London Borough of Merton
Travel Assistance Policy

For students with an Special Educational Need or disability over the age of 16

2015 - 2016
1. Summary of policy statement and main objectives

The local authority aims to ensure that students with an SEN or disability who are resident in Merton receive appropriate travel assistance where they need this in order to access their school are able to travel to and from school, college or other post 16 education placements, including apprenticeships and traineeships.

Government Guidance to Local Authorities on post 16 transport policies including links to the relevant legislation can be found at https://www.gov.uk/government/publications/post-16-transport-to-education-and-training

This policy gives you information about:
1. Travel assistance available for young people with special educational needs (SEN) and/or disabilities
2. Independent Travel Training
3. Personal Travel Assistance Budget (PTAB)
4. How to apply for travel assistance from the London Borough of Merton
5. What travel assistance means
7. Grants offered by South Thames College and other colleges of further education
8. Free and subsidised travel for 16-18 year olds and those over 18 from Transport for London via their Oyster Card Schemes
9. Central Government Adult Learners Grants (ALG) for those aged 19 and over
10. Employment and Support Allowance (ESA)
11. The Care to Learn scheme for students with children
12. How to appeal if you are unhappy with the local authority’s decision or the response you receive

Contact details for queries about the policy or to ask for an application form:
SEN Team
Merton SEN & Disabilities Integrated Service
1st Floor, Merton Civic Centre
London Road
Morden, SM4 5DX
phone: 020 8545 4810
email: sen.transport@merton.gov.uk
1. Travel assistance may be available for young people with special educational needs (SEN) and or disabilities from 16 years of age

The local authority expects that the majority of young people with special educational needs or disabilities will travel independently to school, college or other training provisions, apprenticeships and traineeships and that they will use the concessionary fares, discounts and passes available to all young people.

The local authority will provide travel assistance for students who:

- currently have a Statement of Special Educational Needs or a Learning Difficulties Assessment (often called the 139A or LDA) or Education, Health and Care Plan or are disabled and aged 16 and over, but below the age of 19 years prior to the start of the course of study.
- and there is clear evidence that the young person’s disability is such that they are unable to travel independently or to do so would result in undue stress for the young person.
- and the institution is more than 3 miles away from the young person’s home as calculated via the shortest safe normal walking route, and there is no suitable provision available nearer to home or the nature of the young person’s disability means that they must have travel assistance in order to access education and training, even if less than 3 miles from home.

A post 16 travel assistance application form must be filled in each year (for all those under 18, parents or carers must apply on the young person’s behalf) and if a change of address occurs a parent/young person must reapply and be reassessed.

Students who are undertaking apprenticeships and traineeships may be offered support with off-the-job training. This may include costs of travelling to or from the place of learning or work placement and travel arrangements outside normal working hours. This will only be agreed if stated within an Education, Health and Care Plan or DLA.

Applications must be received at least 6 weeks before the start of each academic year if the student needs support to be in place before they begin to travel.

The local authority understands that there can be exceptional circumstances that apply in individual cases and so will consider all applications on their own merit and exercise discretion on a case by case basis.

*Between 2014 and 2018, EHC plans (Education, Health and Social Care Plans) will replace Statements of Special Educational Need and Learning Difficulty Assessments (LDAs).

2. Independent Travel Training

The London Borough of Merton commissions an external provider to run an independent travel training service. The local authority can refer a young person for training or parents or young people themselves may contact the SEN Team and ask to be referred directly. It is an intensive 1:1 training programme. Travel assistance can continue until the young person is safe to travel alone. Training is tailored to the young person’s own capabilities and confidence level. Once the young person, travel trainers and other professionals
agree that the young person is safe to travel alone safely, travel assistance will be withdrawn. In addition, further education providers and schools may offer their own travel training programmes.

We encourage all young people to take up these opportunities if they are able to do so in order to increase their independence, self-esteem and life chances. If the young person or parent wishes to speak to other young people or families who have used these services or hear feedback from young people who have been trained, please contact Merton’s SEN Team and they will refer you to the travel training provider.

3. Personal Travel Assistance Budget

A Personal Travel Assistance Budget (PTAB) is a way for a young person or their family to receive travel support from the SEN service and will directly pay to the young person or their family an annual travel allowance to arrange travel to their agreed school or education programme. It will offer the young person or their family increased flexibility, choice and control over how they arrive at school and in the best possible condition to receive their education.

Some of the benefits include:

* Flexibility to travel in your own time.
* Being able to choose who you want to be involved in travel arrangements.
* Being free to use the allowance as you see fit to meet the travel needs.
* Weekly / Monthly public transport travel passes can also be used during evenings and weekends for leisure and other activities.

4. How to apply for travel assistance from the London Borough of Merton

To apply for travel assistance please contact:

The SEN Team
Merton SEN & Disabilities Integrated Service
1st Floor, Merton Civic Centre
London Road
Morden, SM4 5DX
phone: 020 8545 4810
email: sen.transport@merton.gov.uk

Alternatively, you can complete an online application form on the Merton Council website at http://www.merton.gov.uk/learning/edinclusion/sendis/transport_application_form_16_.doc or download the form and post or email it to the SEN Team.

Applications can be made at any point during the year although we recommend that you apply as soon as you know that you will need travel assistance.

The local authority may require up to 6 weeks from receipt of an application form to arrange travel assistance, assuming the application is successful. If a young person has complex disabilities and a risk assessment has to be carried out, it may take longer but it will be no more than 3 months.
5. What travel assistance means

When an application is approved for post 16 travel assistance by the local authority, this may be provided in a number of ways including but not limited to:

- a Personal Travel Assistance Budget to fund part of or all of the travel costs.
- independent travel training.
- providing a minibus or taxi to transport the young person, in a group or alone depending on logistics and safety considerations (sometimes this will include paying for an escort if this is the only way to ensure the young person’s safety and wellbeing.)
- contributing to all or part of the costs of transport for a young person in order to attend an agreed residential placement or an out of borough placement (after allowing for any discounts or concessions that may be available to the young person.)
- any other method as appropriate to meet the needs of the young child.

The most appropriate method of travel assistance will be decided by the local authority who will take into consideration cost, journey time (aiming for a maximum in-borough journey time of 75 minutes), and the long term benefit to the young person in terms of maximising independence skills.

The provision of travel assistance may be reviewed and/or removed if a young person or parent/carer refuses to cooperate with reasonable requests from the local authority or transport provider.

Pick up and drop off times are arranged in geographical order so that journey times are minimised and cannot be varied to suit the needs of the parent.

If travel assistance is provided, it will be timed to minimise the number of journeys undertaken. This may require students either to arrive earlier that the start of their timetabled day or to wait at the end of their timetabled day until other students have finished and are ready to depart. Where possible, measures will be taken to minimise waiting time, so long as this does not result in significant additional expenditure.

6. London Borough of Merton Disabled Person’s Freedom Pass

Pupils with a Statement of Special Educational Needs, a Learning Difficulties Assessment or Education, Health & Care Plan are eligible for a Disabled Persons Freedom Pass allowing them free transport on all London transport services at certain times of day. For details and application forms call the Freedom Pass Administrator on 020 8545 4200 or go to www.merton.gov.uk/transport-streets/train/freedompasses.htm

If a young person wishes to take advantage of a Freedom Pass to travel to their education or training location using public transport but they need to be accompanied and they qualify for travel assistance under section 2 above, the Council may reimburse parents or carers for the cost of an Annual Oyster Travelcard for travel within the relevant London zones.
7. Grants offered by South Thames College and other Colleges of Further Education

South Thames College offers a Discretionary Learner Support Fund for students between 16 and 19 that can help to cover student’s travel costs.
For more information please contact the Advice Centre at South Thames College, Morden Park, London Road, Morden SM4 5QX. Telephone number: 020 8918 7777 or info@south-thames.ac.uk

Carshalton College offers bursaries for 16 – 18 year olds. These funds are limited and are on a first come first serve basis. http://www.carshalton.ac.uk/about/student-zone/financial-assistance-16-18-year-olds/

For information and advice contact Customer Services at Carshalton College, Nightingale Road, Carshalton, Surrey, SM5 2EJ. Telephone number: 020 8544 4521 or cs@carshalton.ac.uk

16 – 19 Bursary Funds and other learner support funds are available at most further education establishments. These funds are generally either means tested or require the young person to receive certain benefits such as ESA or DLA. Please contact each individual establishment about their grants. The local authority will take receipt of 16-19 bursary funding into account in assessing an individual’s need for financial help with transport.

For more information on bursaries go to www.gov.uk/1619-bursary-fund.

You should ask for application forms for these bursaries or grants as soon as possible after your enrolment or the first day of the Autumn term (beginning in September).

For more information and advice on college funding go to https://nationalcareersservice.direct.gov.uk/advice/planning/Pages/disabilities.aspx

Bursaries and grants must be applied for prior to requesting travel assistance.

8. Free and subsidised travel for 16-18 year olds and those over 18 from Transport for London via their Oyster Card Schemes

Bus and tram travel in Greater London is free to all students who attend a full time course (minimum 12 hours per week for 10 weeks or more per year) and who are between ages 16 and 18. Parents or carers should apply for a 16 – 18 Zip Oyster Photocard via Transport for London online or at local post offices. The Zip Card also means that underground and overland trains will be charged at half the adult single fare, and you can purchase a travelcard at the child rate.

Students who are over 18 are eligible for an 18+ Oyster Card that provides a 30% discount off season tickets.

Young people are also eligible to purchase a 16 – 25 National Railcard that offers an additional 33% discount on top of that provided by the Transport for London Oyster Card.

To find out more, please go to www.16-25railcard.co.uk/?source=portal
9. Central Government Adult Learners Grants for those aged 19 and over
To find out about other grants that may cover transport costs for students in education, training or work-related learning, please see the Government website www.gov.uk/grant-bursary-adult-learners

10. Employment and Support Allowance (ESA)
An ESA should be requested prior to requesting any travel assistance and will support students who are in receipt of a Disability Living Allowance or a Personal Independence Payment. To find out more about an ESA, please see the Government website https://www.gov.uk/employment-support-allowance/eligibility

11. Care to Learn scheme for students with children
To see details of this Government scheme, including how to apply, please go to www.gov.uk/care-to-learn/overview
You are eligible if:
- you’re a parent under 20 at the start of your course
- you’re the main carer for your child
- you’re either a British citizen or a national of a European Economic Area (EEA) country
- your course is publicly funded (check with your school or college)
- your childcare provider is registered with Ofsted or the Care Quality Commission

12. How to appeal if you are unhappy with the local authority’s decision or with the response you receive
If an applicant has been unsuccessful in their application for travel assistance and would like to appeal the decision on the basis of:
- The travel arrangements offered;
- Eligibility;
- The distance measurement in relation to statutory walking; and
- The safety of the route

Stage one: Review by a senior officer
A young person or their parent/representative has 20 working days from receipt of the Council’s decision on travel assistance to make a written request asking for a review of the decision.
The written request to the manager of the SEN & Disabilities Integrated Services should detail why the young person or parent believes the decision should be reviewed and give
details of any personal and/or family circumstances that the young person or parent believes should be considered when the decision is reviewed.

Within 20 working days of receipt of the written request for a review, a senior officer will review the original decision and sends to the young person or parent a detailed written notification of the outcome of their review, setting out:

- the nature of the decision reached;
- how the review was conducted;
- information about other departments and/or agencies that were consulted as part of the process:
- the rationale for the decision reached; and
- information about how the young person or parent can escalate their case to stage two (if appropriate)

requests for review should be sent to:

The Manager of Merton’s SEN & Disabilities Integrated Service  
The London Borough of Merton  
Merton Civic Centre  
London Road  
Morden, SM4 5DX

Stage Two: Review by an independent appeal panel

A young person/parent has 20 working days from receipt of the local authority’s stage one written decision notification to make a written request to the Head of Education to escalate the matter to stage two.

Within 40 working days a receipt of the request an independent appeal panel will consider written and verbal representations from both the young person/parents and officers involved in the case and will give a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached;
- how the review was concluded (including the standard followed);
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parent’s right to put the matter to the Local Government Ombudsman (see below)

The independent appeal panel members will be independent of the original decision making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the local authority), to ensure a balance is
achieved between meeting the needs of the parents and the local authority, and that road safety requirements are complied with and no child is placed at unnecessary risk.

Requests for a review by an independent panel should be sent to:
The Head of Education
The London Borough of Merton
Merton Civic Centre
London Road
Morden, SM4 5DX

Local Government Ombudsman – complainants have the right to complain to the Local Government Ombudsman only if the complainant considers that there is a failure to comply with the procedural rules or if there are any irregularities in the way the appeal has been handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply for judicial review.

If you are not satisfied with the outcome of your complaint, you can also complain to the Secretary of State for Education. The Secretary of State can make a direction to a local authority where it has exercised its functions unreasonably or has failed to discharge a duty. The Secretary of State will not always be able to intervene; for conduct to be “unreasonable” it must be conduct which no reasonable local authority acting with due appreciation of its responsibilities would have decided to adopt. Under section 509AA (9), of the education Act 1996, the Secretary of State may also direct a local authority to make transport arrangements or provide financial assistance for travelling expenses for individuals or groups of learners. This only applies where particular transport arrangements or financial assistance have not been included in, or are not covered by, the local authority’s transport statement. The Secretary of State can make a direction where he considers it expedient to do so, having regard to the particular circumstances of the case.

Information about how to escalate your complaint to the Secretary of State or the Local Government Ombudsman will be included in the response to any second stage appeal.
Home to school travel and transport: flowchart of the review/appeals process

- Officer A declines the home school travel application or offers travel arrangements the parent considers ‘unsuitable’

**Parent challenges (within 20 working days)**
Parent challenges officer A’s decision on basis of:
- entitlement
- distance measurement
- route safety
- consideration of exceptional circumstances

**Stage 1 (within 20 working days): Review by a senior officer**
Officer B (a senior officer) reviews officer A’s decision and sends the parent a written notification of the outcome including:
- detailed reasoning for decision made
- notification of option to escalate to stage 2 (an appeal panel)

**Parent challenges (within 20 working days)**
Parent challenges officer B’s (the senior officer) decision

**Stage 2 (within 40 working days): Review by an appeal panel**
Independent appeal panel (officer A or B must not sit on panel) hears written / verbal representation from parent. The appeal panel is independent of the process to date and suitably qualified

- Independent appeal panel sends decision letter to parent (within 5 working days), including how to escalate the case to Local Government Ombudsman (LGO)