



Travel assistance policy for children & young people in education, aged 16–25 and adult social care

July 2018

1. Overview

This policy describes how the Council will meet its duty to ensure that:

- 1.1 Post-16 learners resident in Lewisham are able to access the education and training of their choice.
- 1.2 People who are eligible for support from SEND and Adult Social Care receive appropriate assistance to travel.

In accordance with section 509AA of the Education Act 1996 (and subsequent amendments) the policy describes the arrangements for the provision of transport for 16-18 year olds who are studying in appropriate education and training. It also sets out the support available for young adult learners aged 16-25 supported by SEND who are resident in Lewisham in order to access the SEND funded education and training of their choice; and adults over 18 who are eligible for support from Adult Social Care to meet their otherwise unmet needs.

Having an Education Health & Care Plan (EHCP) does not necessarily mean that a young person will receive travel assistance. The London Borough of Lewisham is committed to supporting individuals over the age of 16 with special education and social care needs to live full lives and maintain their health, wellbeing and independence.

Consideration around travel assistance will only be made once an assessment of a person's needs has been carried out and where eligibility for the provision of a service has been determined following said assessment.

Where an individual is eligible for support from the Council they will be involved in the decision making process, discussing how their needs can best be met.

2. Scope of policy

2.1 **Academic year:** 1 August 2018 to 31 July 2019. The policy will be reviewed and updated on an annual basis.

2.2 **Residency:** young people and adults who are a resident of Lewisham. People not a resident of Lewisham or who are looked after by another Council, but live in Lewisham, should refer to the transport policy issued by their own local authority.

2.3 **Learner age:**

- i. young people aged over 16 but under 18 as at 31st August 2018.
- ii. young people aged between 16 and 25, and in education or training funded by the Special Educational Needs (SEN) Team. Adults aged 18 and over at the time of their assessment or referral to Social Care.

2.4 **Learning institution:** Young people who are engaged in education or training at:

- a school (including academies);
- a further education institution (including sixth form colleges);
- a local authority maintained or assisted institution providing higher or further education;
- an establishment funded directly by the Education Funding Agency, e.g. independent specialist providers for learners with learning difficulties and/or disabilities;
- a learning provider that is funded by the local authority to deliver accredited programmes of learning which lead to positive outcomes (this could include colleges, charities and private learning providers).

3. Legal Framework

In accordance with section 509AA of the Education Act 1996 (and subsequent amendments) the policy describes the arrangements for the provision of transport for 16-18 year olds who are studying in appropriate education and training. Funds from London Borough of Lewisham will be used to support learners with Learning Difficulties and Disabilities (LLDD).

In accordance with Section 508F of the Education Act 1996 (and subsequent amendments) Lewisham Council will make transport arrangements it considers 'necessary' to facilitate the attendance of young people aged between 19 and 25, and with an EHC Plan, where the Council has secured the provision of education or training. This applies to:

- adults (ie those who are aged 19 or over) for the purpose of facilitating their attendance at local authority maintained or assisted further or higher education institutions or institutions within the further education sector; and
- adults aged under 25 with an EHC plan for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors. For those young adults, the Council's duty only applies where the Council has secured the provision of education or training at that institution and the provision of boarding accommodation in connection with that education or training.

The Care Act 2014 is the most substantial piece of legislation relating to adult social care to be implemented since 1948. It has taken previous legislation, common law decisions and other good practice guidance and consolidated and clarified them. The provisions of the Care Act fundamentally change the existing eligibility criteria for social care support, emphasises the provision of Personal Budgets and Direct Payments; and requires social workers to consider how an individual's assessed needs can be met by their family or social networks.

"The assessment process also provides the opportunity for local authorities to take a holistic view of the person's needs in the context of their wider support network. Local authorities must consider how the adult, their support network and the wider community can contribute towards meeting the outcomes the person wants to achieve." Care and Support Statutory Guidance 6.10 (p77)

"The local authority is not required to meet any needs which are being met by someone willing and able to do so...but should be recorded where this is the case" Care and Support Statutory Guidance 6.15 (p79)

"In parallel with assessing a person's needs, local authorities must consider the benefits of approaches which delay or prevent the development of needs in individuals. This applies to both people with current needs that may be reduced or met through available universal services in the community, and those without needs who may otherwise require care and support in the future. This could include directing people to services such as community support groups which ensure that people feel supported, including an ability to participate in their local community. It may also include helping the person to access services which the local authority provides universally," Care and Support Statutory Guidance 6.61 (p88)

"Local authorities are not required to meet any eligible needs which are being met." Care and Support Statutory Guidance 6.119 (p103)

There have been a number of government documents which set out the pathway of 'Personalisation' as a way of meeting people's needs, so that eligible service users have both greater flexibility about the service they receive and greater control over how they are delivered:

- 'Putting People First' (2007);
- 'Transforming Social Care' [LAC (DH) 2008];
- 'Caring for Our Future: reforming care and support' (2012)

These policy and guidance documents have promoted the provision of Direct Payments whereby eligible adults are given an assessed sum as cash to purchase their own service.

4. Support

4.1 Transport for London – free and discounted travel

Residents of London boroughs aged 16-18 and in full-time education or on a work-based learning scheme can apply for a 16+ Zip Oyster photocard.

The card gives:

- free travel on London buses and trams;
- half adult-rate Oyster single fares on the tube, DLR and London Overground;
- child rate travelcard season tickets on the tube, DLR and London Overground;
- half adult-rate Oyster single fares on some national rail services;
- child rate travelcard season tickets on national rail services.

Full-time education criteria:

- At least 12 hours of guided learning per week, between 09:00-17:00 Monday-Friday, for at least 10 weeks on further education courses at Level 3 or below in a sixth form college, academy, further education college or other training provider
- Examples of Level 3 courses include A levels, vocational qualifications such as BTEC or City & Guilds qualifications at level 3 and the International Baccalaureate. It can also include apprenticeships and training courses funded by the Education Funding Agency provided the student is 18 or under on 31 August 2017. Your school, college or training provider will be able to confirm if the course qualifies

Free travel is available until the end of the course or the academic year, whichever is earlier.

Application forms are available from Post Office® branches throughout Greater London and areas that are served by the London bus, tube and Overground networks.

For further details visit www.tfl.gov.uk/zip

4.2 16 -19 Bursary Fund

Young people who need some financial support to help them stay in education and training after age 16 can apply to their school, college or training provider for the new 16-19 Bursary fund.

The 16-19 bursary fund has two elements:

1. **Guaranteed bursary:** those most in need will be eligible for a bursary of £1200 a year. To qualify students must meet at least one of the following criteria:
 - care or a care leaver
 - claiming [Income Support](#) or [Universal Credit](#)
 - disabled and getting [Employment and Support Allowance](#) and [Disability Living Allowance](#)
 - eligible for Personal Independence Payment (PIP) and either ESA or Universal Credit
2. **Discretionary bursary:** Providers may use their discretion to distribute any remaining funds to young people in ways that best fit the needs and circumstances of their students. Bursary funds should be targeted to young people facing financial barriers to participation, such as the costs of transport, book and equipment.

Providers have discretion to set policy, administer and allocate funds which best suit the needs of its learners. All organisations should have a 16-19 Bursary Fund policy which is available upon request. Applications should be made directly to the school, college or training provider.

If a learner feels aggrieved about how their request for a bursary has been handled, they should follow the school's/college's/provider's standard complaints procedure.

For further information on the 16-19 bursary fund visit:

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

5. Principles of Travel Assistance

- 1) Travel assistance will be considered for people who have an eligible need.
- 2) The aim of the travel policy is to promote people's confidence to travel independently in the community.
- 3) Parents and carers have a vital role to play in providing support for people to travel.
- 4) People's mobility benefits or other travel assistance will contribute towards helping individual's to travel.
- 5) The Council can offer a range of travel assistance appropriate to the assessed needs of the individual.
- 6) Where people are eligible for support from the Council, the support provided will be the "most appropriate and least restrictive option possible".

5.1 Eligibility

Lewisham Council will provide travel assistance for people who meet the eligible criteria for support. The Council will provide suitable assistance that it considers necessary in order to facilitate the attendance of persons aged 16-25 living in Lewisham with an EHC Plan, and receiving education or training at a qualifying educational establishment.

People aged 18+, and supported by Adult Social Care must meet the eligibility criteria specified in the Care and Support (Eligibility Criteria) Regulations 2014¹. All adults being considered for transport must have had an individual assessment in order to determine their needs and eligibility for support from Lewisham Council before travel assistance can be considered.

Assistance to colleges will only be provided for the journey from home to the educational establishment and home again at the start and end of the college day. Support will not normally be provided to meet individual timetables or participation outside of standard college times, except in exceptional circumstances.

5.2 Confidence and independence

The Care Act states that "*local authorities must consider the benefits of approaches which delay or prevent the development of needs in individuals*". As such the Council will look at providing support which builds the individual's confidence and independence. The Council will seek to offer people for whom it would be suitable the opportunity to undertake Independent Travel Training in order to build their confidence and ability to lead an ordinary life. Where Independent Travel Training is not an appropriate offer and the person cannot travel safely on their own then this support may be offered by providing a travel buddy in order to help support them whilst they travel.

5.3 Carer Support

The Care Act requires the Council to consider how an individual can be supported by their family or other carers when determining if a person's needs are being met.

People who have eligible needs and do not have the capability to travel independently can be supported by their family; or by another person who is able to support them. For example the person can be supported by a carer who can walk, drive or travel with them by public transport to their activities as appropriate. Support provided by the family or another carer will be explored before other means of support are considered.

5.3.1 Care to Learn

¹ Care and Support (Eligibility Criteria) Regulations 2014. <http://www.legislation.gov.uk/ukdsi/2014/9780111124185>

The Care to Learn scheme will continue to be available for parents in England who are under 20 when they start a course in 2016/17. The Care to Learn scheme will pay up to £175 per child per week to help with the cost of:

- childcare while the young person is learning, on work placements linked to the course or programme of study or undertaking private study;
- any registration fees (up to £80) or deposit (up to £250) charged by the childcare provider;
- a childcare 'taster' (up to five days) aimed at helping the learner's child settle in before their learning starts;
- fees the learner needs to pay during summer holidays to keep the childcare place open;
- additional travel costs the learner has to pay so they can take their child from home to the childcare provider.

The childcare provider will receive payments direct from Care to Learn. Funding to help with travel costs will be paid to the young person's learning or training provider regularly and the provider will reimburse the learner or arrange travel for them.

For information on care to learn visit: <https://www.gov.uk/care-to-learn>

5.4 **Mobility Benefit & Travel Concessions**

When assessing an adult's need for Travel Assistance under the Care Act, the Council will take into consideration DLA or PIP benefits where people receive the Mobility Component, a vehicle provided by the Motability Scheme and bus pass or other form of travel concessions. It is reasonable of the Council to consider that by having these benefits a person's needs are in some way already being met.

Vehicles provided by the Motability scheme are done so in order for people receiving support to maintain their independence, including when this vehicle is being driven by a nominated driver, i.e. a family member. Motability vehicles are provided on the understanding that the car is used by, or for the benefit of, the disabled person. Motability vehicles can be insured by up to three people who can help support the person by driving for them.

Not giving the person the benefit of the car is considered misuse by the Motability scheme and can put the lease at risk. It is clear that a vehicle from the Motability scheme is to be used for the benefit of the person for whom it is provided and the nominated drivers will have signed a Statement of Responsibilities when applying for the scheme, agreeing to transport their relatives in this instance.

5.5 **Appropriate Travel Assistance**

Once a person is eligible for travel assistance they will be helped to choose the most appropriate assistance suitable to meet their identified needs, including travel training where the person will benefit from it. This will take into consideration their mobility, their intellectual capacity and the resources available to them. When assistance is provided through Adult Social Care, The person's choice of travel assistance will be included in their Care Plan.

For the majority of young people, travel needs are currently met by the provision of free travel by Transport for London (TfL). Young people travelling by bus are required to obtain the appropriate Oyster card in place at the time. It is also the young person's responsibility to meet the requirements set by TfL for retaining an Oyster card. Similarly, people receiving support from Social Care can also be eligible for support with Oyster cards for free travel on TfL services.

In most circumstances, once a young person reaches sixth form age, the local authority expects that they will be able to make their own arrangements to travel to and from school or college independently. In some circumstances, the local authority will provide support in order to help the young person to travel independently or if necessary, provide a transport service to ensure that the young person is able to attend their educational establishment.

A qualifying educational establishment in relation to young people of sixth form age is defined as:

- further education colleges;
- schools with sixth form provision;
- Independent special schools or specialist provision.

Any additional information relating to discretionary travel arrangements that the governing bodies of educational establishments propose for young people of sixth form age may be found on the individual school website or by contacting the school.

5.6 **Direct Payment**

Where a person is eligible for travel assistance provided by the Council, they may be offered a Direct Payment (DP) and support to organise their own transport. This will allow the person make their own travel arrangements, which not only gives the person control over what type support best meets their need but can also control what is spent.

Where there is an eligible and identified need to offer a different form travel assistance due to behavioural or physical challenges the Council will seek to source and explain how travel assistance will be provided.

Where support is arranged by the Council it may agree to pick people up from a designated collection point, which will be no more than 500 metres from their home. The person will be picked up from this point at the beginning of the day and returned there at the end of the day.

6. **Charging for educational transport**

Lewisham council does not currently ask for financial contributions towards travel assistance. However, legally the authority is entitled to ask for a contribution towards travel costs for those aged 16 – 18 and in education. The council reserves the right to introduce a charging process.

7. **Appeals Process**

If an applicant believes that the council's decision not to provide travel assistance is incorrect, or flawed, they have the right of appeal.

A decision can be appealed at Stage 1 by writing a letter within 20 working days of the decision, to explain the reasons for disagreeing with the decision.

While the appeal process is open no new travel assistance will be given or no changes will be made to existing arrangements.

Stage 1 appeals for young people aged 16-25, and in education, appeals should be directed towards **Multi Agency SEND Service Manager**
3rd Floor, Kaleidoscope, 32 Rushey Green, SE6 4JF

You will receive a written response within 20 working days. If the original decision is upheld, you will have the right to make a Stage 2 appeal. Details of how to do this will be included in the Stage 1 response letter. Stage 2 appeals will be considered by a Travel Assistance Panel.

8. Contacts

8.1 Schools with sixth forms

Abbey Manor College
40 Falmouth Close
Lee
London SE12 8PJ
Telephone: 020 8297 7060
Website: www.ctksfc.ac.uk

Drumbeat School and ASD Service
Roundtable Road
Downham
Bromley
BR1 5LE
Telephone: 020 8698 9738
Website: www.drumbeatasd.org

Greenvale School
Waters Road
SE6 1UF
Telephone: 0208 465 0740
website: www.greenvale.lewisham.sch.uk

Haberdashers' Aske's Hatcham College
Pepys Road
New Cross
London SE14 5SF
Telephone: 020 7652 9500
Website: www.haaf.org.uk/General-Information-Hatcham

Haberdashers' Aske's Knights Academy
Launcelot Road
Bromley Kent
BR1 5EB
Telephone: 020 7652 9500
Website: www.haaf.org.uk/General-Information

Prendergast Sixth Form
Hilly Fields
Adelaide Avenue
London SE4 1LE
Telephone: 020 8690 3710
Website: www.hillyfieldscollege.lewisham.sch.uk

Sedgehill School
Sedgehill Road
Bellingham
London SE6 3QW
Telephone: 020 8698 8911
Website: www.sedgehill-lewisham.co.uk

Sydenham and Forest Hill Sixth Form (SFH6)
Forest Hill School
Dacres Road
London SE23 2XN
Telephone: 020 8613 8431

Sydenham School
Dartmouth Road
London SE26 4RD
Telephone: 020 8291 8484
Website: www.sfh6.org

8.2 Sixth form colleges, further education colleges and adult education

Christ the King Sixth Form College: Aquinas
Sprules Road
Brockley
London SE4 2NL
Telephone: 020 7358 2400
Website: www.ctksfc.ac.uk

Christ the King Sixth Form College: Emmanuel
Belmont Grove
Lewisham
London SE13 5GE
Telephone: 020 8297 9433
Website: www.ctksfc.ac.uk

Lewisham Southwark College
Lewisham Way
London SE4 1UT
Telephone: 0800 834 545 (course enquiries) or 020 8692 0353 (general enquiries)
Website: www.lesoco.ac.uk

9. Other useful contacts

Cycle lessons - are available for those who live, work or study in Lewisham. The lesson provides a free two-hour cycle session, delivered by a fully qualified cycling instructors. This is one-to-one training tailored to specific needs. For more information visit:
<http://www.lewisham.gov.uk/myservices/transport/cycling/Pages/Free-cycle-lessons.aspx>

Direct Gov – information on support schemes for 14-19 year olds: www.direct.gov.uk

Transport for London – ticket prices, application procedures and journey planner: www.tfl.gov.uk/tfl

Adult Social Care Transport Decision Flow

