



HOME TO SCHOOL AND COLLEGE TRANSPORT POLICY

Lead Directorate and service:	Children, Family & Adult Services – Inclusion & Access
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1. Background

- 1.1 The Education Act 1996, as amended, requires all local authorities to determine a policy setting out the circumstances in which pupils will receive transport support for the journey to and from the school or college at which they are registered.

2. Definitions for the Purposes of this Policy

- 2.1 This policy relates to the provision of transport support for the journey from the pupil's home to the school or college at which the pupil is registered for the start of the school or college day and from the registered school or college to home at the end of the school day.
- 2.2 Except for children who are in the care of the East Riding of Yorkshire Council or who have been provided with accommodation by the Council (see section 22 of the Children Act 1989), to be eligible to the support for transport from the East Riding of Yorkshire Council, the pupil concerned must be resident in the East Riding of Yorkshire.

3. Qualifying Schools

- 3.1 Where mentioned in this policy, qualifying schools are:

- community, foundation or voluntary schools;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units;
- city technology colleges, city colleges for the technology of the arts or Academies
- in relation to a child with a statement of special educational needs, independent schools if the school is the only school named on the child's statement or, if more than one school is named on the statement, the school attended is the nearer or nearest to the child's home.

- 3.2 If the child is attending an independent school which is not a qualifying school, that school will be deemed to be a qualifying school if it is the nearest school at which the child can become a registered pupil.

4. College

For the purposes of this policy, the term ‘college’ includes further education colleges and sixth form colleges funded by the Education Funding Agency, (EFA).

5. Catchment Area Schools

- 5.1 All areas of the East Riding of Yorkshire are included in at least one school’s catchment area. A child living in the East Riding will live in an area which falls within the defined catchment area of a given school for each stage of education (primary and secondary). All community and voluntary controlled schools maintained by East Riding of Yorkshire Council have defined catchment areas as part of their admission arrangements. For the purposes of home to school transport, the East Riding of Yorkshire Council has also determined catchment areas for the foundation and voluntary aided schools and academies in the local authority area.
- 5.2 If a community or voluntary controlled school converts to an academy, the academy’s catchment area will be deemed to be the last catchment area determined by the East Riding of Yorkshire Council for the community or voluntary controlled school.

6. Distance Measurement

- 6.1 The distance measured is the shortest available route using the public road network from the point at the child’s normal place of residence where the child joins the public road network (for example, the front gate) to the nearest approved entry point to the school’s site. The distance will be measured on a computerised GIS mapping system using Ordnance Survey information. The courts have defined an “available route” as one “along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as ‘available’ because of dangers which would arise if the child is unaccompanied.” The guidelines produced by Road Safety GB will be used to determine whether or not a route is an available home to school walking route. In determining the availability of a route, the authority will take into account any restrictions on a parent’s ability to accompany their child imposed by any disability the parent may have.
- 6.2 For the schools which have a split site, the distance will be measured to the nearest approved entry point to the school’s site appropriate for the child’s year group.

7. Transport Provision

- 7.1 It is for East Riding of Yorkshire Council to decide the means of and arrangements for transport, including the issue of and requirements to carry passes and tickets. Such transport may be by way of contracted services, or local bus or rail services. Pupils are collected as near to their home as reasonably possible. Some pupils may have to walk a reasonable distance to and from home to meet the transport. However, the designated picking up/setting down point will not exceed one mile from the pupil’s home. The responsibility for ensuring a child’s safety in getting to and from the designated picking up/setting down point rests with the parent/guardian/carer.
- 7.2 Wherever possible, in arranging transport the Council will ensure that the journey times do not normally exceed 45 minutes for a single journey for a child attending a primary phase school or one and a quarter hours for a student attending a secondary school. These journey times may have to be exceeded for pupils attending special schools and colleges, or where transport is being provided to a school other than the child’s catchment or nearest school.

8. Siblings

- 8.1 The term “siblings” refers to children living as part of the same family unit at the same address. A family unit consists of children and their parents/carers. The term “parent/carer” includes any person who is the birth parent, person with parental responsibility, special guardianship or who has care of that child.

9. Free School Meals

- 9.1 Where referred to in this policy, a child entitled to free school meals is a child who is within section 512ZB(4) of the Education Act 1996.

10. Working Tax Credit

- 10.1 Where referred to in this policy, a parent in receipt of the maximum level of Working Tax Credit must be ordinarily resident at the same address as the child and the award must be at the rate which is the maximum rate for the parent’s or parents’ case.

11. Pupil

- 11.1 A pupil is a child registered at a school on a full-time basis in years Reception to 11.

12. Students of Sixth Form Age

- 12.1 Sixth form age is to be construed in accordance with section 509 AC(1) of the Education Act 1996.

13. Learning Difficulty or Disability

- 13.1 Having a greater difficulty in learning than a majority of people of that age, or having a disability which prevents the use of facilities generally provided by post 16 education and training.

14. Policy Statement

- 14.1 It is the view of East Riding of Yorkshire Council that, for educational and social reasons, the majority of children of statutory school age are best served by attending the school designated as serving the area where they live, that is to say their catchment area school. All children of compulsory school age and who live beyond the statutory walking distance from their catchment area school will be provided with transport to enable them to attend that school. Where legislation provides for children to be provided with transport to alternative schools, the Council will also provide this.
- 14.2 The Council recognises that, for some children, particularly those in vulnerable groups, it may be more appropriate for them to be provided with transport for distances less than the statutory walking distance, or to attend an alternative school to their catchment area one. The Council therefore uses its discretion to provide transport in certain prescribed situations.

15. Corporate Priorities

- Valuing our environment
- Supporting vulnerable people, reducing inequalities

16. Policy Development including Consultation

16.1 The requirement to ensure children are able to attend a suitable school in order to secure their attendance has been in place for a considerable period of time. The policy is reviewed annually taking into account changes in national legislation and feedback from schools which includes regular meetings with nominated staff. Consultees include:-

- Director of Children, Families and Schools
- Head of Children and Young People's Education and Schools
- Inclusion and Access Manager
- Head of Children and Young Peoples' Support and Safeguarding Services
- Group Manager - Transportation Services

17. Links with other Policies

- Children and Young People's Plan
- Admissions to Community and Voluntary Controlled Primary Schools
- Admissions to Community and Voluntary Controlled Secondary Schools
- Co-ordinated Schemes for School Admissions
- Policy and Procedures for the Review of Primary School provision

18. Outcomes and impacts

18.1 All children who have a statutory entitlement are provided with transport to their nearest or most appropriate school or college.

18.2 Children from identified vulnerable groups are able to access appropriate education by the provision of transport.

18.3 Where there are exceptional circumstances, children are not prevented from attending school due to lack of appropriate transport.

19. Implementation

19.1 The policy will be implemented from 1 September 2012 and remain in force until such time as it is reviewed. The policy updates and replaces the policy implemented in September 2011, approved by Cabinet on 7 June 2011.

20. Financial Implications

20.1 The policy is funded through the Home to School Transport budget as approved by Cabinet.

HOME TO SCHOOL AND COLLEGE TRANSPORT POLICY PROVISIONS

FREE TRANSPORT

21. Primary Age Pupils

21.1 Free transport to enable a child to attend an infant, junior or primary school will be provided if the child is in Reception or Years 1 to 6 and:

- The child is attending their catchment area school and the only available routes to the catchment area school from the child's normal place of residence are more than two miles for a child in Reception, Year 1, Year 2 or Year 3 or more than three miles for a child in Year 4, Year 5 or Year 6. The distance of three miles for a child in Year 4, Year 5 or Year 6 will be reduced to two miles if the child is entitled to free school meals or the child's parents are in receipt of their maximum level of Working Tax Credit. Where the qualifying distance has been reduced in this way, the child will be entitled to free transport to the end of the school year.

OR

- The parent's application for a school place for their child is refused, free transport will be provided to the school allocated in accordance with East Riding of Yorkshire Council's co-ordinated scheme for primary school admissions if the only available routes to the school allocated in that way are more than two miles for a child in Reception, Year 1, Year 2 or Year 3 or more than three miles for a child in Year 4, Year 5 or Year 6. If a place comes available for the child at their catchment area school before the child is on roll at the school allocated under the co-ordinated scheme, the entitlement to free transport to the alternate school will be withdrawn.

OR

- The child is attending a school which is not their catchment area school and the child's parents have not been able to secure a place at a school nearer to the home address and the only available routes to that school from the child's home are more than two miles for a child in Reception, Year 1, Year 2 or Year 3 or more than three miles for a child in Year 4, Year 5 or Year 6. The distance of three miles for a child in Year 4, Year 5 or Year 6 will be reduced to two miles if the child is attending a qualifying school and is entitled to free school meals or the child's parents are in receipt of their maximum level of Working Tax Credit. Where the qualifying distance has been reduced in this way, the child will be entitled to free transport to the end of the school year.

22. Secondary Age Pupils

22.1 Free transport to enable a child to attend a secondary school will be provided if the child is in Years 7 to 11 and:

- The child is attending their catchment area school and the only available routes to the catchment area school from the child's home are more than three miles.

OR

- The parent's application for a place for their child at a school is refused, free transport will be provided to the school allocated in accordance with East Riding of Yorkshire Council's co-ordinated scheme for secondary school admissions if the only available routes to the school allocated in that way are more than three miles. If a place comes available for the child at their catchment area school before the child is on roll at the school allocated under

the co-ordinated scheme, the entitlement to free transport to the allocated school will be withdrawn.

OR

- The child is attending a school which is not their catchment area school and the child's parents have not been able to secure a place at a school nearer to their home and the only available routes to the school the child is attending from the child's home are more than three miles.

OR

- The child is entitled to free school meals or the child's parents are in receipt of their maximum level of Working Tax Credit and the school the child is attending is either one of their three nearest qualifying schools which is above 2 miles but less than 6 miles from their ordinary place of residence; or it is the nearest suitable qualifying school preferred by the child's parents on the grounds of the parents' religion or belief and the school is more than 2 miles but not more than 15 miles from the child's home address.

DISCRETIONARY TRANSPORT PROVISION

23. Children with Statements of Special Educational Needs or Education, Health and Care Plans

- 23.1 Pupils with Statements of Special Educational Needs or Education, Health and Care Plans will be entitled to free transport if the pupil is unable to walk to school or use public transport and is attending their catchment area school or the nearest qualifying school that can meet their special educational needs.

24. Bus Monitors

- 24.1 Bus Monitors monitor the behaviour of other pupils and report to their school any incidents of bullying and disruptive or inappropriate behaviour. Bus Monitors also report on any other issues of concern relating to the provision of and behaviour on home to school transport.
- 24.2 Any students can be appointed by the local authority to act as Bus Monitors. Bus Monitors will have to act in accordance with any instructions and guidance issued by the local authority. Students appointed to act as Bus Monitors will receive free transport on the bus service they are allocated to monitor if they are not already entitled to free transport under other provisions of this policy.

25. Medical Transport

- 25.1 Pupils in Reception and Years 1 to 11 with a medical condition who are fit to attend school but are unable to do so because they are unable to walk or are unable to travel by their normal means of transport may be considered for free transport to school whilst that condition persists. A request for medical transport must be supported by a medical practitioner and may be referred to the Council's medical adviser for advice.

26. Pregnant Schoolgirls and Schoolgirl Mothers

- 26.1 To facilitate attendance, free transport may be provided for pregnant schoolgirls and schoolgirl mothers of compulsory school age between their home and the school or establishment they are attending.

27. Excluded Pupils

27.1 Where a pupil of compulsory school age has been permanently excluded from a school, free transport may be granted to a school, college or other establishment of the Authority's choice.

28. Children in Care

28.1 The East Riding of Yorkshire Council recognises its obligations under the Children Act 1989. Where appropriate, free transport will be provided for children in the care of the East Riding of Yorkshire Council (including students of sixth form age) to avoid disruption to the child's education or home life.

29. Students of Sixth Form Age with a Learning Difficulty or Disability Attending a School or College

29.1 Transport support may be available to students with learning difficulties or disabilities who are aged between 16 and 18 and are unable to travel to school or college independently. If the student reaches the age of 19 after the start of the academic year, they will continue to receive support until the end of that academic year. Transport provision will be subject to the eligibility criteria below.

29.2 *Eligibility criteria:*

To qualify for transport support under this provision the student must:

- have an assessed need identifying transport support;
- be accessing the most appropriate institution nearest to his/her home;
- be attending a full-time course of further education at a school/college of at least 30 weeks duration and has no less than 12 hours of required attendance per week;
- have a clear academic progression identified through the learning aims;
- be unable to travel independently;
- attend the course regularly and the student's behaviour and conduct must be satisfactory and in line with the institutions' own policies for behaviour and attendance;
- have considered alternative travel arrangements with a view to their longer term needs.

Additionally, at least one of the following must apply:-

- the student has had a Statement of Education Needs or an Education Health and Care Plan

or;

- the student has a 139a assessment

or;

- There has been a significant change in the student's circumstances, or a significant deterioration in health condition affecting learning or mobility.

29.3 Students aged over 19 at the commencement of the academic year would not normally be entitled to receive assistance. However the student may request a review of the transport needs assessment, completed by the Youth and Family Support Service team.

29.4 Assessments for this support are made on an annual basis. In-year reviews will take place where the student is undergoing independent travel training to and from the institution and the

support may cease once the student is able to manage the journey independently.

29.5 Additional Support for Low Income Families

The provision of transport for students with learning difficulties or disabilities will be subject to a contribution payment. For the 2016/2017 school year, the contribution payment will be £540. This cost is equal to one third of the average per student budgeted cost to the East Riding of Yorkshire Council of providing home to school and college transport in the 2016/2017 school year. For students who are members of a low income family or who are living independently and who meet the relevant income criteria, the contribution payment for the 2016/2017 school year is reduced by 50% to £270. A low income family or a student on a low income is in receipt of any of the following:

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- support under Part VI of the Immigration and Asylum Act 1999
- the Guaranteed Element of Pension Credit
- Child Tax Credit (provided the person is not also entitled to Working Tax Credit and has an annual gross income of no more than £16,190)
- Universal Credit

The student or the student's parents and other members of the household may be asked to provide evidence of their entitlement to or receipt of the above support.

30. Personal Travel Budget

- 30.1 Where a child qualifies for transport under the provisions in this policy, the parent may apply for a Personal Travel Budget. Approval of a Personal Travel Budget is at the discretion of the Council. If approved, the parent will receive a Personal Travel Budget determined by The Director of Environment and Neighbourhood Services in consultation with the Director of Children, Families and Schools. If a parent accepts a Personal Travel Budget, the parent will be responsible for providing or arranging and paying for their child's journeys to and from school.
- 30.2 In determining whether or not to award a Personal Travel Budget, key factors will be the specific needs of the child concerned and the relative costs to the Council of providing suitable transport for the child.

31. Travel on Contracted Vehicles

- 31.1 Passengers who are not entitled to free transport may use spare seats on vehicles contracted by the local authority for home to school transport on payment of an appropriate charge to be determined by Council's Director of Environment and Neighbourhood Services, in consultation with the Director of Children, Family and Adult Services.

32. Withdrawal of Transport

- 32.1 Use of spare seats on contracted services can be withdrawn if the transport is full and a seat is required for a pupil entitled to transport under the other provisions of this policy. If transport is withdrawn in this way, the authority will give at least two weeks' notice.

33. Lost and Damaged Passes

- 33.1 A charge of £10 will be made if a replacement travel pass has to be issued because the original is lost or rendered unusable because it is damaged.

34. Behaviour on buses

- 34.1 In the interests of safety, it is important that all passengers comply with the standards of behaviour set out in the authority's code of conduct or in any scheme used by the Council to promote good behaviour, such as Buswise. If the behaviour of a passenger is such that the safety and well-being of other passengers, the driver or other road users has been affected, that passenger will be denied access to transport.
- 34.2 If the Council deems that a pupil's behaviour is such that it cannot justify providing transport, the responsibility for transporting the pupil to school will rest with the parents.

35. Exceptional Circumstances

- 35.1 The Director of Children, Families and Schools may authorise the provision of home to school or college transport in any circumstances where the Director considers the parents have shown that there are special circumstances which justify making an exception. The Director can agree to the Council meeting the full costs of transport or paying part of the costs.
- 35.2 Post 16 students must show that they have applied for, and been refused, assistance from their establishment in order to have their exceptional circumstances taken into account.

36. Appeals

- 36.1 If an applicant is refused home to school or college transport assistance they can lodge an appeal if they believe that there are good reasons why the Council should make an exception in their case. Appellants must set out their full reasons for the appeal and show that there are reasons why the Council should give transport outside the normal limits of their policy. All appeals are considered by the Council's Appeals Committee. Appeals can only be considered by the Appeals Committee if the Director of Children, Families and Schools has considered the case under the provisions relating to exceptional circumstances above and has refused the parents' request for transport for their child.