

Home to School Transport Policy

April 2011

1. General

Criteria applying to all applications for Home to School/College Transport are:

1.1 Residency

The child must live within the Borough of Southend. The application for transport must state your child's normal place of residence during the majority of the school week. If it is claimed that a child spends an equal amount of time at separate addresses during the school week, the address where the Child Benefit is payable would be taken and clarification sought from the Child Benefit Agency.

1.2 Responsibility

For all schools, parents and carers are responsible for ensuring that their children attend school. Where a child is eligible to receive transport, the option of mileage reimbursement for four journeys a day is available to parents.

1.3 Parental Choice

All parents have the right to apply for a place at the school of their choice however, where this is not the nearest school, which in the opinion of the Local Authority (LA) can meet the needs of the child, the parent will have to cover the costs of transport. If in the future the parent cannot continue to fund the transport to the school of their choice, the child will be expected to move to the nearest suitable school (except where you move home in school years 10 and 11).

1.4 Sustainable transport

Under the Education & Inspections Act 2006 Southend Borough Council has a duty to promote sustainable travel to school. Therefore we aim to deliver all travel in the most sustainable method available, making the most efficient use of the Council's resources.

Children who are entitled to transport would normally receive a bus or train pass for public routes. The parent or carer of a primary aged child would also receive a bus or train pass to enable them to accompany the child, or receive a mileage allowance if they were transporting the child themselves. Children at Secondary or Post 16 establishments will be offered the option of a cycle allowance. A taxi will only be provided for a pupil if there is no suitable public transport.

1.5 Walking distance

We use approved mapping software which gives accurate walking distances from the gate of the child's home to the nearest entrance gate of the school. Distances for each group are set and final – these are walking distances which can differ greatly to driving distances. Some websites give approximate distances which can differ greatly from those we take using the specialist software designed for home to school walking distances.

1.6 Nursery classes and nursery providers

Home to school transport is only offered to those children who are of statutory school age or who are the reception year. Free transport is not provided to those attending nursery provision, either in maintained schools or with private providers.

Transport provision may be provided to a younger child attending a special school or special unit, and they will normally have a statement of special educational need.

1.7 Delivery of Service

The Facilities & Transport Team (F&TT) will make the precise arrangements for the transport and no prior commitment can be given by the other Local Authority staff. Other council staff/parents/Headteachers should consult with staff in the F&TT who will advise on possible start dates, mode of transport etc. Other Local Authority staff will ensure that the appropriate form is completed accurately and with all relevant details in order to assist colleagues in the F&TT to arrange the most suitable transport. The F&TT will finalise arrangements as soon as possible but it may take 10 working days to set up the most appropriate transport. In these cases the F&TT will reimburse parent's mileage for the round trip (home to school and return in the morning and again in the afternoon = 4 single trips a day) from the date of authorisation by the Transport Entitlement Officer until the day before contracted transport can be arranged if appropriate. Transport for special needs pupils is provided taking the needs of the individual pupil into account. In order to ensure that these needs are met as far as possible, there may be a time delay in arranging transport. It is important that the expectations of parents and Headteachers are not raised unrealistically with regard to the commencement of transport provision.

1.8 Appropriate benefits/Low Income

This relates to families of Secondary School aged children and those studying Post 16 who fulfil the eligibility criteria for Free School Meals (FSM) or who are in receipt of their Maximum level of Working Tax Credit. If an application is made on the basis of low income, any change in circumstance which means that the child would no longer be eligible on that basis must be advised to the Facilities & Transport Team in writing with two weeks of the change.

1.9 Spare Seat Scheme

If transport is being provided for other pupils and there are spare seats on the contracted transport then a seat can be provided to any other pupil at a concessionary charge. Such transport is not guaranteed and may be withdrawn at short notice if the seat is required by another eligible pupil. Please check with the Facilities & Transport Team for the current concessionary charge.

1.10 Temporary Transport

Where a pupil has a temporary medical problem/illness and cannot travel to school in their usual way, and parents/friends or relatives are unable to help, temporary transport may be provided. Transport must be recommended by a GP/doctor. A fixed review period will be set and both the provision and type of transport is not guaranteed after the review date.

1.11 Alternative education

All transport costs associated with reintegration, integration, and alternative educational packages including work experience should be met by the school or the parent.

1.12 Pupil Behaviour

The LA may withdraw the entitlement to transport, on a temporary or permanent basis, where the pupil's behaviour constitutes a danger to the driver, escort, other pupils or other passengers. The procedure for this can be obtained on request from the Facilities & Transport Team or from our website at www.southend.gov.uk/etc

1.13 Exclusion

The Council will not reimburse any additional transport costs incurred as a result of a decision taken by the school to exclude a pupil.

1.14 Reasonable cost

Free home to school transport is only provided where that can be provided within reasonable cost to the LA.

1.15 Review of policy

It should be noted that the transport policy is kept under constant review. This policy was approved on 21st April 2011 and will be reviewed by the end of March 2014.

2. Mainstream Transport – pre 16

Southend-on-Sea Borough Council as the Local Authority (LA) will only provide free transport for:

2.1 Infant age children (Reception to Year 2) who:

- live at least 2 miles from, and attend, their nearest infant or primary school; or
- live at least 2 miles from, and attend, the nearest denominational school of which the parents adhere, with vacancies in the appropriate year group and where the parents are in receipt of the appropriate benefits; or
- are unable to be offered a place at their nearest school and who live at least 2 miles from, and attend, the nearest infant or primary school with vacancies in the appropriate year group.

2.2 Junior age children (Year 3 to Year 6) who:

- live at least 2 miles from, and attend, their nearest junior or primary school; or
- live at least 2 miles from, and attend, the nearest denominational school of which the parents adhere, with vacancies in the appropriate year group and where the parents are in receipt of the appropriate benefits; or
- are unable to be offered a place at their nearest junior or primary school and who live at least 2 miles from, and attend, the nearest junior or primary school with vacancies in the appropriate year group.

2.3.1 Secondary age children (Year 7 to Year 11) who:

- live at least 3 miles from, and attend, their nearest non selective secondary school; or
- are unable to be offered a place at their nearest non selective school and who live at least 3 miles from, and attend, the next nearest non selective school with vacancies in the appropriate year group; or
- have commenced GCSE or equivalent courses, move home during year 10 or 11, and attend a school at least 3 miles from their new home address;

Secondary age children (Year 7 to Year 11) from a low income family (defined as eligible to receive Free School Meals or are in receipt of their maximum level of Working Tax Credit) who:

- Live at least 2 miles from and attend any one of the three nearest secondary schools between two and six miles from their home and the pupils parents are in receipt of the appropriate benefits; or
- have been awarded a place at a selective school provided that:
 - (a) they have sat the selection test, and
 - (b) the selective school is within the Borough of Southend and at least 2 miles from the child's home; and
 - (c) the pupil's parents are in receipt of the appropriate benefits; or
- have been awarded a place at St Thomas More High School or St Bernard's High School provided that:
 - (a) the pupil or parents are practicing Catholics;
 - (b) either St Thomas More High School (for a boy) or St Bernard's High School (for a girl) is at least 2 miles from the child's home;
 - (c) the pupil's parents are in receipt of the appropriate benefits.

2.4 Cycle Allowance

Where a child of Secondary School age is eligible to receive free transport, and their eligibility has been confirmed in writing by Southend Borough Council, they will be offered the option of a cycle allowance instead of a pass for public transport. This offer will include Bikeability training to level 3 and an allowance of £60 per term. This allowance should be used to maintain their bike and to cover the cost of occasional trips on public transport should they wish to occasionally travel that way.

2.5 Independent Schools

The Council will not provide transport to independent schools unless it has accepted responsibility for placement e.g. where a child has a statement of special educational need (see Section 3 below).

3. Mainstream transport – Post 16

3.1 Students who are not from a low income family as defined in 1.8 above, or do not have a Learning Difficulty or Disability will not be eligible to receive travel assistance for their attendance at Sixth Form or College within the area of Southend, Castle Point or Rochford. If the nearest establishment offering the course of their choice is outside that area, they will still be expected to pay the cost of the boroughwide Octopus pass (£440 at May 2011) and the council will pay the balance if the criteria a) – g) below is fulfilled.

Those who are from a low income family as defined in 1.8 above, or have a Learning Difficulty or Disability (LDD) and a section 139a form completed, may be entitled to free transport if they meet the following criteria. Failure to fulfil any one of the conditions means that the student will not qualify for free transport.

- a) The student must live within the boundary of Southend on Sea Borough Council.
- b) The student must reside 3 miles or more from the college or school by the shortest available walking route.
- c) The student must be under 19 years of age at the start of the academic year in September, or must have been under 19 at the start of the previous academic year in September if they are commencing the second year of a course. For students who have an active statement of special educational needs and have been identified as needing transport support, free transport will continue until at least the age of 25 years.
- d) The Further Education Course must be registered as full time. A full time course is considered to involve 450 hours of guided learning spread evenly over the 36 weeks of the academic year. No applications can be considered from residential students for travel to and from school/college other than from those with an active statement of Special Educational Need.
- e) The student must live 3 miles or more from the nearest publicly funded school or college offering the course to be studied. The word course for the purpose of free transport refers to the qualification achieved (e.g. BTEC GNVQ Advanced Business) and not the description of the course in the school for college prospectus. If the student is going to study a multi-subject course such as 'A' Levels, 'AS' Levels or GCSEs, they would be expected to attend the nearest school or college offering 50% or more of those subjects, for example 2 out of 3 subjects, or 2 out of 4 subjects. It is the student's responsibility to determine the closest appropriate establishment. If a low income or LDD student lives 3 miles or more from their nearest publicly funded school or college offering the course to be studied but chooses to attend another school or college within the areas of Southend, Castle Point or Rochford, we would provide transport to the establishment further away as long as there is no difference in cost to the Council.
- f) If a student studies at the school 6th form that they attended during years 10 and 11 and were eligible for free transport during years 10 and 11, they will be eligible for free transport if they or their parent or partner is in receipt of the appropriate benefits. Current proof of benefit, which must be in the original form (and dated 3 months or less from its submission), must be submitted prior to each term to enable the Facilities & Transport Team to issue new passes.
- g) If at the time of application the chosen course at the closest establishment is full, and this is confirmed by a letter from that establishment, consideration will be given to providing free transport to the next closest school or college. It is the responsibility of the student or their parent to provide that written evidence at the time of application for transport.

4. Special Educational Needs Transport Policy

This section of the policy applies only to pupils who have a Statement of Special Educational Needs (SEN).

4.1 Introduction

Children do not automatically qualify for free home to school transport because they have a statement of special educational needs (SEN). Where transport is made available the Local Authority (LA) has discretion over how this is to be provided e.g. taxi, mini bus, contract bus, public transport, petrol allowance. Whilst the same distance criteria (see 3.5 below) will apply as for children without SEN it is recognised that having special educational needs can disadvantage children and render them incapable of getting to school in ways which are open to other children, for example, through the use of public transport. The provision of home to school transport should not be regarded as a permanent entitlement. Transport arrangements will be considered as part of the pupil's annual review of the statement.

Children with special educational needs but without a Statement of Special Educational Need are considered within the provisions of the general policy - see section 1 and 2.

4.2 Type of Transport

Wherever possible children will be encouraged to use public transport and if the criteria for the provision of home to school transport are met the provision will be a season ticket for public transport subject to local bus route schedules. Contract transport pick-up or drop-off times are arranged so that journey times are minimised and cannot be varied to suit the parent. Personnel in the Facilities & Transport Team (F&TT) are responsible for making the actual arrangements for provision and are unable to accommodate parental preference for particular contractors. When accepting an offer of transport provision on a contracted vehicle, parents are agreeing to a kerbside arrangement. We do not provide a door to door service but will endeavour to agree a kerbside pick up point close to your home. In all cases where transport is required a Transport Request Form or Getting to School form will need to be completed and returned to the Local Authority Transport Entitlement Officer.

4.3 Parental responsibilities

If home to school transport has been granted it remains the parental responsibility to:

- (a) ensure that their child is ready for collection at the appointed time and at the arranged pick up point. Failure to comply will result in the parent being responsible for getting their child to school. Contractors will not be expected to vary contract times and the LA will not meet any additional costs incurred for pupils being late;
- (b) take their child from their home to the vehicle and must collect the child from the vehicle;
- (c) allow the LA to use any specialist seating which their child requires;
- (d) where applicable, sign off the risk assessment in relation to complex/medical needs and/or escort provision.

In addition parents are responsible for transport:

- e) if the child needs to return home during a school day due to illness
- f) if the child needs to return home to attend any health appointments during a school day
- g) If transport is required outside of the normal school hours to facilitate attendance on a school trip
- h) arising from the schools decision to exclude

4.4 Provision of escorts

Escorts are normally provided on vehicles which convey more than 5 children/young people. In other cases escorts will only be provided for pupils with the most complex needs or where a pupil's behaviour raises questions of health and safety. The school will be asked to carry out a 'risk assessment' in order to justify the need for the provision of an escort for an individual pupil, which will then be considered by the LA. The LA only accepts escorts who have been police checked. Training is provided as appropriate.

4.5 Distance Criteria

Unless there are specific circumstances as dealt with in other sections of this policy the distance criteria for pupils with statements of special educational need is the same as for all other students as set out in section 1. It will apply to the nearest appropriate mainstream school, learning resource base/special school as determined by the Local Authority.

When parents request a placement for their child in a school of their choice which is not the nearest appropriate school, the Local Authority (LA) is not responsible for transport provision or the cost of that provision as laid out in the Education and Inspectors Act 2006.

4.6 Southend Special Schools and Learning Resource Bases

Transport to the special schools and learning resource bases is not an automatic entitlement. It is recognised however, that when children attend one of the five special schools or learning resource bases attached to mainstream schools, this may not be local to their homes. For this reason, when required because of distance (see distance criteria in section 3.5 above), vulnerability, behaviour, or physical disability, the LA may provide transport and this will be identified in the child's statement of special educational needs.

If places are not available at the nearest appropriate school, the LA will provide transport to the next nearest appropriate school if it meets the above distance criteria.

4.7 Residential Placements

Children placed in residential schools will be provided with appropriate transport or their parents' travel costs reimbursed in accordance with the agreement drawn up when the placement is made. In summary, children in termly boarding establishments will receive transport at the beginning and end of term, and for half term breaks. Weekly boarding will be supported by transport to the school in time for the start of school on Monday (or term/half term) and from the school after the close of session on Friday (or term/half term).

The LA will not provide transport:

- where the residential school requires a child to go home for a period which would not form part of the above arrangement (e.g. if a pupil is not included on a school trip, the school is responsible for the travel);
- for pupils attending health provision e.g. speech therapy, occupational therapy; for hospital appointments or dental treatment
- arising from a school's decision to exclude.

4.8 Developing Independence

As a general principle it is important that opportunities are taken to develop the independence of children, as they get older. A discussion about whether transport should change or cease should therefore be reflected in annual reviews of statements. An initial decision to provide transport is not necessarily a commitment from admission until the date a child leaves school. Where appropriate, and in consultation with parents, older children may be provided with bus passes as an alternative to the provision of taxis or minibuses. These arrangements can be reviewed at anytime.

4.9 Out of School activities

The Council will not provide transport either in evenings or at weekends for out of school activities in any school. The only exception is where this can be agreed in advance with the Facilities & Transport Team and no additional cost is incurred e.g. the contractor who transports two children who are both remaining late agrees to pick up both the children later, at no additional cost.

4.10 Reintegration/integration, and Alternative Educational Packages

All transport costs associated with reintegration, integration, and alternative educational packages including work experience should be met by the school.

4.11 Exclusion from School

The Council will not reimburse any additional transport costs incurred as a result of a decision taken by the school to exclude a pupil.

4.12 Respite Care

If respite care has been arranged by a social worker, they should notify passenger transport as soon as possible and no later than 48 hours before the respite is to take place. The costs of travel to respite care are not covered within the Home to School Transport provision and need to be met by either Social Services or in the case of older children from their individualised budget.

4.13 Post 16 students who have or have had a Statement of Educational Needs:

The Council is not allowed to make less favourable provision for students with special educational needs. Where a young person leaves a school setting and attends either an Independent Institution or a maintained college (funded from the YPLA) their Statement of Special Educational Needs (SEN) ceases and is replaced by Learning Difficulty Assessment (formerly known as a Section 139A).

a) 16-19 year old students attending Independent Institutions

If the Council has supported the application, this is viewed as attending the nearest appropriate institution and the Council will pay for transport providing the distance criteria of 3 miles is met.

b) 16-19 year old students attending maintained colleges

The Council is not involved in placing these students but will fund transport if they are attending the nearest appropriate institution, undertaking a course which demonstrates academic progression and meets the distance criteria (4.83 kilometres (3 miles) or more) where appropriate.

c) Students over the age of 20

As in section a) if the Council has supported the application it will pay for travel costs. Applications are dealt with by Adult & Community Services Department.

5. Appeals

Those not eligible to receive travel assistance may submit an appeal against the decision in writing within 4 weeks from the date of the refusal letter. Requests for appeal will not be accepted outside the 4 week period. The letter should include a detailed explanation as to why the child should receive transport and provide supporting evidence. This information will be submitted to a panel of elected members who form the Appeals Committee. There is no provision for the appellant to appear in person. The decision of the Committee is will be communicated to the parent/care by the committee clerk. Further correspondence will not alter the decision.

April 2011