

Policy for Travel Assistance for Children & Young people attending School

2017/2020

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1. Introduction

- 1.1** This policy sets out who and in what way Central Bedfordshire Council (the Council) will help its residents with the transport of children of compulsory school age between home and school. It specifically relates to transport between home and school at the start and end of the school day and outlines the responsibilities that parents/carers and the Council have in this process.
- 1.2** It also explains the way in which the Council may help with the transport needs of those children who qualify for assistance as a result of specific special educational needs, disability or other mobility difficulties.
- 1.3** Details of travel assistance available under the Council's Post 16 Transport Policy are available on the Council's website (<http://www.centralbedfordshire.gov.uk/schooltransport>)

2. General Statement of Policy

2.1 This statement of policy sets out the way in which the Council will exercise its powers and duties to provide home to school travel assistance in accordance with Section 508B, 508C and Schedule 35B of the Education Act 1996 (the Act), as inserted by Part 6 of the Education and Inspections Act 2006 (the EIA 2006). It links to the Council's Sustainable Modes of Travel Strategy for schools and colleges.

2.2 Generally the Council will provide travel assistance for pupils of compulsory school age (term after the 5th birthday to 16 years of age) who are registered pupils at their nearest suitable (qualifying) school and live more than the recognised (statutory) walking distance from it, i.e. 2 miles for children aged under 8 and 3 miles for children aged between 8 and 16. For most children this travel assistance is free, but there are charges for those who make use of the Council's school transport services but are not themselves entitled under the terms of this policy. The Council makes no general transport provision for children under or over the age of compulsory education, or for children of any age who attend private schools or colleges. Please see Section 10, for details on post 16 transport.

2.3 The Education and Skills Act 2008 has now increased the age at which young people are required to participate in education or training to 18 years of age. However, this is not a change in the statutory school age, which this policy is aligned with, so it does not extend the entitlement for the provision of free travel assistance beyond year 11.

2.3 The nearest suitable school includes the nearest qualifying school that is deemed by the Council as suitable to a particular child's age and needs. To be eligible for travel assistance the distance to the school must exceed the statutory walking distance, as mentioned in the paragraph above.

2.4 In all other circumstances the Council will not provide travel assistance or contribute towards the cost of transport

2.5 The above general statements are intended as a general guide and are without prejudice to the full policy set out below. A parent or carer may appeal against a transport decision through the Council's formal Appeals Process (Section 13).

3. Roles & Responsibilities of the Parents and Carers

The law states that it is the parent's responsibility to ensure that a child gets to school, including accompanying them, if necessary. This includes the parent determining how their child will get to school and may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied, as appropriate.

3.1 It is the responsibility of a child's parent or carer to:

- i. ensure that a child of statutory school age receives appropriate full-time education;
- ii. make necessary arrangements for attendance at an appropriate school or other setting, including submitting applications as necessary for admission to a school and for home to school travel assistance to the Council;
- iii. ensure the reasonable safety of themselves and their child(ren) between home and the designated pick up point, and from the designated drop-off point and home;
- iv. be aware of the provisions of the home to school transport policy;
- v. pay for any wilful damage caused by their child;
- vi. to make arrangements as necessary when not available themselves, for their child to be accompanied by a responsible person as necessary when walking to and from school or to and from a pick up point who will wait with the child until the vehicle arrives;
- vii. ensure that the pupil is ready with a valid travel pass at the agreed time of pick-up when the vehicle arrives at home or at the pick-up point (transport staff are instructed not to wait over 5 minutes).
- viii. ensure the child knows what to do should they lose their travel pass and thus be refused travel, or if for any reason the vehicle does not arrive: for example, this could be returning home, going to a neighbour or telephoning the parent/carers for assistance;
- ix. ensure that the child understands the need for safety and that the wearing of a seat belt or harness is essential;
- x. inform the Transport Team of any change of wheelchair, or equipment so that the risk-assessment may be reviewed;
- xi. ensure that only wheelchairs certified as being successfully crash-tested will be permitted to have a passenger travel in their wheelchair on a vehicle. A full risk assessment will have to be undertaken by Council officers before transport can commence. The Council will produce a 'wheelchair passport' if applicable for transport.
- xii. inform the Transport Team of any change of travelling requirements, or any change in medical needs

- xiii. notify the Transport Team of any change of address or telephone number in good time.

The Council will not be responsible for any interruption of service provided to a child or any other consequential difficulty from not having an up-to-date postal or email address or operational telephone number;

- xiv. to understand that passenger assistants will not administer medication. They can transport it to school as long as it is in the original packaging and clearly labelled with the pupils name;
- xv. provide evidence of personal circumstances in support of any application or appeal for transport;

3.2 All parents/carers whose child/children are in receipt of travel assistance from the Council are agreeing to have read and understood the current Code of Conduct for parents/carers and pupils.(Reference document 1)

4. Principles, Roles & Responsibilities of the Council

4.1 Central Bedfordshire Council is committed to providing home to school travel assistance in order to meet its statutory obligations (Section 2, paragraph 1 and 2). In so doing the Council will:

- i. provide equitable, safe, efficient and cost effective transport assistance for pupils entitled to transport assistance in accordance with the Council's duties and powers as provided for in legislation (Section 2 of this policy);
- ii. ensure information is made accessible for parents and carers so that they are aware of their entitlement;
- iii. regularly review eligibility for transport assistance to ensure that those who are receiving transport assistance are still eligible;
- iv. monitor the take-up of services to ensure that access is fair and equitable and that hard to reach groups and those who are most vulnerable are aware of their entitlement;
- v. support sustainable modes of travel to school: as well as helping to boost children's fitness and concentration levels, walking and cycling helps to reduce the congestion caused by the journey to school, together with the potential for associated accidents, pollution and carbon emissions.

4.2 The Transport Team is responsible for:

- a. administering this and any other Council policies, which govern eligibility for travel assistance;
- b. determining eligibility and identifying the transport needs of individual pupils;
- c. commissioning all home to school transport
- d. providing the overall budget for home to school transport, and budget management.

- e. planning and securing the most appropriate and cost effective home to school transport;
- f. day to day management of all home to school transport provision;
- g. establishment of operating standards
- h. contract management and compliance with operating standards and policy objectives

Admission choices should not be made on the assumption that the same transport eligibility rules will apply throughout a child's education.

5. Equality Statement

5.1 Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of the 9 protected characteristics, which are; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

5.2 This policy is subject to an Equality Impact Assessment. This assessment will be integral to all future policy and guidance reviews. A copy of this assessment is available upon request.

6. Safeguarding Statement

6.1 The Council and its partners recognise that safeguarding is everybody's responsibility. Whether their interest is in all young people 'staying safe' in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff, including drivers and passenger assistants will undergo appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out. Schools, settings, children, young people and their parents or carers, and any member of the community should feel confident that they can raise any issues or concerns about the safety or welfare of children and know that they will be listened to and taken seriously.

6.2 This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of children and young people. It is supported by: a clear child protection policy; appropriate induction and training as well as briefings and refreshed learning to ensure compliance with current legislation and guidelines.

6.3 The Council acts as a Corporate Parent for Children in Care. This means that the Council has a legal and moral duty to provide the kind of support that any good parent/carer would provide to his or her own child. This policy has been written to comply with these principles.

7. Status of This Policy

7.1 In accepting any offer of assistance made by the Council under this Policy, a parent/carer will be accepting all the provisions of this Policy.

8. Implementation and Monitoring of the Policy

8.1 The Transport Team will be responsible for the implementation of this policy through the development of their internal processes that will ensure the ability to monitor take up of service and regular reviews for those in receipt of the service.

9. Eligibility & Entitlement

General Policy for ALL Children

9.1 A child of statutory school age who meets one of the following criteria will be provided with travel assistance to school as follows.

- i. A child of compulsory school age (term after the 5th birthday to 16 years of age) who are registered pupils at their nearest suitable (qualifying) school and live more than the recognised (statutory) walking distance from it, i.e. 2 miles for children aged under 8 and 3 miles for children aged between 8 and 16, unless parents voluntarily make suitable alternative arrangements.
- ii. A child who is from a low income family (as defined in section 9.3) aged over 8 and less than 11 years of age who attends their nearest qualifying school and lives more than 2 miles from the school, by the shortest available walking route. Travel assistance is not provided to children from low income families under the age of 8 as those who live over 2 miles from nearest qualifying school will have transport provided due to statutory walking distance (see point i above)
- iii. A child who is from a low income family aged between 11 and 16 who attends his or her nearest qualifying schools and lives more than 2 miles but less than 6 miles from the school. The distances stated above are calculated by the shortest walking route if up to 3 miles or the shortest motorised route if over 3 miles.
- iv. A child who is from a low income family aged between 11 and 16 years who attends his or her nearest suitable school preferred by his or her parents on grounds of religion or belief and lives more than 2 miles but not more than 15 miles from the school. The Distances stated above are calculated by the shortest available walking route if up to 3 miles or the shortest motorised route if over 3 miles.

9.2 A child aged 8 years of age who is entitled to transport under the above distance criteria will continue to receive free travel assistance until the end of the academic year in which he/she reaches the age of 8.

Low Income

9.3 Children from low-income groups or families are defined in legislation as those entitled to free school meals, or whose families receive the maximum level of Working Tax Credit (the maximum level is defined by no reduction in the amount the family receives due to household income). Annual confirmation of low-income status is required. Assistance will usually be withdrawn if a family ceases to hold low-income status. To qualify for free school meals their parent/carer will receive 1 of these benefits:

- Income Support
- Income Based Job Seekers Allowance
- Employment Support Allowance (income related)
- Child Tax Credit with income less than £16,190.00 (unless you claim Working Tax Credit) - form TC602(A)

- Support under Part VI of the Immigration and Asylum Act 1999
- Guaranteed Element of State Pension Credit

Home Address

9.4 Mainstream children who live at more than one address, who fulfil the other criteria for transport assistance, will be provided with travel assistance from the primary home address registered with their school and the Council. The Council will not provide travel assistance to or from any other address.

9.5 For children who have a statement of special educational needs or an education health care plan (EHCP), permanent arrangements involving transport to an alternative address, other than the home address, may be considered if there is no additional cost to the Council, the alternative address is in Central Bedfordshire and there is no detrimental effect on children who may share the same transport route (e.g. extended journey time).

Walking Route - Distance Measurement

9.6 The walking distances between home and school, referred to in section 9.1, are measured by the shortest route along which a child, accompanied as necessary, may walk with reasonable safety (see Section 12 paragraph 10 to 14 for further details). As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads.

Qualifying School

If parents choose to send their child to a school which is not the nearest qualifying school transport will not be provided by the Council unless the circumstances meet the discretionary transport criteria Parents will be responsible for arrangements and costs

9.7 A qualifying school is defined as a:

- Community, foundation or voluntary school;
- mainstream academy;
- selective school
- free school;
- community or foundation special school;
- special academy and free school;
- University Technical College or University Training School;
- Studio School;

- non-maintained special school;
- pupil referral unit;
- city technology college (CTC), city college for the technology of the arts (CCTA) or an Academy;
- an independent school if it named as the local authority's preferred placement in the pupil's statement of special educational need or Educational Health Care Plan (EHCP).

9.8 In relation to a child with Special Educational Needs (SEN), an independent school (other than a CTC, CCTA or Academy) will be a qualifying school if it is the only school named in the child's statement or EHCP, or it is the nearest of 2 or more schools named in the statement. In the case of special education, it will be the nearest suitable special school with places available that can provide an education appropriate to the age, ability and aptitude of the child and any special educational needs that the child has as specified in his or her statement of special educational need or EHCP.

9.10 In individual exceptional circumstances, where an alternative form of education has been agreed, the term 'qualifying school' will be taken to include such agreed sources of alternative provision.

9.11 A school designated by the Council as the appropriate school for a particular pupil (e.g. a permanently excluded pupil, a pupil with a statement of special educational needs or EHCP, a child in the care of the Council and placed at a particular school or a child placed at a particular school under the Hard to Place Pupil Protocol, where normal admissions procedures have failed) will normally be deemed to be the nearest suitable school for the purposes of this policy.

Statutory Notices for Closures of Central Bedfordshire Schools

9.12 Statutory proposals to close a Council maintained school must be published with transitional arrangements for displaced pupils, as required by Department of Education guidance for decision makers. Arrangements for children already attending or expecting to be allocated a place at the school that is the subject of closure will, where necessary establish the arrangements for transfer and transport of these pupils to an alternative designated catchment area school. These proposals will determine the dates from which transferring children may become eligible for transport assistance to the alternative school.

9.14 In addition, and reflecting the need to be sensitive to the concerns of parents and carers of pupils who were due to join their nearest school at the school's point of entry, transport assistance may be provided to the alternative designated catchment area school in the event that the Council approves a statutory proposal to close the nearest school.

9.15 The Council may exercise its discretion to provide transport assistance for parents and carers of pupils who expressed a preference in the previous school admission round for the next nearest school prior to the Council's approval of a statutory proposal to close the nearest school.

9.16 Transport to an alternative school will not be provided to pupils who are already registered at a school that the Council approves for closure, unless it is intended by the

Council in its statutory proposals to be provided to implement the closure, as the move will be classified as parental preference.

Non Availability of a Walking Route

9.17 When determining whether the child's home is within the statutory distance, there must be an available walking route to the qualifying school that is 'reasonable'. If the nature of the route is such that the child cannot be expected to walk to school, even when it is reasonable to expect an adult to accompany the child, then the Council will deem it 'unsuitable for walking' and therefore not available. In determining what is 'reasonable', the Council will take into consideration national guidance on this issue from road safety professionals and apply national Road Safety GB standards in making such assessments (See section 12, paragraph 10 to 14).

The Courts have defined an 'available route' as one "along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as 'available' because of dangers which would arise if the child is unaccompanied." It is the parents' responsibility to ensure that a child gets to school, including ensuring that they are accompanied if appropriate; and to ensure that a child has suitable clothing and equipment for the journey (for example: boots, wet weather clothing, reflective bands, torch).

Individual circumstances as determined by the Council's Transport Eligibility Panel at appeal

9.18 Assistance with transport will be offered if, following an appeal by the parent/carer, the Authority's Transport Eligibility Panel decides that this should be provided in recognition of individual circumstances under the terms of this policy (Section 13)

Children at Boarding or Residential School

9.19 Where the Council arranges for a child to board at a school, travel assistance will be provided in accordance with the boarding arrangements where the usual distance criteria are also met.

9.20 Boarding arrangements for residential schools can be one of the following:

- a. Termly boarding – travel assistance will only be provided at the beginning and end of each term and at the beginning and end of the mid-term holiday.

- b. 12 day boarding – travel assistance will be provided on alternate weekends and at the beginning and end of each term.
- c. Weekly boarding - travel assistance will be provided to school on Monday and from school on Friday each week.
- d. 52 week placement – travel assistance will be provided up to a maximum of three return journeys each academic year.

9.21 For all boarding arrangements, any additional journey to those laid out above will remain the responsibility of the parent/carer.

9.22 In the interests of the efficient use of resources the Council will, in all cases, encourage the parent/carer to make their own travel arrangements for which appropriate reimbursement will be made (Section 11, paragraph 26). Where a Motability vehicle has been provided for the child travel assistance will be by way of a mileage payment to the parent/carer.

9.24 One parent/carer may be transported with the child to act as a passenger assistant to out of Council area schools where it results in the most efficient use of the council's resources.

9.25 All additional transport requirements to those detailed above will remain the responsibility of the parent/carer.

Children with a Statement of Special Educational Needs (SEN) or Education Health Care Plan (EHCP)

9.26 This section applies to children who are the subject of a Statement of Special Educational Need made under s.324 of the Education Act 1996 or an EHCP under Section 37 of the Children and Families Act 2014.

9.27 There is no automatic entitlement to travel assistance for a child who is the subject of a statement or EHCP. Assistance will be given, if the child meets the general criteria in Section 2 or when a specific need can be identified for it. This will usually be founded upon the individual special needs of the pupil, see below.

Assessment of Specific Need

9.28 A child undergoing formal assessment for Special Educational Needs or EHCP will have their transport needs considered as part of that process. A copy of the *Special Educational Needs Transport Application Form* is available for information on the Council website www.centralbedfordshire.gov.uk/schooltransport. A decision will be based on written evidence from a range of sources, for example, the Educational Psychologist, the parent/carer and the school Special Needs Co-ordinator (SENCO). An eligible child will show one or more of the following factors that impact on their ability to travel to school in the same way as other children of their age:

- Long term¹ severely restricted independent mobility.

¹ Long term describes something that is likely to last for at least a year or for the rest of the life of the person affected. This can include intermittent or sporadic conditions such as epilepsy or multiple sclerosis

- Lack of awareness of common dangers and lack of age appropriate independence skills so the child could be at significant risk when travelling to school. This could be caused by factors such as:

9.29 Just as an aim of special education provision is to increase the independence of the pupil, the way that a child travels to school should change over time, to reflect their increasing progress and maturity. For this reason, the transport needs of the child will be reviewed on a regular basis.

9.30 Transport will usually be arranged on a localised pick-up point basis, if assessed as appropriate through the transport needs assessment process. For all other children the pick-up and drop-off point will be as close as possible to the address at which they usually live.

9.31 If the child has a disability which affects their mobility, then the primary mobility aid (e.g. wheelchair or walking frame) will normally be transported, subject to risk assessment.

9.32 Pupils who attend special schools often take part in integration programmes with mainstream schools. Pupils are expected to attend their nearest qualifying school to enable the parent/carer to make their own arrangements to take or collect the child.

9.33 If a parent/carer moves home within Central Bedfordshire during the Academic Year, this will represent a change in circumstances and eligibility for travel assistance will be reviewed. The child should be transferred to the nearest appropriate school to the new address from no later than the beginning of the next academic year. However, if the parent/carer wishes their child to remain at the current school then transport will become their responsibility.

9.36 Where the transport need has not been assessed at the annual review or as part of the statutory assessment process, it will be necessary for an *SEN Transport Needs Assessment form* to be completed by the child's parent/carer. This will apply to children with Special Educational Needs who are not subject to assessment or do not have Statements of Special Educational Needs/ EHC Plans and also to children who do not have special educational needs but do have disability or mobility problems. Information is required on the mobility of the child, any special medical or behavioural conditions and any special equipment required to inform the individual assessment of transport need. The form should be passed to the Special Needs Co-ordinator at the school for endorsement. The view of the Special Needs Co-ordinator at the school will be taken into consideration when assessing the need for transport.

Parental Preference

9.37 It should be noted that the Council will consider transport to the nearest suitable school. If by parental preference a more distant school is named in the child's statement or EHCP but in the Authority's view the child's needs could be suitably met at a nearer school, transport will be the responsibility of the parent/carer.

Review of Transport Need and Assistance

9.38 Eligibility for travel assistance and the type of provision required will be reviewed on a continuing basis and at least once per academic year. Wherever possible the review will be undertaken following the child's statutory annual SEN Statement review. Any changes

will be implemented from the beginning of the next school term, or sooner by mutual agreement.

Pupils with Temporary Medical Problems

9.39 Travel assistance may be considered where a child lives within the defined walking distance to school relevant to his or her age and is attending the designated or nearest school available but is unable to walk to school because of a medical condition. This may be provided for a fixed period dependent upon the medical need identified by an appropriate medical practitioner, for example no more than 6 calendar weeks while the child is unable to walk the route due to a broken leg. The period may be extended on request by the parent/carer if the fixed term is likely to be inadequate because the medical condition persists.

9.40 It is the responsibility of the parent/carer to produce evidence of the medical condition in all cases, detailing:

- a. full medical details of the condition, including timescales for recovery;
- b. written medical confirmation regarding the child's fitness to return to school;
- c. the likely period for which revised travel assistance arrangements may be needed;
- d. the type of vehicle needed, where appropriate, for example, where the child is in a full body cast;
- e. any manual handling risks.

9.41 This should be endorsed by the General Practitioner (GP) or in certain circumstances by a medical consultant. The Council reserves the right to require the parent/carer to provide further medical evidence as deemed necessary. Any charges incurred by the parent/carer in providing this evidence will not be paid by the Council.

9.42 Similarly, if the travel arrangements made for a child, by the Council, are considered not appropriate as a result of an accident, planned surgery or an illness, then a request for revisions to the travel assistance arrangements must be made in writing, giving a minimum of 5 days notice.

9.43 All requests should be made to the Transport Team (Section 13, paragraph 17).

9.44 All decisions will be based on the facts provided, taking into account the needs of the child, the availability of appropriate travel assistance and any significant increase in costs.

9.45 Appeals against decisions not to provide additional assistance in these circumstances should be made in writing to be considered by the Transport Eligibility Panel (Section 13).

Pupils with a Disability

9.46 Where a pupil has a disability, under the Equality Act 2010 (Disability Discrimination Act 1995 and 2005) this policy illustrates that the Council will make reasonable adjustments as appropriate to the pupil's specific needs.

Parents with a Disability

9.47 The Council is committed to promoting equality of opportunity for disabled people and to eliminate discrimination.

9.48 The Council may exercise its discretion to provide travel assistance to a child who is of a primary school age, lives within the walking distance to their school and is attending the designated or nearest school available but where his or her parents are unable to accompany him or her on the walk to school because of a medical condition or disability.

9.49 The Council will consider the availability of help from immediate and extended family members and from neighbours. The availability of help through a School Travel Plan will be considered as will the use of any disability benefits to help secure attendance. It is expected that the parent/carer will have made every effort to secure other help. The Council may seek confirmation of this from the parent/carer, school or other agencies.

9.50 It is the responsibility of the parent/carer to produce evidence of the medical condition. This is normally endorsed by the GP or medical consultant. The Council may ask the parent/carer to provide explicit further medical evidence. If provided, the requirement for transport will be reviewed no less than on a termly basis.

9.51 All requests should be made to the Transport Team (Section 13, paragraph 17). Decisions will be based on the facts provided, taking into account the needs of the child, the availability of appropriate travel assistance and any significant increase in costs.

9.52 An appeal against a decision not to provide additional assistance in these circumstances should be made, in writing, to be considered by the Transport Eligibility Panel (Section 13).

Cared For Children, Refugees and Unaccompanied Asylum Seeking Children

9.53 The Council will exercise its discretion to provide a child with travel assistance to continue to attend their school, for a period of up to 12 calendar weeks where the child

- is temporarily living at a foster placement
- is within the Council area

9.54 Where a request for travel assistance does not meet the above criteria, arrangements for transport will fall to the Social Worker responsible, representing the Council as the corporate parent.

9.55 In general, where subsequent temporary placements occur after the initial 12 week period, no further transport assistance will be provided, however applications may be considered on the grounds of "individual or extenuating circumstances" (Section 9, paragraph 72).

Pupils Excluded from School

9.56 A pupil permanently excluded from a school will be provided with assistance to their new school provided it is both the nearest suitable school and is outside statutory walking

distance from home (Section 2). Exceptional arrangements may be made if a permanently excluded pupil attends alternative provision and this may include assistance with part-time attendance at other educational establishments as required by their particular needs.

9.57 The transport needs of pupils who attend alternative provision because of a fixed term exclusion from a school or academy will be a matter for the school and the parent/carer.

Children Admitted to School under the Fair Access Protocol

9.58 When considering the admission of pupils under the Council's Fair Access Protocol, which operates outside normal admission procedures, the nearest schools to the pupil's home address will be identified to determine which school should be offered. In administering this protocol the Council will consider a group of schools and identify with the pupil, their parent/carer and other relevant agencies the school to be approached. Account will be taken of the travelling distance to each school. Pupils who are placed under the Fair Access Protocol will be considered for transport as if the named school was their nearest suitable (qualifying) school.

Education Other Than at School

9.59 Where the Council arranges for a child to receive education other than in school then the location where education is provided will be considered as if it were a school when determining eligibility for transport assistance. In determining reasonableness, the Council will take into account the cost to the Council of the proposed transport and the availability of alternative arrangements.

9.60 Where a parent/carer has decided to educate the child other than at school, no assistance for transport will be available from the Council.

9.61 Where transport assistance is provided, there is an expectation that all children will travel by public transport unless either no public transport is available or the child's needs are such that this would not be appropriate (Section 9, paragraph 26 to 36), as decided by a relevant Officer. The parent/carer may be required to provide medical or other supporting evidence where there is a request for provision other than by public transport.

9.62 Where it is not appropriate to use public transport or where none is available then provision will be made by the Transport Team. Where it is more cost effective for the Council, a personal transport cost allowance will be offered to a parent/carer able to make their own travel arrangements (Section 11, paragraphs 26 and 27). Only where there is no reasonable alternative available will taxis/or minibuses be used for the entire journey.

9.63 Where a child remains on roll at a mainstream setting and that setting out-sources all or part of the education provision, the setting will be responsible for all transport arrangements for the child's off-site education provision.

9.64 The Council will only consider the provision of travel assistance where a child:

- a. is of statutory school age and lives within the Central Bedfordshire Council area; and lives further from the setting than the walking distance for the child's age or meets entitlement criteria; and

- b. has been placed in the school/setting by the Council and either
 - has been permanently excluded or is at risk of permanent exclusion, or
 - is unable to attend the designated setting due to exceptional circumstances, with appropriate supporting evidence having been provided; or
 - is dual registered and meets standard eligibility criteria.

Children in Temporary Residential Circumstances

9.65 Where a family is forced to re-locate temporarily to alternative accommodation owing to circumstances outside their control:

- a) The Council is prepared under this policy to consider on its merits an application in respect of a child accommodated under a temporary/emergency arrangement otherwise than where responsibility is accepted by the Council in (b) below, having regard to the usual distance criteria (Section 2, paragraph 2), although this requirement may be waived in the case of a child accommodated in a refuge, whose safety would otherwise be at risk. Any such temporary arrangements made to provide travel assistance will be subject to review as necessary and at least on a termly basis.
- b) Where school transport becomes necessary on social grounds as a result of the intervention by the Council's Children's Services, transport will be provided

9.66 Regular work commitments or domestic difficulties of the parent/carer will not normally be considered. The parent/carer is expected to take their responsibility in enabling their child's attendance at school.

Children below Compulsory School Age

9.67 Assistance with transport is not provided for children under the statutory school age.

Emergencies and Requests at Short Notice

9.69 In exceptional circumstances the Council will attempt to make arrangements at short notice when requested. However, this cannot be guaranteed, and a parent/carer of a child who relies upon assistance may need to make their own arrangements at their own expense in the case of an emergency. The Council will not accept responsibility for any arrangements so made by a parent/carer.

9.70 Ordinarily no travel assistance will be provided, other than at the beginning and end of the normal school day. In cases of exclusion, illness, if a child has to go home during the course of the school day, or during examination periods, the school or parent/carer is responsible for transport. Reasonable adjustments may be made for pupils attending specialist or alternative provisions.

9.71 Transport during exam periods will be provided to the school in time to accommodate attendance for the first exam and will collect the child (ren) after the last exam. One journey inbound and one journey outbound per vehicle will be provided. This will be based

on the earliest start time and latest finish time for all children on board the vehicle for that day.

The Council will not consider an unaccompanied child. The law states that it is the parents' responsibility to ensure that a child gets to school, including accompanying them, if appropriate. This includes the parent determining how their child will get to school and may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied.

The Council does not consider work commitments as an exceptional circumstance. The law states that it is the parents' responsibility to ensure that their child gets to school, and this may include making appropriate arrangements. This could include use of a childminder, friend, before school and after school club.

Parental Preference - If a parent has chosen a school which is not the nearest school to the home address, this is parental preference. The Council expects parents to have considered how to get their child to school. This could include use of a childminder, friend, before school and after school club.

Individual or Extenuating Circumstances

9.72 Individual consideration will be given to a child or children from vulnerable groups who do not meet the criteria set out above. The parent/carer must submit their application in writing, together with the details of any special exceptional circumstances they wish to be considered to the Transport Team.

9.73 Please note that individual family work commitments, childcare arrangements or inconvenience to a parent/carer are not normally taken into account when considering eligibility for travel assistance.

10. Circumstances Where Transport Assistance is Not Provided

Parental Preference

10.1 A child will be ineligible for travel assistance where he or she attends a school which is not designated for the home address or which is not the nearest available to the home address, where this is a result of parental preference.

10.2 When expressing a preference for a school other than the nearest school (qualifying school), parents and carers are strongly advised to consider their commitment to providing transport for the whole duration of a child's attendance at that school and to consider whether their ability to provide or pay for that transport is likely to continue over that period of time.

10.3 Particular care should be taken when using a concessionary seat on school transport (Section 11, paragraph 31). These seats are subject to removal with a minimum of two week's notice if required for new passengers who have eligibility for a seat. The withdrawal of a concessionary seat alone will not be considered as grounds for an appeal for assistance from the Council. Parents/carers should consider whether they are likely to be able to make their own arrangements should this occur before taking up a school place or moving house.

10.4 Where a child is withdrawn by a parent/carers from one school and placed in another school, travel assistance will not be provided unless the child is eligible, under the terms of this Policy, from the home address to the new school. Such a transfer of school will be regarded as an expression of parental preference.

Admission choices should not be made on the assumption that the same transport eligibility rules will apply throughout a child's education.

Children Attending a School on the Grounds of Religion or Belief

10.5 Travel assistance will not be provided by the Council to a parent/carers of a child attending school on the grounds of religion or belief ('denominational grounds'). The exception from this is where a child is from a low-income family, as detailed in Section 9, paragraph 1 v.

Outside the Normal Start and End of the School Day

10.6 No travel assistance will be provided at lunchtimes or at any time other than the normal start and end of the school day. Travel between these times will remain a parental

responsibility. Reasonable adjustments may be made for pupils attending specialist or alternative provisions. Please see section 9 paragraph 70 for more information.

Sibling, Brother, Sister

10.7 Assistance given for one child in a family will not create a precedent for any of his or her brothers or sisters or other children living at that address. Each child's case will be considered individually, and separate applications for assistance must be made for each child. If the Policy for Travel Assistance for Children and Young People Attending School has changed since the older sibling received assistance, the younger sibling will be subject to the new Travel Assistance for Children and Young People Attending School.

Change of Address

10.8 When there is a change of address, a child's transport entitlement will be reviewed under the policy in existence at that time. Travel assistance will not generally be given to maintain a pupil's place at a school if the family moves house to a more distant address from the pupil's school. However, if no place is available at the nearest qualifying school within the statutory walking distance from the new address then assistance would normally be given to the next nearest suitable (qualifying) school. Residents moving house are reminded that if they move to an address in another authority, their child or student will then become subject to the policies of the authority into which they have moved.

10.9 Where a child who is attending a school in Central Bedfordshire in years 10 and 11 has to move in exceptional circumstances to a new address in Central Bedfordshire this will represent a change in circumstances and their eligibility for transport assistance will be reviewed. They must have completed at least one term in year 10 at their current school.

10.10 Please contact the Transport Team on 0300 300 8339 or at school.transport@centralbedfordshire.gov.uk for further information on what would be defined as 'exceptional circumstances'. Parents/carers of a pupil with special educational needs, currently receiving transport who move house within Central Bedfordshire should provide as much notice as possible to the Transport Team and to allow their eligibility to be reassessed. If the pupil is entitled to transport from the new address, it may take up to 15 working days for transport to be provided.

10.11 The Council may offer to move the child to a nearer suitable school bearing in mind any special circumstances, for example, examinations or students in their final year. Should this offer be refused the current school may be deemed as a "parental choice" and not meet the criteria in Section 9, paragraph 28 to 36 of this policy.

Single Sex Schools

10.13 Travel assistance to single sex schools will not be supported unless the school concerned is the Council recognised nearest qualifying school, where the usual transport criteria will apply.

10.14 Similarly, if the Council recognised closest qualifying school is a single sex establishment, transport will not be provided to enable the child to attend a mixed school.

Part Time Attendance, Detention, After School Clubs, etc.

10.15 Travel assistance will not be provided at a time other than standard school times e.g. home during the day or late after school, including payback, detention, sporting or other after school clubs and societies. Pupils are expected to complete a full school day and fit into the normal timing of transport.

10.16 Where a child's day starts or finishes earlier or later the parent/carer would generally be required to make other transport arrangements outside of the Council provision. This can include pupils who have a phased induction period when first attending a school. For pupils attending a special school setting, reasonable adjustments may be made in order to facilitate their attendance during the normal school day.

Other Circumstances

10.17 Travel assistance will not generally be provided:

- if the school attended is not the one which the Council deems to be the nearest suitable school;
- to/from any address other than the primary home address (Section 9 paragraph 4);
- to enable the child to attend extra curricular activities or between institutions within the school day. (For journeys of this nature the organising school or institution will be responsible for transport arrangements);
- to attend dental or hospital appointments, or other non-educational appointments;
- in the event of sickness, where the child has to be collected from school (or returned to residential school midweek);
- for parents/carers attending review meetings;
- to attend work experience;
- to attend an induction day at another establishment;
- to accompany a friend home;
- following misbehaviour occurring on transport, which threatens the health and safety of staff and/or other pupils (Section 11, paragraph 35 and 36).
- when the pupil has repeatedly failed to take up the provision of home to school transport for which he/she is entitled, without prior notice or explanation given to Transport Team

Participation in Education or Training Post 16

10.18 The Education and Skills Act 2008 has now increased the age at which young people are required to participate in education or training to 18 years of age. However, this is not a change in the statutory school age (reception to the end of year 11), which this policy is aligned with, so it does not extend the entitlement for the provision of travel assistance beyond year 11.

10.19 Details of travel assistance available under the Council's Post 16 Transport Policy are available on the Council's website
<http://www.centralbedfordshire.gov.uk/schooltransport>.

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11. Travel Assistance Provided

Mode of Transport

11.1 The Council will endeavour to follow established best practice in the provision of the most cost effective and appropriate home to school travel assistance for each entitled child, taking into account their own individual needs. It will make arrangements that enable an eligible child to reach school without such stress, strain, or difficulty that would prevent them from benefiting from the education provided.

11.2 Travel assistance arrangements will be designed to allow the child to travel in reasonable safety and in reasonable comfort. Priority will be given to travel assistance solutions that help to develop travel independence skills, so as the child grows older, they are better equipped to lead independent lives. Types of assistance that may be considered include:

- Travel pass for use on public transport
- Personal transport cost allowance payment to parents/carers
- Independent travel training (ITT)
- Cycle allowance, where available
- Travel pass to travel on Council contracted services
- A wheelchair accessible vehicle, if so required, or,
- in exceptional cases a taxi.

11.3 Travel assistance will be provided at an appropriate specified place and time. It is the parents/carers responsibility to ensure that the child is taken to the agreed pick-up point at the agreed time. No alternative transport will be made on the day and the parent/carer will be responsible for ensuring the child's attendance at school.

Pick-Up/Set Down Points and Timing

11.4 Children will be picked-up and set-down either from home, where their needs require this, or a convenient pick-up/set-down point. The Transport Team will notify these arrangements to the parent/carer.

11.5 Arrangements will not require a child to walk an unreasonably long distance to catch a public service bus, or a bus journey that ends at an unreasonably long distance from the school. A child may be required to walk up to one mile from home to the pick-up point and one mile from the set-down point to home. The actual distances will depend on a range of circumstances, including the age of the child, their individual needs and the nature of the route they are expected to walk to the designated pick-up/ set-down point.

11.6 It is the parent/carer's responsibility to take and collect their child to and from the vehicle or pickup/set down point. In the case of pupils with specific needs, alternative arrangements can be agreed with the Council with prior notice.

11.7 A parent/Carer may not vary the agreed pick up / drop off arrangements and neither passenger assistants nor drivers are authorised to agree route variations.

Route Planning and Route Reviews

11.8 The Transport Team regularly reviews transport provision and individual transport routes. A review may result in a change of arrangements to be provided. Notice will always be given to parents/carers ahead of any proposed changes to transport provision.

11.9 Consultation with the parent/carers will not normally take place as part of a route review. This is to enable route reviews to be carried out in a timely and efficient manner and to avoid raising parental expectations that a preference for a particular form of provision will override the cost-effectiveness or efficiency of the service provided. However, where a child's special educational needs indicate that he/she is particularly sensitive to change; the impact of any proposed change will be considered. This may involve discussion with the school or the parent/carers and school prior to any change to the travel assistance provided.

11.10 A parent/carers may receive notification at any time that the type of transport provision for their child's school transport is to be changed as a result of a review. Changes may involve:

- a. a new pick-up and set-down point (Section 11, paragraph 4 to 7);
- b. a change to journey times;
- c. a change to the contractor employed;
- d. the withdrawal of a passenger assistant.

11.11 Notice will be given of changes wherever possible, but some may need to be made at very short notice, for example as a result of sickness, road closures or the termination of a contract with a vehicle operator.

11.12 Children who are not entitled to transport assistance are not included in the planning of transport networks. No additional expenditure will be incurred in order to accommodate non-entitled passengers. This may mean that, for example, a smaller vehicle may be used on a route. The size of vehicle will be sufficient to carry entitled passengers but may not include space for existing concessionary passengers (Section 11 paragraph 31).

Maximum Journey Time

11.13 Best practice suggests that the maximum each way length of journey for a child of primary school age is considered to be 45 minutes; whilst a child of secondary school age could be expected to travel up to 75 minutes each way. However, a child's special educational needs and/or disability might be such that it implies a shorter maximum journey time.

11.14 Journey times may exceed these limits for exceptions such as:

- exceptional traffic or weather conditions;
- attendance at a special school;

- attendance at a remote boarding school;
- attendance at a remote school or institution in order to avoid exclusion;
- attendance at a remote school following a move in order to maintain educational continuity;
- attendance at an alternative school following an exclusion or managed move.
- where more than one establishment is served by one vehicle.

Provision of Passenger Assistants (PA)

11.15 Mainstream Transport

PAs are not provided on mainstream transport. The need for exceptional provision, on either a temporary or permanent basis, will be approved by the Transport Team on the basis of a risk assessment being undertaken. When a vehicle transports more than 16 pupils of lower school age a PA will generally be provided.

11.16 Transport for Pupils with Special Educational Needs

A PA is provided if, during the Transport Needs Assessment process, or at a later date, it is considered that the health and safety of the child, driver or anyone else travelling in the vehicle would be at risk if not provided. The need for such provision will be reviewed as part of the annual review.

11.17 PAs are generally only provided where the child has:

- a severe physical condition;
- a medical condition requiring immediate treatment;
- severe behavioural difficulties.

11.18 Passenger Assistants' Role and Responsibility

Passenger assistants are given a range of training, including emergency first aid and moving and handling of equipment or mobility aids. If a child has specific needs which requires specialist training, the Council will consider the request and the training which is required. On occasion the driver will also fulfil the passenger assistant role.

11.19 Passenger assistants will have had a Disclosure and Barring Service (DBS) check for people working with children before taking up duty. They will display their School Transport ID badge at all times when on duty.

11.20 Passenger assistants monitor the well-being and conduct of pupils and ensure their safety while the journey is in progress. They familiarise themselves with the children and ensure good behaviour during the journey. However, passenger assistants are not assigned for the specific purpose of managing behaviour, an acceptable standard of behaviour is expected as detailed in the *Code of Conduct for Pupils on School Transport* (Ref Doc 1).

11.21 In the event of a medical emergency, the passenger assistants will administer emergency first aid to the level to which they have been trained; this will normally be to make the passenger safe and then request assistance from the emergency services, where necessary. The passenger assistant/driver will not administer medication.

11.22 Passenger assistants have a responsibility to report any accidents, incidents, near misses or illnesses that occur in transit, to the school and to the Transport Team. They will take notes on the pupil's well-being, care for them on site and report back to the Transport Team, who will notify parents and schools, as appropriate.

Independence Training

11.23 For some children with SEN increased independence may be demonstrated by a child gradually developing the skills and confidence to travel by public transport, rather than on dedicated transport, or by being able to walk to school. For others it could be that they need less support and supervision.

11.24 Plans to encourage independent travel should be put in place by the school and parents/carers, working in partnership to mutually agreed targets. Progress will be evidenced at each subsequent Annual Review. This step is regarded as a positive achievement towards the child's progress in becoming a more independent traveller.

11.25 A secondary aged child with a Statement of Special Educational Needs who is eligible for travel assistance because of their special needs may also receive support for independence and mobility training as part of their school curriculum, if this is identified as a need. The way that the child travels to and from school should be used to help develop and consolidate new skills.

Personal Transport Cost Allowance (PTCA)

11.26 Where it offers the most cost effective solution or where a Motability Vehicle has been provided to transport the child, the Council will offer a PTCA payment, currently referred to as a "parental mileage" PTCA payments are designed to provide a broader range of transport options providing there is no alternative, cost effective travel assistance available. The current scheme is based on the distance between home and school for which a mileage allowance is paid and covers two return journeys to the school from the home address.

11.27 Details of the scheme are available in Ref Doc 2.

Sustainable Travel

11.28 The Council has legal duties, under the Education and Inspections Act 2006, to promote sustainable travel for children. These duties include:

- assessment of travel and transport needs
- audit of sustainable travel and transport infrastructure that may be used when travelling to or from school
- strategy to develop sustainable travel and transport infrastructure
- promotion of sustainable travel

Appeals against Suitability of Transport

11.29 If a parent/carer is dissatisfied by a decision taken in respect of the type of transport provided, they may appeal for the decision to be reviewed by the Transport Eligibility Panel (Section 13).

Monitoring of Transport Provision

11.30 The Transport Team will undertake regular checks to ensure compliance with service standards, including:

- spot checks on vehicles and licences;
- checks to ensure all drivers and passenger assistants are authorised and carry identification;
- checks to ensure that drivers and passenger assistants undertake duties in accordance with service standards and requirements;
- checks to ensure that contracts are operated in accordance with the agreed timetable.

Concessionary Travel Scheme

11.31 The Council is committed to supporting children to access school. Where a child is not entitled to travel assistance under this Policy, parents/carers may be able to buy a pass for a spare seat on a school contract vehicle once those entitled have been allocated a place. Passes can be bought for one term at a time and are allocated on a first come first served basis. Details of the scheme are available in Ref Doc 3.

Parents/carers should be aware that the seat can be withdrawn at any time, with a minimum of two weeks notice.

Requirement to Carry a Pass

11.32 All children are required to carry a pass, if issued to them, which demonstrates that they may travel on the vehicle. A pass may be issued where a child has a statutory entitlement, is carried on a discretionary basis or has purchased a concessionary seat on the vehicle.

11.33 A child who is unable to present a pass, when requested by the vehicle driver, passenger assistant or officer of the Council, may be refused entry to the vehicle. Pupils may not be refused travel in the journey to school unless prior agreement has been given by the Transport Team.

11.34 A child who has been issued with a pass and persistently travels without it will be deemed not to be abiding by the *Code of Conduct for Pupils on School Transport* (Ref Doc 1), a potential consequence of which is having their transport withdrawn.

Pupil Behaviour

11.35 The Council will withdraw its provision of travel assistance or employ other sanctions, as it considers appropriate, in the case of any child whose behaviour during the journey to or from school is not of an acceptable standard. In addition, schools may choose a number of sanctions ranging from detention to exclusion in order to deal with persistent misbehaviour on school transport.

11.36 Transport operators will advise the Transport Team where the behaviour of a child breaches the *Code of Conduct for Pupils on School Transport*, (Ref Doc 1) and in turn the parent/carer and school will be notified. Where a criminal act is suspected the police will be notified.

When School Transport Does Not Operate

11.37 There will be occasions when a vehicle does not operate; this may be because of bad weather including flooding or icy conditions where it is not possible for the vehicle to travel safely. In these circumstances a parent/carer may decide to make alternative arrangements to transport their child to school. This will be entirely at the parent's discretion and own cost. The parent/carer will also be responsible for the return journey should conditions not have improved sufficiently for school transport to be provided safely.

11.38 In all circumstances where a child has been taken to school by school transport, arrangements will be made to return the child home or to a place of safety.

12. Applying for Travel Assistance, Determining Eligibility & Setting Up Travel Arrangements

Children without a Statement of Special Educational Needs or Education Health Care Plan

12.1 Transport assistance is only provided on the basis of a formal application submitted by or on behalf of the parent/carer and the criteria set out in this policy are met.

12.2 Details of how to apply are available on the Council's web-site (<http://www.centralbedfordshire.gov.uk/schooltransport>) or by contacting the Transport Team on 0300 300 8339 or via school.transport@centralbedfordshire.gov.uk, (Section 13 paragraph 17)

12.3 For 'in year admissions' the Council will aim to process your application within 15 working days of receipt of a complete application. If arrangements take longer than 15 days, it may be possible to claim a refund from the 16th day and until such time as transport is provided. All refunds will be based on the cheapest fare available at the time of travel and tickets should be retained as proof of purchase.

12.4 Applications for transport which is due to commence at the start of a new academic year will display a 'return by' date. Applications received after this date will still be processed; however transport may not be in place for the beginning of the new academic year. Where parent/carers have to fund alternative methods of transport as a result of a late application, no refund will be given.

Children with a Statement of Special Educational Needs or EHCP

12.5 Transport assistance is only provided on the basis of a formal application submitted by or on behalf of the parent/carer or when the need for travel assistance is specifically identified as part of the annual review or statement process.

12.6 The type of assistance provided will be based on the assessment of individual needs; the Council will always seek to provide the most appropriate, cost effective provision within 15 working days of receiving a completed application. Where a Motability Vehicle has been provide to transport the child parental mileage will be paid.

12.7 Applications for transport which is due to commence at the start of a new academic year will display a 'return by' date. Applications received after this date will still be processed; however transport may not be in place for the beginning of the new academic year. Where parent/carers have to fund alternative methods of transport as a result of a late application, no refund will be given.

12.8 Details of how to apply are available on the Council's web-site (<http://www.centralbedfordshire.gov.uk/schooltransport>) or by contacting the Transport Team (Section 13, paragraph 17)

Measurement of the Walking Route

12.9 The distance between home and school is measured, using the Council's electronic geographical information system, from the pupil's home gate or drive nearest to the school to the nearest pedestrian gate to the school grounds, by way of the shortest available walking route.

Assessment of the “Available” Walking Route

12.10 The Council recognises that some routes to school may be “unavailable”. A route is considered by the Council to be unavailable when a child could not be expected to walk to school, accompanied as necessary by an appropriate adult, in reasonable safety. Queries regarding unavailable routes should be directed to the Transport Team (Section 13, paragraph 17).

12.11 Where a child attends the designated or nearest available qualifying school and the walking route is unavailable and cannot be sufficiently improved, travel assistance will be provided unless there is an alternative available walking route under the walking distance defined in Section 2 paragraph 2. It should be noted that measurement and assessment of a route does not require the authority to assess the most direct or convenient route – any route that is available within the maximum distance means travel assistance will not be provided.

12.12 In assessing the comparative safety of a route, the Council will conduct an assessment of the risks a child might encounter along the prescribed route taking into consideration the latest national guidelines published by Road Safety GB and Department for Education guidance available at the time of assessment. The Council will undertake a rolling 5 year reassessment programme where each route which has previously been assessed as unavailable will be reassessed to determine if this is still the case.

12.13 Such assessments will feed into the Council's duty relating to sustainable school travel, and may inform the Council's plans to upgrade the highway infrastructure, support sustainable school travel or feed into school travel plans.

12.14 The Council will work with schools, road safety professionals, highways engineers and transport planners to reduce the number of unavailable routes. Where a route is no longer unavailable as a result of new building developments and roads, and/or remedial safety works, any transport previously provided but no longer required will be withdrawn. Transport provision will not be withdrawn with less than 12 weeks' notice.

Change in Circumstance

12.15 If there is a significant change in circumstances, such as a change in school or home address, a change in the parent's/carer's circumstances, or a change in the child's needs an immediate review of transport entitlement / provision may be required. It is the responsibility of the parent/carer to promptly notify the Transport Team (Section 13,

paragraph 17) of any change in circumstances that may affect the provision of travel assistance.

12.16 Where travel assistance is provided for temporary medical needs, a review date, based on medical evidence, will be set when the travel assistance is agreed. Where this is not possible, all arrangements will be reviewed in relation to the specific circumstances.

Correcting Errors / Withdrawal of Transport

12.17 If travel assistance has been provided as a consequence of an error of the Council, provision will not be withdrawn with less than 12 weeks' notice.

12.18 Where an improvement in the accuracy of methods for assessing eligibility identifies that assistance has been provided for a non-eligible child, provision will not be withdrawn with less than 12 weeks' notice. This may occur where the distance from home to school is re-measured and found to be under the relevant walking distance, or a suitable, available walking route has now been identified. In this case, the child will have benefited from free transport and would be expected to be able to walk to school and not be obliged to transfer to another school.

12.19 Where an improvement to a route is made and results in the route becoming available for a child to walk, accompanied as necessary by an adult, provision will not be withdrawn with less than 12 weeks' notice.

12.20 If travel assistance has been provided as a consequence of information provided by the parent, which was false or misleading and where correct and accurate information would have resulted in a refusal of a request for travel assistance, provision may be withdrawn immediately and will normally be withdrawn with no more than four calendar weeks' notice. Should the Council believe that information provided was deliberately false or misleading; the costs of providing the transport may be sought from the parent/carer.

13. Review of Decisions, Appeals Process & Complaints

Decisions, Review of Decisions and Appeals Process

13.1 Decisions regarding the eligibility for travel assistance, the mode of assistance, and other practical matters of travel assistance will be only taken by authorised Council staff. If a parent/carer is unhappy with a decision that has been made, that parent/carer should first take it up informally with the officer or Department that made the original decision. If it is necessary to put the query in writing, then the Council will offer assistance with this in the case of a parent/carer with a disability.

13.2 If the matter is not resolved informally in this way, then the parent/carer will be required to complete a *Transport Appeal Form* (TAF1) which can be downloaded from the Council website. Alternatively a copy of the form can be requested from the Transport Commissioning and Entitlement Team (Section 13, paragraph 17). The TAF1 form must be submitted within 20 working days of receipt of the original transport decision being made by the Council.

13.3 The completed TAF1 form should then be returned to the Transport Commissioning and Entitlement Team. The Transport Commissioning and Entitlement Team Manager together with another Children's Services officer will review the initial decision and further information submitted. This will be completed within 20 working days of receipt of the TAF1 form.

13.4 It is anticipated that the majority of appeals will be resolved at this stage. If the appeal is unsuccessful the parent/carer will receive a copy of the appeal form with the reasons given for the decision.

13.5 If the matter remains unresolved the parent/carer can make a further appeal to the Transport Eligibility Panel. Appeals must be submitted, using the TAF2 form available on the website, directly to the Appeals Clerk, within 20 working days of the receipt of the decision of the first appeal considered by the Transport Commissioning and Entitlement Team and a Children's Services Officer. When submitting the completed TAF2 form, parents/carers must also submit the decision letter you received as the result of the initial. The Transport Eligibility Panel consists of 3 people who are independent and who have volunteered for the role. They are not paid and are not associated with the Council or a school connected with the appeal except as an independent panel member. They are trained in all aspects of this Policy and will make decisions within its remit. A Clerk will be present to minute the hearing and will write to parents with the decision made by the Transport Eligibility Panel.

13.6 Parents/carers must submit all evidence to the Appeals Clerk 10 working days before your appeal is due to be held. Information on how and where to submit this evidence is on the TAF2 form. Evidence received after this will only be considered with the agreement of the Panel and late evidence may result in the appeal being moved to a later date.

13.7 Parents/carers are invited to verbally represent their case to the Panel. A maximum of 2 adults are able to attend a hearing. These can be both parents/carers or 1 parent and 1 supporter. An interpreter or signer may be provided if requested on the TAF2 form. No children may attend.

13.8 A member of the Transport Team will also be present to explain the reasons why transport, or the particular provision requested, had been refused.

13.9 The Panel will consider the information provided on the TAF2 form and any additional evidence provided by the parent/carer, as well representation from the Transport Commissioning and Entitlement Team. Appeals panels will be arranged as soon as is possible within 40 working days. The necessary documents will be provided to parents and the panel at least 5 working days before the appeal date, unless a shorter period is agreed beforehand. The outcome of the appeal will be advised to the parent/carer in writing within 5 working days of the appeal hearing. Where parents/carers have a disability which may impact on their ability to attend a hearing, or if they require assistance with language interpretation or reading, appropriate assistance will be provided by the Council if it is identified on the TAF2 form.

13.10 The Appeals Process detailed above does not prevent the parent/carer raising a school transport related issue with a local Councillor or any other person.

13.11 Where a parent/carer feels that an appeal has not been conducted in a fair manner, he or she may pursue a complaint using the Council's complaints procedure. (See 13.15 below).

Special Educational Needs and Disability Tribunal on Transport Provision

13.12 Where the pupil in question holds a statement of special educational needs or EHCP, it may be that a disagreement about travel is part of a wider question of school provision and placement. In such an instance, it may be necessary for the matter to be considered by a Special Educational Needs and Disability Tribunal. Although this body does not hear appeals specifically about transport, it may consider it as part of a wider appeal.

Complaints/Queries

13.13 If a parent/carer has a query or is disatisfied by any aspect with regard to the determination of eligibility/entitlement for travel assistance, this should initially be brought to the attention of the Transport Commissioning and Entitlement Team.

13.14 Queries/complaints relating to journey planning, standard/condition of vehicles, drivers, passenger assistants and any other issues relating to the journey to/from school should initially be brought to the attention of the Client Transport Team.

13.15 If the complaint is not resolved to your satisfaction it may be escalated via the Council's Corporate Complaints Procedure www.centralbedfordshire.gov.uk/council-and-democracy/local-government-in-central-bedfordshire/customer-feedback/default.aspx

13.16 There is a right to complain to the Local Government Ombudsman if complainants consider that there was a failure to comply with the procedural rules or if there were any other irregularities in the way the appeal was handled. If the complainant considers the decision of the independent panel was flawed on public law grounds, the complainant may also apply for judicial review.

Contact Details

13.17 If you wish to discuss:

- entitlement to transport;
- an application for transport;
- amend or cancel transport;
- notify the Council of a change in medical needs, behavioral needs or additional support;
- change in existing timetable (part time or post 16 only)
- or if you wish to discuss the method of transport offered

Then please contact a Transport Officer at:

Tel: 0300 300 8339

Email: school.transport@centralbedfordshire.go.uk

Address: Transport Commissioning and Entitlement Team, Watling House, High Street North, Dunstable, LU6 1LF

13.18 If your child attends a mainstream school or college and you have a questions about one of the following:

- the condition of the vehicle
- vehicle arriving early or late
- behavior of the driver or passenger assistant
- location of pick up or drop off points
- an incident of bad behavior
- or any other concerns in relation to the service that is allocated

Then please contact Transport Coordinator at:

Tel: 0300 300 8167

Email: mainstream.transport@centralbedfordshire.gov.uk

Client Transport Team, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ

13.19 If your child attends a special school or accesses alternative transport provisions due to their special educational needs and you have a question about one of the following operational issues including:

- condition of the vehicle
- the vehicle arriving early or late
- pick up points or times
- behavior of the driver or passenger assistant
- a new wheelchair or change in an existing wheelchair

- transporting equipment

Then please contact the Transport Coordinator at:

Tel: 0300 300 6969

Email: Sen.transport@centralbedfordshire.gov.uk

Client Transport Team, Priory House, Monks Walk, Chicksands, Shefford,
Bedfordshire, SG17 5TQ

13.20 Other useful contacts details:

School Admissions Team

Watling House, High Street North, Dunstable, LU6 1LF

0300 300 8037

admissions@centralbedfordshire.gov.uk

13.21 Customer relations

Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

0300 300 6077 or 0300 300 4995

customer.relations@centralbedfordshire.gov.uk

Appendix 1: Definition of Terms

Academic Year, School Year

The academic year is deemed to start on 1st September in any given year and to end on 31st August in the following calendar year. In the exceptional case of a school whose academic year begins in August, the Council will consider whether it should take the date when that school's academic year starts as being the start of the academic year for a child or student attending that school.

Special Educational Needs and Disability (SEND) Support Team Most children with special educational needs will get all the help that they need through their SEND Support Plan, as schools have an allowance in their budgets to meet their needs. However, for a very small number of children, a statutory assessment may be required. A statutory assessment is when the Local Authority looks carefully at a child's learning difficulties. Once the Local Authority has received all the information and looked at it, a Referrals Panel will decide whether to assess the child to see if he/she needs a Statement or Education Health Care Plan (EHCP). In Central Bedfordshire this process is managed by the Assessment and Monitoring Team.

Address, Home Address

For the purposes of home to school transport the home address will be deemed to be where the child predominantly resides, normally with someone who holds parental responsibility. Proof of residence may be requested to confirm that a child and the child's family are resident at a specified address. The following are examples of items that may suffice as proof:

- Child Tax Credits
- Working Tax Credits
- registration on the electoral roll
- utility bills
- bank statements
- driving licence
- mortgage or tenancy account details

The list of documents above is not exhaustive and the Council may ask for permission to gain access to other local authority information, for example Council Tax or Housing Benefit records. If doubt exists, the Council may also require a parent/carer to complete a formal statement to certify the home address. This would be discussed at the appropriate time.

Alternative provision

For some children, an education outside of school can be the most appropriate option. When this is arranged by LAs, schools or a group of schools, it is called alternative provision. It can range from pupil referral units (PRUs) and further education colleges to voluntary or private-sector projects.

Boarding/Residential Schools

Boarding/Residential schools are those that provide overnight accommodation arranged or provided by the school, at the school or elsewhere.

Cared for Children (Looked After Children)

A 'cared for child' is a child who is in the care of a local authority or provided with accommodation by that local authority (as defined in section 22 of the Children Act 1989).

Children who were previously Cared for

Children previously in the care of the local authority as defined above, but subsequently became subject to an adoption, residence, or special guardianship order. An adoption order is an order under section 46 of the Adoption and Children Act 2002. A child arrangement order or 'residence order' is an order settling the arrangements to be made as to the person with whom the child is to live under section 8 of the Children Act 1989. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

.Child, Children

A young person of compulsory school age (from 5 years to 16 years old).

Compulsory (Statutory) School Age

Children reach compulsory school age at the beginning of the term following their 5th birthday. In compliance with legal requirements, children may start school in the reception class in the September following their 4th birthday. Parents/carers can request that the date their child is admitted to the primary school is deferred until later in the school year or until the child reaches statutory school age in that school year. To help younger children adjust to school, schools may phase full-time admission, admitting these children on a part-time basis. Arrangements are decided at school level.

Statutory school age ceases on the last Friday in June in the school year when the young person reaches the age of 16. No account is taken of the National Curriculum Year in which a pupil is being educated when determining the year in which compulsory school ages ceases.

The Education and Skills Act 2008 has now risen the age at which young people are required to participate in education or training to 18 years of age. This does not necessarily mean they will have to stay on at school after Year 11 as they will have a choice about how they want to participate post-16, which could be through full-time education, such as school or college; work-based learning, such as an Apprenticeship; or part-time education or training if they are employed, self employed or volunteering for 20 hours or more a week.

Council (Authority, Local Authority)

This is Central Bedfordshire Council. Decisions of the Authority are carried out in the name of the Authority by its officers.

Disability

From 1 October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA) 1995 and 2005. However, the Disability Equality Duty in the DDA continues to apply. The Equality Act 2010 aims to protect disabled people and prevent disability discrimination by ensuring that reasonable adjustments are made to accommodate the needs of all individuals. Under the Act, a person has a disability if they have a physical or

mental impairment and the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.

Harassment

Harassment occurs when an individual engages in unwanted conduct which is related to age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex or sexual orientation and which the purpose or the effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliation or offensive environment.

Unwanted conduct can include spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

The word 'unwanted' means the same as 'unwelcome' or 'uninvited'. 'Unwanted' does not mean that express objection must be made to the conduct before it is deemed to be unwanted. A serious one-off incident can also amount to harassment.

Dual Registration

The law provides for pupils to be registered at two separate schools in cases where a child has no fixed abode for the reason that a parent is engaged in a trade or business of such a nature as to require travel from place to place.

Client Transport Team

The Client Transport Team are the Council department responsible for sourcing the most cost effective appropriate transport for entitled children. The Client Transport Team develop and maintain relationships with all transport providers and ensure that vehicles and drivers comply with all necessary statutory regulations.

Mainstream School

A school that is not a special school for pupils with special educational needs.

Out-of-Council Area

In reference to a school, this means a school which is neither maintained by Central Bedfordshire Council nor is an academy, free school, UTC or Studio School within the Council's boundary. In reference to a place it means a place located outside the administrative boundary of Central Bedfordshire Council.

Parent/Carer or Guardian

In this Policy, the parent/carers will be taken to be the person with whom the child or student predominantly resides. This can include a person who is not a parent but who has parental responsibility or care of the child or student. If the person is not the birth parent or adoptive parent, then evidence may be sought to ascertain that the legal basis of the relationship. In this policy the terms parent or carer are taken to include guardian or guardians.

Publicly Funded Schools

Maintained schools are funded by central government via the local authority and do not charge fees to students. The categories of maintained school are: community, community special, foundation (including trust), foundation special (including trust), voluntary aided

and voluntary controlled. There are also maintained nursery schools and pupil referral units.

Academies and free schools are publicly funded independent schools. Some academies, generally those set-up to replace underperforming schools, will have a sponsor. Sponsors come from a wide range of backgrounds including successful schools, businesses, universities, charities and faith bodies. Academies receive their funding directly from the Education Funding Agency (EFA) rather than from local authorities.

The Funding Agreement between the establishment and the Secretary of State provides the framework within which Academies, Free Schools, UTCs and Studio Schools operate.

Private Schools

Private schools may be either non-maintained or independent, according to their foundation and legal status and receive their funding either direct from parents, from charitable trusts or from places purchased by local authorities. Generally, although not exclusively, an independent school is usually one run privately for profit whereas a 'non-maintained' school is run 'not for profit' usually by a charitable body.

Special Educational Needs

A Statement of Special Educational Need is a statement made by the local authority under Section 324 of the Education Act 1996 that specifies the special educational provision required for that child. Assessments after 1st September 2014 will be carried out under the Children and Families Act 2014 for an Education, Health and Care Plan (EHCP). Schools must admit a child with a Statement of Special Education Needs or EHCP that names their school.

Special School

Schools that provide education for children and young people with complex or specific needs which generally cannot be fully met in a mainstream setting.

Studio Schools

Studio Schools cater for 14 to 19-year-olds, delivering project-based, practical learning alongside mainstream academic study. They are small schools - typically with around 300 pupils - delivering mainstream qualifications through project based learning. Students work with local employers and a personal coach, and follow a curriculum designed to give them the skills and qualifications they need in work or to continue in education.

University Technical Colleges (UTCs)

UTCs are Technical Academies for 14-19-year-olds. They offer technical courses and work-related learning, combined with academic studies. Each UTC is sponsored by a university and industry partner and responds to local skills needs. They provide young people with the knowledge and skills they need to progress at 19 into higher or further education, an apprenticeship or employment.

Ref Doc 1: Code of Conduct for Pupils on School Transport

In order to ensure safe travel to school, pupils should always:

- Wait sensibly off the road, in a safe area for the vehicle at the designated pick up point;
- Be ready at the designated pick up point at least 5 minutes prior to the scheduled collection time;
- If issued ensure that you have your travel pass ready to show the driver before getting on to the vehicle;
- Be polite, courteous and respectful to the driver, passenger assistants and all other passengers on the vehicle;
- Remain in their seat whilst on board the vehicle and in allocated seat if specified by the operator or establishment;
- Wear provided seatbelt or any other specialist equipment at all times throughout the journey;
- Put belongings safely and securely out of the way and keep the gangway clear;
- No food or drink to be consumed on the vehicle unless prior agreement has been obtained from the Council;
- Leave the bus clean and tidy taking all belongings with you when leaving the vehicle;
- Adhere to any instructions given by the driver or passenger assistant at all times;
- If there is an accident pupils should stay on the bus until advised otherwise by the driver/passenger assistant of the appropriate action;
- If pupils leave the vehicle without the drivers permission this will be reported to the school, the Council and where possible to the parent/carer;
- Adhere to the Highway Code at all times.

Pupils should never:

- Allow another pupil to use their travel pass;
- Distract the driver;

- Operate the doors or emergency exits unless there is an actual emergency;
- Deliberately damage or vandalise the vehicle;
- Throw items around inside or out of the windows of the vehicle;
- Smoke including electronic products or use cigarette lighters whilst on the vehicle;
- Intimidate, bully, harass or be verbally or physically abusive towards other passengers, the driver, passenger assistants, school or council staff or members of the public

The individual needs of the pupil will be taken into consideration before issuing a temporary or permanent ban from transport.

Parents are responsible for any damage caused to the vehicle and will have to reimburse the operator accordingly.

If you break these rules you may lose your entitlement to transport and your parents will have to make alternative arrangements to get you to school.

Ref Doc 2: Personal Transport Cost Allowance (PTCA)

The Council may request that a parent/carer make their own arrangements to convey their child to and from school:

- Where a Motability Vehicle has been provided to transport the named pupil.
 - where an entitlement to transport exists and there are difficulties in negotiating a suitable transport contract;
 - where an entitlement to travel assistance exists and there is no current transport provision available;
 - where an entitlement to transport exists and to make a mileage allowance payment is financially advantageous to the Council;
 - in other circumstances to be determined by the Transport Team.
- Where this is agreed by the Council, the parent/carer will be paid a personal transport cost allowance. The current scheme is based on the distance between home and school for which a mileage allowance is paid and covers two return journeys from the home address to the educational establishment. This scheme will be reviewed on a regular basis.
- The parent/carer will be required to complete a PTCA form, supplied by the Client Transport Team, this needs to be authorised by the school and submitted to the Client Transport Team monthly/termly, as agreed.
- The Council is currently paying a rate of 36p per mile, which is reviewed on an annual basis; the daily mileage payable will be agreed by the Client Transport Team.
- Where agreed, the allowance may be paid for boarders on the following basis:
 - a. Termly boarding –at the beginning and end of each term and at the beginning and end of the mid-term holiday.
 - b. 12 day boarding – on alternate weekends and at the beginning and end of each term.
 - c. Weekly boarding - to school on Monday and from school on Friday each week.
 - d. 52 week placement – up to a maximum of three return journeys a year.
 - e. Attending one statement review per year at an out-county school.
 - f. Other exceptional circumstances agreed by the Transport Commissioning and Entitlement Team.
 - g. Parking, subsistence and other expenses will not be paid.
- The Council will review, on a regular basis, the payment of all PTCA payments and these may be withdrawn, with no less than 12 weeks' notice, if;
 - entitlement to home to school transport support is withdrawn;

- in other circumstances determined by the Transport Commissioning and Entitlement Team.
- In the event that the PTCA is withdrawn as a result of concerns being raised about the unauthorised absence/punctuality of the child, the 12 week notice period will not apply.
- In the event that a more cost effective form of transport provision becomes available, the 12 week notice period will not apply.
- The feasibility of the parent/carer of making their own travel arrangements and applying for a PTCA will be discussed by the Council when evidencing eligibility for travel assistance and at subsequent reviews.
- A parent/carer who is agreeable should be advised that the allowance is not likely to be offered where a place in shared transport or more cost effective travel assistance can be offered
- The Transport Transport Team will discuss the possibility of a personal transport cost allowance payment as an alternative to taxis for existing entitled pupils.

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Ref Doc 3: Concessionary Travel Scheme

The Council is committed to supporting access to school where pupils do not qualify for transport assistance. A charge may be made for "spare seats" on the school bus provided the pupil is a Central Bedfordshire Council resident, the route is operated on a contracted basis, they can be accommodated at no extra cost to the Council and there is an existing provision in place. Concessionary spaces are:

- a. Charged on a termly basis.
- b. Free for children entitled to free school meals, or whose parents are in receipt of the maximum level of Working Tax Credit.
- c. Issued on a first come first served basis where demand for places exceeds availability.
- d. Fixed at the termly rate. No pro-rata reductions are available for part week travel or single daily journeys or where for operational reasons, delays may occur in the issue of passes.

Concessionary places are not available on routes registered as public service routes, where the child pays the fare direct to the driver.

Prices for concessionary seats are revised each financial year with new charges coming into effect at the start of each Summer term.

It should be noted that the provision of a free concessionary pass will be based on the same benefit criteria as for families entitled to free transport on low income grounds. This will mean that certain families in receipt of working tax credit, but not at the maximum rate, who may have previously received passes free of charges, will in future, be required to pay.

The parent/carer should be aware that the concessionary place can be withdrawn at any time, with a minimum of two weeks notice. The place will be withdrawn if the seat is required for an entitled pupil, the service is withdrawn or the passenger carrying capacity of the vehicle is reduced.

Where a concessionary seat is withdrawn, this will be on a last-in, first-out basis.

When a concessionary place is abandoned by a parent or post-16 student, no refund for previously unused journeys will be given. If the Pass issued is returned a pro-rata refund will be given from the date received. Refunds may be subject to an administration charge.

The Council reserves the right to decline any application or withdraw a concessionary pass where the pupil's behaviour is deemed to have put themselves or others at risk. By accepting a concessionary pass, parents/carers and pupils are agreeing to the Policy's Code of Conduct (Ref Doc 1)

Concessionary passes are sold at the discretion of the Council and applications may be refused if the sale is in direct conflict with prior agreements with schools.

Ref Doc 4: Notes for Schools

1. Central Bedfordshire Council will help with the travel arrangements of children who qualify under distance or special needs criteria as set out in the Home to School Transport Policy for Pupils of Compulsory School Age.
2. When arrangements have been made, parents will be informed in writing. The letter will explain the pick-up arrangements, the responsibility of the parents to ensure their children are ready on time, that a responsible adult will be there to receive them and that their children will behave in a responsible way.
3. The safety of the child is fundamental to the policy. Where seat belts are fitted and should be worn by all passengers.
4. Where Passenger Assistants travel with children they will:
 - Inform the school of any incidents, bad behaviour or accidents involving the children;
 - take medication between parents and schools, but only when it is in a sealed container which has been clearly labelled with the pupil's name;
 - report any notified absences or irregular incidents.
5. When a Passenger Assistant or driver has a problem with a child's behaviour the schools head teacher or member of staff with specific responsibility for transport will be contacted. The Client Transport Team may withdraw transport if unreasonable behaviour causes an increased risk to passengers, other road users and/or the driver.
6. The school is responsible for the child from the time of getting off the vehicle until the time the child is returned to the vehicle. School staff should be available to help with the assisting of children to and from the transport. The school is responsible for ensuring that pupils are ready at the designated collection point on time. Drivers are instructed to leave the schools punctually. Pupils who are to be kept back for any reason will be the school's or parents/carers responsibility to arrange for transport to the pupils' home.

Any traffic management systems or problems relating to transport of pupils should be directed to the Client Transport Team (see section 13.18 and 13.19).
7. Schools should:
 - promote compliance with the *Code of Conduct for Pupils on School Transport*;
 - have in place a system that checks the arrival and departure of school buses and provide information to the Client Transport Team on the quality of transport services provided;
 - Establish a traffic management system to ensure that home to school transport suppliers can manoeuvre and park safely and that passengers can board and alight safely.

- advise the Transport Commissioning and Entitlement Team of changes of address of pupils or other changed circumstances which may affect the transport requirements;
 - assist the Client Transport Team in dealing with cases of difficulty on transport, for example misbehaviour by pupils;
 - receive reports from passenger assistants on any signs of ill treatment of pupils and process these as considered necessary, in accordance with Child Protection guidance;
 - assist the Client Transport Team and Transport Commissioning and Entitlement Team in contacting parents in the event of breakdowns or accidents to transport, significant changes in transport times / arrangements in emergencies, absconding of pupils from transport etc;
 - advise the Client Transport Team of dates of school terms, inset days and holidays and other closures, including weather related closures.
 - advise the Client Transport Team with at least one terms notice of any planned closure days outside the Council published term dates. If notice is less than one term, any incurred transport costs will be the responsibility of the school
 - have a member of staff designated for dealing with all matters relating to school transport issues.
8. Plans to encourage independent travel must be put in place by the school and parents/carers working in partnership to mutually agreed targets and evidence of progress will be required at each subsequent annual review. Schools and parents/carers should encourage pupils to walk, cycle or to take up public/community transport options at the earliest opportunity. This step will be regarded as a positive achievement towards the pupil's progress in becoming an independent traveller.