

# Home to School Transport Policy 2015-2016



Transport for mainstream pupils: primary and secondary aged pupils

Post-16 transport

Transport provision for special circumstances

Transport for pupils with special educational needs (SEN)

# Contents

<b>Introduction .....</b>	<b>1</b>
<b>Section 1</b>	
Transport for mainstream pupils	
Primary and secondary aged pupils .....	1
<b>Section 2</b>	
Post 16 Transport .....	4
<b>Section 3</b>	
Transport provision for special circumstances.....	4
<b>Section 4</b>	
Transport for pupils with Special Educational Needs (SEN).....	4
<b>Section 5</b>	
General .....	6

## Introduction

This document sets out Sandwell Metropolitan Borough Council's policy and criteria for providing home to school transport. It sets out the circumstances in which Sandwell will provide free home to school transport, and what transport services are available.

The policy is determined in accordance with the relevant provisions of the Education Act, 1996 particularly Sections 444 and 509, amended by the Education & Inspections Act 2006, and will be updated as necessary in line with new legislation and guidance.

Where reasonably possible and in line with Government legislation, the LA will endeavour to offer school places within reasonable access of pupils' homes. In planning school places, the Authority will take account of the accessibility of provision in order to:

- help ensure reasonable journey times for pupils;
- enable as many pupils as possible to walk (or cycle) to and from school and reduce the number of car journeys in line with the Authority's sustainable school travel strategy and commitment to protecting the environment.

Sandwell Council aims to provide appropriate safe, efficient and cost effective transport to those pupils who qualify under this policy, and every effort will be made to ensure that this is maintained.

## Section 1: Transport for mainstream pupils Primary and secondary aged pupils

### **Pupils in receipt of Free School Meals (FSM) or Maximum Working Tax Credits (WTC)**

Pupils will qualify for free home to school transport if:

- they are in receipt of FSM or their family is in receipt of the maximum WTC; **and**
- they are a Sandwell resident; **and**
- they are aged between 8 and 11 years **and** living between 2 and 3 miles of their nearest appropriate school; **or** are
- 11-16 years **and** attend any of three suitable secondary schools closest to their home, where these schools are more than two but no more than six miles away; **or**

- 11-16 years **and** live more than 2 but no more than 15 miles away from their school where this is the **nearest** suitable school preferred on grounds of religion or belief.

### **Pupils not in receipt of FSM or Maximum WTC**

Pupils who are not in receipt of FSM or the maximum working tax credit will qualify for free home to school transport if:

- They are a Sandwell resident; **and**
- They are aged 5-8 years of age and live more than 2 miles from their **nearest** appropriate school; **or**
- They are aged 8–16 years and live more than 3 miles from their **nearest** appropriate school.

For pupils who are not in receipt of FSM or maximum WTC attending **denominational schools**, Sandwell provides discretionary free home to school transport where:

- the pupil is a Sandwell resident; **and**
- the school is more than two miles from the pupil's home, for pupils of compulsory school age, between the ages of 5- 8 years; **or**
- more than three miles from the pupil's home, for pupils between the ages of 8 and the end of the academic year in which they reach 16; and
- is attending the school in which the religious education provided is that of the religion or denomination in which the pupil has been baptised; **and**
- is the **nearest** appropriate school (in terms of age range and denomination) to the pupil's home.

### **For all pupils:**

- Distances for the assessment of travel distance are measured according to the shortest available walking route and may include footpaths and rights of way.
- Where a pupil is entitled to transport it will be provided to and from school, but not during the school day e.g. at lunchtime
- Where transport is provided it will be from reasonably near home to reasonably near school, using the **most cost effective** means and may include local bus or rail services.
- The authority will try to ensure that the total journey times do not exceed 45 minutes (one way) for a child under 8 years of age, or 1 hour and 15 minutes (one way) for a child of secondary school age.

- Transport will be provided to entitled pupils until the end of the academic year in which the child attains 8 or 16 years, and from the start of the term in which your child attains 5. Transport is not generally provided to children under 5 who attend on a part time basis.
- The **nearest appropriate school** is the **geographically** closest school that has a place (usually at the time of admission) and may be a school in a neighbouring Borough.
- If your child has a place at the Sandwell Academy, or a place at Wood Green Academy or Oldbury Academy as a result of the child's abilities in the Academies' specialist subjects then this is their nearest appropriate school.

### Exceptional Circumstances

In exceptional circumstances transport may also be provided if the available walking route is unsafe, even for a child accompanied as necessary taking into account the age of the child and nature of the route. Such applications will be considered on an individual basis.

### Change of Address

Travel assistance will normally only be provided at the time of removal irrespective of whether the school is located within Sandwell or another Authority providing that all the following criteria are met.

- (a) The pupil is in Year 10 or Year 11.
- (b) Transfer to a school closer to home is impractical because of syllabus requirements.
- (c) The distance between home and school by the shortest available walking route is 3 miles or greater.

### Parental Preference

The Council recognises its obligations under the Education Acts to comply with parental preferences regarding choice of school.

However, (other than where a student is aged 11-16 years and in receipt of maximum WTC or FSM and chooses one of 3 nearest schools between 2 and 6 miles **or** a denominational school up to 15 miles) parents choosing a school further away from their home than the nearest appropriate school available will be responsible for arranging transport between home and school and meeting transport costs.

### Medical Cases

Pupils requiring temporary provision due to medical need e.g. broken legs etc, may be referred for consideration for transport provision by their Consultant or General Practitioner.

For transport to be considered by the LA the pupil's parents/carers must be in receipt of Income Support or Job Seekers Allowance, and will be responsible for providing proof of such.

Transport provision will be reviewed regularly and will be provided only for the duration of the medical need. For further details contact 0121 569 8227.

## **Section 2:**

### **Post 16 Transport**

Transport for Post 16 mainstream students was withdrawn from September 2011. Post 16 Students are advised to contact their education provider about access to the 16-19 Bursary Fund.

Transport for SEN Post 16 students was withdrawn from 1<sup>st</sup> November 2014. The Local Authority no longer provides travel assistance for new applications by students attending FE colleges or Independent Specialist Providers. Students are advised to contact their education provider about access to the 16-19 Bursary Fund.

## **Section 3:**

### **Transport provision for special circumstances**

In normal circumstances pupils who are placed in the nearest appropriate educational provision which is at a special unit or a non-school site, will be expected to make their own way to school.

However, in special circumstances it may be appropriate for the Service Manager responsible for the placement (e.g. Pupil Referral Service) to consider whether free home to school transport or a free bus pass should be provided.

## **Section 4:**

### **Transport for pupils with Special Educational Needs (SEN)**

Sandwell MBC recognises the responsibility of all parents/carers to ensure that their child attends school regularly. In addition, parents/carers are responsible for the safety of their child on the journey to school and to meet any travel costs. Every parent/carers is also responsible for helping their child to develop the skills and confidence for independent travel to and from school. Most school pupils do not require any help from the Local Authority.

If transport assistance is necessary, the Local Authority will arrange transport assistance in the most cost effective way bearing in mind the reasonable needs of the child. This is at the discretion of the Director of Children's Services and may be by minibus, taxi, the issuing of a bus pass or other appropriate means.

- Transport assistance will be provided for a child with SEN of statutory school age when the school recommended by the Local Authority is beyond the statutory distance of the Local Authority policy (see section 3).
- Transport assistance may be provided for pupils who do not meet the statutory distance criteria above of the Sandwell MBC transport policy on the following grounds:
  - Physical, sensory or medical need following advice from a medical officer
  - All children with significant special needs (with or without statements of SEN) will be considered carefully for transport assistance at the time of assessment. The Local Authority will have regard to the following factors:
    - The age of the pupil
    - Whether the walking route is appropriate for the pupil
    - The Special Educational Needs of the pupil
    - Whether the pupil has physical, medical or social communication difficulties that would exclude them from using public transport
    - Whether suitable public transport is not available (e.g. specialist seating, wheelchairs etc.)
    - Whether the pupil may be vulnerable and at risk of danger if they use public transport
    - Whether the pupil would be a danger to drivers, other passengers and the vehicle if using public transport
    - The efficient utilisation of resources
    - Any other individual circumstances

***The above list is for guidance only, and satisfaction of one or more of the criteria does not automatically allow entitlement of transport assistance.***

**NB** Eligibility for transport assistance is based upon the needs of the child and the Local Authority does not take into account family circumstances when making decisions.

Please refer to the [SEN Transport Policy](#) for further details on the assessment process and the appeals procedure.

## Section 5: General

### **Criminal Background Checks and Identity Badges**

Criminal background checks are undertaken on all drivers and escorts used to provide home to school transport for pupils using contracted vehicles and are undertaken prior to them being employed on home to school runs.

Following a satisfactory check an identity badge will be issued by the LA which must be worn at all times as proof of approval to undertake this work. Any concerns regarding drivers and/or escorts who fail to wear their badges must be reported to either the school or the Passenger Transport Unit (PTU – 0121 569 8161).

### **Behaviour**

In the provision of a transport service, staff and service users can expect fair and equitable treatment. Harassment of any form will not be tolerated.

Abuse and violence of/to staff and/or service users or damage to vehicles will not be accepted.

Pupils' behaviour while in transit which results in any of the above may result in that pupil's transport being withdrawn and/or charges for damage being passed on to those responsible.

The Authority may refuse to transport pupils displaying aggressive or dangerous behaviour, other than where this is symptomatic of the pupils identified special need e.g. challenging behaviour, Autism Spectrum Disorder, etc.

### **Complaints**

The Monitoring Officer for Home to School Transport is responsible for receiving and investigating complaints from schools, parents or pupils regarding home to school transport provided by private vehicle operators. Concerns can be raised through the school or direct to the Passenger Transport Unit (PTU – 0121 569 8161).

### **Appeals (none SEN)**

Officers assess all applications for travel entitlement against the current Home to School Transport Policy. Parents are advised in writing of the outcome within 10 working days from receipt of their original application. If a parent disagrees with the decision then the following becomes applicable:



### **Stage One**

Unsuccessful applicants may ask for their decision to be reviewed by a senior officer, by putting their request in writing highlighting the relevant part of the policy that they feel has not been adhered to also stating the reason for the appeal within 20 working days from receipt of their original refusal to:

#### **Senior Officer**

Education Benefits and Transport  
Sandwell Metropolitan Borough Council  
P O Box 16230, Sandwell Council House  
Freeth Street, Oldbury, B69 9EX

Once received, the senior officer will review the original travel application and the home to school transport decision and reply within 20 working days. If this response is deemed unsatisfactory then you may take your concerns further to stage two.

### **Stage Two**

You now have 20 working days from receipt of the senior officers stage one decision to make a written appeal; this request will then be heard by an independent appeals panel. A response will be sent to you within 20 working days from receipt.

#### **Ombudsman**

After stage two, if you feel that the local authority have failed to comply with the appeals procedures or if there are any other irregularities in the way your appeal was handled then you may complain to the Local Governments Ombudsman at [www.lgo.org.uk/forms](http://www.lgo.org.uk/forms) .