



# HOME TO SCHOOL TRANSPORT POLICY

**Children's Services**



## INTRODUCTION AND BACKGROUND

The Home to School Transport Policy for pupils of statutory school age including those with special educational needs and disabilities, attending mainstream and special schools is set out below.

**Please see the Guidance Notes, Frequently Asked Questions and Answers and Timeline, supporting this policy which can be found at the following link [www.hertsdirect.org/schooltransport](http://www.hertsdirect.org/schooltransport)**

**A different policy is in place for pupils over the age of 16.** Full details of the county council's current 'Transport policy for full-time students aged 16 -19 and students with learning difficulties and disabilities aged 19 and up to the age of 25' can be found at the above link.

## HOME SCHOOL TRANSPORT POLICY

### Transport Entitlement

#### 1) Nearest School

Free transport will be provided for children attending their nearest suitable school, inside or outside of Hertfordshire, where the distance from home to school is over the statutory walking distance.

- More than 2 miles (3218 m) from home for children aged under 8
- More than 3 miles (4827 m) from home for children aged 8 and over

Home school distances are measured along the 'nearest available route' – roads and pathways which can be accessed by the child accompanied as necessary.

For transport purposes the nearest suitable school is identified by considering whether the child would have qualified for a place at the school, regardless of whether it was named on the admissions application form.

Schools in a neighbouring authorities will be included when considering the nearest suitable school for transport purposes.

Faith schools will be included in the transport entitlement decision making process when the county council has permission from the Governing Body to allocate places to that school and in cases where an application was made but was superseded by a higher preference.

#### 2) Safety

Free transport will be provided for children attending their nearest suitable school, which is less than the statutory walking distance, if it is

considered unsafe for the child, accompanied as necessary, to walk along the route with reasonable safety. This entitlement will continue as long as the route remains unsafe. The county council has an agreed procedure document for assessing route safety.

Where routes become safe due to improvements, entitlement to transport would be ended for those currently receiving free transport.

### 3) Income

#### **Low Income Families as defined by the Education and Inspections Act paragraphs 9-14 of Schedule 35B**

Low income families are defined as those having children entitled to Free School Meals or whose parents are in receipt of their maximum level of Working Tax Credit.<sup>1</sup>

#### **Primary Age Pupils**

Children aged 8 but under age 11 from low income families are entitled to free transport where they live more than 2\* miles from their nearest suitable school.

\*The two mile limit will be measured in the same way as the “statutory walking distance”, i.e. along the ‘nearest available route’. Any distance of more than 2 miles will be measured using the Integrated Transport Network (ITN). The ITN measures along roads.

**Secondary Age Children (Compulsory school age)** Transport will be provided for children from low income families where the child is of compulsory school age who is 11 or over who attends either:

i) one of their three nearest suitable schools where they live more than two miles, but not more than six miles from that school. (This includes transport to places other than a school at which they might receive education under section 19(1) of the Education Act 1995 (as amended))

<sup>1</sup> How to determine whether parents are receiving maximum Working Tax Credit (WTC). When a customer is first awarded tax credits, or following a change in their household circumstances, HM Revenue and Customs issue a “tax credit awards notice” detailing the breakdown and amount of the award.

Part two of the award notice gives details of “How we work out your tax credits” including details of the full WTC elements. This is the maximum amount a customer can receive in WTC in any year. It then lists “**any reduction due to your income**” and shows the net amount payable. In order to qualify this amount must be £0.00. This is shown as an example rather than being definitive and each case will be considered on its own merits. A copy of the award notice will be required and the county council reserves the right to make enquiries to the Department for Work and Pensions with regard individual cases.

and includes exceptional provision of education in pupil referral units, known as Education Support Centres or elsewhere).

ii) the nearest suitable school preferred on grounds of religion or belief\*\* where they live more than two miles, but not more than 15 miles from that school. Transport will be provided when:

- the parent has expressed a wish, based on the parent's religion or belief, for their child to be provided with education at that school; and
- having regard to the religion or belief on which the parent's wish is based, there is no suitable school which is nearer to the child's home.

\*\*For Church of England schools, your child must be baptised into the Church of England or you must be on the parish electoral roll.

For Catholic school, your child must be baptised as a Catholic.

For Jewish Schools, you must be a member of the synagogue community.

#### **4) Special Educational needs/Disability and Mobility difficulties (including temporary medical conditions)**

The entitlement for children with special educational needs and disabilities or mobility difficulties is assessed against the statutory home to school transport policy, except where

- the child's Statement of Special Educational Needs expressly states that transport should be provided.

For those pupils without a Statement of SEN who have special educational needs and/or mobility difficulties (including temporary medical conditions) entitlement to transport will be considered on an individual basis and regularly reviewed following an assessment of the child's ability to walk to school, having regard to the child's special educational needs, disability and/or mobility problems where relevant, and taking into account any exceptional circumstances.

Cases are considered on an individual basis and relevant supporting independent professional evidence is required before transport is agreed and regularly reviewed following an assessment of the child's ability to walk to school.

#### **5) Support to Families**

Where a disability prevents a parent/carer from accompanying their child to school, the child's individual needs will be considered with due regard to the requirement to make reasonable adjustments under the Equalities Act 2010. Where eligible, the family will receive appropriate support to enable the child to attend a school within the statutory walking distance. This would be for both short and long term arrangements.

**Supporting the development of self reliant travellers:** Where it is safe, appropriate and reasonable to do so, pupils with special educational needs will be expected to walk, accompanied as necessary by a responsible adult, to and be dropped off, at a common pick up point near their home.

To support and encourage pupils to become self reliant travellers, individual pupils with Statements of Special Educational Needs will, where appropriate, be offered a programme of independent travel training (ITT). Once they have successfully completed their training, they would no longer have an entitlement to personalised transport, e.g. a taxi.

**Walking Escort:** Where appropriate (following discussion with the child's parents), parents of children with Special Educational Needs and disability who are entitled to transport can be offered an escort to walk their child a short distance to school.

**Passenger assistants:** will be provided in the following circumstances:

1. On all primary school routes organised by the county council.
2. To special schools for pupils with Severe Learning Difficulties (SLD) Schools and Schools for Physically Impaired pupils both on buses and taxis.
3. On larger vehicles travelling to special schools for pupils with Moderate Learning Difficulty (MLD) and Behaviour, Emotional and Social Difficulties (BESD)

In other circumstances, individual cases will be assessed according to their individual needs.

**Boarders:** Where children with Statements of Special Educational Needs require a residential placement following assessment:

- For Termly boarders the county council will provide assistance for travel to and from home to residential school at the beginning and end of each term and half term.
- For 52 week residential placements: the county council will provide assistance for travel to and from home to residential school for eight visits throughout the year

**Mileage Allowance:** A mileage allowance will be offered to parents/carers of children with special educational needs and disabilities who are entitled to transport where this offers best value for money to the county council..

**Respite Care:** Transport arrangements to alternative destinations at the end of the school day where it supports the need for the child to attend respite care (short breaks) and there is no additional cost to transport the child to the alternative destination will be considered on an individual basis.

This is for respite care only – it does not apply to individual family arrangements between a parent and a childminder.

**6) Examination Year** For pupils in Years 10 and 11 free transport may be provided in exceptional circumstances, to their existing school where pupils move to a new address in Hertfordshire. This would apply only:

- to pupils living beyond the statutory walking distance
- who have completed at least two terms in Year 10 at their existing school,
- and are currently attending their nearest suitable school.

The county council's subsidy would be no more than the maximum spare seat charge for 2013/14 and a maximum travel distance of 15 miles per journey would apply.

## **7) Excluded Pupils**

Free transport will be provided for pupils who have been permanently excluded from school for whom transport is required for attendance at a new school or Education Support Centre if the length of journey is over the statutory walking distance.

Pupils attending Education Support Centres (ESCs) will be required to use a bus or rail card to travel independently to the ESC, as is the current practice.

## **8) Children in Public Care**

Children in public care (children looked after) and children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order 19 or special guardianship order) will be assessed against the statutory home to school transport policy.

i) If the child is not entitled to free transport, it is the carer's responsibility to ensure that he/she is able to get to and from school

ii) Where exceptional circumstances exist, the professionals working with the individual child would review the child's needs and, if appropriate, make a case for transport. Individual cases would be considered by the Individual Needs Transport Panel.

iii) In conjunction with the Connexions Service, we will continue to support access, based on individual need and assessment, as students prepare to become learners of sixth form age, in preparation for their transition to further education or training.

## **9) Mileage Allowance**

Where this option offers the best use of public resources, parents/carers, may be paid mileage allowance, in lieu of transport arrangements for children entitled to transport.

## 10) Change of Address

If a family changes address we will reassess transport entitlement using the policy in place at the time of the move. Eligibility for free home to school transport may change in these circumstances

## 11) Sale of any spare seats available on vehicles operated by the county council

Transport to school may be provided where spare seats are available for sale on buses/coaches operated by the county council which are already running to provide transport for pupils who have a statutory entitlement.

No one is automatically entitled to a spare seat and we cannot guarantee that a child will keep the place for longer than a term.

The criterion for the sale of spare seats was decided by Cabinet on 19 September 2011. The Spare Seats Scheme can be found 'In this Area' on the left side of the page at the following link:

[www.hertsdirect.org/schooltransport](http://www.hertsdirect.org/schooltransport)

The cost of spare seats is as follows:

Miles from home to school	Charges for 2013/14 academic year, per pupil	Approved proposed charges for 2014/15 academic year, per pupil
Under 3 miles	£750	£765
3-4.99 miles	£1,000	£1,020
5 miles and over	£1,150	£1,173

## 12) Complaint and Appeal process

Few children are entitled to free transport. Parents/carers should therefore consider carefully the home to school transport policy when making their application for a school place. If a child is not entitled to free transport it is the parent/carer's responsibility to ensure their child can get to school.

A transport complaints and appeals process has been established for parents/carers:

- Who believe a mistake has been made in the consideration of their child's transport entitlement or who are dissatisfied with the service they have received or the way in which they have been treated.
- Who are dissatisfied with the service they have received or the way in which they have been treated.

- That their child's circumstances are not covered by the policy and there are exceptional circumstances that should be taken into account. In such circumstances, their case would be considered through the Appeal process according to the Exceptions Framework, agreed by the Director of Education and Early Intervention

In the first instance parents/carers should contact the appropriate local Admissions and Transport Team. Correspondence will be dealt with the relevant admission and transport officer and /or local manager (stage one of the complaints procedure)

If the parent/carer remains unhappy with the response received, they may request their complaint be considered:

- at stage 2 of the complaints procedure, if dissatisfied with the service or treatment they have received, or
- at a transport appeal, if disputing the accuracy of the transport entitlement decision or submitting an exceptional case for transport.

If the matter cannot be resolved at stage 2 or transport appeal the complainant will be informed that they can refer their complaint to the Local Government Ombudsman (L.G.O).

### **13) Sustainable School Travel and Transport Strategy**

Hertfordshire County Council has a strategy to promote sustainable travel modes for journeys to and from school. Further information is available at: [www.hertsdirect.org/schooltravel](http://www.hertsdirect.org/schooltravel)

Most schools in Hertfordshire have school travel plans that set out their planned initiatives and actions to encourage sustainable travel.

When parents are making preferences for school places, they should consider the school's travel plan as part of the information used to assess how their child will travel to and from school.