

Policy for home to school travel

Introduction

This policy sets out the local authority's approach to ensuring compliance with its home to school statutory duty under the Education Act 1996 to make travel arrangements for eligible children under section 508B.

It also sets out the discretionary travel arrangements provided under section 508C of the Act by the local authority (LA) to other children who are not eligible to free travel under section 508B.

It has been developed with due regard to the Department for Education statutory guidance '[Home to school travel and transport guidance](#)' (July 2014).

This policy applies to:

- o children of compulsory school age (aged 5-16 years)
- o children normally resident in Gateshead
- o Other children where travel support is provided under discretionary arrangements outlined in Section 9.

1. Parent/carer responsibilities

It is the duty of parents/carers to ensure that their child attends school regularly, to be responsible for their safety on the journey between home and school and to meet any travel costs. It is the responsibility of every parent/carer to help their child to develop the skills and confidence for independent and safe travel to and from school. Most school-age pupils do not require any help from the Local Authority.

2. Eligibility under section 508B Schedule 35B

2.1 The LA provides help with home to school travel for compulsory school-age children who are unable to walk to school:

- because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability; or
- because the nature of the route is deemed unsafe to walk; or
- because they live outside statutory walking distance.

2.2 Parents have a right to express preference for the school they wish their child to attend and the relevant admission authority is required to offer a place in accordance with that preference if a place is available. Local authorities are not required to provide free travel if the parent makes a choice to send their child to a school that is not their catchment area school. However, free travel may be available to children where the distance from home to their catchment area school by the shortest available walking route exceeds:

- two miles for primary-school aged children

- three miles for pupils in the year 7-11 normal age group at a secondary school

We will not normally provide any help if parents send their child to a school outside of the catchment area or a school which is not their nearest suitable school. Pupils are not entitled to free home to school travel on the grounds of religion or belief, unless they meet the criteria in the second point below.

We may provide free travel for pupils in secondary schools in receipt of free schools meals or whose household qualifies for the maximum working tax credit and where:

- They live more than 2 miles but not more than 6 miles from one of their three nearest qualifying schools; or
- Where they live more than two miles, but not more than fifteen miles from their nearest suitable school preferred on grounds of religion or belief.

Qualification for free travel in future subsequent years is dependent on continued eligibility for free school meals or maximum working tax credit.

The provision described in section 2.2 is usually provided in the form of a free travel permit for use on public transport following an application made directly to Gateshead Council's Benefit Section Tel: 0191 433 4848 for an application form.

2.3 Eligible children only qualify for free travel to their catchment area school, or their nearest suitable school where they have special educational needs, defined as the nearest publicly-maintained school, with places available, that provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have. For children with special educational needs, if a school is the only school named in a Statement of SEN or Education, Health and Care (EHC) Plan, this means that it is the nearest suitable school for school transport. All children are assessed on an individual basis so that their particular travel needs are identified and appropriate provision offered if they are deemed eligible.

2.4 It is the general expectation of the LA that a child will be accompanied to and from school by a parent/carer where necessary, unless it is unreasonable to expect the parent to do so. In determining whether a child cannot be expected to walk for the purposes of 'special educational needs, a disability or mobility problems eligibility' or 'unsafe route eligibility' the LA will consider whether the child could reasonably be expected to walk if accompanied and if so, whether the child's parent/carer can be reasonably expected to accompany the child.

2.5 It is the general expectation of the LA that where a child is eligible for Higher Rate Mobility Component of Disability Living Allowance (DLA) and this is used to cover the cost of leasing a Motability vehicle, that the vehicle is used to facilitate the child's travel to and from school.

3. Assessment

3.1 In assessing whether a pupil is eligible for support with home to school travel under section 508B and to determine the type of provision that will be offered, the LA takes into account some or all of the following factors:

- o whether a parent/carer can accompany the child to school
- o the statutory walking distance from home to school
- o the nature of the route and the journey time
- o the age of the pupil
- o whether the pupil is capable of independent travel
- o the pupil's special educational needs (if any)
- o the pupil's physical disability or mobility problem (if any)
- o the pupil's medical condition

3.2 The assessment will be carried out following the receipt of an application form from the parent/carer, which can be submitted at any time during the school year. The LA will consider such additional information about the child as it considers necessary to make an assessment, including the advice of:

- o the pupil's school
- o LA educational psychologist or other specialist staff
- o any social worker involved with the child or family
- o any other agency providing support for the child or family
- o the local transport authority
- o any other person/agency suggested by the parent/carer
- o Where the LA does not already have such information, it is the responsibility of the parent/carer to obtain such advice and submit it to the LA with their application.

4. Provision

Independent travel training and use of public transport will always be investigated as the first option for all pupils applying for support with travel to school, whether on a sole basis or accompanied. Other provision may include:

- o a Personal Travel Budget (this is calculated on a mileage allowance but can be used to meet the costs of a parent/carer who makes their own transport/personal assistant/escort arrangements)
- o a permit to travel on public transport
- o transport service provided by a school
- o escort provided by the LA to assist a child to walk to school
- o transport service contracted by the LA

5. Decisions

5.1 The LA will normally process applications made on the basis of a child having special educational needs within 15 working days of the application being received, subject to the necessary information and advice from other services and agencies being made available. The LA will aim to inform applicants at the earliest opportunity if this target is unachievable.

5.2 If the LA agrees to provide travel support this applies to home to school travel arrangements, and vice versa only and does not relate to travel

between educational institutions or other destinations during the school day. Costs of travel over and above the journey to school and the journey to home will be paid for by the parent/carer or the school/educational establishment.

5.3 The LA or travel provider does not provide car seats. Parents/carers are responsible for providing an appropriate car seat for their child and the provider can refuse to transport a child if an appropriate car seat is not provided.

6. Reviewing travel support

6.1 If the LA agrees to provide travel support, the LA may review the provision at any time, but changes to travel provision will normally take effect at the start of a new school year (1 September). There will always be a review of provision via a re-application when a pupil:

- moves from primary to secondary education
- completes secondary education
- changes school/school site
- moves house
- has a change in their physical/medical or other condition

6.2 It is the duty of the parent/carer to inform the LA of any change in the child's or the family's circumstances, providing reasonable notice to facilitate a change to travel arrangements within the timescales of the application process. Failure to do so may result in travel support being withdrawn temporarily. Provision may also be removed if the parent or child refuses to co-operate with reasonable requests from the LA or transport provider or refuses an assessment for Independent Travel Training. More information about parent/carer responsibilities can be found in our 'Travel Care Guide for Parents/Carers' leaflet.

6.3 Pupils receiving travel support on an interim basis will need to re-apply for travel support when the interim arrangement ends.

6.4 Family circumstances and the development and independence of young people changes over time. All pupils in Year 9 and above should therefore re-apply for travel support ahead of them commencing their next academic year in September (by the end of April). For pupils with an Education, Health and Care Plan (EHCP) receiving travel support, plans for travelling independently will be discussed annually during EHCP review meetings, included in the pupil's Year 9 Transition Report and discussed at the review meeting.

7. Appeals

7.1 If the LA does not agree to provide help, the parent/carer will be informed by letter and advised that they may appeal against that decision, provided they do so in writing within 15 working days.

7.2 Appeals will be considered in the first instance by the Service Director, Early Help or their nominee.

7.3 The young person's parent/carer should submit their appeal, their reasons for the appeal and their case in full to the Service Director, Early Help in writing, together with any other evidence or supporting information. There is no entitlement to a hearing in person. The Service Director will normally consider appeals within 10 working days of receipt and will give her/his decision in writing.

7.4 If an application/appeal is unsuccessful, a further appeal can be made in writing, together with any other evidence or supporting information within 15 working days of receipt of the stage one appeal decision letter to the Council's independent Appeals Committee. The committee will consider the appeal within 40 working days of receipt and will give their decision in writing.

7.5 If the application/appeal is unsuccessful following an appeal to the independent appeal panel, a young person parent/carer may only apply for a further assessment after twelve months has elapsed, or if there is a significant change in circumstances in the meantime.

8. Changes to travel arrangements

8.1 The LA is able to make changes to the school travel contracts it commissions with third party providers at any point in time without consulting children, young people, parents or carers. Continuity of driver, escort or vehicle is only granted in exceptional circumstances following a request made in writing and an assessment of need.

8.2 Travel support may be provided for a fixed period to facilitate transition plans or independent travel programmes.

8.3 Travel support may be ceased if a young person becomes capable of independent traveling or if the young person or their parent/carer refuses an independent travel training assessment to take place, where the LA believes this is appropriate.

9. Discretionary arrangements under section 508C of the Education Act 1996

9.1 Discretionary travel support provided under section 508C of the Education Act 1996 is outlined below. The need for travel support provided under these discretionary arrangements will be assessed as described in section 3 above and will also take into account family circumstances and any other factors the LA considers relevant. Discretionary support with travel is provided by the LA over and above their statutory duty, however this does not need to be free of charge and may be subject to a contribution from parents/carers where deemed appropriate.

- Children temporarily attending educational provision other than their usual school. Pupils receiving travel support on a temporary/interim

basis will need to re-apply for travel support when the interim arrangement ends.

- Children temporarily residing at a different address (including respite care), travel support will only be maintained if this can be achieved at no additional cost to the LA, unless it is agreed following an assessment of need, prior to the move/stay taking place.
- Pre-school children attending a Gateshead special school may be eligible for travel support however a Personal Travel Budget will always be offered in the first instance as opposed to the provision of a taxi where this is cost effective to the LA.