responses and feedback will be analysed and considered when finalising recommendations for approval by Cabinet in April 2025.
69. Findings from the consultation and feedback will be shared with key stakeholders post Cabinet approval and will include OxPCF, Schools, and young people (users of the service).

Lisa Lyons
Director of Children, Education and Families (DCS)

Annex:

1. [Consultation Pack](#)
2. [Consultation Survey](#)
3. [Compulsory School Age Home to School Transport Policy - Consultation Draft](#)
4. [Post 16 Transport Policy Statement Consultation Draft](#)

Background papers: Nil

Other Documents:

1. [Existing Compulsory School Age Home to School Transport Policy 2024/25](#)
2. [Existing Post 16 Transport Policy Statement 2024/25](#)
3. [Public Information relating to Split Villages \(inc. current list\)](#)

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