

**DRAFT**

# Post 16 travel for young people with SEND

Special Educational Needs  
and Disability Information,  
Advice & Support Service

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**Although young people must remain in education or training until they are 18 years, a local authority (LA) does not need to provide free school or college travel for them.**

However, they must have a travel policy statement which explains what transport arrangements they consider it necessary to make, to help young people of 'sixth form age' to attend school or college.



# A young person is of 'sixth form age' if they:

- are over compulsory school age but under 19, or
- began the course they are studying at school or college **before** their 19th birthday.

A young person will be of sixth form age until they finish that course, even if this is after their 19th birthday. This includes students with EHC plans.

'Post 16 Transport and Travel Support to Education and Training' 2019, paragraph 5



# The statutory guidance says:

'The overall intention of the sixth form age transport duty is to ensure that:

- learners of sixth form age are able to access the education and training of their choice; and
- if support for access is requested, this will be assessed and provided where necessary.'

'Post 16 Transport and Travel Support to Education and Training' 2019, paragraph 6

This means that the law gives local authorities the discretion to decide what transport and financial support is necessary.

**The statutory guidance says that they should give priority to young people with special educational needs (SEND) and vulnerable learners.**



When local authorities assess what travel arrangements or financial support may be required for education or training

**'they should consider the needs of the most vulnerable or socially excluded.**

**The needs of young people with special educational needs and disabilities should be specifically considered.'**

'Post 16 Transport and Travel Support to Education and Training', para 29(a)

# Some young people with SEND may need additional help with travel arrangements.

- They may not be able to manage public transport or walk accompanied to their education setting due to their SEN, disability or mobility issues.
- They may have to travel further afield to attend a course suitable for their SEN.



The statutory guidance states –

**‘Young people should have a reasonable opportunity to choose between the courses available to them at 16 and be supported to access their choices.’**

‘Post 16 Transport and Travel Support to Education and Training’ 2019, paragraph 29(b)





The statutory guidance continues -

**‘Journey time also needs to be taken into account. Young people should be able to reach their education or training without incurring such stress, strain, or difficulty that they would be prevented from benefiting from the education provided.’**

‘Post 16 Transport and Travel Support to Education and Training’ 2019, paragraph 29(d)



# Local authorities must also have regard to:

‘..those who are vulnerable to becoming ‘not in education, employment or training’ (NEET) at the age of 16 or 17 or who have already become NEET.

These young people should be offered a suitable course of education or training and provided with **any transport support that is necessary** to enable them to participate.’

‘Post 16 Transport and Travel Support to Education and Training’ 2019, paragraph 29(a)



In Suffolk, if you believe your young person will need travel support, you can make a request to the local authority via **Suffolk County Council's Post 16 Travel Application webpage.**

You can contact the Customer Service Team via **customer.service@suffolk.gov.uk**

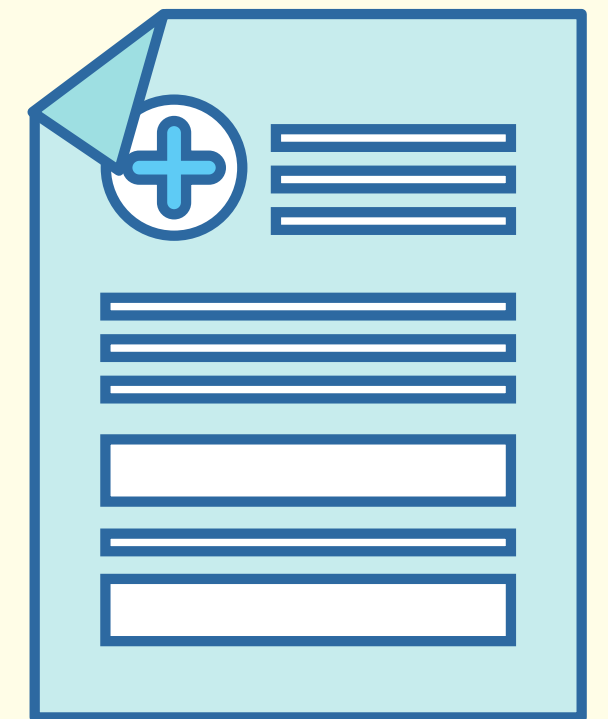


If you are unable to complete this online, call **0345 606 6173** and someone will complete the form with you.

# **Provide information about your child or young person's SEN, disability or any risks around the journey.**

Evidence might include:

- Letters or reports from medical practitioners explaining any health or mobility needs. This could include concerns over the young person's ability to manage a long journey or different bus changes.
- Needs and provision within an EHC plan. For example, specific sensory & learning difficulties, mobility needs or concerns around their ability to stay safe.



## Evidence might include:

- Social care reports or an Early Help Assessment or minutes from Family Network Meetings including notes recording any difficulties keeping your child safe.
- School risk assessments for school trips. For example, demonstrating your child lacks road safety understanding, or struggles to manage social interaction or sensory regulation on buses.



# The local authority must consider individual circumstances when a request for travel support is made.

An offer of support could include either:

- a subsidised bus pass or rail card
- independent travel training
- personal travel budget or mileage allowance
- provision of transport.



# Challenging a local authority transport decision

You can appeal against a transport decision within 20 working days of the date of your refusal letter.

You will want to show that it would not be 'reasonably practicable' for your child to access education or training without transport arrangements being made.

We have information on our SENDIASS website to help you.



**Local authorities can ask families to contribute to travel costs, even if transport was previously free.**

For mainstream settings, there may be alternative sources of funding to help.

The **16-19 bursary** can help with educational costs, including transport, if your young person meets the eligibility criteria.

The school, college or training provider will be able to tell you of any available bursary.





# Education, Health and Care (EHC) plan provision

Home to school transport would not generally be special educational provision outlined in an EHC plan.

'Transport should be recorded in the EHC plan only in exceptional cases where the child has particular transport needs.'

(SEND Code of Practice, para 9.215)



# Education, Health and Care (EHC) plan provision

However, the law regards anything which 'educates or trains' as special educational provision.

Travel training which supports a young person to learn the skills necessary to become independent can be special educational provision, outlined in section F of the EHC plan.



# Students aged 19 – 25 years

A local authority must make arrangements for the provision of transport as they consider necessary for:

(a) adults (i.e. those who are aged 19 or over) and

(b) relevant young adults with an EHC plan

so that they can receive education or training.



'Post 16 Transport and Travel Support to Education and Training' 2019, paragraph 7. As per Section 508F of the Education Act 1996.

This adult duty applies if the young adult **started their course after their 19th birthday.**

This includes relevant young adults with EHC plans.

Where the local authority agrees to make arrangements for a young adult, any transport provided **must be free of charge.**

'Post 16 Transport and Travel Support to Education and Training' 2019, paragraphs 8 & 9



Where the local authority decide not to provide transport arrangements for a young adult, they still have discretion to pay all or part of the reasonable travelling expenses for the student.



Adults who are eligible for social care may also receive help with transport to education as part of their **Care and Support Plan**.

# Adult students with EHC plans

For young adult learners an EHC plan may strengthen the argument that travel arrangements are 'necessary'.



The local authority has a duty to secure the special educational provision set out in Section F of an EHC plan.

The statutory guidance says: 'Transport arrangements will need to support commissioning arrangements to ensure that young people have access to the education and training provision that has been commissioned.'

'Post 16 Transport and Travel Support to Education and Training' 2019, para 29(b)

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