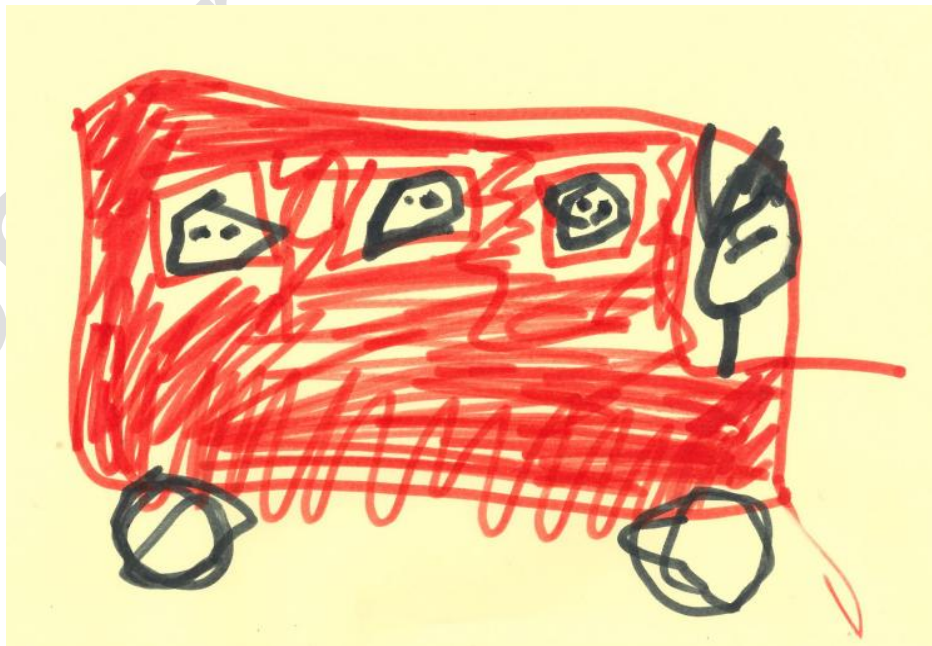


Post 16 SEND Education Travel Statement

2027-2028

Statement regarding travel support for young people aged 16-18 in further education, those continuing learners who are aged 19, and those aged 19-24 inclusive with Special Educational Needs and / or Disabilities (SEND).



CONTENTS:

- [The Law](#)
- [Who is Support Available For?](#)
- [Travel Support Offer](#)
- [Special Educational Needs and Disability and EHCPs](#)
- [Transport Reviews and Appeals](#)
- [Appendix A - Useful Links, Legislation and Guidance](#)

To jump straight to the section you need, simply click the section name on the list above.

1. The Law

1.1 Education and Skills Act 2008:

Requires local authorities to promote participation in education or training for young people aged 16–19 (and up to 25 for those with an Education, Health and Care Plan (EHCP))

1.2 Learners Aged 16-18:

Swindon Borough Council does not have a legal duty to provide free or subsidised travel assistance for young people aged 16-18. However, under Section 509AA of the Education Act 1996, Local Authorities do have a duty to prepare and publish an annual policy statement specifying the arrangements for the provision of travel, or other support, that it considers necessary in order to facilitate the attendance of all persons of sixth form age (16-18) receiving education or training.

1.2.1 Learners aged 19-25:

Under Section 508F and Section 508G of the Education Act 1996, as inserted by Section 57 of Apprenticeships, Skills, Children and Learning Act 2009, Local Authorities have a legal duty to provide free travel support which it **considers necessary for eligible** adult learners aged 19-25, and who have an Education, Health and Care Plan to attend **qualifying establishments**. It should be noted here that:

- Swindon Borough Council **does not** provide Travel Support to training providers.

“Necessary” travel for 19–25 learners with an EHCP means there is **no reasonable alternative** for attending the named educational setting, considering distance, mobility, and health needs.

1.3 Learners Aged 16-25 with an Education, Health and Care Plan

Support is available due to physical impairment or other SEND, of which the nature and severity means the pupil is unable to walk to their educational setting, even where there is a relatively short distance.

This support is only available for students who are on full time courses.

2. Who is support available for?

Where access to post-16 education is not possible, for example, the nearest school or college is over 3 miles from the student’s home and there is no public transport or school transport services available, the council may be able to assist with travel. In these circumstances, the student or parents should contact the School Transport Eligibility Team at educationtravel@swindon.gov.uk.

The transport needs of young people with SEND are assessed individually. Therefore, if travel assistance is approved the travel arrangements will be made according to the student's needs, for example, if travel assistance has been agreed and the student is in a residential placement, travel arrangements would be made on a weekly or termly basis.

2.1 Distance and Nearest Suitable Educational Placement

Those young people beyond statutory school age who are aged 16 to 19, or started their course before the age of 19, with SEND may receive assisted travel when they attend the nearest suitable educational placement to their home address that has an available place and one of the following applies:

- the distance from their home to the educational placement is over 3 miles
- the distance from their home to the educational placement is less than 3 miles but there is no available walking route
- it would not be reasonable to expect the young person to walk to the educational placement because of their mobility problems or because of associated health and safety issues related to their SEND, or because of a temporary or long-term medical condition (evidence is required from a GP or Consultant)

The nearest suitable educational placement is the nearest one to their home at which the student's needs can be met. For those with an EHCP, this will be established by the Home to School Travel Team from the responses to the formal consultations with schools and colleges undertaken by the SEN Team. If a school or college responds to a consultation stating that need can be met, whether or not it gives reasoning, that will establish that it is a suitable establishment. Preference for a particular course or establishment is not relevant to the decision on whether a school or college is considered to be the nearest suitable school or college. In all other cases, the decision of the Home to School Travel Team as to suitability of a placement is final and is not open to review. If, by parental choice, a more distant school is attended, any transport shall remain the responsibility of the parent/carer. Whilst the child's EHC plan may name the parents' or carers' choice of school, this does not mean that the Council must provide travel assistance if, in the Council's view, the child's needs could be suitably met at a nearer school. This will be made clear in Section I of the EHC plan.

Those who wish to study a course at an alternative educational placement to the nearest one that can meet their needs, will be responsible for the full cost and provision of any travel arrangements that will be required for them to attend.

2.2 Split-Site Education:

If a young person attends an educational placement where there is more than one site, travel assistance will only be provided to the nearest of those sites at which the young person's needs can be met. The council will not provide assisted travel between sites. Any dispute over whether the provision at a particular site "meets need" will be determined by confirmation from the School or College as to whether it can meet need at that particular site.

3. Travel Support Offer

3.1 Independent Travel Training

The council operates its own Independent Travel Training Programme (ITT), designed to help young people with SEND use public transport. The programme helps young people obtain knowledge and experience of a planned route and attain a high level of road safety skills. Assessment for suitability of ITT will be undertaken on a case-by-case basis and reflect the needs/circumstances of the young person. Where it is identified that ITT is not appropriate then it will not be offered and an alternative for of travel will be provided.

The programme provides individual travel training on a bespoke one-to-one basis with young people. By directly assisting the young people, their families and support networks, the training is tailored to suit the needs of each individual student.

3.2 Bursary Fund for 16 to 19-year olds

If you're aged between 16 and 19 years and think you might struggle with the costs for full-time education or training, you can apply to your college for a bursary. The bursary scheme is made up of two elements:

1. A bursary of £1,200 per year if you are considered to be vulnerable; The definition of 'vulnerable' includes: those students who are in care or a care leaver; students in receipt of Income Support or Universal Credit; those students receiving Employment and Support Allowance (ESA) and / or in receipt of Disability Living Allowance (DLA) or Personal Independence Payment (PIP). If you qualify, the bursary will be paid direct from your school or college.
2. A discretionary award if you are facing financial barriers. This can include if you are having difficulty in meeting the costs of transport, meals, books and / or equipment. Your college or training provider is responsible for deciding who is eligible, how much to pay and how regularly it will be paid. The college or training provider will usually want to see evidence, for example a letter regarding your benefits.

This bursary is available to help students who are studying at a publicly funded school or college in England and does not apply to students attending a University. For more information, as well as the application form, follow the link below:

<https://www.gov.uk/1619-bursary-fund>

3.3 Discretionary Support Funds

Funding bodies give colleges money so that they can make hardship grants available to their students. These funds are aimed at helping disadvantaged students with the costs of further education, for example, because they have a low income or have a disability.

Each college has their own policy on who is eligible for funding and what they will provide grants for. Grants can cover the cost of:

- childcare and related travel costs
- course related books and equipment
- travel to and from college
- course field trips
- examination fees

Please contact your Student Support or Welfare Officer at the college for further information and help in applying.

3.4 Care to Learn Bursaries

The intention of Care to Learn (C2L) provides help for young parents (defined as those aged under 20) to continue in education after the birth of a child. It provides funding for childcare whilst the young parent is engaged in a study Programme and is not able to provide care for their child. C2L can also help with travel costs involved in taking the child to the childcare provider.

For more information, as well as the application form, follow the link below:

<https://www.gov.uk/care-to-learn>

3.5 Apprenticeships and Traineeships

Travel assistance is not provided for students on apprenticeships and traineeships. The learning provider is responsible for ensuring that reasonable expenses are met fully if they are needed to overcome barriers to learning / training. These may include the cost of travelling to or from the place of learning/training or the work placement element. For further information, please contact your learning provider.

Young people who have a disability or health condition (physical or mental) that makes it hard to get to and from work may also be eligible for support through Access to Work. Further information can be found via www.gov.uk/access-to-work

3.6 Young Persons' Bus Travel Pass

Details of where to obtain these can be found at <https://www.swindonbus.co.uk/travelpass-networkpass-tickets> along with the current price of various types of ticket.

Students may purchase discounted travel tickets from the <https://www.swindonbus.co.uk/buying-travelpass-online-and-renewing-it>

3.7 Railcards

A 16-25 Railcard saves 1/3 on rail fares throughout Great Britain for a year. Minimum fares apply for travel at or before 10.00am Monday to Friday (except during July and August). For further details and up-to-date prices go to <http://www.16-25railcard.co.uk>

4. Special Educational Needs and Disability and EHCPs

As outlined in Section 208F of the Education Act 1996, Local Authorities have a legal duty to provide free travel support which it considers necessary for eligible adult learners aged 19-25, and who have an Education, Health and Care Plan to attend qualifying establishments. It should be noted here that:

- Swindon Borough Council does **not** provide Travel Support to training providers.

A consultation is currently being run regarding a charging model for Home to School Travel for learners aged 16-18 years old, in order to bring Swindon in-line with other Local Authorities. Should the outcome of this consultation result in a charging model being adopted, information will be published within this Post-16 Travel Support Statement ahead of the academic year.

For more information on the consultation, please visit the below link:

[SEND transport policy | Swindon Borough Council](#)

4.1 Eligibility with an EHCP:

For young people with an EHCP, to qualify for post-16 travel support, a student must:

- Live in Swindon;
- Be 16 to 18 years of age on 31 August 2021 - or aged 19 if he / she started their course(s) before their 19th birthday (note: support is not available for students who start a new course after or part-way through a year after their 19th birthday);

OR

- Be 19 to 25 years of age on 31 August 2021, and have an Education, Health and Care Plan.

AND

- Meet eligibility criteria

4.2 Travel assistance for young people age 16-18 with EHCPs

In most circumstances, students with EHCPs will be able to travel to further education college placements on public transport with the support available universally to all students (see support outlined in part 4.3 above). There is no statutory duty to provide free travel assistance to this age group.

Additional consideration for support is given when the severity of special educational need or disability makes travel assistance essential, or they have to travel much further from home to attend a school or college which can meet their needs (as named in the EHCP).

Travel assistance is provided via the most cost-effective method. Suitable travel arrangements can include:

- A personal travel payment
- A bus or train pass
- A seat on a minibus
- A seat in a taxi

Travel assistance, if agreed, is for one return journey from a designated pick-up point (not necessarily the home address) to the school / educational establishment during standard academic terms only and at the official start and end of the day.

Applications for students with learning difficulties and / or disabilities aged between 19 and 24 years of age for travel assistance will be considered on an individual basis for a first course of study. This is for students with the most severe disabilities with no other means of transportation.

An assessment will be made of the application taking account of the SEND Travel Policy, the particular circumstances of the applicant and the case for assistance with travel.

Where travel assistance is agreed, it will normally continue during the agreed course of study until the end of the academic year in which the students 25th birthday occurs but will be subject to annual review.

In all cases travel assistance will be reviewed throughout the course and independent travel encouraged.

4.2.1 Instances When Post-16 Travel Support Won't be Provided:

Swindon Borough Council does not provide travel support in the following instances / ways:

- To meet a student's individual timetable. Additional journeys outside of the start and end of the School/College Day will be the responsibility of the student, parent or carer to arrange and fund.
- Where the course the student is studying is on a split site, assistance will only be provided to the main qualifying campus.
- For induction days, transitional periods, medical appointments nor work experience.

4.3 Application

It is important to note that although a student may have an Education Health and Care Plan or may have had one whilst at school, this does not automatically entitle the student to travel assistance once in post 16 provision, and they must apply under the post 16 policy for the next academic year.

Parents or carers applying for travel assistance should provide relevant evidence to the Council's Travel Team to support their application for the assessment for transport assistance as noted above.

An application for travel assistance will need to be submitted every academic year from the age of 16, for the next academic year, and an assessment for eligibility undertaken. <https://swindon-cxm.uat.jadu.net/xfp/form/1558>

4.3.1 What will Be Considered in my Application?

The following information will be considered as part of the application process:

- The age and severity of the needs of the student
- The distance to the relevant establishment (over 3 miles statutory walking distance). Further evidence will be required if the student does not meet this requirement.
- The length of the journey
- Whether the student can use public service vehicles.
- Whether the student is applying for travel to their nearest college, Sixth Form College or school offering their chosen or a **comparable** (not necessarily the same) course.
- Be attending a full-time course (a minimum of 540 hours per year – approximately 14 hours per week – of supervised study across three academic terms).
- Whether the student has access to their own form of transport.

The Local Authority will consider requests for assistance on a case by case basis, therefore, the level of assistance offered will depend upon the needs of the learner and the travel arrangements already serving the school or college.

4.4 Support for students aged 19-25 (Adult Duty) – Continuing with a first course of study begun before the 19th birthday

The Home to School Travel Team will consider applications for travel assistance made by, or on behalf of, those students with SEND aged between 19 and 24 years of age (inclusive) if they are continuing with a first course of study begun before their 19th birthday. An assessment will be made taking account of the specific circumstances of the applicant and the case for assistance with travel. Once a student is starting a course of study after their 19th birthday any requests for travel assistance will need to be made to Adult Social Services through an application for a Care Assessment.

If travel assistance is agreed, it will continue until the end of the agreed course of study, or until the end of the academic year in which the student's 25th birthday occurs, whichever is the sooner. However, travel assistance will be reviewed throughout the course and independent travel will be encouraged.

More information about the council's Local Offer for young people attending education or training is at Education and employment for young people (insert link).

5. Transport Reviews and Appeals

The EHCP annual review process will provide an opportunity to discuss travel arrangements. However, any requests for transport should be sent to the Home to School Travel Team who will assess eligibility.

If a parent disagrees with the decision not to award travel assistance, they can appeal. The council follows a two-stage appeals process, as outlined in the Home to School Travel Policy.

5.1 Complaints:

Usually complaints arise when you are unhappy about something. You are entitled to make a formal complaint regarding Swindon Borough Council if:

- You feel that your case has not been dealt with properly and following the relevant legislation / guidance / policies.
- That the information given to you was incorrect.
- There has been an unacceptable delay in you receiving a service.
- The conduct of a Swindon Borough Council employee is not what we would expect.

For these sorts of issues, please follow the complaints procedure which can be found on Swindon Borough Council's website through the link below, or requested by calling 01793 463000.

<https://www.swindon.gov.uk/info/20022/contact-us/463/complaints-compliments-and-feedback>

The Local Authority are unable to accept complaints about the following, as concerns around decisions should be raised through the appeals processed (outlined below in point 7.2).

- The decision that your child / young person is not eligible for travel support.
- The mode of travel support offered.
- The total provided as part of a Personal Travel Budget.

5.2 Appeals:

With an appeal, you may be perfectly happy with the way that you have been treated but feel that the wrong decision has been made and would like it re-examined. For these issues, please follow the Appeals policy set out below.

This appeals policy is applicable to children who live within the Borough of Swindon that are attending mainstream and special schools. This appeals policy applies to children with or without an Education, Health and Care Plan (EHCP).

5.2.1 Right to Appeal:

Where a parent has been refused transport assistance they can challenge the decision for the following reasons:

- Their child's eligibility
- The distance measured in relation to statutory walking distances; and The safety of the route
- Where a parent is not happy with the type of travel assistance offered they can challenge the decision through the appeals process.
- For example, you may have been offered a bus pass, but feel that a seat on a mini-bus would be more appropriate.

5.2.2 Stage 1:

Within 20 working days from the receipt of the local authority's home to school travel decision, a parent can make a request asking for a review of the decision. A parent will be advised of the right for a review within the decision letter.

The request for review should be made by completing the travel appeal form online. A link will be provided by email. The parent should state the reason why the decision should be reviewed and given details of any personal and / or family circumstances the parent believes should be considered when the decision is reviewed.

Within 20 working days of the receipt of the parent's written request a senior officer will review the original decision and will notify the parent by way of detailed written notification of the outcome of the review.

The decision letter will contain the following

- The nature of the decision reached;
- How the review was conducted (including any standards followed e.g., Road Safety GB)
- Information regarding other parties consulted
- What factors were considered
- Information how the parent can escalate their case to stage 2 if appropriate

5.2.3 Stage 2:

Following the receipt of the local authority's stage one decision notification, a parent can within 20 working days submit a request to escalate the matter to Stage 2.

A parent should complete a travel appeal form online. A link will be provided by email.

Within 40 days of receipt an appeal will be scheduled with an independent panel of officers who have had no prior involvement in the case and hold no budget responsibility for the service. The panel will consider both written and verbal representation from both parents and officers involved in the case.

The parent will be notified of the outcome by telephone and written notification following the outcome of the appeal panel and will receive formal notification of the outcome within 5 working days. The notification will include

- The nature of the decision reached.
- How the review was conducted (including any standards followed e.g., Road Safety GB).
- Information regarding other parties consulted.
- What factors were considered.
- If refused, information about how the parent can refer to the case to the Local Authority.

The appeals committee can only decide in favour of the appellant for a period of one year, as all families are required to re-apply for travel support on a yearly basis.

5.2.4 Local Government Ombudsman:

The Local Government & Social Care Ombudsman (LGO) can investigate complaints about councils, all adult social care providers and some other public service organisations. They are a free service, are independent, and can decide if they will investigate your complaint or not.

Whilst the Ombudsman cannot question the council's decision, it can consider your complaint for the following reasons:

- If you think you were refused help unfairly.
- Because of a mistake
- Because your request for help was not handled correctly.

It should be noted that the Ombudsman cannot deal with complaints about travel to an independent / private school, unless it is named in your child or young person's EHC Plan.

Before submitting a complaint to the Local Government Ombudsman, you must complete the council's Home to School Travel and Travel Review / Appeal process first (of which is outlined above). You must complete all review stages before making your complaint, as the Ombudsman will not consider your case until you do. If you are unhappy with the outcome, or the process is taking too long, you can then proceed to complain to the Ombudsman.

For Home to School Travel specific information from the Local Government Ombudsman, the following link can be used to access further information to alternatively you can call: 0300 061 0164

<https://www.lgo.org.uk/make-a-complaint/fact-sheets/education/school-transport>

Where an appeal is upheld, this does not guarantee funding throughout the school life of the child, and the circumstances under which the appeal was upheld would be kept under review.

5.2.5 Education Transport Appeals Sub-Committee:

An Independent appeals panel will meet to consider travel appeals. The membership of this panel is made up of three Council Officials selected from a pool appointed by the Appeals Committee. These officers will not have been involved with the case previously and should not have any close connection with the appellant. If one of the officers does have a remote connection with the appellant, they may be allowed to take part in the hearing if neither the LA's representative nor the appellant objects

The Education Travel Appeals Sub-Committee will consider case papers for each appeal consisting of the reasons as to why the LA have refused to provide travel assistance, any other relevant information and the parents appeal giving reasons as to why they are appealing against this decision.

Each officer will remain a Committee member for at least one year but there will be no limit on how long they wish to continue as a member providing there is no conflict of interest in the areas mentioned above.

All officers on the Appeals Committee will undertake training on the Travel Policy at least once per academic year to ensure that Councillors become 'expert' in this field.

The Education Travel Appeals Sub-Committee must:

- Consider all appeals on their individual merits. The decision of the Sub-Committee is final with no further rights of appeal.
- Operate within the Travel Policy at all times.
- Take into consideration the cost of Travel should the appeal be upheld.
- If the Education Travel Appeals Sub-Committee agrees to uphold an appeal, it must indicate the length of time for which the travel has been agreed.

Once the appeal has been heard the Education Travel Appeals Sub-Committee will make its decision that day and the Committee Officer will endeavour to contact the parent by telephone the same day to give the result of the appeal. A decision letter outlining the Education Travel Appeals Sub-Committee decision and its reasons will follow usually within one week.

If parents are not happy with the decision of the Education Travel Appeals Sub-Committee then they are able to contact the Ombudsman. The Ombudsman will only be able to look at the way the appeal was conducted and establish whether the LA followed all its processes in the correct manner. They are not able to over-turn the decision.

If the Appeal is in relation to a placement made by order of a SEN & Disability Tribunal, the Appellant and the Local Authority may be bound by any decision relating to travel that the Tribunal has made. The SEN and Disability Tribunal may have specifically come to a decision about placement based on the inclusion of travel costs.

For appeals on the grounds of road safety, parents can only appeal if they believe that they are unable to accompany their child to school. However, the Appeals Sub-Committee will not usually accept the need for parents to be at work as the reason why travel should be provided.

The Education Travel Sub-Committee is able to consider applications for assistance from parents of children receiving nursery education as per the School Standards and Framework Act 1998.

The grounds under which the Education Travel Appeals Sub-Committee can allow / uphold an appeal are:

- The Travel Policy has not been applied properly
- There are discrepancies in the way the application has been handled
- The individual circumstances put forward by the applicant outweigh the normal policy considerations and are considered to be exceptional circumstances.

Examples of exceptional circumstances are:

- If there are exceptional circumstances within the immediate family unit where the child lives that affects the child ability to attend their designated school such as domestic violence. Evidence would be required to support this
- Death or serious illness of parent with whom the child has been living
- In cases of students with Special Educational Needs – additional evidence of need that the Education Travel Appeals Sub-Committee is asked to consider.

Appendix A – Useful Links, Legislation and Guidance

To access any of the below pieces of legislation, guidance, or webpages, simply click which one you would like to view.

Legislation:

[The Education Act 1998 – The Department for Education](#)

[Apprenticeships, Skills, Children and Learning Act 2009 – The Department for Education](#)

[SEND Code of Practice 2014 – The Department for Education](#)

[Children and Families Act 2014 – The Department for Education](#)

Guidance:

[Post 16 Transport and Travel Support to Education and Training 2019 – The Department for Education](#)

Useful Links to Support with Planning Post-16 Travel Arrangements:

[Pulhams Coaches](#)

[Swindon Bus Company](#)

[Stagecoach West](#)

[West Berkshire District Council](#)

[Coachstyle](#)

Other Useful Links:

[The Swindon Local Offer](#)

[Swindon Borough Council Website](#)

[The Local Government & Social Care Ombudsman Website](#)