

Home to School Transport Policy 2014/15

December 2013

DRAFT

Author(s):	Ben Pearson
Date agreed:	
Agreed by (e.g. council):	
Reviewed:	

Contents

1	Introduction.....	5
1.1	Principles, Roles & Responsibilities of the Council	5
1.2	Equality Statement.....	5
1.3	Safeguarding Statement	6
1.4	Roles & Responsibilities of the Parent/Carer	6
1.5	Status of This Policy	7
1.6	General Statement of Policy.....	7
1.7	Implementation and Monitoring of the Policy	7
2	Eligibility & Entitlement	9
2.1	General Policy for ALL Children	9
2.2	Non-Availability of Places at Catchment Area School.....	10
2.3	No Available Walking Routes	11
2.4	Individual circumstances as determined by the Council's Transport Eligibility Panel	11
2.5	Children at Boarding or Residential School.....	11
2.6	Children with a Statement of Special Educational Needs (SEN)	12
2.7	Pupils with Temporary Medical Problems	13
2.8	Pupils with a Disability.....	14
2.9	Parents with a Disability.....	14
2.10	Cared For Children, Refugees and Unaccompanied Asylum Seeking Children	15
2.11	Pupils Excluded from School	15
2.12	Children Admitted to School under the Fair Access Protocol	15
2.13	Education Other Than at School	15
2.14	Children in Temporary Residential Circumstances	16
2.15	Children below Compulsory School Age.....	16
2.16	Emergencies and Requests at Short Notice	17
2.17	Individual or Extenuating Circumstances	17
3	Circumstances Where Transport Assistance is Not Provided	18
3.1	Parental Preference	18
3.2	Children Attending a School on the Grounds of Religion or Belief	18
3.3	Outside the Normal Start and End of the School Day.....	18
3.4	Sibling, Brother, Sister	18
3.5	Change of Address	18
3.6	Selective Schools	19
3.7	Single Sex Schools	19
3.8	Part Time Attendance, Detention, After School Clubs, etc.	19
3.9	Other Circumstances	19
3.10	Participation in Education or Training Post 16	20

4	Travel Assistance Provided	21
4.1	Mode of Transport	21
4.2	Pick-Up/Set Down Points and Timing	21
4.3	Route Planning and Route Reviews	22
4.4	Maximum Journey Time	22
4.5	Provision of Passenger Assistants (PA).....	23
4.6	Independence Training.....	23
4.7	Personal Transport Cost Allowance (PTCA).....	24
4.8	Sustainable Travel	24
4.9	Appeals against Suitability of Transport	24
4.10	Monitoring of Transport Provision.....	24
4.11	Concessionary Travel Scheme.....	25
4.12	Requirement to Carry a Pass.....	25
4.13	Pupil Behaviour	25
4.14	When School Transport Does Not Operate	25
5	Applying for Travel Assistance, Determining Eligibility & Setting Up Travel Arrangements	27
5.1	Children without a Statement of Special Educational Needs	27
5.2	Children with a Statement of Special Educational Needs	27
5.3	Measurement of the Walking Route.....	27
5.4	Assessment of the “Available” Walking Route.....	27
5.5	Change in Circumstances	28
5.6	Correcting Errors / Withdrawal of Transport	28
6	Review of Decisions, Appeals Process & Complaint.....	29
6.1	Decisions, Review of Decisions and Appeals Process	29
6.2	Complaints/Queries.....	30
6.3	Contact Details	30
	Appendix 1: Definition of Terms.....	31
	Ref Doc 1: Parent/Carer School Transport Agreement	35
	Ref Doc 2: Code of Conduct for Pupils on School Transport.....	36
	Ref Doc 3: Personal Transport Cost Allowance (PTCA)	37
	Ref Doc 4: Concessionary Travel Scheme.....	39
	Ref Doc 5: Notes for Schools.....	40

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.

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.

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/learning/schools/travel-to-school/default.aspx>)

1.1 Principles, Roles & Responsibilities of the Council

Central Bedfordshire Council is committed to providing free home to school transport in order to meet its statutory obligations. In so doing it the Council will:

- i. provide equitable, safe, efficient and cost effective transport for pupils entitled to transport in accordance with the Council's duties and powers as provided for in legislation;
- ii. ensure information is made accessible for parents and carers so that they are aware of their entitlement;
- iii. regularly review eligibility for transport to ensure that those who are receiving transport 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 associated accidents, pollution and carbon emissions.

The Children's Services Transport Commissioning & Entitlement Team (TC&ET) is responsible for:

- a. administering this and any other policies, determined by the Council, 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.

The Community Services Integrated Transport Unit (ITU) is responsible for:

- a. planning and securing the most appropriate and cost effective home to school transport;
- b. day to day management of all home to school transport provision;
- c. establishment of operating standards, in consultation with the TC&ET
- d. contract management and compliance with operating standards and policy objectives
- e. management of the Council's in-house passenger transport fleet.

1.2 Equality Statement

Central Bedfordshire Council (the Council) will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation. This policy is subject to an Equality Impact and Needs Assessment. This assessment will be integral to all future policy and guidance reviews.

1.3 Safeguarding Statement

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 will have 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, or any member of the community should feel secure 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.

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.

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/carers would provide his or her own child. This policy has been written to comply with these principles.

1.4 Roles & Responsibilities of the Parents and Carers

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

- i. understand the provisions within the home to school transport policy
- ii. ensure that a child of statutory school age receives appropriate full-time education;
- iii. make necessary arrangements for attendance at an appropriate school or other setting, including submitting applications as necessary for admission and for travel assistance to the Council;
- iv. to make arrangements 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;
- v. ensure that the child has their travel pass with them before they leave home;
- vi. 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;
- vii. notify the ITU 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 address or operational telephone number;
- viii. provide evidence of personal circumstances in support of any application or appeal for transport;
- ix. submit an appeal to the Transport Eligibility Panel in accordance with Section 6.1.

All parents whose child/children are in receipt of travel assistance from the Council will be required to sign and return a copy of the *Parent/Carer School Transport Agreement*, (Ref Doc 2).

1.5 Status of This Policy

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

1.6 General Statement of Policy

This statement of policy sets out the way in which the Council has decided to exercise its powers and duties to provide home to school transport in accordance with Section 509 of the Education Act 1996 and the Education and Inspections Act 2006. It links to the Council's Sustainable Transport Strategy.

Generally the Council will provide travel assistance for pupils of compulsory school 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 8 and over. 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 the age of compulsory education, or for children of any age who attend private schools or colleges.

The nearest suitable school includes the Council's designated catchment area school or, if closer than the designated catchment area school, the nearest qualifying school that is deemed by the Council as suitable to a particular child's age and needs. In all cases the distance to the school must exceed the statutory walking distance, as aforementioned.

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

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 6.1).

1.7 Implementation and Monitoring of the Policy

The TC&ET 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. Data produced by the team will be reviewed and monitored within the Children's Services Directorate's senior management team.

2.1 General Policy for ALL Children

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

- i. A child aged under 8 years who attends either the catchment area school designated by Central Bedfordshire Council or the nearest qualifying school but lives more than 2 miles from the school, by the shortest available walking route, unless parents voluntarily make suitable alternative arrangements.
- ii. A child aged between 8 and 16 years who attends either the catchment area school designated by Central Bedfordshire Council or the nearest qualifying school but lives more than 3 miles from the school, by the shortest available walking route, unless parents voluntarily make suitable alternative arrangements.
- iii. A child who is from a low income family aged between 11 and 16 who attends one of his or her three nearest qualifying schools and lives more than 2 miles but less than 6 miles from the school, by the shortest walking route if up to three miles or the shortest motorised route if over three 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, by the shortest available walking route if up to three miles or the shortest motorised route if over three miles.

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 eight.

Home Address

Children who live in a joint home arrangement, who fulfil the other criteria for free transport, 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.

Walking Route - Distance Measurement

The walking distance between home and school, referred to in 2.1(i) and 2.1(ii), is measured by the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads (Section 5.3).

Catchment Area School

The catchment area school is defined as the school designated by the Council to serve the home address of the child at the time when an application for admission could have been made at the normal age of admission for the school. Information on school catchment areas is available from www.centralbedfordshire.gov.uk/admissions

Qualifying School

A qualifying school is defined as a:

- Community, foundation or voluntary school;
- mainstream academy;

- 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;
- nursery school maintained by a local authority;
- 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.

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 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.

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

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, 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.

Low Income

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. Annual confirmation of low-income status is required. Assistance will usually be withdrawn if a family ceases to hold low-income status. To qualify the child will need to be entitled to free school meals because their parent/carer receives one of these benefits:

- Income Support
- Income Based Job Seekers Allowance
- Employment Support Allowance (income related)
- Child Tax Credit with income less than £15,860.00 (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

2.2 Non-Availability of Places at Catchment Area School

If the designated catchment area school is unable to offer a place, free travel assistance is normally provided to the nearest qualifying school at which a place is available. In such cases

evidence must be provided by the parent/carer that the school was unable to admit the child. This may require confirmation by the School Admissions Team.

2.3 No Available Walking Routes

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 'safe'. If the nature of the route is such that the child cannot reasonably be expected to walk to school, even when accompanied by an adult, then the Council will deem it 'unsuitable for walking' and therefore not available. In determining what is 'reasonable', the Council will take into account the latest national guidance on this issue from road safety professionals and apply national Road Safety GB standards in making such assessments (See section 5.4).

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

Assistance with transport will be offered if the authority's Transport Eligibility Panel decides that this should be provided in recognition of individual circumstances (Section 6.1)

2.5 Children at Boarding or Residential School

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.

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 a year.

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

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 4.7).

The cost of attending one statement review per year at an out of Council area school will be met by the Council by reimbursement of the most economical means of travel assistance available. 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 child to act as a passenger assistant to out-county schools where it results in the most efficient use of the council's resources.

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

2.6 Children with a Statement of Special Educational Needs (SEN)

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.

There is no automatic entitlement to travel assistance for a child who is the subject of a statement. Assistance will be given, when the child meets the general criteria in Section 2.1 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

A child undergoing formal assessment for Special Education Needs 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. 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 arising from factors such as:
 - § *a physical disability e.g. severe cerebral palsy which may necessitate the daily use of significant mobility aids such as a wheelchair,*
 - § *a medical condition resulting in severe persistent pain and/or extreme fatigue, an example of this might be juvenile arthritis,*
 - § *a medical condition resulting in serious persistent health and safety risks. Examples of this might be intractable epileptic seizure disorders.*
- 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:
 - § *severely restricted communication skills. Examples might be profound hearing impairment or severe autism or severe language disorder,*
 - § *a sensory impairment resulting in significantly restricted mobility, e.g. a severe visual impairment,*
 - § *significant learning disability, e.g. a child with severe learning difficulties who is unable to assess risk and adapt to everyday situations,*
 - § *severe difficulties with interpreting complex social situations or being able to cope with unexpected change, e.g. a pupil with Asperger's Syndrome who has very little awareness of personal danger,*
 - § *severe behavioural emotional and/or social difficulties in comparison with other children of their age.*

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.

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.

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

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

If a parent/carer moves home within Central Bedfordshire during the Academic Year, transport will continue to be available to the current school until the end of the Academic Year. 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.

Arrangements may be made for a child below compulsory school age with SEN to attend a Foundation Stage Support Class (FSSC) or any similar setting offering special needs provision. When making such arrangements the normal eligibility criteria for children of primary school age, including walking distance, will apply. Where the journey exceeds 45 minutes the Council will provide additional transport support only in exceptional circumstances.

Travel arrangements to attend an FSSC or similar setting are provided on a discretionary basis. Parents/carers are advised not to rely upon the provision of travel assistance to enable attendance at a FSSC or similar setting.

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. 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

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 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

Eligibility for travel assistance and the type of provision required will be reviewed on a continuing basis and at least once a 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.

2.7 Pupils with Temporary Medical Problems

Free 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 is provided for a fixed period dependent upon the medical need identified, 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.

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.

This should be endorsed by the family doctor 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.

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.

All requests should be made to the TC&ET (Section 6.3).

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.

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 6.1).

2.8 Pupils with a Disability

Where a pupil has a disability, under the Equality Act 2010 (Disability Discrimination Act 1995 and 2005) reasonable adjustments will be made, as appropriate, in the application of this policy.

2.9 Parents with a Disability

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

The Council may exercise its discretion to provide travel assistance where a child lives within the walking distance to school relevant to his or her age and circumstances 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.

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.

It is the responsibility of the parent/carer to produce evidence of the medical condition. This is normally endorsed by the family doctor 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.

All requests should be made to the TC&ET (Section 6.3). 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.

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 6.1).

2.10 Cared For Children, Refugees and Unaccompanied Asylum Seeking Children

The Council will exercise its discretion to provide a child with free travel assistance to continue to attend their school where the child:

- is temporarily living at a foster placement
- is within the Council area
- for a period of up to 12 calendar weeks.

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.

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 2.17).

2.11 Pupils Excluded from School

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 2.1). 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.

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.

2.12 Children Admitted to School under the Fair Access Protocol

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.

2.13 Education Other Than at School

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.

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

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, 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.

Where it is not appropriate to use public transport or where none is available then provision will be made by the ITU. 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

4.7). Only where there is no reasonable alternative available will taxis/or minibuses be used for the entire journey.

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.

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

- 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
- 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.

2.14 Children in Temporary Residential Circumstances

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 2.1), though 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 of Children's Services, transport will be provided

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.

2.15 Children below Compulsory School Age

Where a child, aged under 5 years old, is admitted to school under the normal admission arrangements to the school agreed by the Council, a request for transport will be considered as if he or she were of compulsory school age. A child reaches statutory school age at the beginning of the term immediately following his or her fifth birthday. No travel assistance will be provided at lunchtimes or at any time other than the normal start and end of the school day. Transport between these times will remain a parental responsibility.

The Council does not provide free transport to a nursery or pre-school setting.

Arrangements may be made for a child below statutory school age with SEN to attend a special school nursery or a similar setting offering special needs provision. When making such arrangements the normal eligibility criteria for children of primary school age, including walking distance, will apply. Where the journey exceeds 45 minutes the Council will provide travel assistance only in exceptional circumstances.

2.16 Emergencies and Requests at Short Notice

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.

No travel assistance will be made, other than at the beginning and end of the normal school day. In the 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.

2.17 Individual or Extenuating Circumstances

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 TC&ET (Section 6.3). Please note individual family work commitments, childcare arrangements or inconvenience to a parent/carer are not normally taken into account when considering eligibility for travel assistance.

DRAFT

Circumstances Where Transport Assistance is Not Provided

3

3.1 Parental Preference

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.

When expressing a preference for a school other than the designated catchment area, or 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.

Particular care should be taken when using a concessionary seat on school transport (Section 4.11). 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.

Where a child is withdrawn by a parent/carers from one school and placed in another school, free 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.

3.2 Children Attending a School on the Grounds of Religion or Belief

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') except in one specific circumstance, where a child is from a low-income family, as detailed in Section 2.1(iv).

3.3 Outside the Normal Start and End of the School Day

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.

3.4 Sibling, Brother, Sister

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 Home to School Transport Policy has changed since the older sibling received assistance, the younger sibling will be subject to the new Transport Policy.

3.5 Change of Address

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.

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 they will be provided with travel assistance from their new address to their current school, as long as they have completed at least one term in year 10 at their current school.

Further information on what could be defined as “exceptional circumstance” and how to apply are available from the TC&ET (Section 6.3)

Parents/carers of a pupil with special educational needs, currently receiving transport who move house within Central Bedfordshire should provide at least one month’s notice to the TC&ET and to allow their eligibility to be reassessed. 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 2.6 of this policy.

3.6 Selective Schools

There is no additional entitlement to travel assistance on the grounds that the school attended is selective. The Council is not obliged to have regard to a parent’s/carer’s preference for the child to attend a selective school when determining eligibility for travel assistance.

3.7 Single Sex Schools

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

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

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

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.

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.

3.9 Other Circumstances

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 2.1);
- 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 4.13).

3.10 Participation in Education or Training Post 16

The Education and Skills Act 2008 increased the age at which young people are required to participate in education or training to 17 years of age. However, this change does not extend the entitlement for the provision of free travel assistance beyond year 11.

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/learning/schools/travel-to-school/default.aspx>).

4.1 Mode of Transport

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.

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:

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

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

4.2 Pick-Up/Set Down Points and Timing

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 ITU will notify these arrangements to the parent/carer.

Whilst the duty to make travel arrangements does not necessarily require a door to door service, arrangements will not expect a child to walk an unreasonably long distance to catch a public service bus, or a bus journey that ended 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.

The parent/carer must take and collect their child safely to and from the vehicle (unless through prior notice and that due to medical conditions they are unable to do so, which should be indicated on the application form).

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.

4.3 Route Planning and Route Reviews

The ITU regularly reviews transport provision and individual transport routes. A review may result in a change of arrangements to be provided. Wherever possible, notice will be given to parents/carers of any proposed changes to transport provision.

Consultation with the parent/carer 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/carer and school prior to any change to the travel assistance provided.

A parent/carer 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 4.2);
- b. a change to journey times;
- c. a change to the contractor employed;
- d. the withdrawal of a passenger assistant.

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.

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 4.11).

4.4 Maximum Journey Time

Best practice suggests that the maximum each way length of journey for a child of primary school age might be considered to be 45 minutes; whilst a child of secondary school age might 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.

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;
or
- attendance at an alternative school following an exclusion or managed move.

4.5 Provision of Passenger Assistants (PA)

Mainstream Transport

PAs are generally not provided on mainstream transport, the need for exceptional provision, on either a temporary or permanent basis, will be determined by the TC&ET.

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.

PAs are generally only provided where the child has:

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

Except in exceptional circumstances, PAs will not be provided for:

- pupils attending mainstream schools;
- hearing impaired pupils;
- where there are fewer than three pupils in a vehicle.

The need for exceptional provision, on either a temporary or permanent basis, will be determined by the TC&ET.

Passenger Assistants' Role and Responsibility

PAs are given a range of training, including emergency aid and moving and handling techniques. The level of training is kept under review to ensure that the needs of all children carried can be met.

PAs will have had a Barring & Disclosure check for people working with children before taking up duty. They will display their ID badge at all times when on duty.

PAs 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, PAs 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 2).

In the event of a medical emergency, the PA will administer emergency aid to the level to which they have been trained by the Council; this will normally be to make the passenger safe and then request assistance from the emergency services, where necessary. The PA/driver will not administer medication, unless specifically trained and recognised by the ITU to carry out the particular procedure required.

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

4.6 Independence Training

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.

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.

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.

4.7 Personal Transport Cost Allowance (PTCA)

Where it offers the most cost effective solution, the Council may offer a PTCA payment, currently referred to as a "petrol allowance". A parent/carer is under no obligation to accept the offer of such a payment. If they prefer their child to use Council provided transport assistance, this will be provided. PTCA payments are designed to provide a broader range of transport options and are available to those who wish to take up the offer, 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 the element of the journey within which the pupil is in the vehicle.. This scheme will be reviewed on a regular basis and if the pupil's attendance at school falls below an acceptable limit the PTCA could be withdrawn.

Details of the scheme are available on the Council website (Ref Doc 3).

4.8 Sustainable Travel

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

4.9 Appeals against Suitability of Transport

If a parent/carer is dissatisfied by a decision taken in respect of the type of transport provided, they may challenge this in writing for it to be considered by the Transport Eligibility Panel (Section 6.1).

4.10 Monitoring of Transport Provision

The ITU will undertake regular checks to ensure compliance with service standards, these will include:

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

4.11 Concessionary Travel Scheme

The Council is committed to supporting children to access school. Where a child is not entitled to free travel assistance, 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 on the Council website (Ref Doc 4).

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

4.12 Requirement to Carry a Pass

All children are required to carry a pass, if issued to them, where this establishes 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.

A child, who is unable to present a pass, when requested by the vehicle driver or officer of the Council, may be refused entry to the vehicle. Drivers will be given guidance and training on how to report these instances in accordance with the requirements described within the Transport Operators Handbook.

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 2), a potential consequence of which is having their transport withdrawn.

4.13 Pupil Behaviour

The Council may 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 can employ a number of sanctions ranging from detention to exclusion in order to deal with persistent misbehaviour on school transport.

Transport operators will advise the ITU where the behaviour of a child breaches the *Code of Conduct for Pupils on School Transport*, (Ref Doc 2) and in turn the parent/carer and school will be notified. Where a criminal act is suspected the police will be notified.

4.14 When School Transport Does Not Operate

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.

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.

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

5

5.1 Children without a Statement of Special Educational Needs

Transport assistance is only provided on the basis of a formal application submitted by or on behalf of the parent/carer.

Details of how to apply are available on the Council's web-site (<http://www.centralbedfordshire.gov.uk/learning/schools/travel-to-school/default.aspx>) or by contacting the Transport Commissioning and Entitlement Team on 0300 300 8339 or via school.transport@centralbedfordshire.gov.uk, (Section 6.3)

The Council will aim to process your application within 15 working days of receipt of a complete application. This may be longer during busy periods. 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.

5.2 Children with a Statement of Special Educational Needs

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.

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.

Details of how to apply are available on the Council's web-site (<http://www.centralbedfordshire.gov.uk/learning/schools/travel-to-school/default.aspx>) or by contacting the TC&ET (Section 6.3)

5.3 Measurement of the Walking Route

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.

5.4 Assessment of the "Available" Walking Route

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 TC&ET (Section 6.3).

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 2.1. 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.

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 using the latest national guidelines published by Road Safety GB and taking account of the latest Department for Education guidance.

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.

The Council will work with schools, road safety professionals, Central Bedfordshire Council 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.

5.5 Change in Circumstances

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 TC&ET (Section 6.3) of any change in circumstances that may affect the provision of travel assistance.

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

5.6 Correcting Errors / Withdrawal of Transport

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.

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.

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.

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.

6.1 Decisions, Review of Decisions and Appeals Process

Decisions as to 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.

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 TC&ET (Section 6.3). The TAF1 form must be submitted within 20 working days of receipt of the original transport decision being made by the Council.

The completed form should then be returned to the TC&ET. The TC&ET 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.

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

If the matter remains unresolved the parent/carer can make a further appeal to the Transport Eligibility Panel. Appeals must be submitted within 20 working days of the receipt of the decision. The Transport Eligibility Panel will consist of 3 representatives selected from:

- a. Children's Services Commissioning
- b. Client Transport Team, ITU
- c. Customer Services
- d. Assessment and Monitoring Team, as appropriate

Officers from the TC&ET or any other officers involved with the transport decision to date will not attend the panel to ensure the decision made is impartial and independent.

The Panel will consider the information provided within the completed School Transport Appeals Form and any supplementary information provided by the parent/carer. Consideration of cases will normally not take longer than 10 working days.

Where the pupil in question holds a statement of special educational need, 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. Though this body does not hear appeals specifically about transport, it may consider it as part of a wider appeal.

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.

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 6.3 below).

6.2 Complaints/Queries

If a parent/carer has a query or is dissatisfied by any aspect with regard to the determination of eligibility/entitlement for travel assistance, this should initially be brought to the attention of the TC&ET.

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 ITU.

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

6.3 Contact Details

a. Transport Commissioning & Entitlement Team (TC&ET):

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

0300 300 8339

school.transport@centralbedfordshire.gov.uk

b. Integrated Transport Unit (ITU):

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

0300 300 8167

mainstream.transport@centralbedfordshire.gov.uk

c. Other useful contacts details:

School Admissions Team

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

0300 300 8037

admissions@centralbedfordshire.gov.uk

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.

Assessment & Monitoring Team (A&M)

Most children with special educational needs will get all the help that they need through School Action and School Action Plus, 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. 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 exclusive 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) and Children who were previously Cared for

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 previously 'cared for' are children who were 'cared for' as defined above, but immediately after being 'cared for' 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 'residence order' is as 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).

Catchment Area School

A geographical area from which children are given priority for admission to the particular school. Please see www.centralbedfordshire.gov.uk/admissions for more information on school catchment areas.

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 raised the age at which young people are required to participate in education or training to 17 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. From 2015 the age increases to 18.

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.

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.

Integrated Transport Unit (ITU)

The ITU are the Council department responsible for sourcing the most cost effective appropriate transport for entitled children. The ITU 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-County

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 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 parents 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. Schools must admit a child with a Statement of Special Education Needs 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.

Transport Commissioning & Entitlement Team (TC&ET)

The TC&ET are responsible for assessing the entitlement of all children against the Council Home to School Transport Policy. The TC&ET are also responsible for assessing the individual needs of children and commissioning travel assistance to meet specific identified needs. This includes all children accessing education in Central Bedfordshire.

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.

DRAFT

Ref Doc 1: Parent/Carer School Transport Agreement

While my child is receiving transport to school, I will;

1. Ensure that my child is ready at the agreed time of pick-up when the vehicle arrives at our home or at the pick-up point (transport staff are instructed not to wait over 5 minutes).
2. Be there to meet him/her at the set down point on return, or agree in writing in advance when another responsible person will do this.
3. Ensure that my child understands the standard of behaviour that is expected whilst travelling to and from school, as set out in the *Code of Conduct for Pupils on School Transport*.
4. Ensure that my child understands the need for safety and that the wearing of a seat belt or harness is essential.
5. Inform the ITU, on 0300 300 8167 by 10.00 am on the day of the illness, if my child is unwell and will not be travelling to school, if travelling by taxi.
6. Inform the ITU of any change of wheelchair, or equipment so that a new risk-assessment may be reviewed.
7. Inform the TC&ET of any change of travelling requirements, or any change in medical needs.
8. Ensure that the TC&ET is informed of any change in address at least 1 month in advance (on 0300 300 8339 or via school.transport@centralbedfordshire.gov.uk).
9. Pay for any wilful damage caused by my child.
10. Supply the ITU with general and emergency contact details for getting in touch with me.
11. 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.
12. Ensure all medicines must have the original label and packaging .

Furthermore, I understand that:

13. Passenger Assistants are not responsible for the administration of drugs or any medical procedures;
14. The transport may be withdrawn if my child's behaviour is persistently unacceptable
15. If the transport is withdrawn because of bad behaviour I must make suitable arrangements for him/her to attend school.
16. Failure to notify the Council of changes in circumstances (change of address etc) may result in a delay in transport being re-arranged.

Signed..... Name

For child Date.....

Contact Phone Number..... Emergency Phone Number.....

Ref Doc 2: Code of Conduct for Pupils on School Transport

1. Always be punctual. The transport has a time schedule to keep.
2. If waiting at a pick-up point, stay safe by keeping away from the road. All children with Special Educational Needs should be supervised whilst waiting for the bus.
3. Children should carry the bus pass issued by the Council at all times.
4. Children should get on or into the vehicle one at a time.
5. Wear a seat belt at all times and remain seated throughout the journey.
6. Aggressive, violent or abusive behaviour is unacceptable and may result in temporary or permanent withdrawal of transport..
7. Bags must be kept out of the gangway.
8. Do not speak to the driver whilst he or she is driving, unless there is an emergency. .
9. Be reasonably quiet in the vehicle. Excessive noise can disturb the driver and can be dangerous.
10. Do not play radios or personal stereos unless using headphones.
11. Ensure mobile phones are on silent or vibrate settings.
12. Do not stand up or move around the vehicle whilst it is moving.
13. At the end of the journey, wait until the vehicle has stopped before getting out of your seat.
14. Do not eat, drink, smoke or drop litter in the vehicle.
15. Always follow the instructions of the driver or passenger assistant.
16. Be considerate towards other passengers and behave sensibly at all times.

Remember parents are responsible for any damage caused to the vehicle and will have to re-imburse 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 3: Personal Transport Cost Allowance (PTCA)

1. The Council may request that a parent/carer who is willing make their own arrangements to convey their child to and from school:
 - where an entitlement to transport exists and there are difficulties in negotiating a suitable transport contract;
 - 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 TC&ET.
2. 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 the element of the journey within which the pupil is in the vehicle. This scheme will be reviewed on a regular basis.
3. The parent/carer will be required to complete a PTCA form, supplied by TC&ET, this needs to be authorised by the school and submitted to the TC&ET monthly/termly, as agreed.
4. The Council is currently paying a rate of 36p per mile; the daily mileage payable will be agreed by the TC&ET.
5. 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 TC&ET.
 - g. Parking, subsistence and other expenses will not be paid.
6. 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;
 - a more cost effective form of transport provision becomes available;
 - in other circumstances determined by the TC&ET.
7. 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.
8. 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.

9. 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
10. The TC&ET will discuss the possibility of a personal transport cost allowance payment as an alternative to taxis for existing entitled pupils.

DRAFT

Ref Doc 4: Concessionary Travel Scheme

Where pupils live within the statutory walking distance or do not otherwise qualify for free transport, a charge may be made for "spare seats" in the school bus provided the route is operated on a contract basis. 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. Revised annually by the Council for the new financial year, with new charges to come into effect for the Summer Term each year.
- d. Issued on a first come first served basis where demand for places exceeds availability.
- e. 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.

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 not be on a last-in, first-out basis. The order of priority will be according to the following criteria:

- a. The presence of an entitled sibling on the vehicle.
- b. The presence of a concessionary sibling on the vehicle.
- c. Attendance at the designated school (where the school is under the statutory walking distance and there is no entitlement to transport).

The siblings of entitled passengers will be the last to be removed. In determining priority within each category, those with the shortest overall journey from home by distance will be withdrawn first.

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 parent/carer must sign the Parent/Carer School Transport Agreement in the same way as a parent/carer for an entitled child, before a place is allocated. Concessionary places are not available by right and if behaviour is not of an acceptable standard, the seat will be withdrawn.

Ref Doc 5: 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. Seat belts are fitted and should be worn, assistants are trained and medical conditions are recorded.
4. Where Passenger Assistants travel with children they will:
 - inform the head teacher of the school of any incident, bad behaviour or accident involving the children;
 - take messages and medication between parents and schools;
 - 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 ITU 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 for the transport 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 0300 300 8167 or mainstream.transport@centralbedfordshire.gov.uk.
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 ITU 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 ITU of changes of address of pupils or other changed circumstances which may affect the transport requirements;
 - assist the ITU 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 ITU 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 ITU of dates of school terms, inset days and holidays and other closures, including weather related closures.
 - advise the ITU with at least one term's 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 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.