

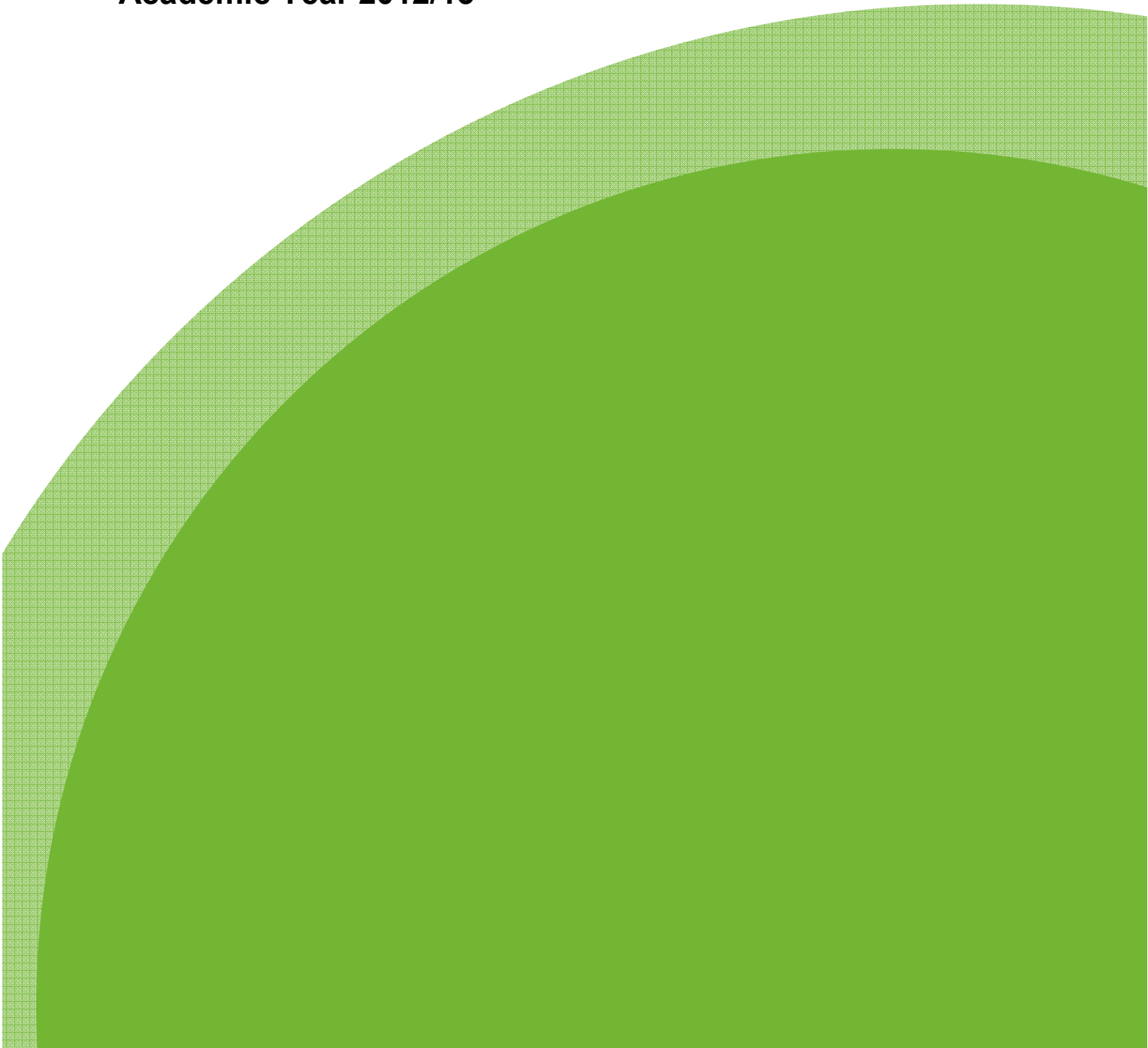
Central Bedfordshire Council  
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**Children's Services**

# **Post 16 Transport Policy**

**Academic Year 2012/13**



## Post 16 Transport Policy

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## Introduction

1. The responsibility of a local authority to prepare and publish an annual Transport Policy Statement is included in the Education Act 1996.
2. The Policy must set out the arrangements for the provision of transport, or otherwise, that the authority considers necessary, to enable young people age 16 – 18 to attend education or training.
3. For the purpose of this Policy, 16-18 means young people aged 16-18 who are starting a programme at school, college or work based learning provider before their 19<sup>th</sup> birthday.
4. The overall intention of the 16 – 18 transport duty is to:
  - ensure that learners of aged 16 - 18 are able to access the education and training of their choice; and
  - ensure that, if support for access to education is required, this will be assessed and provided where necessary.

## Principles

5. Central Bedfordshire Council aims to provide safe, efficient and cost effective transport for students entitled to transport, in accordance with its duties and powers as described in legislation.
6. In meeting its statutory responsibility Central Bedfordshire Council will provide transport in accordance with agreed eligibility criteria which it will review annually.
7. The Council is committed to equality of opportunity and access to services and facilities and as such has undertaken an Equalities Impact Assessment of this Policy.
8. Information will be made available for parents, carers and students so that they are aware of the eligibility criteria and process for applying for transport.
9. Parents, carers and students are required to agree to a Code of Conduct when students are travelling on transport provided by the Council.
10. Eligibility for transport will be reviewed termly (before the start of each new term) to ensure that those students who are receiving transport remain eligible.
11. Take-up of transport will be monitored 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.
12. Information relating to applications for transport will be held on a database for monitoring purposes and numerical information may be shared as requested with Central Government. Fair processing notices will be given to all applicants to ensure that they are aware of the purpose of the storage of their personal details.
13. Central Bedfordshire Council is committed to supporting sustainable modes of travel to school and college. Walking and cycling helps to reduce the congestion caused by the journey to school, together with the associated accidents and pollution and carbon emissions. If walking or cycling is not an option, school contract buses, public transport and car-sharing are more sustainable alternatives to individual car journeys.
14. The eligibility criteria set out in the Policy will be used for students starting a new course in the academic year 2012/13. Students entering the second or third year

of a course will be assessed using the same eligibility criteria against which their original application was assessed.

15. The timescale for arranging transport will be a maximum of 15 working days from receipt of the application.
16. This policy and the eligibility criteria will be kept under review and will be formally reviewed one year after implementation and thereafter every 3 years.

## Legislation and Guidance

17. Through the Education Act 1996 and the Apprenticeship, Skills, Children and Learning Act (2009) a local authority has a statutory responsibility to consider how it will assist learners to access the appropriate post 16 provision.
18. Through the Education and Skills Act 2008, from 2013 the age of participation will be raised so that young people will be required to stay in education or training until they are 17 and from 2015 until their 18<sup>th</sup> birthday.
19. A Post 16 Transport Policy Statement must be in place by 31<sup>st</sup> May each year. The Department for Education issues Post 16 Transport Guidance to support the preparation of a policy statement.
20. The policy links to the Council's Sustainable Transport Strategy and is similar in its principles to the Home to School Transport Policy.

## Eligibility for Transport

21. This Policy sets out the eligibility criteria for transport for students aged 16 – 18 to ensure that those most in need of support receive it and those who are able to pay the cost of their transport do so.
22. The Executive of the Council sets its fees and charging policy rates annually and where students are eligible for subsidised transport, charges are made as set and published within the Fees and Charging Policy.

## Eligibility Criteria

23. The eligibility criteria relate to specific areas of:
  - ◆ low income;
  - ◆ medical grounds;
  - ◆ children for whom Central Bedfordshire Council is a Corporate Parent;
  - ◆ special educational needs.

## Subsidised transport for families with a low income

24. Central Bedfordshire Council is committed to working to assist low income families:
25. For a student to be eligible for free transport on low income grounds their family must be in receipt of benefits set out in Appendix A and will:

- attend the school where they have been enrolled for a minimum of two years and have been eligible for free home to school transport, or
- live more than 3 miles, but no more than 20 miles and attend the nearest establishment which offers a qualification at the same level and in the same subject area(s) as the course applied for and accepted on to.

### **Transport on grounds of medical needs**

26. Where a student attends the nearest school or college offering the qualification and subject they are studying for, transport can be considered on medical grounds irrespective of distance between home and school. Each application is considered on an individual basis. An application for transport must be supported in writing by a GP or medical consultant.
27. Transport will be arranged in the most cost effective way and be provided for a maximum of one term at a time.
28. A subsidised charge based on a termly rate as set out in the Council's Fees and Charges Policy, will be made for the transport provided. The charge will be determined at a pro rata rate for the number of weeks for which transport is agreed.

### **Transport for children for whom Central Bedfordshire Council is a Corporate Parent**

29. Whilst representing only a very small number of the total 16 – 18 age population, Looked After Children (including Unaccompanied Asylum Seeking Children) can be some of the most vulnerable students in need of support. The most suitable establishment to meet these particular students' needs will not always be the nearest school or college to their home address.
30. As Corporate Parents to these children, Central Bedfordshire Council will ensure that free transport will be provided for students to attend the most suitable establishment to meet their individual needs, irrespective of distance.

### **Transport for students with Special Educational Needs**

31. Transport needs for students with special educational needs will be assessed as part of the statutory assessment process, either the Statement of Special Educational Needs or the Learning for Living and Work Assessment.
32. Where students have been assessed as requiring transport and are eligible, a subsidised rate will be charged, as set out in the Fees and Charges Policy of the Council and reviewed annually.
33. A small numbers of students, typically with severe or profound and multiple learning difficulties , who remain in continuing special school provision do not reach a point of transition at 16 and will therefore continue to be receive their existing transport arrangements for as long as they remain in that provision.
34. Subsidised transport will be provided for a student to the establishment identified through the assessment, where the distance between home and the establishment is more than 3 miles.

35. Where the distance is less than 3 miles the assessment will include consideration of whether a student could reasonably be expected to walk or cycle to school or college. Where this is not possible subsidised transport will be provided.
36. The most appropriate mode of travel will be agreed as part of the assessment process.
37. The assessment will consider transport to the nearest suitable school or college. If by parental or student preference a more distant establishment is named, transport will be the responsibility of the parent.
38. A travel training programme to support those students who are physically able to walk, to travel more independently and to support transition to adult life will be introduced.
39. Where a student with Special Education Needs remains in further education, transport could be provided up to the age of 25, if specifically required through the Learning for Living and Work Assessment.
40. On all routes the responsibility for the introduction of escorts on a temporary or permanent basis is delegated to officers.

## **Additional considerations**

41. Students who live in a joint home arrangement, who fulfil the other criteria for free or subsidised transport, will be provided with transport from the primary home address registered with the school or college.
42. Students may be required to walk up to one mile from home to the pickup point and where allocated a place on a public service route, they may be required to walk up to one mile from the setting-down point to the school.
43. In determining entitlement to free or subsidised transport, the route used in assessing the distance will be the shortest available walking route up to 3 miles and the shortest motorised route up to 20 miles. Measurement will commence at the gate of the student's home to the nearest gate on the school or college site.
44. Where students receive free or subsidised transport as a result of errors in measurement, the transport will be withdrawn at the end of the term during which the error is discovered. The student and their family will be notified of any changes as soon as possible after the error has been identified.
45. Smoking is prohibited on all Council owned vehicles when used for the transportation of students and is a condition of hire of contractors' vehicles, including Taxis.

## **Concessionary Places on School Contract Vehicles**

46. Where students are not entitled to free or subsidised transport, it may be possible to purchase a concessionary pass for routes operating on a school contract vehicle. There is where the Council has a direct contract with a bus operator and where there are spare seats once all entitled students have been allocated a seat.
47. Concessionary Passes can be bought for one term at a time and are allocated on a first come, first served basis.

48. Concessionary passes are not available on routes that are public registered services, where it is possible to pay a bus operator direct. Information on public transport routes is available through [www.traveline.info](http://www.traveline.info)

### **Rail/Bus passes and mileage reimbursements**

49. Passes for public service routes are issued to students, based on the most cost effective provision of transport.
50. Where there is no public transport or where it is not practical to re-route an existing contracted vehicle, parents/carers or students may be able to claim mileage allowances for transport to and from school or college. However, this is at the Council's discretion and is based upon the most cost effective provision of transport. The subsidised rate is payable by students to whom mileage expenses are paid.

### **Replacement Bus Passes**

51. Students are required to carry a bus pass on all occasions that they travel. Where a bus pass is lost a replacement must be obtained.
52. A handling charge will be made for a new pass to be issued as set out in the Council's Fees and Charges Policy. In addition the cost of a new pass provided by a bus company will be passed on to a student. Information on the cost of replacement bus passes will be provided when the original pass is issued.

### **Appeals**

53. Where a parent, carer or student wishes to appeal a decision not to provide subsidised transport based on the appropriateness of course content, the 14 – 19 Strategy Group, a statutory group set up under Education and Skills Act 2008 section 85, will provide an independent view regarding the reasonableness of the choice made by the young person.
54. Appeals for any other reason will be managed through the Council complaints process.

### **Implementation and Monitoring of the policy**

55. The Director of Children's Services will be responsible for the implementation of this policy through the development of internal processes that will ensure the ability to monitor take up of service and regular reviews for those in receipt of the service.

## Appendix A: Free transport for families with a low income

1. Children from low income groups are defined in the Education and Inspections Act (2006) as those whose families are in receipt of the maximum level of Working Tax Credit (WTC) or who are entitled to free school meals
2. Once a student has been assessed as being eligible for transport it will be provided free if the following criteria are met:

### Maximum Working Tax Credit (WTC)

3. When a customer is first awarded tax credits, or following a change in their household circumstances, HM Revenue and Customs issue a “tax credits award notice” detailing the breakdown and amount of the award. Part two of the award notice gives details of “How we work out your tax credits” including details of the full WTC elements. This is the maximum amount a customer can receive in WTC in any year. It then lists “any reduction due to your income” and shows the net amount payable. It is therefore readily apparent from the award notice whether a person is receiving maximum WTC or a reduced sum due to income.

1

Benefit	Documentation required
Income Support (IS)	<ul style="list-style-type: none"><li>• Letter confirming receipt of benefit</li><li>• Current GIRO payment which states ‘Inc. Supp.’ or similar abbreviation</li></ul>
Income Based Jobseekers Allowance (IBJSA)	<ul style="list-style-type: none"><li>• Letter confirming receipt of benefit</li><li>• Current GIRO payment which states ‘Inc. Supp.’ or similar abbreviation</li></ul>
Support under part VI of the Immigration and Asylum Act 1999 (from the National Asylum Support	Letter of confirmation from the National Asylum Support Service (NASS)

<sup>1</sup> It is the Government’s intention to create a ‘universal benefit’ and remove all other benefits. At the point of implementation of any such legislation, this appendix and the associated criteria will be revised.

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Service)	
Guaranteed element of State Pension Credit	Pension Credit M1000 Award Notice
Child Tax Credit, provided a parent /carer is not entitled to Working Tax Credit and has an annual income (as assessed by HM Revenue and Customs) that does not exceed £16,190	<ul style="list-style-type: none"> <li>• TC602 Tax Award Credit Notice – issued by HM Revenue and Customs</li> <li>• Letter from the local Revenues and Customs Office confirming tax credit details</li> </ul>

## Appendix B: Additional guidance on Subsidised Transport for Students with Special Educational Needs

### Parental responsibilities

In all cases where free or subsidised transport is provided, parents/carers must make their own arrangements for the student to arrive at and be collected from the vehicle.

Parents/carers will be asked to allow the Council to use any specialist seating which the student requires. If this is not possible the Council will arrange for suitable seating to be provided.

If parents/carers choose to transport the student themselves when a place is available on existing transport arranged by the Council, then no mileage reimbursement will be payable by the Council.

### Provision of transport for students with Special Educational Needs

The Council will endeavour to transport students in the shortest possible time and will investigate all possible alternatives if the travel time, one way, exceeds one hour and fifteen minutes. Where possible, adjustments will be made to transport arrangements to reduce travel time to less than one hour and fifteen minutes provided this can be achieved efficiently.

The timescale for arranging transport will be a maximum of 15 working days from receipt of the application. Where a change in transport arrangements is requested at least one week's notice must be given.

### Residential placements

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Where a student attends a residential school or college, free or subsidised transport will be provided in accordance with the accommodation arrangements:

- a) Termly boarding
- b) 12 day boarding
- c) Weekly boarding
- d) 52 week placement

- **termly boarding** – free or subsidised transport will be provided at the beginning and end of each term and at the beginning and end of the mid term holiday.
- **12 day boarding** – free or subsidised transport will be provided on alternate weekends and at the beginning and end of each term.
- **weekly boarding** – free or subsidised transport will be provided on Monday and Friday each week.
- **52 week placement** – free or subsidised transport will be provided for three return journeys per year.
- Any additional journeys will be the responsibility of the parent/carer.
- In the interests of the efficient use of resources the council will, in all cases, encourage parents/carers to transport students for which mileage reimbursement will be made.
- The cost of parent/carers attending one review per year at a school or college outside of the Central Bedfordshire area will be met by mileage reimbursement or by the provision of a travel warrant. No other additional costs (e.g. other members of the family, friends etc.) will be met by the Council.
- One parent/carer may be transported with the student to act as an escort to out-county school or college where it results in the efficient use of the Council's resources.
- Any additional transport requirements to those set out above will remain the responsibility of the parent/carer.

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