

# **TOGETHER FOR CHILDREN**

## **HOME TO SCHOOL/COLLEGE TRANSPORT POLICY**

## Forward

Together for Children's Home to School Transport service offers support and guidance to parents, carers, schools and most importantly our young people. Together for Children are bound by statutory duties within Legislation to provide assistance to young people who meet the eligibility criteria set out within this Policy. Together for Children currently assists young people and families in a variety of ways including; the provision of dedicated taxi/minibus transport, Free Travel Permits, access to an Independent Travel Training programme and a School Transport Mileage Rate.

Much of the work undertaken by Home to School Transport within Sunderland is aimed at offering young people and their families a safe and enjoyable experience of travel. Partnership working is a key element that helps build on this aim:

- Independent Travel Training – working alongside schools and travel trainers to offer young people the opportunity to access independent travel training in a safe environment with the appropriate staff. This encourages young people to develop an important life skill.
- Taxi Licensing, Driver and Vehicle Standards Agency (DVSA) & Northumbria Police – regular transport checks are carried out at schools and colleges to maintain the safety of the vehicles that transport our young people on a daily basis. Drivers and escorts are also checked to ensure they hold correct and valid permits.
- Parent/Carers Group – a representative from Home to School Transport is always available to attend the group if requested. This representation allows information to be obtained from the parents/carers, and also provides an opportunity for queries to be answered around current travel arrangements.
- Schools/Colleges – a strong relationship is essential to maintain children are transported safely to and from school, at the correct time, and using the appropriate equipment (i.e. booster seats, bucklesafe).
- Safeguarding – all drivers and escorts carrying out transport on behalf of this service are trained to ensure the safeguard of all young people is of the highest standard. Training sessions are delivered by an Education Safeguarding Officer, and refreshed every three years.
- Nexus – helps provide accurate and updated information for parents/carers, including; timetables of buses, prices and concessionary fares.
- Northern Regional Transport Group – a quarterly meeting of the group brings together transport officers from around the region to discuss; changes in legislation, DfE Guidance, difficult cases and the sharing of Good Practice

## Legislation

Section 508B of the Education Act 1996 (amended by the Education and Inspections Act 2006) deals with the duty on Local Authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children.

Parents are responsible for ensuring that their children attend school regularly. However, section 444 of the 1996 Act outlines the situations in which a parent may have a defence in law against a prosecution by a Local Authority for their child's non-attendance at school. Section 444(3B) provides a parent with a defence if he or she proves that:

- o The qualifying school at which the child is a registered pupil is not within statutory walking distance;
- o No suitable arrangements have been made by the Local Authority for boarding accommodation at or near to the school;
- o No suitable arrangements have been made by the Local Authority for enabling the child to become a registered pupil at a qualifying school nearer to his/her home; and
- o The Local Authority has a duty to make travel arrangements in relation to the child under section 508B and has failed to discharge that duty.

Schedule 35B of the 1996 Act (amended by the Education and Inspections Act 2006) defines "eligible children" – those categories of children in an authority's area for whom travel arrangements will always be required. A condition of each category is that they are of compulsory school age. Under section 508B, these arrangements must be provided free of charge.

The provisions set out in this policy include places other than schools where a child is receiving education by virtue of arrangements made under section 19(1) of the Education Act 1996 by the Local Authority.

**This policy only applies to children of statutory school age who are resident in the area of Sunderland City Council.**

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### Notes

1. All the references in this policy to schools are a reference to a qualifying school the meaning of which is provided in each section of the policy.
2. This policy will be reviewed and revised in respect of any guidance provided by the Secretary of State.
3. All applications for travel assistance will be considered on case by case basis, but following the guidance within this Policy.
4. Together for Children delivers children's services on behalf of Sunderland City Council. Together for Children is owned by Sunderland City Council but controlled by an independent board to ensure operational independence.

## Part 1 Home to School Transport for a young person, of statutory school age, attending a mainstream school

### 1 Statement of Intent

The purpose of this policy is to support the attendance at qualifying schools of eligible children who are of statutory school age by the provision of free transport. This includes pupils where parents/carers have expressed a preference on the grounds of religion or belief.

### 2 Meanings

#### 2.1 Qualifying schools are;

- 2.11 community, academies or voluntary schools;
- 2.12 pupil referral units;
- 2.13 places other than a school at which a pupil might receive education under section 19(1) of the Education Act 1996.

#### 2.2 Eligibility

2.21 Children who live within the statutory walking distance of their nearest qualifying school, but cannot reasonably be expected to walk to school.

- a) Where children live within the statutory walking distance of their nearest qualifying school and it is suspected that there is no available walking route to that nearest qualifying school, Together for Children will undertake a risk assessment of the route.
- b) Where the outcome of the risk assessment is that the route is not available to the child (accompanied by the parent/carer) free travel will be provided.
- c) In the circumstances where the risk assessment shows that the route is available, then the parent has the right to have that decision reviewed in accordance with the review of decisions procedure.

2.22 Children who live more than 2 miles (statutory walking distance) from the primary school nearest their ordinary place of residence will be provided with free home to school transport.

2.23 Children who live more than 3 miles (statutory walking distance) from the secondary school nearest their ordinary place of residence will be provided with free home to school transport.

- 2.24 Secondary aged Children entitled to free school meals, or whose parents are in receipt of their maximum level of Working Tax Credit will be provided with free home to school transport if; the secondary school they attend is one of the three nearest to their ordinary place of residence; and that school is more than 2 miles but below 6 miles from their ordinary place of residence;
- 2.25 Where a parent is offered a place at a school as a result of an independent appeal for admission to that school, the child will be eligible for free home to school transport where the conditions in paragraphs 2.22 – 2.24 are met.
- 2.26 Secondary aged children who are entitled to free school meals or whose parents are in receipt of their maximum level of Working Tax Credit; and are attending their nearest suitable school preferred on the grounds of religion or belief where their ordinary place of residence is more than 2 miles, but not more than 15 miles from that school;
- or
- Primary aged children who are entitled to free school meals or whose parents are in receipt of their maximum level of Working Tax Credit; and are attending their nearest suitable school preferred on the grounds of religion or belief where their ordinary place of residence is more than 2 miles from that school.
- 2.27 Evidence to support the following will be provided by the parent/carer:
- a) where the preference to attend a school is based on the parent's religion or belief;
  - b) Where the parent does not wish the child to attend a school which is any of three schools nearest their home and that school is over two miles based on the parent's religion or belief. Free School Meals entitlement or Highest Working Tax Credits Certificate must be presented.
- 2.28 Unless a child changes their permanent place of residence then eligibility will remain for the entirety of the school year for which the assessment is made.
- 2.29 A new application must be made each academic year and it is parent's responsibility to ensure that an application is made. Entitlement will be re-assessed annually on receipt of the new application form.

## 2.3 Distance

2.31 Distance is measured by:

- a) nearest available route for the statutory walking distances, as accompanied; using a Geographical Information System (GIS)
- b) road route for the 2 to 6 miles range for secondary and more than 2 miles for primary aged pupils, under the provisions for children entitled to free school meals or whose parents are in receipt of their maximum level of Working Tax Credit.

## 2.4 Ordinary place of residence

The pupil's place of residence will be deemed to be the pupil's permanent home address. **This does not include a child minder or carer's address.**

## 3 Travel Arrangements

3.1 Travel arrangements are those provisions made by Together for Children for young people to receive free home to school transport.

3.2 The duty to provide free home to school transport will be for the journey at the:  
start of the school day; and  
end of the school day.

3.3 The school day is deemed to be the session times as approved by the governing body of the qualifying school.

3.4 Nothing in the travel arrangements made for any child shall be for any travel between educational institutions during the school day. Where a child moves from one establishment to another in order to receive education; that cost will fall to the school to pay.

3.5 The arrangements will be free of charge, except the provision of photographs, where cost shall fall to the parent.

3.6 Travel arrangements will be:

3.61 normally a travel permit unless not suitable for the child's needs or;

3.62 refunded travelling expenses according to the cheapest available public transport route

#### **4 Medical Requirements**

Children with physical and/or medical difficulties may be provided with assistance for transport at the discretion of Together for Children subject to a medical report from the child's consultant. These arrangements can be permanent or temporary.

#### **5 Transitional arrangements in the event of the re-organisation of school provision**

5.1 In circumstances where the Council proposes to re-organise school provision which involves the discounting of existing schools and the establishing of new schools, transitional arrangements may be made in respect of the provision of home to school transport, which may also include the provision of free transport to pupils who would not ordinarily be eligible.

5.2 Transitional arrangements shall be determined by the Council's Cabinet.

5.3 Where transitional arrangements are approved they will be stated in the appropriate statutory notices.

#### **6 Travel arrangements for other children**

6.1 Together for Children may make such school travel arrangements as considered necessary for any child not already provided for in this section of the policy for the purpose of facilitating their attendance at school.

6.2 Children who reside in an area not covered by public transport may be provided with assistance to and from school.

6.3 Travel arrangements will be:

a) normally a travel permit, that allows the child to access public service transport free of charge to and from school, unless not suitable for the child's needs; or

b) in some circumstances taxi provision; or

c) a mileage rate for parents/carers based on distance travelled

## Part 2 Home to School Transport for a young person, of statutory school age, with an Education Health Care Plan or a Medical Condition

### 1 Statement of Intent

The purpose of this policy is to support the attendance at qualifying schools for eligible pupils who are of statutory school age and who have an Education Health Care Plan or a medical condition that affects their travel; by the provision of free transport.

### 2 Meanings

#### 2.1 Qualifying schools are:

- 2.11 community, academies or voluntary schools;
- 2.12 community special schools;
- 2.13 non-maintained and independent special schools;
- 2.14 pupil referral units;
- 2.15 places other than a school at which a pupil might receive education under section 19(1) of the Education Act 1996.

#### 2.2 Eligibility:

2.21 Children with an Education Health Care Plan.

2.22 For children attending a special school or a specialist provision maintained by the Authority and it is named in their Education Health Care Plan, free home to school transport may be provided for full time pupils for;

- a) Primary aged children who live over 2 miles from the special school or specialist provision ;
- b) Secondary aged children who live over 3 miles from the special school or specialist provision

2.23 Where a child does not qualify for free home to school transport under paragraph 2.22 free transport may be provided subject to an assessment by the Transport Lead.

- 2.24 Where a child attends a special school or other specialist provision maintained by another local authority or body, free home to school transport will be provided as set out in paragraphs 2.21 and 2.22 will similarly apply.
- 2.25 Where a mainstream school is named in the child's Education Health Care Plan and is below the statutory walking distance, free home to school transport may be provided, subject to an assessment by the Transport Lead.
- 2.26 Where a child with an Education Health Care Plan attends a school which is not the closest to their normal place of residence in accordance with parental preference they would not normally be provided with assistance with transport.
- 2.27 Children with an Education Health Care Plan who are entitled to free school meals, or whose parents are in receipt of their maximum level of Working Tax Credit:
- a) Primary age and live more than 2 miles from their nearest school;
  - b) Secondary age and attend one of their three nearest qualifying schools which is above 2 miles but less than 6 miles from their ordinary place of residence.
- 2.28 The assessment of a pupil's eligibility for free home to school transport to school will be at the time an application is made and continuously reviewed.
- 2.29 Unless a child changes their permanent place of residence or school, then eligibility will remain for the entirety of the school year for which the assessment is made.

### 2.3 Ordinary place of residence

The pupil's place of residence will be deemed to be the pupil's permanent home address. **This does not include a child minder or carer's address.**

### 2.4 Distance

2.41 Distance is measured by:

- a) nearest available route for the statutory walking distances, as accompanied; using a Geographical Information System (GIS)

- b) road route on roads suitable for a motor vehicle for the 2 to 6 mile range for secondary and over 2 miles for primary under the provisions for children entitled to free school meals or whose parents are in receipt of their maximum level of Working Tax Credit.

### **3 Travel Arrangements**

3.1 Travel arrangements are those provisions made by Together for Children for young people to receive free home to school transport.

3.2 The duty to provide free home to school transport will be:

3.21 for children attending a school on a daily basis the journey at the:

- a) start of the school day; and
- b) end of the school day

3.22 weekly residential place:

- a) one journey at the start of the school week; and
- b) one journey at the end of the school week

3.23 termly residential place:

- a) one journey at the start of each half-term;
- b) one journey at the end of each half-term; and
- c) consideration will be given to provide free home to school transport 1 weekend within each half term in exceptional circumstances and with the agreement of the school.

3.3 The school day is deemed to be the session times as approved by the governing body of the qualifying school.

3.4 Travel arrangements will be:

3.41 normally a travel pass unless not suitable for the child's needs; or

3.42 refunded travelling expenses according to the cheapest available public transport; or

3.43 mileage expenses in accordance with Together for Children's current rate; or

3.44 a taxi; or

3.45 a contracted specialist vehicle.

3.5 Nothing in the travel arrangements made for any child shall be for any travel between educational establishments during the school day. Where a child moves from one establishment to another in order to receive education then that cost will fall to the school to pay.

The arrangements will be free of charge, except the provision of photographs, where cost shall fall to the parent.

3.6 The Home to School Transport Team may provide escorts to accompany children subject to taking account of:

3.61 risk assessment of the child;

3.62 age of the child;

3.63 length of the journey.

3.7 The provision of escorts will be subject to a continuous review undertaken by the Transport Lead.

3.8 The provision of transport will not normally be written into the Education Health Care Plan.

### Part 3 Home to School Transport for a young person, Post 16, with an Education Health Care Plan or a Medical Condition

#### 1 Eligibility and Provision

- 1.1 Students must be aged 16-25 during the academic year, and;
- 1.2 Attend an eligible educational establishment in excess of three miles (walking distance) from the home residence.
- 1.3 Students should undertake an eligible course of study, (i.e. full-time and of at least one year's duration) and,
- 1.4 Have either a Statement of Special Educational Needs or an Education Health Care Plan where transport has been previously provided or, a medical certificate from a recognised General Practitioner/Consultant that transport is required.
- 1.5 An application for assistance with travel must be completed on an annual basis before any form of travel assistance can be considered.
- 1.6 Where the student or parent/carer has chosen a placement that is out of the Sunderland boundary, Together for Children may not provide transport if a local provider can offer the same course.
- 1.7 The mode of transport provided will be determined by the individual's need and any relevant start or finish times of the course or educational establishment.
- 1.8 It should be noted that to protect the public funds Together for Children administer, it may be necessary to schedule journeys that are not direct to a home address or, an educational establishment. Similarly, due the differing timetables of college courses, it may be necessary for some students to have a period of 'waiting time' before the relevant transport arrives or may be required to attend their educational establishment early. Together for Children will endeavour to ensure that this waiting time does not exceed one hour.
- 1.9 Acceptance of transport provision is on the understanding that the student will be assessed for an independent travel programme.

#### 2 Contribution

- 2.1 Together for Children have introduced a contribution for the provision of dedicated transport for Post 16 SEND students, where eligibility has been determined.
- 2.2 The contribution for travel is £651 per academic year and can be paid in one full amount or through a monthly Direct Debit.

- 2.3 The amount identified, of £651, is equivalent to an All Zone over 16 Travel Permit supplied by Nexus. Together for Children will continue to organise the taxi provision and in all cases will still be subsidising a large proportion of the cost.
- 2.4 Exemptions to the contribution include;
  - 2.41 Looked After Children (LAC)
  - 2.42 Low Income Families (Highest Working Tax Credits and/or Free School Meals)
  - 2.43 Young People, assessed in their own right, already making payments to Adult Social Care via a Personal Budget

Further information on the provision of Post 16 transport can be found at;

<http://www.sunderland.gov.uk/index.aspx?articleid=727>

## Part 4 School Transport Mileage Rate (STMR)

### 1 Introduction

The School Transport Mileage Rate (STMR) is a payment of 45p per mile made to parents/carers of children with Special Educational Needs (SEN) who are eligible for travel assistance.

### 2 Benefits of the STMR

- 2.1 Families can choose the most appropriate travel arrangements for the young person that best fits with their personal circumstances
- 2.2 Families control how funding is used to get the young person to and from school/college on time in a way that suits them
- 2.3 Parents/carers can look at opportunities to share travel arrangements with other young people and their families

### 3 Process

- 3.1 The STMR is worked out on the distance your child travels from home to school/college and back home again, for each day they attend.
- 3.2 Invoice templates will be sent to the young person's home address for parents/carers to complete and return at the end of each month.
- 3.3 Parents/Carers will need to provide Together for Children with the appropriate bank details at the time of invoice submission. Payments will then be made directly into the nominated bank account.
- 3.4 It is parent/carers responsibility to notify Together for Children of any change in circumstances (e.g. change of address). The STMR would then be re-calculated accordingly.
- 3.5 When a STMR is undertaken, it is the responsibility of parents/carers to ensure the young person arrives and leaves school safely. Attendance of young people on STMR's can be monitored with schools/colleges.
- 3.6 Families can stop the STMR if circumstances change substantially, but Together for Children will need sufficient notice to arrange alternative forms of travel assistance.
- 3.7 Receiving a STMR will have no impact on any other benefits the family or young person receive.

## Part 5 Independent Travel Training (ITT)

### 1 Introduction

Independent Travel Training helps young people gain an important life skill. When a young person is trained in travel it can open many doors for them both socially and in their future education/work.

Together for children currently fund two members of staff to deliver independent travel training throughout the Sunderland area. Both members of staff are based within Barbara Priestman Academy and have a wealth of experience in this work.

### 2 Benefits of ITT

- 2.1 Allows the young person to interact socially outside of school/college with friends and family (i.e. going to the cinema or bowling)
- 2.2 Lifts restrictions on parents/carers having to transport the young person to and from activities or school/college
- 2.3 Improves the confidence and social skills of young people
- 2.4 Increases flexibility of travel (i.e. staying for after school activities)
- 2.5 Prepares the young person for future employment

### 3 Process

- 3.1 Identify young people suitable for ITT. Identification may come through referrals from parents, school/college staff, Together for Children, or even the young people themselves.
- 3.2 Introduction by the trainer to the family and young person. Initial contact from the trainer is usually initiated through a telephone conversation. A follow up visit to the home address allows the trainer an opportunity to talk through the ITT programme with both the parent/carer and young person.
- 3.3 A 10 Stage Approach for ITT in Sunderland. Our travel trainers have created a staged approach to training with the young person having to pass through each one. Each stage includes various modules that must be successfully completed by the young person before they can move on. Only when all 10 stages have been complete, can the young person be signed off from transport.
- 3.4 Continued Support will be provided by the trainers. Parents/Carers and young people can still request support, even if they have been successfully travel trained. Situations can arise when travelling that may require some parts within the training to be redelivered to help improve the confidence of the young person.

## Part 6 Removal of Free Travel arrangements

- 1 Together for Children shall withdraw the provision of free home to school transport where it is considered that a child has demonstrated such poor behaviour whilst using the transport as to put at risk:
  - 1.1 the driver of the vehicle; or
  - 1.2 other road users; or
  - 1.3 other passengers; or
  - 1.4 used threatening or violent language; or
  - 1.5 damage to the vehicle.
  
- 2 The withdrawal of free home to school transport will be:
  - 2.1 temporary; or
  - 2.2 permanent.
  
- 3 Temporary shall be a specified number of weeks and permanent shall be for the remainder of the school year.
  
- 4 Where a permanent withdrawal is imposed during the Spring and Summer terms it will continue for the equivalent of three school terms.
  
- 5 The withdrawal of home to school transport (either temporary or permanent) on a particular child shall not imply that travel arrangements were not necessary and should not be provided. The withdrawal would indicate that travel arrangements were necessary and had been made, but that the child's behaviour was such that they cannot take advantage of it.
  
- 6 Nothing in this policy prevents the Head Teacher of a school using disciplinary sanctions which could include exclusion when it is considered that the behaviour of a pupil on home to school transport warrants it.
  
- 7 Nothing in this policy prevents the operator of a commercial service from excluding a child if they demonstrate poor behaviour as set out in paragraph 1.

## Part 7 Review of Decision

