

Statement: CS17.01

Cabinet – 3 March 2022

Re: Agenda item 17 – Home to School Travel DPS Framework Re-commission

Statement submitted by: Jen Smith

'Travel Training' for pupils with Special Educational Needs and Disabilities (Send) to enable them to have 'maximum independence' is being raised in conjunction with papers aiming to provide a 'competitive', 'cost-effective' service, or more commonly known as – outside City Hall – cuts.

Papers to Cabinet regarding Home to School Transport (HTST) are a lengthy woe -is - me, from a Local Authority who continues to let down pupils with Send. If you can't let them down with a cost-effective, demand management method one way, you can get them with another.

Worryingly, in one paragraph, the council stipulates its duty, but quite fails to mention all of them:

'BCC has a duty to provide home to school travel where children are eligible through distance to nearest suitable school, low income, temporary housing or for those in receipt of an Education, Health and Care Plan (EHCP).'

Pupils with Send do not need an EHCP to be entitled to home to school transport. I find it concerning that a few years after having issues with the HTST service, this is still going on.

An excerpt from a pre-action protocol letter a solicitor once sent to Bristol City Council on my behalf and copied below highlights the 'misguided' approach to tests for HTST. I have huge concerns about how these will now be used to make decisions on readiness to 'maximise independence' through travel training.

'The Local Authority in their decision set out that the test for those with SEN or disabilities is that they are "unable to walk". This is misguided as the test is not whether or not a child is able to walk, whether in the literal sense or in the wider sense of being unable to walk, but it is whether they can be reasonably expected to do so.'

There is also no mention of pupils eligible for transport due to 'no suitable walking route' Does this mean Bristol City Council is removing their lawful entitlement? Because you might want to consider that in your consultation before you end up slapped with another big Judicial Review.

The numbers of children with Send increasing the requirement for HTST is being done due to Bristol City Council's failure. A failure to adhere to the lawful test for EHCNAs in 2016. A failure in parts to provide HTST for eligible pupils in the past- both failures adding up to increased complex needs for pupils who then require specialist places further away. A failure to ensure enough specialist school places. A

failure to ensure schools in Bristol are not discriminating against pupils, pushing them out of education.

This adds up to quite a lot of failure, none of which are the pupils' faults and see them having to make long, lengthy journeys to schools many miles away in other Local Authorities.

It's quite shocking to say that parents and carers are creating 'a demand for taxis with an Escort to take their children to school and resistance in enabling more independent travel as their children grow older.'

Parents and carers only want their children to access education and for it to be as practical and safe for them to do so. Kind of like non-disabled pupils are able to do without it being an issue.

There is no information in the papers about how the council proposes to enable more independent travel for children – as they grow older – when they have a disability and their school is 25 miles away. A journey to school this far away at around an hour one way, is likely to take most of the day if they are forced to use public transport or other 'sustainable' methods.

'If this is not changed, we will see all children with SEND transported by car to school until the end of their entitlement at year 11, creating a greater financial pressure in the service and into adulthood as transitional arrangements are not enabled.'

'Financial pressure' is not the fault of secondary school children who have been repeatedly failed throughout the Send process, so let's not frame it that way.

Interestingly, there is no transition into adulthood anyway. There is a supposed service for Send pupils aged 14 – 18, but they won't take children aged 14 because they are too young and if they are 16 to 17 they are too old. So, I lack any faith that working towards independence regarding travel will be done fairly or even efficiently.

As is usual with Bristol City Council, it absolutely fails to take into consideration that HTST is already building independence. The council continues to fail an entire cohort of Send pupils, some of which have been pushed out of education and experienced trauma. The very act of getting into a taxi and going to school in the first place is a huge step towards them becoming independent.

When you pass this decision, remember that in doing so, you are leaving every single child with Send at the mercy of arbitrary decision makers – much like the way the DWP treats disabled people – making decisions about who is able to go to school and who isn't. If it was your child having a screaming overwhelmed meltdown on the pavement, would that be good enough for your family? Because it's not good enough for ours either, and this cost-cutting attack on Send families will be met with resistance.