

# Home to School Transport

# PROPOSED POLICY

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## **1. POLICY STATEMENT**

This policy explains the entitlement to travel assistance for children and young people including those who have significant special educational needs.

The policy sets out the criteria for eligibility to travel assistance, how parents may apply, how decisions are made and how parents / carers may appeal against decisions that they are unhappy with.

The policy is intended to provide clarity for parents facing a wide range of circumstances, and to ensure that children with particular and significant needs are appropriately supported. However, it is the legal responsibility of parents and carers to ensure that their children attend school regularly.

Travel assistance is provided in a safe and cost effective manner, where appropriate taking account of the child's specific needs and with regard to the best use of the Council's resources.

The majority of Birmingham pupils with a Statement of Special Educational Needs (SEN) do not receive or require specialised travel assistance from the Council. Wherever possible the Council expects parents of pupils with an SEN Statement to make arrangements for their child to attend school in the same way as for parents of pupils without a Statement.

The Council also has a duty to ensure that **all** arrangements make best use of the Council's resources.

## **2. CHILDREN AND YOUNG PEOPLE COVERED BY THIS POLICY**

This policy applies to all children and young people who are resident within the City of Birmingham and for children in the care of Birmingham City Council.

## **3. ENTITLEMENT TO TRAVEL ASSISTANCE**

Assistance with public transport costs will be considered for children who attend the nearest available school and the distance between home address and school is over the statutory walking distance.

The statutory walking distances are:  
2 miles for pupils under 8 years of age  
3 miles for pupils aged 8 or over.

Below these distances the responsibility for the journey to school rests with the parent.

The statutory walking distance is measured along a route that a child might reasonably be expected to walk to school accompanied where necessary by their parent.

Travel assistance will only be considered for pupils of statutory school age. Assistance will not be considered where a parent selects a school which is not the nearest to home with the exception of pupils from low income families who meet the criteria below.

#### **4. LOW INCOME FAMILIES**

Additional support is available to children from families who are in entitled to free school meals or are in receipt of the maximum level of working tax credit.

Children aged 8 but under 11 from low income families will be supported with travel where they live more than 2 miles from their nearest available school. This distance is extended to 15 miles if the parents have selected the nearest available school based on their religion or belief.

Children aged between 11 and 16 from low income families will be supported if they attend one of the three nearest qualifying schools, where the school attended is more than 2 miles but less than 6 miles from the home address. This distance is extended to 15 miles if the parents have selected the nearest available school based on their religion or belief.

#### **5. APPLYING FOR TRAVEL ASSISTANCE**

The parent must make a formal application for travel assistance before any assistance is considered. Each application will be processed as quickly as possible. During the application process it remains the legal responsibility of the parent / carer to ensure that their child attends school regularly.

Assistance, if agreed, is given as a free travel pass for use on public transport.

#### **6. ADDITIONAL SUPPORT FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS**

Additional support is provided to children and young people who are resident within the city of Birmingham, and for children in the care of Birmingham City Council and who:

- a. have complex special educational needs, a disability or mobility problem as identified through the Special Educational Needs matrix of need; and

- b. are of statutory school age, which is between five years of age and up to the last day of the school year when the child reaches sixteen years of age. In some circumstances this policy will cover pre-school age children and young people up to nineteen years of age.

## 7. PARENTAL RESPONSIBILITY

Parents are legally responsible for ensuring their children attend school regularly. The Council will assist parents with travel arrangements at the beginning and end of each school day. Where necessary appropriate travel arrangements will be made for pupils attending residential schools

**Travel assistance will not be agreed** where the parent has requested that a school is named within a statement of special educational needs (SEN) that is **not** the nearest available school able to meet the child's needs.

### **Travel assistance may be agreed when:**

- a. The pupil lives within the statutory walking distance but is unable to walk relatively short distances to school owing to special educational needs, disability or mobility problems **and** family circumstances make it impossible for the parent or carer to take the child to school.
- b. A child is of pre-school age and has undergone an assessment for a Statement **or** there is clear evidence that a child has significant special educational needs **and** the Council has recommended a school place which is over two miles away from the home address.
- c. A young person is over the statutory school age of sixteen and has mobility difficulties of such severity that it is impossible to travel independently between home and school / college. Assistance may be provided in specific circumstances where:
  - i) the young person is under eighteen years of age or older if they started a course of further education before their nineteenth birthday and are still participating in that course **and**;
  - ii) they are attending the nearest appropriate school/college **and**;
  - iii) they are following a full time course leading to or working towards a recognised qualification.

Decisions will be based upon clear medical/specialist advice, evidence of need and parental circumstances.

In these cases the Council may make a charge for any transport provided.

## **8. HOW ENTITLEMENT TO TRAVEL ASSISTANCE WILL BE DECIDED**

It is the responsibility of the Council to decide the travel assistance necessary in the case of each child. The decision will take into account matters such as the pupil's age, their needs, the nature of the route to school.

All applications for travel assistance will be considered in relation to Council policies concerning travel to and from school, and the legal responsibilities of parents and the Council.

Specific consideration **will be** given to:

- a. Evidence that a child's special needs or medical condition prevents the child from walking to school or using public transport.
- b. Evidence that there would be health and safety risks to the child or others if they travelled to school without support.
- c. Evidence that the parent's individual circumstances prevent them from taking or accompanying their child / children to school or college.

Consideration **will not normally be** given to:

- a. Personal circumstances such as parents attending work or looking after other children.
- b. Personal circumstances when considering drop off / collection points and times.
- c. Help with attendance issues. Parents are legally responsible for ensuring their children attend school regularly.

## **9. TRAVEL ASSISTANCE REVIEWS**

The need for travel assistance will be reviewed on a continuing basis and at least once per year. Wherever possible the review will be undertaken following the child's statutory annual SEN Statement review. Any changes will be implemented from the beginning of the next school term, or sooner by mutual agreement.

Also, if there is a significant change in circumstances, such as a change in school or home address, or a change in parental circumstances, or a change in the child's needs, a review may be undertaken.

## **10. APPLICATION APPEALS**

If an application for travel assistance is **not** approved by the Council, or the parent / carer disagrees with the type of assistance offered, there is a right of appeal. Appeals should be made within 15 working days of the decision being received by the parent / carer.

The appeal should be made in writing on the appropriate form, setting out the exact nature and grounds of the appeal.

The appeals process has two stages:

**Stage 1** – A Children’s Services Manager will consider the appeal.

Within 5 working days of the receipt of the appeal form, the parent will receive confirmation that the appeal is under review. Further evidence may be requested to support the appeal and consultation with caseworkers and professional bodies may be required. A decision and notification will be made within 10 working days from receipt of the appeals form.

If the parent remains dissatisfied with the outcome, they should notify the Council in writing within 15 working days of receiving the appeal decision.

**Stage 2** – If the parent is dissatisfied with the outcome of the appeal at Stage 1 the appeal moves to Stage 2. The appeal will be reviewed by the Education Awards (Review) Sub-Committee, which is made up of Members of the City Council.

A stage two review will consider all the information provided by the parent / carer including family income details. A decision will be made within 30 working days of receiving the Stage 2 request.

During the appeal stages, travel assistance will not be provided **or** a change to existing travel assistance will not be made.

## 11. TRAVEL ASSISTANCE

If Birmingham City Council agrees to provide travel assistance it will be provided in a safe and cost effective manner, where appropriate taking account of the child’s specific needs and with regard to the best use of the Council’s resources from the range of options below.

- a. **Travel pass** - This is a free pass for the use on public transport.
- b. **Reimbursement of mileage costs** - Parents may be able to support their child in travelling to school, either in the capacity of escort or driver of their own car. In such circumstances the Council may remunerate the costs of travel by paying a mileage allowance.
- c. **Escorted public transport** - It may be possible for a pupil to travel on public transport if they have some assistance. Where parents are unable to accompany their child, the Council may provide a Pupil Escort.

- d. Transport vehicles** - In exceptional circumstances the Council may provide a vehicle to transport a child to and from school. Vehicles and drivers are provided by a suitably qualified, registered, commercial provider working to contractual standards set by the Council.

Whenever possible, pupils will travel together in mini-buses. These will be specially adapted to meet the needs of those pupils travelling on them. Each route will be planned on the basis of school start and finish times and the shortest possible route for all children travelling on a particular vehicle.

Pupils will be picked up and dropped off at a convenient location, within a reasonable distance from their home, in many cases from recognised bus stops.

- e. Home pick up** - A home pick up and drop off will only be made where it is deemed essential due to the child's significant needs.
- f. Taxis and private hire vehicles** - Under very exceptional circumstances the Council may transport pupils in separate taxis or private hire vehicles based on the assessed needs of the child.
- g. Provision of Pupil Guides** - A pupil escort may be provided to accompany a pupil to school whether using public transport or on Council provided transport. Pupil Guides will only be provided where they are necessary for the safe operation of vehicles and/or the care of children.