

EXECUTIVE

DATE: 20 APRIL 2009

SUBJECT: POST 16 TRANSPORT POLICY FOR SEPT 2009

REPORT BY: CORPORATE DIRECTOR, CHILDREN & LEARNING

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MANAGER 548015

IMPLICATIONS:

LEGAL	✓	STAFFING
EQUALITIES	✓	COMMUNITY SAFETY
FINANCIAL	✓	RISKS

OTHER

CONSULTATIONS:

COUNCILLORS CONSULTED	SCRUTINY COMMITTEE CONSULTED
STAKEHOLDERS CONSULTED	OTHER

WARDS AFFECTED:ALL

LEAD EXECUTIVE MEMBER(S): COUNCILLOR T KHAN

RECOMMENDATION(S)

1. Executive is recommended to approve the Post 16 Transport Policy set out in Appendix A.

BACKGROUND

2. The Luton Post 16 Education Transport Partnership was formed in March 2003 to meet new requirements of the Education Act 2002. The legislation was designed to ensure partnership and collaboration between local authorities, their local Learning and Skills Council, further education institutions, higher education institutions, transport authorities, Integrated Youth Support Service and other key local organisations in developing, publishing and delivering transport policy statements for students. The

Council is required to lead partnerships and publish their policy statements.

3. Since the national introduction of Education Maintenance Allowances (EMA) in September 2004 partnerships have been advised to concentrate more on ensuring that students have access to affordable services providing for group needs, discounts and concessions and creating greater consistency in the provision of transport services and support for those facing costs they cannot reasonably afford.
4. Students are expected to contribute a reasonable proportion of their EMA towards transport costs. This should not normally exceed a third of their EMA, although local authorities cannot “make” students contribute a proportion of their EMA towards transport costs. They may take into account the amount of EMA a student receives when deciding the level of transport support that will be offered.

REPORT

5. The proposed policy for September 2009 is a continuation of the SaverCard Scheme which has been in operation in Luton since September 2006.
6. 970 Post 16 pupils purchased a SaverCard in 2006/7; this was more than double the amount of students the Council supported in 2005/6. This figure increased to 1005 in 2007/8 and to 1117 in 2008/9. All partnership members are in favour of continuing with the SaverCard Scheme for 2009/10.
7. Students who are taking courses not available within the Luton and Dunstable conurbation may continue to receive a financial contribution towards their transport costs.

UUPTIONS

8. The Executive is recommended to approve the Post 16 Transport Policy, for academic year 2009/10, as set out in Appendix A.
9. The Executive can approve an alternative funding scheme.

LEGAL IMPLICATIONS

10. There are the following legal implications to this report, and this has been agreed with Mary Cormack in Legal Services on 1 April 2009.
 - a) Section 509 AA Education Act 1996 (“the Act”) provides that authorities must by 31 May publish a transport policy statement for post-16

students for the next academic year. The statement must specify the transport arrangements and provision of financial assistance, which the Council considers necessary for facilitating the attendance of post 16 students at schools and further education establishments.

- b) It is for the Council to decide what is “necessary” but s509 AB (3) states that in doing so it must “have regard (amongst other things) to:
 - I. the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made
 - II. the need to secure that persons in their area have reasonable opportunities to choose between different establishments at which education or training is provided
 - III. the distance from the homes of persons of sixth form age in their area of establishments... at which education or training suitable for their needs is provided and
 - IV. the cost of transport to the establishments in question and of any alternative means of facilitating the attendance of persons receiving education or training there.
- c) Section 509 AD of the Act states that in exercising its travel functions the Council must have regard to any wish of a parent for the student to be provided with education or training at a particular school, institution or other place where that wish is based on the parent’s religion or belief.

- 11. Subject to the above, the provision of financial support for post-16 transport is a matter for discretion by the Council.

EQUALITIES IMPLICATIONS

- 12. The proposed policy, given at Appendix A, ensures all Luton resident students aged 16-19 in full time education at a college in the Luton and Dunstable conurbation receive the same level of financial assistance towards travel costs.
- 13. This has been approved by the Equalities Co-ordinator (Children & Learning) on 30 March 2009.

FINANCIAL IMPLICATIONS

- 14. The Council has continued to support the Post-16 Transport SaverCard Scheme within the 2009-10 Budget.
- 15. The Children & Learning Finance Manager, confirmed this position on 30 March 2009.

APPENDIX

16. The following appendix is attached to this report:

- ❖ Appendix A –Proposed Post 16 Transport Policy for September 2009

LIST OF BACKGROUND PAPERS **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

17. None.