EDUCATION TRAVEL IN SOMERSET

A comprehensive guide to Somerset’s Travel Policy for children of statutory school age, post 16 and early years in both mainstream and special education

This policy document will be reviewed by the School’s Commissioning Team, Admissions and Entitlements Team and Transporting Somerset on an annual basis and amended in line with joint decisions in order to maintain best practice.

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1.0 INTRODUCTION AND RELEVANT LEGISLATION

This policy sets out how Somerset County Council as the Local Authority has interpreted its duty with regard to the relevant legislation relating to Home to School Travel and Transport Guidance. The arrangements apply to pupils/students resident in Somerset or deemed to be the responsibility of Somerset Local Authority and apply to travel arrangements at the beginning and end of the school day (and not to travel between educational establishments during the school day). The document incorporates the separate policy documents for both children with Special Needs and Post 16 pupils/students. Somerset will also make decisions with reference to its commitment to the Armed Forces Covenant which seeks to redress disadvantage of opportunity within the armed forces community.

1.1 All Local Authorities are under a statutory duty to have regard to the relevant sections of original legislation relating to the provision of Home to School Transport which are to be found in the Education Act 1996 (The Act) and those inserted later as Part 6 of the Education and Inspections Act 2006 (EIA 2006)

The current DfE guidance relating to both Home to School Transport and Post 16 Transport can be found using the following links:

http://www.education.gov.uk/aboutdfe/statutory/g00224737/home-school-travel-transport


1.2 Under Section 444 of The Act, the responsibility to ensure regular attendance of a child at school, including any necessary travel arrangements, rests with the parent or guardian. However, this part of The Act also makes it clear that a parent has a justifiable defence of non-attendance of their child at school if the qualifying school at which the child is a registered pupil is not within the statutory walking distance from the home address.

1.3 A qualifying school for the purposes of this policy is defined as being a Community, a Foundation, or a Voluntary school, both mainstream and special needs, a Non Maintained Special School, a Pupil Referral Unit (PRU), an Academy, or Free School. Sometimes an independent school may be deemed as a qualifying school for SEND pupils with a Statement or Education, Health and Care Plan. To be deemed suitable in terms of travel eligibility, a qualifying school must have places available at the time of allocation.

1.4 Statutory Walking Distances are defined under Section 444 of The Act as 2 miles for a child under 8 years of age and 3 miles for a child of 8 and above.
2.0 ELIGIBILITY FOR ASSISTANCE IN PROVIDING HOME TO SCHOOL TRAVEL FOR CHILDREN OF STATUTORY SCHOOL AGE

The following arrangements apply to pupils/students resident in Somerset or who are deemed to be the responsibility of Somerset Local Authority and who are of statutory school age.

2.1 Categories of Eligible Children

Section 508B of The Act places a duty on local authorities in England relating to home to school travel arrangements for ‘eligible children’. Eligible children are defined under schedule 35B of The Act 1996 as:

(i) Children who attend schools beyond the statutory walking distance (see 2.2 below);
(ii) Children with SEN, disabilities or mobility problems (see 2.3 below);
(iii) Children whose route to school is deemed to be unsafe (see 2.4 below);
(iv) Children from low income families (see 2.5 below).

2.1.1 Travel arrangements should be made and provided for eligible children as the Local Authority considers necessary in order to make sure a child is able to attend school and these arrangements must be provided free of charge.

2.2 Eligibility for Children of Statutory School Age Attending Schools Beyond Statutory Walking Distance

2.2.1 For children who attend schools beyond the statutory walking distance, the Local Authority provides free travel assistance either to the nearest qualifying school with available places, even if the school is within another local authority area or to the school within the transport area for the child’s home address. This means a child is eligible for free travel assistance if:

(i) the child attends the nearest qualifying school with available places and this school is over 2 miles from the home address for children under 8 years of age or over 3 miles for children who are 8 years of age or over; or

(ii) the child attends the transport area school and this school is over 2 miles from the home address for children under 8 years of age or over 3 miles for children who are 8 years of age or over.
2.2.2 All eligibility is assessed using the most up to date information available to the Local Authority at the time of assessment.

2.2.3 Parental Preference

If the parents’ preference/s for a school place cannot be met, then the Local Authority will offer a place at an alternative school with available places within statutory walking distance. The Local Authority has a responsibility to ensure pupils have access to a school place within statutory walking distance. If this is not possible, dependant on the circumstances it may be possible to offer free travel assistance to a school with a place available that is over the statutory walking distance. This would usually be the next nearest school with places.

2.2.4 If a place is allocated at a school which is parentally preferred and which is beyond the statutory walking distance but this school is neither the nearest nor the transport area school and at either of which places would have been available at the time of application, then the parents will be responsible for making their own travel arrangements and for all travel costs in getting their children to school, unless of course the child is awarded transport assistance under any other criteria or under any discretionary entitlement (see section 3.0 below).

2.2.5 Excluded Pupils

For pupils attending an alternative education establishment following exclusion from school, eg, Pupil Referral Unit, the eligibility for travel will be calculated using the distances between the home address and the alternative educational establishment and any entitlement remains for the duration of that placement.

2.2.6 Measurement of Distance

In accordance with The Act, in each case walking distance is measured by the nearest available route between the home and the school, which may include footpaths, bridleways, and other pathways, as well as recognised roads and are calculated using GPS digital “Ordinance Survey MasterMap” mapping software. MasterMap data is captured to a high degree of accuracy, at a map ratio of 1:1250 in urban areas and 1:2500 in rural areas, with a maximum margin of error of +/- 1 metre. A tolerance is also built in to every entitlement calculation to allow for any routes where distance may be affected by significant changes in gradient.

The only time MasterMap is not used is for the out of county requests where generalised map backgrounds are used.
Measurements are taken from the point at which the entrance/drive of the home address meets the adopted highway. Distances are measured to the point at which the adopted highway meets the entrance which is established and nominated by the school as the main entrance to school grounds.

In the case of a housing estate or other dense area of housing if a maximum of two houses on a road are found to be within the statutory walking distance, then in the interests of establishing a clear boundary, eligibility for free travel assistance may be set at the end of the road, ie including the two houses. Similarly, when measuring a linear village, a maximum of two properties falling within statutory walking distance may be ignored in order to set a clearly defined limit for eligibility.

2.3 Eligibility for Children of Statutory School Age with SEND, Permanent or Temporary Disabilities or Mobility Problems (also including Post 16)

Local Authorities have a duty to provide assistance with travel where they consider this necessary to secure a pupil's attendance at school. The law does not treat children with special educational needs (SEND) or a disability differently from other children in this respect.

The Local Authority has a legal duty to assist with the cost of travel assistance to and from school if a child with SEND or a disability is unable to attend the nearest, appropriate school for his/her age and needs, unless that transport is provided. Entitlement should be based on a child's needs. Local Authorities are only under a duty to provide free travel assistance to a child's nearest suitable school, provided it is beyond the Statutory Walking Distance of their home (see 1.4 above), unless the child cannot reasonably be expected to walk accompanied to school.

There are additional measures set out in the SEND Code of Practice headed 'Transport Costs for Children and young people with Education, Health & Care Plans.. This recommends that local authorities should have clear general policies relating to travel assistance for children with SEND and that these should be made available to parents. There may be additional responsibilities on the Local Authority where a child has identified Special Educational Needs defined through an Educational Health & Care Plan as defined by the SEND Code of Practice (2014). Appendix A sets out the SEND Code of Practice detail.
With respect to those aged 16 to 25 years with learning difficulties and or disabilities, Section 509AB(1) says that the Local Authority should set out in its policy to what extent the arrangements specified regarding overall post-16 travel assistance include arrangements for facilitating the attendance at schools and learning providers of learners with learning difficulties and/or disabilities.

For all ages, the Equalities Act 2010 is important and incorporates the Disability Discrimination Act. The Local Authority may also provide free home-school travel assistance as a ‘reasonable adjustment’ to a child’s disability in cases where the child lives within statutory walking distance of the school and parents/carers are unable to transport the child to school.

NB: A person has a disability (Disability Discrimination Act 1995) if he/she has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities. This definition is usually interpreted as follows:

Mental impairment - one which is a clinically well-recognised condition. This means that a child with a Social and/or Emotional and Mental Health Disability (SEMH) is unlikely to be recognised as disabled unless their behaviour arises from an underlying mental impairment.

Long term - one that is likely to last for at least a year or for the rest of the life of the person affected. This can include intermittent or sporadic conditions such as epilepsy or multiple sclerosis.

Substantial - more than minor or trivial.

Adverse - referring to the effect of the impairment, not the severity of the impairment.

Normal day to day activities - the ability of the person to carry out the normal day to day activities of an ordinary average person, including mobility, ability to understand and perception of the risk of physical danger.

Effect of medical or other treatment, on the ability of the person to carry out normal day to day activities.

Progressive conditions, such as cancer and multiple sclerosis, may in certain circumstances be regarded as disabilities.

The Equalities Act 2010, which subsumes the Disability Discrimination Act as amended by the SEN and Disability Act 2001 makes clear that children with a disability have special educational needs if they have any significant difficulty in accessing education and if they need any special education provision to be made for them, that is, anything which is additional to, or different from, what is normally available to
schools in the area. The SEND Code of Practice expects that transport should only be recorded in a child’s Education, Health & Care Plan only in exceptional cases (usually in Part 6) where the child has particular travel needs.

**Statutory Age Children with a Special Need, Disability or Mobility Difficulty**

Children/young people covered by this heading of the policy are children of statutory school age, who have a disability or SEND and/or:

- Attend specialist provision or attend a named school beyond Statutory Walking Distance as named in a Education Health & Care Plan, (including those attending specialist provision under emergency assessment)
- Are identified as needing SEN Supporting line with the SEND Code of Practice and have needs that necessitate support in getting to school
- Access other provision such as education other than at school (EOTAS),
- Are children and young people placed by the LA at independent special schools, out of authority establishments and so are beyond statutory walking distance.
- Attend further education establishments and meet the criteria for support.

Travel assistance for those requiring special arrangements is defined as home to school/college travel provided from defined pick-up and setting down points (not necessarily door-step), at the start and end of the school/college day (formal education sessions). This is by whatever mode is most suited to the individual travel needs of the pupil/s or student/s with identified additional needs, to the nearest educational establishment appropriate to his/her needs, or to the school determined by the LA in his/her Education, Health & Care Plan to be the school where his/her needs can be met where this is over the statutory walking distance.

2.3.1 Home to school/college travel assistance for children/young people with special educational needs and for children/young people who are receiving education other than at school, and/or those permanently excluded and is based on an assessment of their need for special arrangements within the framework of the entitlement criteria.

2.3.2 Funding for travel assistance to schools comes from the School Travel Budget.

2.3.3 Any journeys outside normal home to school/college travel times, will normally be only considered where no additional costs are involved. If there are added costs, these are met by
the school’s delegated resources, college funds, 16+ Learner Support Funds or parent’s. Schools would also be expected to administer this.

2.3.4 Travel assistance to termly or weekly boarding placements in maintained and independent out of county schools will be limited to fixed term periods through the school year, eg, weekly, half-termly or termly. Additional trips not authorised by the LA may need to be provided and funded by parents/carers. Transport to respite care/short breaks is funded by the Children’s Social Care. Travel assistance will be provided for parents of those in residential special schools who, without support to get to Annual Reviews of the Education, Health & Care Plan would not otherwise be able to attend. This does not include prospective visits or induction days.

2.3.5 Modes of travel may include mainstream school buses or minibuses, public transport, taxis, private hire cars, vehicles from the local authority’s own fleet, voluntary drivers’ vehicles, or the provision of specialist/adapted vehicles, and in some cases the provision of a passenger assistant (previously known as an escort). Safety restraints to ensure safe transport will be provided according to the child’s needs. Somerset County Council reserves the right to refuse to carry a wheelchair user travelling in a wheelchair which has been proven to be unsafe during transit in standard crash testing procedures or if the wheelchair is in an unfit condition for transit - eg, tyres are not fully inflated.

2.3.6 Where parents or carers are able and willing to provide transport for their own eligible child/ren, a standard rate petrol allowance is available of 18p per mile. The LA reserves the right to agree petrol allowances on an individual basis, up to a maximum threshold, where this provides best value to the authority. This will be reviewed annually to allow other travel strategies to be employed, should they become favorable to the authority. Parents being offered a petrol allowance will be required to complete and return a reply slip confirming they have the correct licence, MOT and insurance for conveying their child/ren on all school transport journeys.

Where appropriate the LA may also offer a Personal Travel Payment to parents, enabling them to make Home to School travel arrangements that meet their child’s specific needs. This will not be available to the majority of families and will only be offered where it makes effective use of public resources.
2.3.7 Where a child lives within statutory walking distance and is unable to walk to school, parents may be asked if they are willing to transport their child in their car in return for a standard mileage allowance. This would be a voluntary arrangement.

2.3.8 Somerset County Council aims for maximum journey times of 45 minutes for children up to the age of 11; and 75 minutes for children of 11 and over. These guidelines will be subject to amendment depending on the individual needs of the young person, particularly with regard to physical or medical needs. In a largely rural area with a sparse population and a wide spread of educational establishments it is not always possible to maintain this target. For example where a child is attending an out of County school. Where journey times are exceeded the service will be monitored and alternative options for service delivery may be considered.

2.3.9 Wherever possible, opportunities for maximising the independent mobility and healthy lifestyle of young people should be explored and a graduated approach to the level of support needed should always be used and reviewed on an ongoing basis.

2.3.10 The Local Authority deploys resources and identifies special arrangements on the basis of established need. This includes the provision of free travel assistance. The policy and general approach is set out in the published framework governing the interpretation of the SEND Code of Practice. In Somerset, pupils receiving high needs funding will also “trigger” consideration of the Local Authority’s additional responsibilities as defined by the SEND Code of Practice (2014). A graduated approach is used to determine high needs funding. The Local Authority has a statutory decision making body for all statutory SEND matters, relating to Special Educational Needs as determined by the SEND Code of Practice.

2.3.11 The SEN manager responsible for agreeing support for those without statements or Education, Health & Care Plans works to the same legal framework as it is needs based.

2.3.12 The Local Authority reserves the right to expect parents to make their own arrangements to transport their children to school where they do not meet the standard qualification criteria set out in legislation and this policy.

2.3.13 The Local Authority will provide individual home-school travel assistance in the case of pupils with a disability and/or a special educational need in accordance with the following criteria:
(a) When a child has a physical disability that would prevent them from making the usual type of accompanied journey made by other children of his/her age. Examples of this might be cases in which the child has:

(i) Long term severely restricted mobility - for example, circumstances requiring the daily use of significant physical aids such as a wheelchair.

(ii) Long term medical condition resulting in severely restricted mobility due to pain and/or extreme tiredness - for example, juvenile arthritis.

(iii) Long term medical condition resulting in restrictive mobility due to serious health and safety risks - for example, epilepsy or life threatening heart defects.

(iv) A sensory impairment resulting in severely restricted mobility - for example, where a child is effectively without the use of sight.

(b) When a child has a disability leading to significant social, and/or emotional immaturity in comparison with other children of his/her age, that might mean a child's behaviour leaves them extremely vulnerable in social settings - for example, a child with Aspergers Syndrome who has very little awareness of personal danger, or a child with severe learning difficulties who has an inability to manage the complexity of the process with safety or demonstrates constant challenging behaviour - and that this child cannot make an accompanied journey.

With both (a) and (b) above, the Local Authority will need to be provided with written evidence about the everyday functioning of the pupil and medical opinion, in order to determine the significance of the pupil’s disability in relation to the home-school journey. The evidence must show that the condition prevents the child attending school and or accessing mainstream school transport. If a parent or other person has previously driven their child to school then this arrangement would be expected to continue. In the first instance travel assistance will be limited to the duration of the medical condition and will be subject to an upper cost limit of £40.00 for a standard vehicle per day or £75.00 for a specialist vehicle per day. The Casework Team will review the travel assistance provision on a regular basis and further medical evidence will be requested. NB: transport will only be provided at the start and end of the normal school/college day.
2.3.14 Where admission to specialist provision or a mainstream school named in an Education, Health & Care Plan is being discussed, parental preference will be given consideration. Free travel assistance is not provided (even where a particular travel need has been established), to the parents’ preferred school if this is further away from the child’s home than another school that can meet the child’s special educational needs. In such a case the Local Authority may agree to name the parents’ preferred school in the Education, Health & Care Plan, but only on the condition that parents accept all travel costs, for the duration of their child’s attendance at the preferred school and that if at a later date the parents’ find they are no longer able to provide transport, the local authority will review the school placement.

2.3.15 Free travel assistance is provided for children of statutory school age who live beyond the walking distance to their nearest, appropriate school as defined by the Local Authority. Section 444 (5) of the 1996 Education Act defines walking distance as two miles for children under the age of eight, three miles for children aged eight and over.

2.3.16 Free travel assistance is also provided where it has been assessed that, due to identified SEND the child will be unable to attend the nearest, appropriate school unless travel assistance is provided.

2.3.17 The assessment of travel assistance needs for individual children of statutory school age requiring additional support will be undertaken by (as a minimum), the SEND Statutory Panel (if an Education, Health & Care Plan applies) and the SEND Statutory Services Manager Services for a pupil in receipt of high needs funding, who will seek medical and educational guidance as necessary.

2.3.18 Assessment for each child by the SEND Casework Officer/SEND Statutory Services Manager will proceed on the basis of least possible intervention, progressing to greater levels of independence depending on established evidence of need. Guidance will be sought as necessary from medical and educational professionals including the young person’s current placement if appropriate.

2.3.19 The criteria taken into account to assess travel assistance need are: distance, appropriate school, level of need.

2.3.20 Clear details of specific conditions/issues that govern the identified need for travel assistance will be recorded at the time of initial assessment for travel assistance. For example children may have:
significant mobility difficulties;
* significant visual or hearing impairment;
* profound multiple learning difficulties;
* severe/specific learning difficulties;
* autism spectrum disorders/communication difficulties;
* speech and language difficulties;
* severe emotional and behavioural problems;
* be a wheelchair user;
* a chronic medical incapacity.

Decisions on travel assistance need are taken at the time of initial assessment and will be recorded on the Child’s Baseline Assessment Form. They will also form part of the Individual Travel Care Plan Records for children with Education, Health & Care Plans and those with High needs funding.

2.3.21 In exceptional cases consideration may also be given to the need for other SEND children in the family to be accompanied to other schools or pick-up/drop-off points. For example, the transport vehicle may be scheduled to collect/drop the sibling requiring additional support at a time which fits in with the family’s needs, for example, in the case of a single parent with three children attending three separate establishments. This is an issue which will need reviewing regularly, alongside all other identified needs. The LA will also offer sign-posting to support services where travel assistance cannot be offered.

2.3.22 Additional support cannot be provided for families in receipt of a Motability vehicle in terms of running costs.

Examples:

- J lived seven miles from her local special school which the local authority considered to be the nearest suitable school. Parents had a strong preference for the special school 17 miles from their home. Travel assistance was initially agreed to the nearest school but on investigation it was found that a vehicle was travelling the route to the further school and after consultation the LA agreed to the place and to provide travel assistance as there was no extra cost. This arrangement would be subject to review if there are changes to the existing route.

- C attended a mainstream primary school with an Education, Health & Care Plan. His parents wanted him to attend a secondary school outside of the catchment area and therefore not the nearest school. The local authority had no objection to the place on the basis that parents provided the transport. The Statement in section includes a
Mr and Mrs X continue to accept liability for arranging and funding home to school transport. If for any reason they are no longer willing or able to do so then C would be expected to transfer to the nearest suitable school namely (Catchment) Primary school.

2.3.23 All schools and FE establishments are encouraged (in consultation with parents), to consider the independence and life skill benefits for older pupils/students, who might, with appropriate support be enabled to walk to school or make use of public service buses or trains.

2.3.24 Guidance is sought initially through either the statutory assessment process on which a Education, Health & Care Plan is based, the Annual Review or School Entry Plan and from medical and educational specialists to assess particular travel need, and this may be recorded in section G of the child’s statement of SEN, or on the Annual Review records for those pupils in receipt of high needs funding. This will include:

- a clear definition of what criteria have been taken into account to determine the need at the initial assessment and subsequent reviews;
- the range of appropriate modes of available/accessible travel;
- consideration of appropriate pick-up and setting-down point;
- any specific requirements, eg, passenger assistant essential or advisable, or the need to travel apart from other children or maximum journey time or sibling arrangements or parents’ exceptional circumstances; and
- an indication of the review schedule (if this is more frequent than annual).

2.3.25 Every child/young person requiring special travel assistance arrangements travelling on education transport has an Individual Travel Care Plan which is compiled in consultation with the child/young person, their parents, school and medical specialist (where appropriate). This includes details of medical considerations; appropriate harnesses or restraints and wheelchair details, where relevant. Individual risk assessment analyses the defined needs of the child and puts in to place strategies and mechanisms to reduce the likelihood and outcome of potential hazards. It is the parents’ and the school’s responsibility to ensure this document is kept updated with any changes. It is normally reviewed during the child’s annual review but can be updated at any time.
2.3.26 A young person’s transport need is re-examined at regular intervals, through the Annual Review Process, by the school in liaison with other professionals as appropriate and in conjunction with the child’s Individual Travel Care Plan, as follows:

1. Annual review of Education, Health & Care Plan or Annual High Needs Review and at;
2. KS1 transfer;
3. KS2 transfer;
4. KS3 transfer;
5. 14+ review

2.3.27 The elements to be considered initially and at every subsequent review will include:

- Status of initial entitlement and any subsequent changes.
- Passenger assistant requirements (essential/advisable).
- Wheelchair provision (and control protocols).
- Special seating/harnesses.
- Loading/unloading procedures.
- Special assistant requirements, eg, moving a child into and out of the vehicle and wheelchair including consideration of weight, size and physical mobility.
- Special needs/medication.
- The requirement for door to door travel.
- Other information such as behaviour or specific issues that drivers and passenger assistant should be aware of.
- Emergency contact numbers.
- Any altered domestic situation, eg, sibling travelling or ceasing to travel.
- The child’s growing abilities reflected in opportunities for greater independence.
- Parent/Carers/Child’s views.

Example:

At A’s Year 9 review it was agreed that she would benefit from learning to travel on a bus on her own so she would be more able to get work when she leaves school. Currently she gets to and from school in a taxi because she has a learning difficulty and the school is outside Statutory Walking Distance.

The school together with A’s parents worked with Anna to implement a programme with bus buddies during the school day with the aim that she could take the bus to school with a buddy and ultimately on her own. It is accepted that it will take time but everyone is committed to giving her the opportunity to be an independent and confident young person.
2.3.28 Post 16 Students with a Special Need, Disability or Mobility Difficulty

Please see section 6 of the Local Authority (LA) Transport Policy Statement 2016/17 Transport Policy Statement for learners aged 16-18 in further education and continuing learners aged 19 and over.

This document can be found at: http://www.somerset.gov.uk/irj/go/km/docs/CouncilDocuments/SCC/Documents/Environment/Transporting%20Somerset/Post16LocalTransportPolicy.pdf

2.4 Eligibility for Children of Statutory School Age Whose Route to School is deemed as Unsafe

2.4.1 Where children live within statutory walking distance of their nearest qualifying school, a Local Authority has a duty to make travel arrangements where the nature of the available walking route is such that a child cannot reasonably be expected to walk (accompanied as necessary) in reasonable safety.

The Courts have defined an “available route” as one “along which a child, accompanied as necessary, can walk to school with reasonable safety. It does not fail to qualify as ‘available’ because of dangers which would arise if the child is unaccompanied”. The route measured may include footpaths, bridleways and other pathways, as well as recognised roads.

Somerset Local Authority will provide free travel assistance where:

(i) the walking route to the designated transport area school is within statutory walking distance but is assessed as unacceptable because of the dangers which would arise for an accompanied child, and, once measured the alternative safe route is longer than the statutory walking distance; or

(ii) where the walking route to the nearest qualifying (not transport area) school is within statutory walking distance but is assessed as unacceptable because of the dangers which would arise for an accompanied child, and, once measured, the alternative safe route is longer than the statutory walking distance.
2.4.2 Route Assessment and Assessment of Risk

The Local Authority works closely with the Somerset Highways Team to maintain a standard approach to the assessment of walking routes to schools. Route safety is assessed with regard to road width, visibility, existence of footpaths and verges, road markings along the side of the road, the volume of traffic at the relevant period of the day, the type of traffic, speed limits and relative speed of vehicles, road crossings, the nature of the road (urban/rural), driver expectations, accident records, and that the child will be accompanied.

The assessment does not take into account local weather conditions, transient events such as road closures, construction work, flooding, lack of pavements, uncut hedges (although if considered a hazard, steps will be taken to arrange for these to be cut), gradient of road, and the time taken to walk the route. In addition, The Local Authority does not consider the lack of street lighting part of the assessment, since the majority of roads within the County do not have street lights and lighting is not a year round issue.

2.4.3 The Disability Discrimination Act 2005/Equalities Act 2010

In accordance with the Disability Discrimination Act 2005/Equalities Act 2010, disabled parents have the right to appeal for a walking route assessment on the basis that the nature of their disability means that they are unable to accompany their child/ren along a walking route from home to school in order for the route to be considered suitable for this child - (see 2.4.5 below). Where there is no other responsible parent an application will need supporting evidence of the parents’ disability and the use of motability cars will be taken into consideration. If the walking route is deemed not to be suitable for the parents’ disability and either the nature of the route or the age of child is such that accompaniment is necessary for it to be considered safe, the child will qualify for free travel assistance.

2.4.4 Route Improvements

The Local Authority is committed to improving pedestrian safety; creating walking environments that feel safe and secure for walkers and helping people walk or cycle to school (see Somerset’s Future Transport Plan 2011-2026). Part of this commitment may involve the improvement of walking routes. Such improvements, once completed, may result in a route which has been deemed unavailable on the grounds of road/pedestrian safety being deemed as safe and the subsequent withdrawal of travel assistance entitlement given a
minimum period of notice of at least one ½ term - see also Section 6.17: Withdrawal of Travel assistance.

2.4.5 The Right of Appeal and Assessment/Appeals Process

Parents have the right to apply for a route assessment appeal to their nearest qualifying or designated transport area school, if, in their opinion, a route could be considered unsafe. A route assessment form (see Appendix C) will need to be completed and returned to the Admissions and Entitlements Team who will then investigate the circumstances of the request and check that the applicant is not already eligible for free travel assistance if necessary, this assessment will then be passed to the Road Safety Auditor to report. If the route is deemed as unsuitable, free travel assistance will be awarded. The Road Safety Auditor’s decision is final - see also 6.13.1 below.

2.5 Eligibility for Children of Statutory School Age From Low Income Families

2.5.1 The Local Authority will provide free travel assistance for the following children who are in receipt of either Free School Meals or whose families are receiving the maximum level of Working Tax Credit (WTC):

(i) Children aged 8 but under the age of 11 and living more than 2 miles (walking route) from their nearest qualifying school with available places, or to the transport area school;

(ii) Children of compulsory school age aged 11 and over to one of 3 nearest qualifying schools with available places if greater than 2 miles (walking route) but no more than 6 miles (road route only) from the home address;

(iii) Children of compulsory school age aged 11 and over to the nearest qualifying school preferred by reason of a parents’ religion or belief with available places if greater than 2 miles (walking route) but no more than 15 miles (road route only) from the home address.

2.5.2 Evidence of Low Income

Parents will be requested to provide proof of either Free School Meal entitlement or that they are in receipt of maximum Working Tax Credit at the time of application for school transport. For those eligible under Working Tax Credit, once eligibility has been confirmed, this will remain valid for the entirety of the academic year. For those eligible under Free School Meals criteria, eligibility will be re-assessed on a termly basis.
3.0 DISCRETIONARY ENTITLEMENT FOR CHILDREN OF STATUTORY SCHOOL AGE

3.1 Transport Assistance on Grounds of Religion or Belief

The Local Authority has a duty, in accordance with Section 509AD of the 1996 Education Act to have regard to parental preference for a child to be educated in a school on the grounds of a parent’s religion or belief. This includes religions widely recognised in this country but does not include a belief that a child should:

(i) receive a particular type of educational provision necessitating attendance at a particular category of school, eg Grammar or Grant Maintained;
(ii) be taught by particular language;
(iii) or receive a particular curriculum.

This is in addition to the duty to provide free travel assistance for children of statutory school age of 11 years and above who are from low income families (see 2.5.1 iii)).

Although there is a duty to have regard to this preference, it does not mean that there is necessarily a requirement for the Local Authority to provide assistance with travel.

From the 2014/15 academic year, The Local Authority will phase in a decrease in Local Authority transport subsidy under this heading for families not eligible for support for Low Income. The new arrangements do include some sibling protection which is explained under 3.1.2 below and do guarantee a seat on a bus for pupils travelling under denominational grounds up to the end of a pupil’s statutory education. The Local Authority will run bus routes with effect from 1 September 2014 to faith schools enabling parents to purchase seats. In this respect, the Local Authority is maintaining its due regard to a parental preference for a denominational education for their child/ren.

In order for assistance to be offered under the current or new arrangements, all of the following criteria must be met:

(i) The child must be attending their nearest qualifying or designated denominational school.
(ii) The school is beyond the relevant statutory walking distance from the home address;
(iii) Journey times do not exceed acceptable limits and should be based on the standard school travel target of a maximum 45
minutes travelling time for a child up to the age of 11 and 75
minutes for children over 11 years old;

(iv) Confirmation is provided that the family adheres to the
professed faith. This should be evidenced by a declaration
signed by the local priest that the family members are practicing
members of the church (see Appendix D). The minimum
attendance is at least once a month for a period of no less than
six months;

3.1.1 New Applications for Denominational Travel up to the end of the 2013/14
Academic Year for Families not eligible for Low Income Support

For applications under this heading up until the end of the
2013/14 academic year, The Local Authority will continue to
exercise its discretion to contribute to the costs of pupils' travel
where parents have chosen the school on the grounds of
religion or belief under current arrangements. Assistance will be
limited to either a Public Service Vehicle (PSV) ticket, a spare
seat on an existing school transport route, a 3rd party run bus
service, or a mileage allowance. The Local Authority will not
consider providing additional travel assistance or diverting
contracted transport to a school on denominational grounds.

All modes of transport assistance will be subject to the standard
Local Authority parental contribution of £238.70 for the 2013/14
academic year (annual inflationary increases will apply). Eligible
children from low income families will be exempt from any
charges under section 2.5 (iii) above. If in some cases where a
3rd party organises the bus service, a separate additional
parental contribution is required and payable directly to the 3rd
party.

3.1.2 New Applications for Denominational Travel from 2014/15 Academic
Year onwards for Families not eligible for Low Income Support

For new applicants for the 2014/15 academic year, unless the
child is eligible under 2.5.1 (iii) above of this policy or qualifies
under sibling protection under 3.1.4 or as a pupil from a non
eligible low income family under 3.1.5 below, The Local
Authority will operate the following arrangements for those
pupils meeting the required criteria in 3.1 above:

For pupils starting or transferring schools on grounds of faith
from 1 September 2014 onwards, the amount that parents pay
will be aligned to the same level paid by parents whose child is
not eligible for free home to school travel. This is called the paid
seat charge and is set at £602.25 for the 2013/14 academic year
(annual inflationary increases will apply).
3.1.3 New Applications for Denominational Travel from 2014/15 Academic Year onwards for Families not eligible for Low Income Support

That those pupils already in receipt of a denominational subsidy at the end of the 2013/14 academic year will be protected until the pupil completes his/her education at the end of year 11 at the current school. If a pupil moves schools, or if a change of address means the current school is no longer the nearest where the Local Authority takes over the running of a bus contract previously organised by a 3rd party, parental contributions will also include any separate, additional contribution that is currently made by parents directly to the 3rd party (£180 for the 2013/14 academic year);

Sibling protection will be offered to those pupils currently in years 4, 5 and 6 where an older sibling is receiving a subsidy to the same nearest faith secondary school at the end of the 2013/14 academic year and is still in a statutory year group at the time of admission of the younger sibling.

3.1.4 Protection Arrangements from September 2014: Those currently in receipt of a subsidy & Siblings

Pupils already in receipt of a denominational subsidy at the end of the 2013/14 academic year will have their subsidy protected under existing arrangements until the pupil completes his/her education at the end of year 11 at the current school. If a pupil moves schools, or if a change of address means the current school is no longer the nearest faith school to home, the subsidy will no longer be paid. In cases where the Local Authority takes over the running of a bus contract previously organised by a 3rd party, parental contributions to the Local Authority will also include any separate, additional contribution that is currently made by parents directly to the 3rd party.

Sibling protection under 2013/14 arrangements will be offered to those pupils in years groups 4, 5 and 6 in the academic year 2013/14, where an older sibling is receiving a subsidy to the same nearest faith secondary school at the end of the 2013/14 academic year and is still in a statutory year group at the time of admission of the younger sibling.

3.1.5 Denominational Transport from the start of the 2013/14 Academic Year for Non Eligible Low Income Families

The Local Authority will continue to offer seats on buses that are running, to low income families who do not qualify for free transport under 2.5.1 (iii) of this policy, ie those who do not live between 2 and 15 miles from the school, at the reduced paid
DRAFT - Education Travel in Somerset

seat rate. This is £305.35 for the 2013/14 academic year (annual inflationary increases will apply) and is in line with other children of low income families not attending their nearest or catchment school.

3.1.6 Post 16 Denominational Travel

Out of county faith schools have 6th forms which Somerset pupils are attending and will wish to attend for reasons of continuity. Up until the end of the 2013/14 academic year, 6th form pupils travelling to a 6th form at an out of county faith school can still purchase a spare seat on a 3rd party run bus at full cost. In a similar way, Somerset 6th form students can travel to a Somerset 6th form on the Somerset school transport network where spare seats are available. Somerset does not currently offer this arrangement to out of county 6th forms.

From September 2014, where the Local Authority has taken over the running of a contract to an out of county faith school previously organised by a 3rd party, any spare seats would be offered to 6th form pupils at the level of the Student Contract Ticket in place at that time. This is £466.30 for the 2013/14 academic year (annual inflationary increases will apply).

3.2 Travel Assistance under Exceptional Grounds

Section 508C of The Act provides a general power for Local Authorities to make arrangements for travel where necessary to enable attendance at school for any child or groups of children not falling within any of the categories of “eligible child” (Section 2 of this policy) or for eligible children who require an alternative mode of transport due to an exceptional short term medical need.

Parents who feel there are exceptional medical, educational or social hardship grounds on which their child should receive assistance with travel and do not qualify under any other category of eligibility, may apply to be considered under exceptional grounds.

Somerset Local Authority will consider requests for assistance for travel for pupils living within its Local Authority area for discretionary cases outlined below under sections 3.2.1 - 3.2.5 and decisions will be based on a child qualifying under the relevant criteria.

The provision of travel will only be extended to siblings in so far as it is possible to offer a vacant seat on an existing school transport route, including taxis. Seats for siblings will be charged to the parent at the paid seat rate applicable at the time.
3.2.1 Temporary Medical Need

Local Authorities must make arrangements for free travel for children with SEND, a disability or mobility difficulty, including temporary medical conditions, if the type of SEND, disability or mobility difficulty means they cannot reasonably be expected to walk to nearest appropriate school, accompanied as necessary. Arrangements for these children are outlined within section 2.3 of this policy.

The Local Authority will consider travel assistance for a child suffering from a temporary medical condition, illness or injury who does not meet the minimum entitlement criteria required under section 2.3 to any school even if this is not the nearest school to the home address or the designated transport area school. This will include pupils who can no longer walk or cycle as a result of their temporary medical condition, or where the temporary medical condition prevents them from travelling to school in their habitual way. IMPORTANT NOTE: Where a parent or other person has previously driven their child to school then this arrangement would be expected to continue.

This should enable children to continue their education at their current school rather than move to their nearest school due to a temporary medical condition.

In all cases, written evidence from a consultant, local GP or authorised medical practitioner will be required. GPs or consultants will be asked to give sufficient information to judge whether or not a condition prevents a child from accessing transport, as they habitually do either by walking accompanied as necessary, or cycling, or that they are unable to access their school transport vehicle or the public service bus on which they normally travel or whether the child requires door to door transport. Where appropriate, the school will be asked to comment on the child’s mobility difficulties within school, which could for example include a statement on the degree of participation in sporting activities.

Travel assistance will be in the form of alternative transport or where this is not available or appropriate, by paying a mileage allowance (currently 18 pence per mile).

Travel assistance will be limited to the duration of the medical condition, illness or injury only and will be subject to an upper cost limit of £35 per day. The Admissions and Entitlements Officer will regularly review and assess the case for any
changes to medical need, requesting further medical evidence where necessary.

3.3.2 Exceptional Cases for Children with SEN, Disability or Mobility Difficulty

Consideration will be given by the Special Educational Needs Casework Team, based on the criteria in section 2.3 above.

3.3.3 Critical Stage

Where a family move occurs – within Somerset or into Somerset - during a child’s final years at school, (defined as after the October half-term break in Year 10 leading up until the end of Year 11) and the child is from a low income family (evidenced by the parent in receipt of child benefit being entitled to the maximum level of Working Tax Credit or in receipt of Free School Meals for the child) the Local Authority will consider support with travel costs to enable the child to finish his/her education at the school currently attended, regardless of the reason for the move, if all of the following criteria are satisfied:

(i) the child must have been attending the designated transport area school or nearest qualifying school (or one of 3 nearest schools, if receiving statutory travel assistance under low income grounds under section 2.5.1 (ii) above) for his/her original home address immediately prior to the move;

(ii) the normal statutory walking distance criteria are satisfied;

(iii) the new nearest or designated transport area school cannot equally meet the child’s exam options;

(iv) the length of the journey from the new address to the original designated transport area school or original nearest qualifying school does not exceed acceptable limits based on the standard school transport target limits (a maximum of 75 minutes for secondary age pupils). Journeys of greater duration would be considered detrimental to the child’s ability to benefit from the education to be received;

Where all of the above criteria are satisfied, the Local Authority will offer free travel assistance from the following options, the option offered representing that which is the most cost effective to the Local Authority at the time of assessment:
(i) existing school transport;

(ii) a Public Service Vehicle (PSV);

(iii) a petrol allowance paid to the parent for the appropriate length of journey;

(iv) a taxi service.

If the above options are not possible, the Local Authority will consider providing or diverting a contract vehicle in order to provide travel assistance for the child on a free of charge basis.

**NOTE:** For those pupils in receipt of travel assistance on critical stage grounds at the end of the academic year 2012/13 awarded under previous criteria, travel assistance will remain in place until such pupils leave the current school at the end of year 11. For such pupils, if there is a further change of address before the end of year 11, a reassessment of eligibility on the criteria effective from September 2013 will be made.

### 3.3.4 Severe and Sustained Bullying

The Local Authority is committed to working with schools to ensure robust policies on bullying are in place and are enforced. It is a requirement that each school has an anti-bullying policy and therefore moving a child away from a school and disrupting continuity of education should be a last resort. However, The Local Authority accepts that there may be a few exceptional cases where a move of schools is the only option remaining in the best interests of the pupil.

From September 2013 onwards, The Local Authority will consider travel assistance in cases of severe and sustained bullying to an alternative school which will normally be the next nearest school to the home address where a place can be offered, if all the following criteria are met:

(i) the pupil must be attending the nearest or transport area school and the alternative school must be beyond the statutory walking distance from home;

(ii) there must be clear evidence that a child has been the victim of severe and sustained bullying (letters and documents submitted by the parent to the school and from the school to the parent);

(iii) there must be clear evidence that the school has exhausted its policy with regard to bullying (this will include Governing Body minutes and any other documentation in support of the case);
there must be confirmation from the school that it agrees that all efforts to rectify the situation have been unsuccessful and that the only solution in the pupil’s best interest is to move schools.

(iv) It cannot be assumed that bullying in a previous school phase will result in bullying at the next school phase (e.g., bullying at a primary school resulting in the need for transport to an alternative secondary school). Therefore, a pupil cannot be assessed under this criteria where the alleged bullying has taken place in a previous school phase.

NOTE: For those pupils in receipt of transport on bullying grounds at the end of the academic year 2012/13 awarded under previous criteria, travel assistance will remain in place until such pupils leave the current school at the end of year 11.

3.35 Social Need/Children’s Social Care

Children in Care

Travel implications arising from a child’s placement/move will be discussed and agreed as part of Children Looked After operational arrangements. Cases in this category will be referred by the child’s Social worker.

Where a child moves address and is temporarily living at a Foster Care placement from September 2013 travel assistance will be funded by the Home to School Transport budget for up to a maximum of 12 weeks across a pupil’s academic lifetime and then funding for further travel required will fall to Social Care.

In all cases where pupils are required to move address, a check will be made on the availability of all existing contract transport and where a spare seat is available on a contracted vehicle, this will be provided free of charge until such time as it is required by an entitled child. Where necessary, a contract vehicle will be diverted or provided, or a ticket for use on a designated public service vehicle.

Travel arrangements will be reviewed as part of the statutory Children Looked After process.

Respite Care/Short Break Care
The Local Authority has no responsibility for funding transport to and from respite placements, even when the child is the responsibility of the Local Authority for normal home to school travel assistance. However, where a spare seat is available on a contracted route, this will be offered at no extra cost. Parents should be aware that this is not normally the case and be prepared to make independent provision for their child/young person.

For Children in Care, transport to Respite Care placements will be considered by Social Care and where a transport route needs to be provided or extended, all additional costs will be met by Social Care budgets.

3.3.6 Home Based Issues

3.3.6.1 Death/Incapacity/Serious Illness of a Parent

On occasion a family may require support due to the death, incapacity, or serious illness of a parent.

(i) A death of a parent may result in the child moving away from the area to stay with relatives. In such cases, short term travel assistance up to a maximum of six weeks may be provided for all children, not just those from low income families, to the child’s current school to enable the child and the family to stabilise. Where the child moves address, the school must be beyond the statutory walking distance from the new address.

(ii) In the case of parental incapacity (serious illness or disability) and where there is no other responsible parent who is able to transport the child, the family may once again require short term support. Medical evidence of the parent’s condition will be required. Assistance will be provided for all children, not just those from low income families, to the designated transport area or nearest qualifying school only for a maximum period of six weeks. Travel assistance will be subject to an upper cost limit of £35 per day.

The Local Authority will check the availability of existing contract routes and public service vehicles in the first instance before considering providing alternative assistance or re-routing an existing vehicle.

3.3.6.2 Exceptional Home Based Issues
Very exceptional cases arise where a change of address is not necessarily involved and where the pupil does not normally have a specific transport need, but the family is facing considerable challenges, including getting children to school. The Local Authority will consider assistance with travel in such cases for a maximum period of 4 weeks for pupils who meet the following criteria:

(i) The pupil must currently be attending the nearest qualifying or transport designated area school, or was prior to any temporary change of address;
(ii) The pupil must be from a low income family and/or must be supported by Pupil Premium and this must be evidenced;
(iii) there must be supporting written evidence of the family circumstances, or written support from the child’s school.

The Local Authority will check the availability of existing contract routes and public service vehicles in the first instance before considering providing alternative assistance or re-routing an existing vehicle. Transport assistance will be subject to an upper cost limit of £35 per day.

4.0 POST 16 STUDENTS

For The Local Authority’s comprehensive and detailed policy for children under this heading, please refer to the separate Post 16 Transport Policy:

5.0 EARLY YEARS

5.1 Pre-School Age Children

The Local Authority does not provide free travel assistance for children below Statutory School Age to any pre-school or nursery.

5.2 Pre-School Age Children requiring Special Arrangements for Travel

The provision of travel will be considered for pre-school age children requiring special arrangements. The entitlement criteria (see section 2.3 above) will be applied to children who meet the requirements for the (Level 2) Somerset Co-ordination List, (ie, the Somerset County Council multi-service list for children in Somerset with most complex needs) and will be subject to periodic review.

5.3 Rising Fives

Children admitted to school as a rising five under admission arrangements will be assessed for travel entitlement as if they were of
statutory school age. If eligible, travel assistance will be offered only at the normal start and finish times of the school day and will not take account of half day attendance as part of any induction period.

6.0 GENERAL/OPERATIONAL

6.1 Modes of Travel

It is for Transporting Somerset to determine the means of travel between home and school/college. Such travel may be by way of County Council vehicles, contracted services, public bus or rail services or a travel allowance. Travel provided for passengers with special educational needs will be appropriate to their needs.

6.2 Parental/Student Allowances

Where an entitlement to travel assistance exists, if there are difficulties in negotiating a suitable transport contract and there is no available public service route, parents who are willing to convey their child/ren to school/college or students using their own transport, may have their reasonable and agreed expenses reimbursed. Where parents or carers are able and willing to provide transport for their own eligible child/ren, a standard rate petrol allowance is available of 18p per mile. The LA reserves the right to agree petrol allowances on an individual basis, up to a maximum threshold, where this provides best value to the authority. This will be reviewed annually to allow other travel strategies to be employed, should they become favorable to the authority.

Parents being offered a petrol allowance will be required to complete and return a reply slip confirming they have the correct licence, MOT and insurance for conveying their child/ren on all school transport journeys.

The Local Authority reserves the right to refuse a petrol allowance to students travelling from areas where a local bus service exists and can be used to get to school.

6.3 Vacant Seats

Current policy is to make sufficient provision to meet the needs of entitled children and no more. Where there is not an exact match between number of entitled children and vehicle size, some spare seats will be available. Due to financial constraints the Local Authority does not extend the school travel network to meet the needs of unentitled children. However, where spare seats are available on school transport vehicles, children/students not eligible for free transport may be allowed to travel on a concessionary basis on the pre-payment of a fee as determined by the School’s Commissioning Team. The charge for spare seats is uplifted annually at 1 September in line with inflation. This includes instances where a child/young person with special
educational needs is not provided with free transport after assessment. In this case, the child/young person will be treated on the same basis as any other child/young person in relation to the use of vacant seats on school transport vehicles.

Where the number of applicants exceeds the number of available seats, preference will be given to children/students attending the designated transport area school. Judgement between such children/students will take into consideration age, distance from home to school and the presence of siblings on transport.

Seats are offered when available, having regard to the following order of priority:

(1) Sixth form pupils who live beyond the five mile zone of their designated school for transport.
(2) Sixth form pupils who live less than 5 miles from their designated school for transport.
(2) Pupils who live between 2 and 3 miles from their designated school and who were previously entitled to free transport until the age of eight.
(3) Pupils who are under the statutory walking distance and attending their designated school for transport.
(4) Pupils who are attending a school which is not their designated school for transport - those living nearest the school will take precedence.

Parents are advised that these “concessionary travellers” are liable to be displaced if other children move into the area and are entitled to free school travel assistance under the terms of section 2, or if the transport network needs to be re-organised. For example, seats may be withdrawn from children who are not eligible for free transport if it is necessary to re-organise a route or hire a smaller vehicle.

Where concessionary travellers are displaced the order of priority listed above is reversed.

In addition, when considering whether or not to take this action, the need to protect continuity of access for post 16 students may be taken into consideration. However, when removing places an entitled sixth form pupil who could use a normal service bus would be treated in the same way as a non-entitled sixth form pupil.

Once this has been done every effort will be made to ensure that the siblings of entitled travellers already on transport should be the last to be removed.
A minimum notice period of two weeks is given when a concessionary seat must be withdrawn and concessionary travellers refunds are made as appropriate.

Parents wishing to cancel existing concessionary seats must do so in writing to Transporting Somerset.

6.4 Picking-Up/Setting-Down Points

6.4.1 Statutory age children and young people on contracted school transport are collected as near to their home as is reasonably possible taking into consideration time and safety factors and the overall efficiency and effectiveness of the journey (unless special arrangements are required - see 6.4.2 below, or unless the pupil is of Post 16 age and in receipt of a bus season ticket - see 6.4.9). However, some pupils may have to walk a reasonable distance to and from home to meet their transport, and vehicles are not expected to negotiate long private drives or farm lanes. The maximum distance for a child under the age of eight is ½ a mile and 1 mile for a child over eight.

6.4.2 Each child/young person requiring special arrangements will be individually assessed for travel assistance entitlement, (see initial transport entitlement criteria above at 2.3.30) and if a need for transport is established, consideration will be given at that stage as to whether or not a home pick-up is required.

6.4.3 The school is responsible for meeting pupils from transport in the morning and for returning pupils to the transport at the end of the day.

6.4.4 Parents are responsible for their child/ren’s safety in getting to and from the notified picking-up/setting-down point. They are also responsible for their child/ren while they are waiting for transport and when they leave the transport at the end of the day. Children with severe SEN and/or disability which makes them particularly vulnerable should not be left alone at notified stops or at the home address and should always be transferred directly into the care of another responsible adult. The Local Authority’s responsibility for the child does not begin until the child is on the school transport vehicle.

6.4.5 Drivers and passenger assistant’s are not required to wait more than five minutes after the agreed pick-up time at a bus stop or home address. Pupils are advised to wait a maximum of twenty minutes at their bus stop before returning home in the event that a vehicle is running late.

6.4.6 On a home pick-up/set-down, parents are required to meet the vehicle at the kerbside in the morning and afternoon.
Passenger assistants and drivers are instructed not to move away from the vehicle to collect or deliver children/young people to their doorstep, except in exceptional parental circumstances.

6.4.7 Drivers and passenger assistant’s will not deliver children and young people to alternative addresses unless they are given prior instruction to do so by Transport Officers in Transporting Somerset. In the majority of cases it will not be possible for transport to be agreed to alternative addresses.

6.4.8 In the afternoons and in the case of a child/ren requiring responsible adult care directly following transport, if a responsible adult is not available to collect the pupil/student within a reasonable time, the passenger assistant will keep him/her on the vehicle for the remainder of the route and then return to the home address. At that stage, if there is still no responsible adult at home, the child/young person will be taken to the nearest Children’s Social Care office or the local police station. The passenger assistant or driver will leave a note at the family home and notify Transporting Somerset office staff.

6.4.9 Pupils who cycle more than one mile to and from their nearest picking-up point may claim a cycle allowance of £12 per year.

6.4.10 This does not apply to post 16 students who have been allocated a bus season ticket. These students must make their own way to the nearest bus stop which may be more than one mile from their home.

6.5 Road Closures

In the event of a road closure every effort will be made to keep disruption to the service to a minimum. However, in some circumstances it may be necessary to ask parents to take their child/ren to the nearest, safest or accessible pick up/drop off point for a temporary period during the duration of the road closure.

6.6 Journey Times

There is no statutory or regulatory maximum journey time. However, The Local Authority’s policy is to achieve a maximum journey time of three quarters of an hour for pupils of primary school age and one and a quarter hours for pupils of secondary school age and post 16 students. There may be exceptional circumstances (such as attendance at a Special School or an extremely rural location, or out of County establishment) where this is not possible, but Transporting Somerset endeavours to provide this level of service. Such journeys aim to avoid undue stress.

6.7 Waiting Time on School Premises
Every effort is made to ensure that waiting time on school premises before and after school does not exceed fifteen minutes.

Where this is not possible supervisory staff may be provided to supervise children who receive free school travel and arrive on school premises more than 15 minutes before school starts or leave more than 15 minutes after the end of the school day.

6.8 Extra-Curricular Activities/Work Experience

For school children under statutory school leaving age, the costs of travel home from extra-curricular activities or to and from work experience placements are not met by the Education Transport budget.

6.9 Seatbelts and Loading Arrangements

It is The Local Authority’s policy that on contracted and County Council vehicles, provision will be made for each passenger to have his/her own seat and for seatbelts to be fitted and worn.

All vehicles must be fitted with seatbelts to all seats. These must be worn by passengers. Children of small build will be provided with booster seats, safety seats, etc to ensure they can travel safely where appropriate. Transport will be withdrawn permanently from passengers who consistently refuse to wear their seat belts.

This requirement cannot be extended to children or students travelling by season ticket on public transport buses, which are governed by legislation beyond the remit of Local Government.

6.10 Standards for Vehicles and Equipment

The Local Authority has quality standards for the monitoring of vehicles and equipment used in the operation of education transport. All vehicles are subject to programmed annual inspections and spot checks. Equipment in use on the vehicles is inspected termly, as a minimum, and risk assessments are carried out on every accessible vehicle in use in the network.

6.11 Passenger Assistants/Drivers

6.11.1 In general terms passenger assistants are provided on vehicles transporting children and young people with complex needs. Passenger assistants are normally provided on vehicles carrying severely disabled pupils/students, on vehicles carrying children/students with individual special
needs and on vehicles carrying numbers and a mix of children/students with special educational needs (learning difficulties and behavioural difficulties for example), and on the recommendation of specialist officers.

6.11.2 In exceptional circumstances, passenger assistants may also be provided on public service vehicles, school contract routes where the Local Authority is responsible for conveying significant numbers of primary pupils; and/or special educational needs on some vehicles carrying a mixture of infants and secondary pupils and on vehicles where there is a record of disruptive behaviour.

6.11.3 The essential criteria for the provision of a passenger assistant are the individual needs of the child/young person as assessed and a Risk Assessment of the vehicle in relation to the needs of the children travelling.

6.11.4 All passenger assistants, and the drivers of accessible vehicles, are trained by Somerset County Council in: Passenger Care and Consideration, Disability Awareness, Moving Disabled Passengers, Emergency Aid on a Vehicle, Strategies to Manage Behaviour/Crisis Intervention and Prevention and Child Protection Issues. Passenger assistants may have regular supervisory visits whilst they are engaged on their duties on the vehicle, from the Transport Officers.

6.11.5 Passenger assistants are not generally trained or permitted to deliver medication on education transport vehicles. In the event of a medical emergency the emergency services will be called in accordance with the emergency protocol in place.

6.11.6 Where children and young people are identified as having critical medical conditions, (that is where emergency medical intervention may be required at any time) their travel arrangements will be assessed and addressed on an individual basis.

6.11.7 Essential details from the young person’s Individual Travel Care Plan are always available to the passenger assistant, on each journey with the child/young person.

6.11.8 Passenger assistants are not permitted to leave the vehicle, eg, to make a doorstep pick-up in order to alert parents or carers that the vehicle has arrived. Where passenger assistants are provided they are instructed always to remain close to the vehicle and never to leave the children unattended.
6.11.9 All drivers and passenger assistants employed on Somerset County Council contracted education transport are required to have an Enhanced DBS (Disclosure and Barring Service) check (formerly Criminal Records Bureau Enhanced Disclosure). Renewed DBS clearance is required every three years.

6.11.10 The minimum age is 18; there is no upper age limit (except for drivers of vehicles with more than 20 passenger seats). Contractors are required to give an assurance that all drivers/passenger assistants beyond state retirement age are fit to carry out their duties. Staff who are over state retirement age are required to show their licence, provide medical evidence of physical fitness and capacity to meet the job expectations and their performance is regularly monitored by the Driver & Passenger Assistant Training and the Transport Officers who is based in Transporting Somerset. An annual meeting with the Escort/Passenger Assistant Driver Supervisor, annual proof of medical fitness (GP letter or report), a driving ability check and annual licence and insurance checks are required. County Council staff working beyond state pensionable age will be risk assessed by Human Resources.

6.12 Emergency Procedures for Children with SEN

All contractors, passenger assistants and drivers have a detailed process to follow in the case of an emergency arising on the vehicle and risk assessments are carried out on each young person. In addition, the Individual Travel Care Plan for each child/young person travelling on the vehicle is available to the driver/Passenger Assistant on each journey.

6.13 Complaints/Comments/Compliments

Complaints about how the service is working are dealt with initially by Transporting Somerset staff that organise the transport. They are in touch with the situation “on the ground” and can usually deal quickly with those involved in order to put things right with the least possible delay.

If things continue to go wrong the complaint is passed to the Team Leader and, subsequently if a satisfactory resolution has not been reached, the appropriate Manager within Transporting Somerset. Complaints regarding policy will be discussed with the appropriate Manager, Schools Commissioning, who will decide if it meets the County Council’s definition of a complaint that must be dealt with in accordance with the Corporate Complaints Procedure further information about which can be obtained by telephoning 0300
Complaints, comments and compliments can all be recorded by completing the appropriate form found at: http://www.somerset.gov.uk/have-your-say/complaints-comments-and-compliments/complaints-comments-compliments/

Alternatively a letter can be sent to:
Somerset County Council
Compliments, Complaints or Comments
Customer Contact
FREEPOST NAT9109
TAUNTON
Somerset TA1 4ZA

An annual consultation programme is in place which allows children and students with their parents/carers to express their level of satisfaction with the service provided. Data gathered from the analysis of the consultation responses is used to inform policy and process changes.

6.14 Appeals Procedure

6.13.1 For pupils under statutory school leaving age, Local Authorities should have an appropriate process in place to deal with representations from parents relating to the implementation of school transport policy. This review/appeals procedure should be a clear 2-stage process for parents who wish to make a challenge in the areas of:

- Transport arrangements offered;
- The child’s eligibility for transport;
- The distance measurement in relation to statutory walking distances
- The safety of the route to school.

The Local Authority’s appeal process will follow the recommended process outlined in the latest DfE Guidance on Home to School Travel and Transport 18 July 2014-which can be found at:


Stage One:
A parent has 20 working days from receipt of the Local Authority’s home to school transport decision to complete an application form (known as School Transport Review Form) asking for a review of the decision.

Parents can only request an appeal/review using the following criteria:

- You are not satisfied with the transport arrangements offered to you.
- The school is the nearest suitable school with a place available, or is the designated transport area school for my home address.
- You believe the walking route exceeds the statutory walking distance.
- You consider the walking route to be unsafe for a child accompanied by an adult.
- My child has medical or there are exceptional needs that mean travel assistance is needed.
- Within 20 working days of receipt of the parent’s written request, a senior officer reviews the original decision and sends the parent a detailed written outcome setting out the nature of the decision reached, how the review was conducted (including the standard followed e.g. Road Safety GB), information about other departments and/or agencies that were consulted as part of the process, what factors were considered, the rationale for the decision reached and information about escalation to stage two (if appropriate).

Stage Two:

- A parent has 20 working days from receipt of the local authority’s stage one decision to make a written request to escalate the matter to stage two.

- Within 40 working days an independent appeal panel considers written and verbal representations from the parent and officers and gives a detailed written outcome (within 5 days) setting out the nature of the decision reached, how the review was conducted (including the standard followed e.g. Road Safety GB), information about other departments and/or agencies that were consulted as part of the process, what factors were considered, the rationale for the decision reached and information about escalation to the Local Government Ombudsman (see below).
The independent appeal panel members should be independent of the process to date and suitably experienced, to ensure a balance is achieved between meeting the needs of parents and the local authority, and that road safety requirements are complied with.

Local Government Ombudsman - It is recommended that as part of this process, local authorities should make it clear that there is a right of complaint to the Local Government Ombudsman, but only if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal was handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may apply for judicial review.

6.13.2 There is also a separate appeals procedure for post 16 students whose applications for assistance have been declined. Please see part 6 (f) of the Post 16 Transport Policy document.

6.15 Travel assistance on the Closure/Reorganisation of a School/Change of Catchment Area for Admissions

6.15.1 Travel issues are considered on the closure or reorganisation of a school but to date there has been no case of transport being granted in perpetuity to existing and potential pupils or students who live within statutory walking distance of the alternative or new school.

6.15.2 In general, therefore, the policy for the provision of free school travel on the closure or reorganisation of schools is that such transport is provided only for affected pupils living beyond the statutory walking distance to and for the duration of their education at the alternative school, and for their siblings who are admitted to the alternative school before their elder sibling leaves.

6.15.3 Where a new school is established, children living in that school’s designated transport area might remain at their former schools to complete their education. In such cases, all parts of the Education Travel policy will usually apply to those children.

6.15.4 Where an own Admission Authority makes a change to either the session times or the annual calendar of school terms and holidays, resulting in an increase in cost to existing transport, this cost will be borne by the Admissions Authority making the change.

6.15.5 Where a school changes its age range with the result that there are 2 or more schools offering the same phase of education
within one existing transport area, this will not normally affect the designated transport area for the school. The travel entitlement remains for the designated transport area as designated in September 2012 unless the Authority has agreed to change it following consultation.

6.15.6 Where an own Admission Authority applies to change its catchment area for admission purposes, this will not normally affect the designated transport area for the school. The transport entitlement remains for the designated transport area as designated in September 2012 unless the Authority has agreed to change it following consultation.

6.15.7 Where the Local Authority changes a school’s catchment area for Admission purposes the Local Authority reserves the right to change the designated transport area accordingly. Where a change to a designated transport area is proposed, appropriate consultation will be undertaken with those affected by the change.

6.15.8 All of the above do not take away the statutory right to free travel assistance to the nearest school.

6.16 Network Planning

6.16.1 Children/students not entitled to free travel assistance are not included in the review and planning of transport networks and additional expenditure will not be incurred because of the continued or proposed carriage of non-entitled passengers.

6.16.2 In order to design cost-effective and efficient networks it is not always possible to avoid passengers having to change vehicles during journeys, as one route “feeds” to another. Contractors are instructed not to depart from a change-over point until the connecting vehicle has arrived and all children have transferred in safety.

6.16.3 All routes are kept under a regular programme of review to ensure the most effective use of vehicles and resources. Decisions relating to area network reviews are made by Transporting Somerset in consultation with relevant officers from the Commissioning and Operations Directorates and will involve initial liaison with the schools and parents who will be affected by any changes. Parents will always be given written notification of initial transport arrangements and any changes thereafter. Details of arrangements will include the contact names and telephone numbers of their Transport Officer.
6.16.4 In the event of the Transport Officer making planned changes to a pupil’s/student’s travel arrangements, the maximum possible notification will be given to parents. In some cases this may allow as much as one term’s notice and the Local Authority aim to avoid notice periods of less than one ½ term. For children where special transport arrangements are in place and where unavoidable changes are required to these transport arrangements, the Local Authority will contact parents initially by phone, to discuss potential implications with the least possible delay, and try to minimise any negative effects on the children and young people involved.

6.17 Independent Establishments

Except in the case of children looked after and certain special needs pupils placed by the appropriate Local Authority officers, no travel assistance is available to pupils or students attending independent establishments from the home to school or post 16 transport budgets. However, post 16 students placed at independent institutions by SEND Statutory Panel may be eligible for assistance with travel assistance.

6.18 Withdrawal of Transport

6.18.1 Travel Assistance Granted in Error

Where travel assistance has been awarded in error, involving in consequence unnecessary public expenditure, it will be necessary to withdraw the facility. Where a Local Authority administrative error has resulted in a child or children incorrectly being assessed and granted free travel, the error will be acknowledged immediately and written notice provided to parents that the entitlement to transport will cease given a minimum of at least ½ term’s notice.

Younger siblings not yet started at the school would not qualify for any extraordinary level of assistance. Where an admission error has resulted in some local families obtaining free travel assistance, any further applications for free travel assistance from other existing families or from families moving into the area will not be supported.

6.18.2 False Claims

Where entitlement is claimed using false information, the Local Authority will withdraw school transport with immediate effect. In addition to recovering any bus passes, the Local Authority reserves the right to take action in order to recover its costs, based on the pro-rata cost of a Pay Seat.

6.18.3 Change in Assessment
The Local Authority has the right to re-assess eligibility when new or revised information is available, including the information held on its mapping system.

Where a route has been reassessed or an alternative recommended and as a result a child no longer qualifies for free transport, a minimum of at least ½ term’s notice will be given of the withdrawal of eligibility.

For example notice of withdrawal to take effect at the start of the new academic year would have to be provided by the last school day before the previous May/June half term holiday, and by the last day of the Autumn Term to be effective from the second half of the following Spring Term.

Route improvements may result in a safe walking route becoming available to a previously eligible child under part 2.4 of this policy. Where this is the case, at least ½ term’s notice of withdrawal of entitlement will be provided to parents.

6.18.4 Post 16

Post 16 students who are granted assistance in the form of a County ticket and whose entitlement to help with travel ceases during a course (eg if they withdraw or move home), must return the ticket to Transporting Somerset or they may be billed for the unused value of the ticket.

6.19 Behaviour on School Transport

Pupils and students, parents, schools, transport contractors, the Local Authority and Transporting Somerset all have an interest in the behaviour of children/students on school transport. “The Guide to Behaving Responsibly sets out the responsibilities of all involved and is given to parents for their child/ren and to students who use home to school transport, as well as to every driver and passenger assistance working on the vehicles and to all schools served by the transport network.

The majority of vehicles over 16 seats have CCTV installed, drivers are trained to deal with poor behaviour and we have pupils who have the additional responsibility of helping support the driver. These pupils may already be prefects at the school or named as bus monitors.

Transporting Somerset undertakes joint working within schools involving pupils, transport operators and school staff to raise awareness of this issue. In cases of serious or repeated behaviour issues we may involve appropriate support services which include early help and support for children, young people and their families in Somerset.
Transport Officers deploy regularly to encourage safe and appropriate behaviour by children on every bus in the transport network.

Drivers and/or Passenger Assistants are asked to notify their employers and to liaise with schools and School Transport staff based in Transporting Somerset on behavioural problems but are instructed never to evict a pupil/student from the vehicle anywhere on a route other than at the normal setting-down point.

If problems are such that the safety of other passengers is endangered, their transport will be suspended for a period of three to five days up to a maximum of a half term for an entitled child of school age, or may be withdrawn permanently should persistent poor behaviour continue. In all but the most extreme cases parents will be given a minimum of 48 hours notice of withdrawal under these circumstances.

Persistent refusal to carry bus passes and wear seatbelts is regarded as a behavioural matter, which will result in their transport being suspended and ultimately withdrawn permanently.

6.20 Damage

Somerset County Council requires contractors to indemnify the Council against all damage, however caused.

Contractors will seek recompense from parents where responsibility for damage rests with their children and may involve the police for criminal damage.

6.21 Protection of Children

Where staff has substantial access to children, Transporting Somerset carries out checks on any convictions, cautions, etc. All drivers and passenger assistants are required to have enhanced a Disclosure and Barring Service (DBS) certificate level. Information obtained by such checks will not be released to a third party.

6.22 Severe Weather

The decision on whether or not transport will operate during periods of severe weather rests with transport contractors who will be aware of localised weather conditions in their area. They will liaise as necessary with their Transport Officer contact in the Transporting Somerset Office. Many schools have contingency plans in place to deal with transport emergencies resulting from severe weather. Parents are advised to liaise in advance with their child/ren’s school to ensure that they are aware of any school plans or guidelines that are in place.
6.23 Smoking

Smoking (including the use of electronic cigarettes) is not permitted on any SCC school transport vehicle and vehicles must be free from smoke when the children board them.
APPENDIX A

Extract from Department of Education SEND Code of Practice:

Transport cost for children and young people with Education, Health and Care Plans

*Relevant legislation; Section 30 of the Children and Families Act 2014 and Schedule 2 (14) of the SEND Regulations 2014.*

9.214 The parents’ or young persons preferred school or college might be further away from their home than the nearest school or college that can meet the child or young person’s SEND. In such a case, the local authority can name the nearer school or college if it considers it to be appropriate for meeting the child or young person’s SEND. If the parents prefer the school or college that is further away, the local authority may agree to this but is able to ask the parents to provide some or all of the transport funding.

9.215 Transport should be recorded in the Education, Health and Care Plan only in exceptional cases where the child has a particular transport needs. Local authorities **must** have clear general arrangements and policies relating to transport for children and young people with SEN or disabilities that **must** be made available to parents and young people and these should be included in the Local Offer. Such policies **must** set out the transport arrangements which are over and above those required by section 508B of the Education Act 1996.

9.216 Where the local authority names a residential provision at some distance from the family’s home, the local authority **must** provide reasonable transport or travel assistance. The latter might be reimbursement of public transport costs, petrol costs or provision of a travel pass.

9.217 Transports costs may be provided as part of a Personal Budget where one is agreed and included in the Education, Health and Care Plan as part of the special educational provision.
This form should be used to apply for a formal assessment of the suitability of a walking/cycling route between a child’s home and the school he/she attends, or the designated bus pick up point. In order to qualify for this assessment, your child must live less than the statutory walking distance (2 miles up to age eight and 3 miles at age eight and over) and attend his/her catchment or nearest school. This form must be completed by the child’s parent(s) or a registered carer and a separate form used for each child when requesting route assessments to different schools.

Part A. Applicant Details:

Name

Address:

<table>
<thead>
<tr>
<th>House Name/No:</th>
<th>Street:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town:</td>
<td>Postcode:</td>
</tr>
<tr>
<td>Telephone number:</td>
<td>E-mail address:</td>
</tr>
</tbody>
</table>

Part B. Your Child’s Details:

Full Name | Date Of Birth

<table>
<thead>
<tr>
<th>School attending</th>
</tr>
</thead>
</table>

Your child's address, if different to applicant:

<table>
<thead>
<tr>
<th>House Name/No:</th>
<th>Street:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town:</td>
<td>Postcode:</td>
</tr>
<tr>
<td>How long has your child been resident at this address?</td>
<td>Date since</td>
</tr>
</tbody>
</table>

Part C. The Home to School Journey:

Please explain by answering the following questions, where your child’s journey commences and finishes, explaining whether this is a walk or cycle ride between home and school, or to a bus pick up point.

<table>
<thead>
<tr>
<th>Please ✓</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journey commences at -</td>
</tr>
<tr>
<td>Other (Please state where)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Please ✓</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journey finishes at -</td>
</tr>
<tr>
<td>Other (Please state where)</td>
</tr>
</tbody>
</table>
### APPENDIX B

**Please ✓**

<table>
<thead>
<tr>
<th>How does your child travel to school</th>
<th>Walk</th>
<th>Cycle</th>
<th>Other:—</th>
</tr>
</thead>
<tbody>
<tr>
<td>For how long has this been the arrangement</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Approximate journey start time** | |

**Approximate arrival time at school or pickup point** | |

**Is your child accompanied by a responsible adult throughout the journey**

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

**Please ✓**

Please describe in as much detail as possible the sections/features of the route that cause you specific concern. (Please continue on a separate sheet if necessary).

---

**Part D. Declaration:** I confirm that to the best of my knowledge, the information provided is an accurate profile of my child’s journey to school.

Signed: ____________________________ Date: ____________________________
This form must be completed and signed by both the parent/guardian and the Parish Priest or Minister if you wish to apply for school transport under Somerset County Council’s denominational transport policy.

**Priest’s/Minister’s Certificate**

**Parent/Guardian’s Declaration:**

I confirm that ................................................................. (full name of child) adheres to the following professed faith/belief: .................................................................

Signed................................................................. Date.........................

**Priest/Minister’s Declaration:**

I confirm that the ................................................................. family adheres to their professed faith and they have followed this faith for a period of ......................... years/months/weeks, during which time I have known them.

I also confirm that the abovementioned child is being brought up in this faith.

Signed................................................................. Date.........................

Name in Capitals. .................................................................

Designation.................................................................

Contact Telephone Number.................................................................