

# SEND: North Somerset Home to School Travel Policy

## September 2020

### Introduction

This is one of a suite of policies relating to home to school transport. The Policy is based on the statutory guidance produced by the Department for Education. It sets out the home to school travel assistance that North Somerset Council will provide for **children of statutory school age (aged 5 – 16) with Special Educational Needs or disabilities** resident in North Somerset.

**This policy only covers students in education from reception year until year 11. There is a separate policy for students who are above the compulsory school age (16+) which can be found on the council website [here](#).**

Home to School Transport provision is made by North Somerset Council in line with the following principles:

1. It is the legal duty of parents to ensure that their children attend school
2. North Somerset Council will assist with home to school travel assistance in certain circumstances. These circumstances are defined in this policy.
3. Where provided, the primary purpose of home to school transport is to facilitate a child's attendance at school.

This policy outlines:

- Which children are eligible for home to school travel assistance
- How to apply for home to school travel assistance
- How to appeal a home to school transport decision
- North Somerset's Vacant Seat Payment Scheme
- The different types of home to school travel assistance that can be provided

### Children who are eligible for free home to school transport

If your child has a Special Educational Need or Disability they may be eligible for home to school travel assistance. They might qualify either because their needs mean that they cannot reasonably walk to school, or because they qualify for other reasons, which apply to all children, such as distance from the nearest suitable school. This policy explains all the ways your child might qualify for assistance.

The following criteria will be used to determine eligibility for home to school travel assistance. An easy to follow flowchart can be found in appendix A.

### **A: Statutory school age**

Children must be between the age of 5 and 16. If your child is over 16 please refer to the policy for this age group [here](#).

All children must now participate in education or training up to 18 years of age but this has not changed the statutory school age.

Children aged under 5 years of age, attending a reception class full time will be considered eligible for travel assistance provided all other criteria are met.

For those Children under 5 years of age who are accessing a nursery provision within an all age setting and are on the School roll will be considered eligible under the home to school transport criteria.

### **B: Statutory walking distances**

Travel assistance will be provided for:

- **Children under the age of 8** who attend their nearest suitable school where it is **more than 2 miles** from their home with no suitable safe walking route; and
- **Children aged 8 and over** who attend their nearest suitable school where it is **more than 3 miles** from their home and there is no suitable safe walking route.

### **C: Special educational needs, disabilities and mobility problems**

Home to school travel assistance will be provided if your child is attending the nearest suitable school but because of their **special educational needs, disability or mobility problems cannot be reasonably expected** to walk there, irrespective of the distance or whether there is a safe walking route.

In order to assess a child's eligibility the Integrated Transport Unit may seek information from parents, schools and other professionals. This may be information contained within the child's Education Health Care Plan (EHCP) or medical evidence. For those who are eligible a journey care plan will be produced.

### **D: Unsafe walking route**

Travel assistance will be provided to children **within the statutory walking distances** where children attend their nearest suitable school but **cannot walk there** regardless of accompaniment because the nature of the route means it would be unsafe to do so and there is no reasonable alternative route.

### **E: Extended Rights**

Special rules about distance apply to children from low income families. This is to make family income less of a barrier to parental choice of schools. Your child will qualify for free home to school assistance if:

They are **entitled to free school meals**, or if you receive **the maximum amount of Working Tax Credit**, and:

- are **aged 8 to 10**, are attending their nearest suitable school and it is **more than 2 miles** from their home; or
- are aged **11 to 16**, attend a school which is **between 2 and 6 miles** from their home and there are less than three suitable schools nearer to their home;
- are **aged 11 to 16** and attend a school that is **between 2 and 25 miles** from their home that you have chosen on the grounds of **religion or belief** where there is no nearer suitable school. Where a child is eligible for extended rights to home to school travel assistance, their eligibility will be re-assessed at the beginning of each academic year therefore a new application must be submitted annually.

**Please note that universal credit is replacing working tax credit. This Policy will be updated in due course with the implementation of universal credit.**

## **How will a child's eligibility for home to school transport be assessed?**

### **Measurement of distance**

**Statutory walking distances** (section A above) are measured as the **shortest walking route** between the child's home address and the nearest school entrance.

For **extended rights** (section E above), the **2 mile limit** will be measured along the **shortest walking route** as above. The **6 mile and 25 mile upper limits** will be measured by the **shortest available road route**.

### **Safe walking routes**

Walking routes are calculated between the child's home address and nearest school entrance, these are checked to ensure there are no particular hazards or dangers along the route. For example, if a child needs to walk an extended distance along a narrow road with no pedestrian provision, this may not be considered a safe route.

In determining a safe walking route to school or to a centralised pick up point, the council will review whether the route is safe if a child is **accompanied where necessary**. If taken to appeal, the panel will review this on individual case basis.

Footpaths, bridleways and other pathways such as public rights of way may comprise part of a child's walking route and are considered safe.

### **Accompaniment**

When assessing whether any child can reasonably be expected to walk to school, to a centralised pick up point and when assessing route safety, the council will consider

whether the child can reasonably be expected to walk if accompanied. The expectation is that a child will be accompanied by a parent/carer where necessary.

Where circumstances are such that a parent/carer cannot accompany a child, for example due to parental disability, the council will look to the wider family if appropriate. Final consideration must be made as to whether the route is still considered safe without adult supervision.

### **Home Address**

For the purposes of assessing a child's eligibility for home to school travel assistance, the home address is required.

The home address is their **current, permanent place of residence** where the child spends the majority of their time.

Where a child has **more than one residence** (for example, if their parents live separately) their home address for the purpose of home to school travel assistance is the one at which they **spend the majority of time during the school week**.

Where a child who is eligible for home to school travel assistance moves home address, their eligibility will cease and they will need to reapply. A student may no longer be eligible for travel assistance.

### **Nearest suitable school**

Home to school travel assistance will normally only be provided to the child's **nearest suitable school**. The nearest suitable school for the purposes of home to school travel assistance is the nearest suitable school to their home address that is (or would have been) **able to offer them a place**. For children with **special educational needs, disabilities and mobility problems** the nearest suitable school remains applicable, however **information contained within the EHCP will also be considered** when assessing a school placement.

For secondary schools, the nearest school will be determined with reference to the home address and the council's determined areas for home to school transport.

<The published policy will include a hyperlink to the Home to School Transport webpage and an interactive map of North Somerset>

If your home address falls into the determined area for just one secondary school, then that will be treated as the nearest school, and you will receive travel assistance if you live further away than the statutory walking distance. Where an address falls within **two** determined travel areas, assistance may only be provided to the nearest of the two schools. Please note, these travel areas are determined by the Council and **may differ** from the geographical areas identified by schools or academies for their admissions policies.

Where a child does not attend their nearest suitable school, parents should be aware **that the council may not have an obligation** to provide home to school transport. **Evidence** illustrating that the nearest school was not available or appropriate **will**

**need to be provided with any application** for home to school transport. If a child is allocated a place at a school that is not the nearest suitable as a result of **parental preference**, travel assistance **will not be provided**.

## **How will home to school transport be provided?**

An eligible child may be provided with one of the following types of travel assistance where appropriate:

- entitlement to travel on private hire coach or minibus
- entitlement to travel in a taxi or other form of private hire vehicle
- a bus or rail pass, sometimes alongside independent travel training
- reimbursement for parents/carers via a personal travel budget (PTB)

The council has a general duty of responsibility, as directed by Government, to **promote the use of sustainable means of travel** wherever possible.

North Somerset Council will assess the individual needs of children with special educational needs, disabilities and mobility problems to determine the support they will require in conjunction with the SEND team. Where necessary, a passenger assistant or specialist vehicle may be required to support an individual or group of passengers (for example, a wheelchair accessible vehicle).

Passenger assistants may be provided for children who require continual support for safety and welfare reasons. The Integrated Transport Unit recognise that some children have complex medical needs which may impact on their journey and will normally attempt to provide travel assistance which meets these needs. Where additional requirements such as medical equipment and passenger assistants with specialised medical training are required, this will need to be discussed with the clinical commissioning group in conjunction with the EHCP process to determine how these will be funded and provided.

Key expectations of what can be expected of a passenger assistant and the driver on school transport can be found in **Appendix C**.

**Journey times** are subject to influence from day to day traffic conditions and geographical restrictions. We always endeavour to meet the **best practice guidance** set out by Government. This states:

“As a general guide, transport arrangements should not require a child to make several changes on public transport resulting in an unreasonably long journey time. Best practice suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes, but these should be regarded as the maximum. For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.”

North Somerset Council seek to avoid extending routes unnecessarily and ensure travel arrangements are **safe and reasonably stress free** to enable children to arrive at school ready for a day of study.

The council may offer **independent travel training** to students with special educational needs as a mechanism to facilitate accessing school transport. This will be used where appropriate to increase a child's ability and confidence to travel independently. This will not affect a child's eligibility for travel assistance.

Where travel assistance is provided it **remains the parent/carers responsibility** to ensure their child's safety by making any necessary arrangements for their child/ren to be **accompanied** to and from a bus stop, a designated pick up/drop off point and **during the journey** if required.

Eligible children will be provided with travel assistance at the **start of the school day** and at the **end of each day of school as determined by the school/academy's published term dates**. Part time placements due to special needs and short-term arrangements for medical reasons will be taken into consideration on a case by case basis, each case will be determined on their own circumstances.

Many forms of travel assistance will operate from a designated **pick-up and drop-off point**. These will often be public bus stops or central locations within residential areas and will be subject to risk assessment prior to their use for this purpose. Children may be **expected to walk up to one mile from their home address** to this point, using a route determined to be safe as above, including any necessity to be accompanied. The suitability of a centralised pick up point for an individual will be determined at the point of application, the eligibility criteria used to assess this can be found in **Appendix B**. Home pick-ups and drop-offs will be determined by the council and only used in exceptional circumstances based on the individual requirements of the child, or any specific issue relating to the home address in question.

At the discretion of the Integrated Transport Unit, a personal travel budget or parental mileage payment may be provided as a travel assistance offer. These will only be provided where the Integrated Transport Unit **and** the parent/carer agree it as a more suitable arrangement.

## **Applying for home to school transport**

Information to help you apply for home to school travel assistance can be found on the council website:

<http://www.n-somerset.gov.uk/my-services/schools-learning/financial-support-for-pupils/home-to-school-transport/free-home-school-transport/>

For students with special educational needs, disabilities and mobility problems an application form will need to be submitted through the SEN case officer at North Somerset Council.

Upon receipt of the application form, the Integrated Transport Unit will normally process the application within **20 working days**. For more complex travel assistance needs these timescales may take longer. We will inform you in writing of the outcome of your application.

## **Vacant seat payment scheme**

North Somerset Council operate a scheme where **vacant spaces** on transport services are **offered at a subsidised rate** for students who are not eligible for travel assistance.

Vacant seats are allocated on a first-come, first serve basis and **can be withdrawn at two weeks' notice** if the seat is required for another child that is eligible for travel assistance, or if the seat is no longer available for any other operational reason.

To ensure fairness to all families, application forms for this scheme become **available online** and are **accessible from council gateways** from midday on the **31 July** for the new academic school year. Applications are accepted from 9am on the 1 August, and all applications are time stamped once received. The application form will be on the council website via the following link:

<http://www.n-somerset.gov.uk/my-services/schools-learning/financial-support-for-pupils/home-to-school-transport/vacants-seats-payment-scheme/>

The charge for the vacant seat payment scheme can be financed in one payment or through an 8 month payment plan. **The charge is reviewed annually** and can be found within the council's published Fees and Charges document which is available to view at:

<http://www.n-somerset.gov.uk/my-council/performance/finance-budgets/fees-charges/about-fees-and-charges/>

Where the council identifies that an eligible seat has been vacant for a significant period of time (**12 weeks**) the student may be contacted and the seat re-allocated to a unentitled paying student. If the eligible student subsequently wishes to reinstate their space on transport they will need to write to the Integrated Transport Unit giving at least **two weeks notice**. Spare seats on vehicles will be advertised on the home to school transport page of the website.

## **Managing Risks and Incidents**

North Somerset Council takes safety extremely seriously and we will strive to ensure that any transport arrangements we make are safe for your child. It remains your responsibility to make any necessary arrangements for their child/ren to be

accompanied to and from a bus stop, a designated pick up/drop off point and during the journey if required.

You can also help us to keep your child safe by:

- Helping to write the journey care plan for your child
- Keeping us informed about your child's needs and health; and
- Reporting any health and safety or safeguarding concerns promptly

## **Behaviour**

Poor behaviour on school transport can result in a range of problems, including endangering the safety of other passengers and road users. The council works closely with the **operators, schools and parents** to address incidents of unacceptable behaviour in line with the **school's behaviour policy**.

We recognise that some types of special educational needs or disabilities are associated with behaviour which can be difficult to manage. We will therefore consider each child's individual needs and will ensure that any behavioural issues are discussed and addressed as far as possible.

Where problematic behaviour is related to a child's special educational needs or disability consideration will be given to any mitigation which could reasonably be put in place to avoid interrupting the child's education. However parents are asked to recognise that the council has equally to consider the safety of other children and staff and may need to suspend or withdraw transport arrangements, whatever their cause, if they cannot be continued safely.

**Where behaviour is unrelated to special needs**, or is serious and continuing, it will be discussed in conjunction with the school, the operator and parents. Consideration may be given to withdrawing travel assistance on a temporary timescale or permanently in cases of more serious or repeated behaviour.

If consideration is being given to withdrawing free school travel assistance because of unacceptable behaviour then:

1. On the first occasion of unacceptable behaviour, a **written warning** will be issued.
2. If any further unacceptable behaviour takes place, then, depending on how serious the incident is and how long it was since the warning was given, a further warning may be given or the decision may be made to **withdraw** the free transport.

In the event of transport provision being withdrawn, it remains the responsibility of the parent to ensure their child's attendance at school.

In any event, **parental behaviour** which involves abuse, harassment or violence towards the driver or any passengers of the vehicle will not be tolerated and the procedure above will be followed.

## **Journey Care Plans**

Where there is an identified need for a journey care plan, this will be provided. This will cover information about your **child's needs** and what we may need to know to make the journey as comfortable and pleasant for them as possible. The journey care plan is based on information you provide, confirmed and supplemented by the school, the SEN team and the child's EHCP if they have one and will be agreed by the Integrated Transport Unit.

<The form and process for journey care plans is currently under review, this will be completed in time for publication of the policy in September 2019>

## **Risk, Health and Safety**

The Council will maintain an overall risk assessment for the home to school transport service. Individual risk assessments will also be conducted for individual children, routes or journeys which present more complex or significant risks.

## **Safeguarding**

We follow the policies of the North Somerset Safeguarding Children Board. This includes making sure that staff have the appropriate checks and training. If you have any safeguarding concerns please report these to us by calling:

01275 888 808 - Monday to Friday, 8am - 6pm

01454 615 165 - Out of hours and at weekends

In an emergency please ring 999

## **Reporting an incident**

We take all incidents relating to home to school transport seriously and are committed to investigating them appropriately.

<The form and process for reporting an incident is currently under review, further details will be provided in time for publication.>

## **Appeals and Complaints**

If a parent/carer wishes to raise a complaint regarding the home to school transport service, they can do so via the following link: <This will be updated with the new corporate complaints system live in January 2019>.

If the council **refuses a child home to school travel assistance** or a parent/carer is **unhappy with the transport arrangements offered**, they have the right to appeal the decision. There are two stages to the appeal process:

**Stage one: review by senior officer**

- The parent/carer within **20 working days** upon receiving the offer or refusal for travel assistance should submit a written request (by email or post) to the appeals officer within the Integrated Transport Unit for a review of the transport decision. **This should detail why the decision should be reviewed and include any information which should be considered alongside the review.**
- A senior officer within the council will have **20 working days** (on receiving the parent/carers request) to review the decision in light of the information provided against the home to school travel assistance policy and respond, this will include; whether or not the transport decision has been upheld, why that decision has been reached and the factors taken into account in reaching the decision.

### **Stage two: appeals panel**

- If a parent/carer feels the stage one appeal has not resolved the matter, an impartial re-consideration of the case can be undertaken through a stage two appeal. A parent/carer should submit written notification that they wish to escalate this to stage two within **20 working days** of receiving the outcome of the stage one appeal.
- Within **40 working days** of receiving the parent/carers request for a stage two appeal an independent transport appeal panel will review the case. **<The composition of the panel is currently under review and will be confirmed by publication of this policy>**. The decision of the appeals panel will be sent to the parent/carer **within five working days** of the appeal panel hearing.

### **Local Government and Social Care Ombudsman**

If following an appeal, you believe that North Somerset Council has refused help unfairly, made a mistake or not handled your appeal correctly, you may be able to complain to the Local Government and Social Care Ombudsman.

For more information please visit <https://www.lgo.org.uk/>

## Contacts

The Integrated Transport Unit are based at the Castlewood offices in Clevedon and can be contacted via the following channels:

**Postal address:** Integrated Transport Unit, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ

**Telephone:** 01934 634715

**E-mail address:** [schooltransport@n-somerset.gov.uk](mailto:schooltransport@n-somerset.gov.uk)

### Additional useful contacts:

School Admissions Team – 01275 884078

Sustainable Travel and Road Safety Team – 01934 426910

National Rail enquiries – <http://www.nationalrail.co.uk/>

First Group (customer services) – 0345 646 0707

Carmel Coaches – 01275 859123

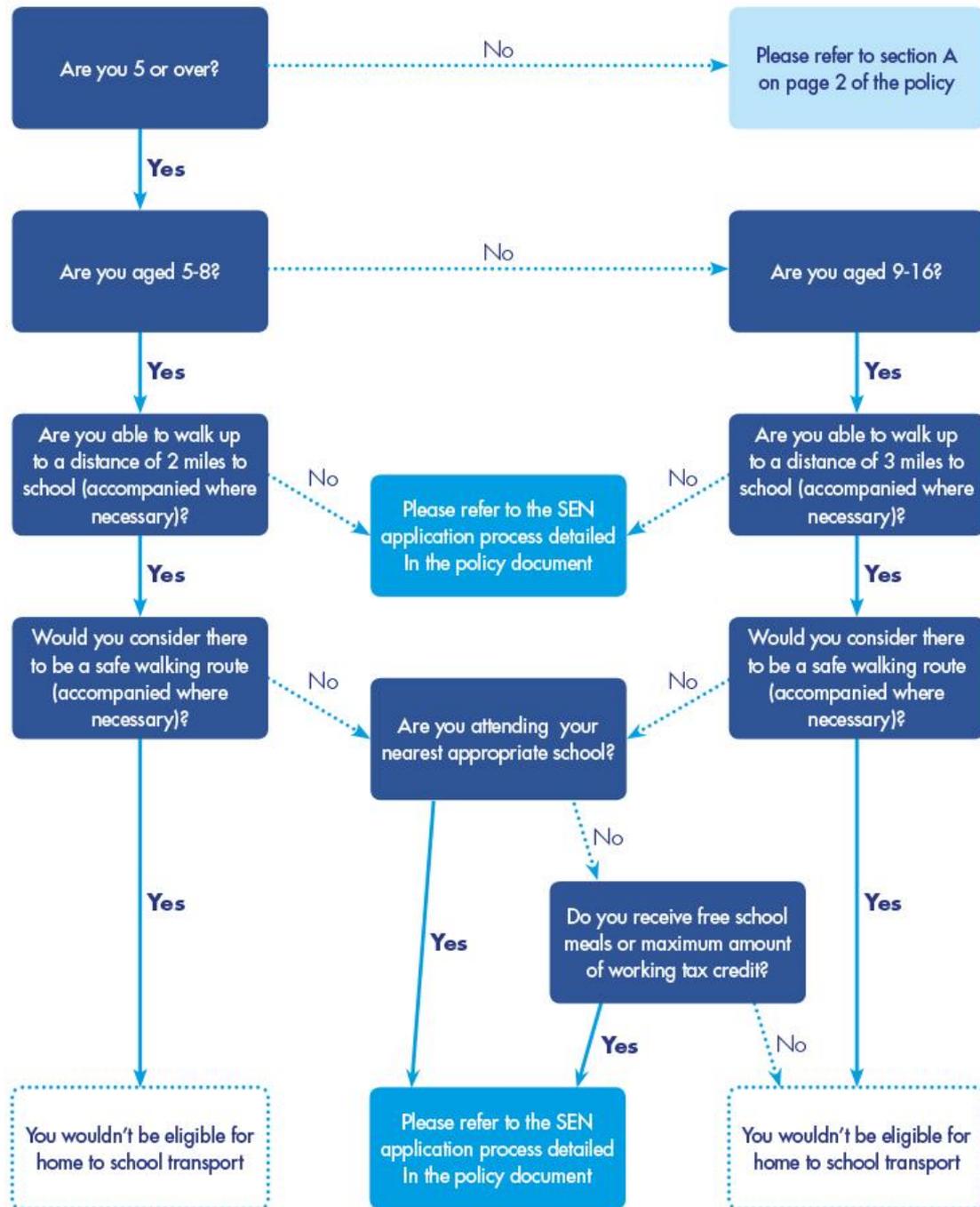
Great Western Railway (customer services) – 0345 7000 125

North Somerset Council's home to school travel assistance policy is based on the statutory guidance produced by the Department for Education published in July 2014.

This policy has been produced working with North Somerset Parents and Carers Working Together, Weston College and Baytree School.

This document will be reviewed annually and published prior to the start of the academic year in September, or in conjunction with a change in National Government Legislation.

## Appendix A



## Appendix B

The Integrated Transport Unit have set the following eligibility criteria to assess suitability. Medical evidence supporting the following will be required to determine whether a home pick-up is appropriate:

- Inability to walk outside, or spend time exposed to the elements
- Requirement for a wheelchair
- Inability to enter/leave a property
- Inability to get in/out of a vehicle
- History of falls
- Degenerative conditions
- Inability to use stairs
- Safety issues regarding an individual's anxiety etc.

## Appendix C

### **North Somerset Council responsibilities**

- Deliver home to school transport within the provisions of the relevant Education Acts and the Department for Education guidance
- Make home to school transport provision in line with the published local policy and any relevant operating procedures
- Ensure appropriate training and support of passenger assistants and drivers
- Ensure that all drivers and passenger assistants have undergone an enhanced Disclosure and Barring Service (DBS) check
- Ensure all transportation is appropriately licenced
- Ensure that all transport provision is safe and fit for purpose
- Carry out regular route checks to assess the safety and suitability of transport arrangements
- Ensure effective joint planning and working between the relevant transport and children's services functions in relation to education of students with special educational needs and disabilities
- Provide a staffed enquiry line between 7am and 5pm weekdays during term time
- Liaison between transport providers and schools
- Plan and commission transport provision for bulk and in year admissions
- Communicate within a timely and appropriate fashion with parents, carers and schools
- Required to remain confidential and professional regarding all students

### **Parent Responsibilities**

- Ensure their child's attendance at school
- Ensure their child/ren are ready for the school day and are available at their pick up location at least 10 minutes prior to their scheduled time
- Ensure that their child is equipped with necessary medication and equipment
- Ensure that their child adheres to the school's behaviour policy
- Ensure that a responsible adult is present to receive the child at the end of the school day
- Inform the driver or passenger assistant (where provided) of any concerns regarding a child's behaviour or safety
- Required to remain confidential and professional regarding all students
- Communicate within a timely and appropriate fashion with North Somerset Council and the school attended by their child (e.g. change of address etc.)

### **Passenger Assistant Responsibilities**

- Ensure the safety, care and well-being of children whilst they are on the vehicle to ensure they arrive in a stress free state
- Provide front-line liaison with parents and schools
- Hold the journey care plan and transport application which contains the additional needs of a student
- Are there to pick up the student from the parent at the start of the day and hand over to the parent at the end of the day
- Can provide assistance to students boarding and alighting the vehicle
- DO NOT administer medication, but provide a safe exchange of medication between the parents and school
- Report concerns of a child's behaviour or safety on transport
- Required to remain confidential and professional regarding all students
- Ensure all students take personal belongings, medical equipment etc. with them when departing the vehicle

### **Key Training**

- Induction
- Emergency protocols
- Understanding risk assessments
- Journey care plans
- Safeguarding
- First Aid
- Disability awareness
- Discrimination awareness
- Equalities awareness
- Skills in supporting disability and behaviour
- Managing Communications

## **Driver Responsibilities**

- Legally responsible for all aspects of:
  - the vehicle
  - Passengers
  - Equipment
  - Safety of passengers, pedestrians and all other road users
- Must carry appropriate driving licence and where necessary, driver qualification card (Certificate of Professional Competence)
- Can provide assistance to students boarding and alighting the vehicle
- Report concerns of a child's behaviour or safety on transport
- Required to remain confidential and professional regarding all students
- All wear identification badges
- Taxi transport will display North Somerset (or other) licencing plates and be in date

## **Headteacher responsibilities (delegated where necessary)**

- Have in place a school behaviour policy which is appropriate to all students journey to and from school including by home to school transport
- Provide appropriate pick up/drop off point(s) within the school site
- Provide appropriate staff to manage the transition from transport to school and vice versa
- Ensure that all relevant staff are briefed on the drop off/pick up arrangements
- Ensure all students take personal belongings, medical equipment etc. with them when entering the vehicle
- Manage concerns of a child's behaviour or safety which may influence transport provision
- Required to remain confidential and professional regarding all students