



**UNDER-16 HOME TO SCHOOL
TRANSPORT POLICY**

2017/18 ACADEMIC YEAR

DRAFT

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ABBREVIATIONS AND ACRONYMS

CFCS – Children, Families and Cultural Services

EHCP – Education, Health and Care Plan

ICDS – Integrated Children’s Disability Service

ITT – Independent Travel Training

Parents/carers – Includes single parent/carer and child guardian(s)

SEN – Special Educational Needs

SEND – Special Educational Needs and Disability

TTS – Nottinghamshire Transport and Travel Services

1. INTRODUCTION

This policy sets out Nottinghamshire County Council's provision of school transport services and travel assistance for school aged pupils. It sets out the criteria for eligibility for travel assistance, how parents/carers may apply, how decisions are made, the type of assistance that may be available and how parents/carers may appeal against decisions they are unhappy with.

The Home to School Transport policy of Nottinghamshire County Council will operate within the aims and objectives of the County Council's Strategic Plan and the Children, Families and Cultural Services Plan and ensures that the Council fulfils its statutory obligations for transporting pupils to school. However, it is still the legal responsibility of parents/carers to ensure the attendance at school of their children who are of compulsory school age.

Within this context, the aim of the policy is to provide a quality transport service as efficiently and economically as possible, designed to ensure that pupils get to school within a reasonable time and travel in a safe and stress free environment. The policy will have regard to the school admission arrangements within the County.

This policy can be viewed in conjunction with the following;

- Nottinghamshire Strategic plan 2014–2018
www.nottinghamshire.gov.uk/council-and-democracy/plans-policies-and-assessments/council-plans-and-policies/strategic-plan-2014-2018
- Nottinghamshire Sustainable School Travel Strategy 2015
www.nottinghamshire.gov.uk/learning/schools/schooltravel
- Nottinghamshire Post-16 Transport Policy 2017/18 academic year
www.nottinghamshire.gov.uk/learning/schools/schooltravel/post-16-travel-assistance

This policy is compliant with the duties and powers of local authorities set out in the Education Act 1996 and the Education and Inspections Act 2006. It applies to all admissions to schools on and after 1 September 2017

TRAVEL ASSISTANCE TO QUALIFYING SCHOOLS

2.1 Entitlements to Home to School Transport

The offer of a school place does not give a guarantee of home to school transport assistance from the Council. Parents/carers have a right to express a preference for a school other than their catchment school (see part 7.2). This is commonly known as a preferred school. However this does not automatically carry with it the right to assistance with home to school transport.

In Nottinghamshire, provision is made for eligible pupils attending their catchment or nearest available school. In addition to this, the Council provides additional support to low income families. Schedule 35B of the Education Act 1996 (inserted by the Education and Inspections Act) includes an extension of rights to free school travel arrangements for pupils in low income groups, i.e. those entitled to free school meals and those whose families are in receipt of maximum level of Working Tax Credit.

2.2 Summary of entitlements

2.2.1 Pupils aged four years old in full time education

Pupils aged four years old in full time statutory education are entitled to free transport to their nearest qualifying (catchment area) school from the start of the academic year in which they become five, if that school is two miles or more from home. Free transport to a preferred school is only available if that school is two miles or more from home and closer than the catchment area school

2.2.2 Pupils Aged 5–7 years

Pupils of compulsory school age who are under the age of eight are entitled to free transport to their nearest qualifying (catchment area) school if it is two miles or more from home. Free transport to a preferred school is only available if that school is two miles or more from home and closer than the catchment area school

2.2.3 Pupils aged 8–11 years

Pupils aged between eight and eleven are entitled to free transport to their nearest qualifying (catchment area) school if it is three miles or more from home. Free transport to a preferred school is only available if that school is three miles or more from home and closer than the catchment area school

2.2.4 Pupils aged 11–16 years

Pupils of secondary school age 11–16 are entitled to free transport to their nearest qualifying (catchment) school if that school is three miles or more from home. Free transport to a preferred school is only available if that school is three miles or more from home and closer than the catchment area school

2.2.5 Pupils aged 8–11 years in low income groups

Pupils aged between eight and eleven from low income families are entitled to free transport to their nearest qualifying (catchment area) school if that school is two miles or more from home. Free transport to a preferred school is only available if that school is two miles or more from home and closer than the catchment area school

2.2.6 Pupils aged 11 – 16 years in low income groups

Pupils of secondary school age from low income families are entitled to free transport to one of the three nearest qualifying schools (catchment or preferred) between two and six miles from their home

2.2.7 Pupils aged 5 – 11 attending schools on grounds of religion or belief

Pupils of primary school age from low income families attending the nearest suitable school preferred on grounds of religion or belief are eligible for free transport where the school is between two and 20 miles from their home (see section 5.4.4 for details.)

Pupils of primary school age attending the nearest suitable school preferred on grounds of religion or belief but not eligible for free transport are eligible for subsidised transport where the school is between two and 20 miles from their home (see section 5.4.4 for details)

2.2.8 Pupils aged 11 – 16 attending schools on grounds of religion or belief

Pupils of secondary school age from low income families attending the nearest suitable school preferred on grounds of religion or belief are eligible for free transport where the school is between two and 25 miles from their home (see section 5.4.4 for details)

Pupils of secondary school age attending the nearest suitable school preferred on grounds of religion or belief but not eligible for free transport are eligible for subsidised transport where the school is between two and 25 miles from their home (see section 5.4.4 for details)

2.2.9 Transport eligibility when school year repeated

Pupils who would ordinarily be eligible for transport support and who repeat a year in school will retain that transport eligibility whilst in that particular phase of education

2.2.10 Travel Assistance to Preferred Schools

Parents/carers have the right to express a preference for a school other than the catchment area school and this is known as a 'preferred school.' School age pupils up to seven years of age, attending a preferred school, will be

eligible for free transport if that school is two miles or more from home and closer than the catchment area school. Pupils aged 8–16 will be eligible for free transport if that school is three miles or more from home and closer than the catchment area school. The Home to School Transport Policy does not make any additional free travel provision for pupils to attend preferred schools.

A discretionary travel scheme for secondary age pupils attending a preferred school was in operation from September 2011 until August 2014. The roll-out of the scheme has now ceased. Qualifying children and young people currently within the scheme will continue to benefit from free travel until they reach the end of Year 11

2.2.11 Cases where there will not normally be an entitlement to transport:

1. To access breakfast or after-school clubs, including out of school activities
2. To work experience, taster or open days, or transition visits
3. To provision off the school site organised by the school
4. For transfers between educational establishments during the school day
5. To and from temporary addresses, including friends and child minders, where these arrangements are made by the family
6. To and from medical appointments
7. Following detention
8. At times to suit the convenience of family arrangements
9. At times when other siblings in the family have to be taken to other schools
10. For late arrival or early departure, for example due to illness or medical appointments
11. For shorter than normal days e.g. during the exam season
12. For a child whose level of attendance is a cause of concern, but for whom no eligibility criteria are met
13. For students on exchange visits
14. Where the behaviour of a young person is not acceptable to the driver of the vehicle and places other travellers at risk. In these circumstances parents will be required to make alternative arrangements.

3. ADDITIONAL TRAVEL ARRANGEMENTS AND ENTITLEMENTS

3.1 Pupils with Special Educational Needs and Disabilities

See Appendix A

3.2 Children looked after by Nottinghamshire County Council

See Appendix B

3.3 Pupils not on a school roll

Pupils not on a school roll whose education is the responsibility of the County Council, either through a permanent exclusion or other circumstances, will have an alternative provision placement commissioned by the County Council. In these cases this placement will be classed as their designated school and the criteria for transport eligibility in Section 2 of this policy will apply.

3.4 Long fixed-term exclusions

For fixed-term exclusions beyond five days the school governing body is responsible for arranging full-time education provision. The County Council is responsible for meeting any resulting transport costs, e.g. if the pupil receives education at an alternative school site/learning centre.

3.5 Admission of pupils aged under 16 to Colleges of Further Education (CFE)

Where a pupil of statutory school age attends a College of Further Education, travel assistance will only be considered where the County Council determines that the college should be treated as the qualifying institution. The criteria for transport eligibility in Section 2 of this policy will apply.

If the pupil's previous school has directed the attendance at a CFE, then that school is expected to pay travel costs.

Placements determined by the school or parents/carers will be treated as preference decisions and no assistance will be offered by the County Council.

Applications for travel assistance should be sent to TTS.

3.6 Travel entitlements for pupils identified with Social, Emotional and Mental Health needs (SEMH)

See Appendix C

4. DISCRETIONARY PROVISION AND EXEMPTIONS FROM POLICY

4.1 Moving home and temporary accommodation

A pupil attending the qualifying secondary school who moves in the last two years of their compulsory secondary education will continue to receive assistance if they remain at this school. The criteria for transport eligibility in Section 2 of this policy will apply, but will be restricted to a maximum travelling distance of eight miles or 45 minutes travelling time between the home and school.

Where parents/carers insist on a child attending a school to which the journey time exceeds these limits, the County Council will not be responsible for making, or meeting the cost of, travel arrangements.

The last year(s) of education will be deemed to begin on 1 September of the year in question. Therefore those who move during the summer holidays before 1 September will not receive assistance.

Children of families who have to move into temporary accommodation for reasons outside their control may be eligible for travel assistance to the original qualifying school for up to a maximum of six months from the time of the move. Assistance will be restricted to a maximum travelling distance of 25 miles and travelling time of 75 minutes.

Assistance is not provided where parents/carers go abroad for extended periods and their children are cared for at an alternative address.

4.2 Managed moves

Where, following a managed move, a pupil is admitted to an alternative school, then, subject to the advice of the Authorising Officer, the school shall be regarded as the qualifying (designated) school for determining travel assistance. In normal circumstances, the Authorising Officer should pursue placement at the nearest qualifying school to the home address. A suitable school would be the nearest one at which the pupil could continue his/her education, removed from any influences which could jeopardise his/her chance of success. If the parent/carer elects to send their child to an alternative school, that school will be treated as a preferred school for travel assistance purposes unless it is closer than the school designated by the Authorising Officer and is over the walking distance.

4.3 Bullying

Some parents/carers change their child's school on the grounds of bullying in the qualifying school. The new school will normally be regarded as a preferred school with regard to travel assistance arrangements. In exceptional circumstances where there is evidence that a supported move has been agreed by the County Council, the Authorising Officer may deem that the new school attended will be considered to be the qualifying school for travel assistance purposes, providing it is the nearest suitable school.

A suitable school would be the nearest one at which the pupil could continue his/her education, removed from any influences which could jeopardise his/her chance of success. If the pupil was originally in a preferred school, then the new school would still be classed as preferred for travel assistance purposes, unless it is the qualifying school for the home address.

4.4 Single parents/carers and dual parental homes

No exemptions from the standard assessment criteria will be given to children with only one parent/carer.

For children whose parents/carers no longer live at the same address, it must be decided by the parents/carers which home is their chosen address for

travel assistance purposes. This will normally be the address at which the child spends three or more school nights (Sunday–Thursday). Assistance to both homes will not be provided.

4.5 Pupils on exchange visits

Travel assistance is not available for pupils on exchange visits and parents/carers of the receiving family are responsible for any transport arrangements for the journey to and from the school/college.

However, authorisation may be given by TTS for pupils on exchange visits to travel on contracted services where seats are available. Head teachers must first establish whether there are seats available by contacting TTS who will advise accordingly. If authorisation is given, a temporary travel permit (TA10) will be issued. The head teacher should submit a list of pupils' names and visiting addresses to TTS. A charge will be made to exchange visit pupils who are allowed a place on a contract service.

4.6 Post-16 students

Students enrolling at a school sixth form or a college of further education may take advantage of subsidised fares under the Nottinghamshire Post-16 Transport Policy, which can be found at:

www.nottinghamshire.gov.uk/learning/schools/schooltravel/post-16-travel-assistance

5. PROVISION OF TRAVEL ARRANGEMENTS

5.1 Measuring the statutory distances

In most cases distances are measured from the home address to school, gate to gate, using the shortest available walking route. Walking routes and availability of walking routes are defined in part 7.7.

In the case of low income groups the minimum statutory distances are measured by using the shortest available walking route. Distances above that are measured by using the nearest route accessible by a vehicle.

Where there is a change to the walking route (i.e. the building of a new road or path), which brings the home to school distance within the prescribed distance, pupils will no longer be entitled to free transport. This change will affect all children after parents/carers have been provided with a reasonable period of notice, normally one term.

5.2 Walking distance exemptions

In some circumstances pupils living within the available walking distance limits and attending the qualifying school may be eligible for free travel. The circumstances in which free travel may be considered are:

5.2.1 Special Transport Needs

The pupil has a special transport need that requires the provision of transport for them to access and attend school. The special transport need is assessed by the County Council, drawing upon medical and other professional advice, as required. A special transport need may arise where the pupil:

- Lives within the walking distance but is unable to walk or travel safely to school accompanied by a parent/carer.
- Is unable to use public transport when accompanied by a parent/carer.

5.2.2 Medical Grounds

Transport may be provided for pupils who meet the eligibility criteria in Section 2 of this policy and who are temporarily incapacitated and unable to walk to or from school.

Parents/carers should complete form MTA1 and submit it with a certificate or letter from the hospital or their family doctor stating that the child requires the provision of transport to enable them to access school. The authorisation should state specifically why the child is unable to travel to school accompanied by their parent/carer and for how long the assistance is required.

5.2.3 Disability of parents/carers

Parents/carers are expected to take reasonable steps to ensure their child gets to school. Travel assistance may be considered where the parent/carer has a disability which prevents them from doing this. Parents/carers should obtain a certificate or letter from the hospital or their family doctor stating specifically why they are unable to accompany their child to school.

5.2.4 Exceptional Circumstances

Exceptional circumstances will be determined on a case by case basis by the Transport Policy and Engagement team in TTS

5.3 Home to bus stop/bus stop to school walking distance

Pick-up and set-down points are made as near to home and school as possible bearing in mind road safety issues and the length/time of the journey. Pupils are expected to walk up to one mile from door to bus stop or from bus stop to school, or a combination of distances totalling not more than one mile in either direction each day. Pupils may be exempted from this on the

recommendation of the family doctor, other appropriate medical professional or educational specialist.

No dispensation will be made for parents/carers who are working at the time their children travel to and from school. Parents/carers are expected to make other suitable arrangements for someone else to accompany their children as necessary.

5.4 Types of travel assistance

The aim of the policy is achieve best value in providing a quality transport service as efficiently and economically as possible, designed to ensure that pupils get to school within a reasonable time and travel in a safe and stress free environment.

The County Council provides for a return journey to/from home to school/college at the beginning and end of each official school/college day. Part 2.2.11 sets out instances when transport will not normally be provided.

Arrangements for travel assistance may take one of the following forms:

5.4.1 Free pass

A free travel pass will be issued where pupils qualify for free travel under the criteria in Section 2 of this policy. The pass will allow one return journey on school days only, on specified services between specified points.

5.4.2 A discounted season pass

If free travel is not an entitlement, but space is available on buses contracted by the County Council, a pass may be purchased by the parent/carer. The price of this pass is calculated from the published fares tables, with a discount applied. Where the season pass is for short distance travel to a qualifying school, the discounts are higher. In some cases TTS may be able to offer a season pass on commercially operated bus routes.

Please see Section 6.5 about withdrawal of bus services for fare paying passengers.

5.4.3 A grant in lieu of free travel

In exceptional circumstances a grant will be given in lieu of a travel pass:

- If there are no suitable transport services available to the qualifying school, or if the distance from home to the nearest bus stop is greater than one mile by the shortest walking route, a grant equivalent to the 'public transport rate' is payable, provided that the pupil qualified for free travel in accordance with the walking distance criteria (see section 2)

- Grants will only be made where no local transport exists and/or where the grant payment provides best value for money for the County Council.
- The grant is based on the distance of two return trips per day using the 'public transport rate' as the basis of calculation. Distance is measured along the shortest route taken by the vehicle.
- A grant in lieu of free travel will only be backdated to the start of the academic year in which the application is made.
- A grant in lieu of a free pass will be given to only one member of a family at any one time, where a sibling is attending the same school or site. Where a sibling is attending a different school on a different site, a grant will be paid for the total mileage.
- If a 'preferred' school is both nearer than the qualifying school and over the walking distance the grant provision applies.

5.4.4 Transport assistance for pupils attending a school on the grounds of religion or belief.

Assistance with transport will be by means of a travel pass at a subsidised rate to the nearest suitable school by school bus or local bus, tram or train service on payment of the appropriate contribution from parents/carers. These charges are subject to annual review.

The following detailed criteria will apply:

- A parent/carer and child adhere to the religion or belief.
- In the case of admission on denominational grounds, the transport application is counter-signed by the Head Teacher confirming that the application was on the grounds of religion or belief. In cases where the application is on grounds of other philosophy or belief (see section 7.6) the application must be verified by the Transport Policy Development Officer.
- The pupil lives over the qualifying walking distance.
- The pupil lives within an area defined by a radius (measured from school to home in a straight line) of 20 miles for primary pupils and 25 miles for secondary pupils.
- The pupil can travel within the maximum travelling time criteria, using the available transport services of 45 minutes for primary pupils and 75 minutes for secondary pupils. Journey time is assessed by calculating the door-to-door time by use of public transport or the equivalent time it would have taken where no public transport exists and includes any

journey time to a pick up point, waiting time for connections and walking time from set down point to school.

Children from low income families meeting the criteria above are exempted from charges if they are entitled to free school meals or their parents/carers are in receipt of maximum level Working Tax Credit.

Where a family has three or more siblings attending schools on denominational grounds (up to age 16) only the two youngest children will be subject to a charge.

5.5 Escorts

Transport Policy Development Officer in consultation with TTS will undertake a risk assessment to determine whether it is necessary to provide escorts or other facilities (e.g. on-bus communication facilities) on any of the services provided.

5.6 Reviews of transport arrangements

Transport arrangements are subject to regular review to take account of pupils joining and leaving school. In addition, there is a legal obligation that transport contracts are periodically re-tendered (generally every 2-3 years) to achieve Best Value

6. APPLYING FOR TRAVEL ASSISTANCE

6.1 Applying for under-16 travel assistance

Applications should be sent to Nottinghamshire Transport and Travel Services at Trent Bridge House.

All applications should be made on form TA1 which contains full details of travel assistance. Forms can be obtained from schools, Nottinghamshire Travel and Transport Services or a copy can be down loaded from the Nottinghamshire County Council Web Site, link given below.

www.nottinghamshire.gov.uk/learning/schools/schooltravel

Parents/carers should complete section 1 of the TA1 form. It must be stressed that applications for travel assistance made on behalf of secondary age pupils must be accompanied by a current photograph, as this is necessary for the travel pass.

If assistance is being sought on the grounds of religion or belief the form must be sent via the head teacher so that he/she can certify the form appropriately. The form should then be sent to TTS at Trent Bridge House for assessment of travel assistance.

Parents/carers will be notified in writing of the level of assistance awarded together with details of the relevant transport arrangements. If the application does not generate free travel, the opportunity to purchase a season ticket and its cost will be advised by TTS. Season passes can be purchased annually or in three instalments.

The travel pass will normally be sent to the home address or school.

Please see Section 6.5 about withdrawal of bus services for fare paying passengers.

6.2 Replacement passes

An application for a replacement pass should be made by the school on form TA12. Replacement will be subject to an administration fee of £10.

An application for a replacement pass because the pass contains incorrect information should be sent with form TA13. The new pass will be issued free of charge.

An application for a pass to be changed to enable use on a different vehicle / boarding point should be sent with form TA13. Replacement will be subject to an administration fee of £10

6.3 Lost/stolen passes

Passes that have been lost or stolen can be replaced on payment of an administration fee of £10. In the case of pupils eligible for free travel, a temporary pass (TA10) is available. For the replacement of passes not issued by TTS the full cost of replacement must be borne by the parents/carers, unless a locally arranged alternative scheme exists.

6.4 Provision and organisation of school transport services

6.4.1 Provision of Services

The arrangements for providing transport will be made in accordance with the requirements of the Education Acts 1996, 2002, the Education and Inspections Act 2006 and the Transport Acts 1985 and 2000.

The County Council will endeavour to ensure the safe movement of pupils and will coordinate exclusive school transport journeys and local bus services to ensure best value for money is achieved, in particular with respect to efficiency, effectiveness and economy (Transport Act 2000 s152).

6.4.2 Transport requirements

TTS will determine the level of service, vehicle type and seating capacity requirements. A continuing review of the services provided will be made to ensure that the travel needs of pupils are adequately met. Services will be organised as appropriate allowing for:

- The regulations relating to the provision of passenger transport services.
- The school or college session times, provided that the appropriate statutory procedures required have been followed. Head teachers, Principals and Governing Bodies are requested to consult with the transport departments as soon as possible on proposed changes to session times, so that the effect of any change can be assessed. Advice will be given on whether the change can be accommodated within the transport network, the likely cost implications, and any subsequent effects on other establishments and the local community as a result of the change.
- The fact that it is desirable in the interests of safety and comfort to provide a seat for each pupil. Legislation permits children under 14 to be seated three to each double seat on buses not equipped with seat belts. This arrangement will only be used to cope with a marginal excess of numbers above the available seating capacity. Children who reach the age of 14 during a school year are deemed to be less than 14 years of age until the last day of August following their 14th birthday.
- The need to give appropriate notice to head teachers, parents/carers and other interested parties regarding proposed changes to the transport network.
- The need to monitor the services and deal with complaints as soon as possible to ensure that an efficient and reliable service is provided.
- Environmental and sustainability issues.
- Equal opportunities and social inclusion.

6.5 Withdrawal of bus services for fare paying passengers

Subject to ensuring that statutory requirements are met in the most appropriate manner, no long term commitment is given by Nottinghamshire County Council to sustain transport for fare paying passengers. If spare places are required by pupils for whom there is a statutory responsibility, or should it no longer be necessary to provide the transport for statutory purposes, then fare payers' facilities may be withdrawn for which five days' notice will be given.

6.6 Information to schools, colleges and transport operators

When appropriate, TTS will issue notes of guidance to all head teachers, regarding school transport services, which will provide information relating to school closures, accidents and poor operation. The guidance will also include information relating to transport operations for pupils with special educational needs.

When appropriate, notes of guidance will be issued to all transport operators by TTS to assist them in the operation of school transport services and the procedures for checking of travel passes and dealing with emergencies and behaviour.

6.7 Discipline on school transport services and misuse of travel passes

6.7.1 Guidance

Guidance notes to parents/carers and pupils are sent either on the issue of a travel pass or on admission to special schools. Transport operators are issued with guidelines regarding discipline on journeys but retain the right to refuse to transport any pupil who breaches the passenger service vehicle regulations regarding conduct of passengers.

The Education and Inspections Act requires head teachers to determine what measures should be taken to promote self-discipline among pupils and encourage positive behaviour and respect for others, including the prevention of bullying. Head teachers must make and publish rules and decide on penalties for unacceptable behaviour.

6.7.2 Procedures

Except for serious incidents of indiscipline (which will be dealt with on an individual basis) the following procedures will normally apply:

- TTS, after consultation with the head teacher will advise parents/carers by direct contact or letter of the incident which occurred and issue a warning.
- If the problem continues a letter will be sent from TTS as appropriate advising parents/carers that the travel pass or transport facility will be withdrawn.
- In the event of further difficulties the travel pass (including free pass) or transport facility may be withdrawn for a period defined in a letter to the parents/carers. The parents/carers will be required to make their own transport arrangements during the suspension period. The transport operator will be informed of the action taken.

6.7.3 Misuse of passes

If a pass is withdrawn by an operator because of misuse, the incident will be investigated and a report sought from the school or college. Pupils will be responsible for the payment of fares during the period a travel pass is withheld because of misuse. At the same time a letter will be sent by TTS informing parents/carers of the actions of the County Council.

6.7.4 Boarding passes

In the event of disciplinary or capacity problems on a local bus service which conveys pupils who do not qualify for free travel, it may be considered necessary to introduce a condition that only pupils in possession of a boarding pass will be permitted to use the service.

A decision to introduce a boarding pass scheme will be made in consultation with the bus operator and head teacher.

Boarding passes for any new scheme will be produced by TTS and will be issued free of charge. Replacement passes will be dealt with under normal pass replacement procedures.

6.7.5 Reimbursement for travel for pupils banned from the bus

Whilst it is the parents/carers responsibility to ensure school attendance during any ban, reimbursement of bus fares or expenses at the public transport rate may be available. Such requests should be referred to TTS.

6.8 Review of transport decisions

A parent/carer has the right to a review of a decision if they believe that the County Council has assessed their entitlement to free transport incorrectly.

Stage one: officer review

The request for review should be set out on form TA2, which specifies four categories

- the distance measurement in relation to the statutory walking distances;
- the safety of the route;
- the transport arrangements offered;
- their child's eligibility;

Stage one appeals against a transport decision will be considered independently from the original decision by the Transport Policy and Engagement Assistant. When a decision has been reached, the parent/carer will be sent a detailed written notification of the outcome of the review. This will explain the rationale for the decision reached and explain how, if they wish to do so, the parent /carer can request their case be taken to stage two of the appeal process.

Stage two: Transport Review Panel

A parent/carer has 20 working days from receipt of the local authority's stage one written decision notification to make a written request for their case to be taken to stage two of the review process.

The Transport Review Panel members are independent of the original decision making process. This is to ensure an independent review taking into account the evidence provided by parent/carer, the home to school transport policy and any other exceptional information known by or presented to the Panel.

If a stage two appeal is unsuccessful, there is no further right of appeal within Nottinghamshire County Council. However if a parent/carer is dissatisfied with the way the appeal has been conducted they may complain to the Local Government Ombudsman. The Local Government Ombudsman has no statutory power to overturn the decision of the Panel but can draw the County Council's attention to any misadministration leading to injustice.

Should a review find in the parents/carers' favour, free travel will be backdated to when the original application was received by TTS or the start of the academic year in which the application is made, whichever is the latest.

7. DEFINITIONS

7.1 Qualifying Schools

- Community, foundation or voluntary schools
- Community or foundation special schools
- City Technology Colleges (CTC), City Colleges for the Technology of the Arts (CCTA)
- Academies
- Free Schools
- Independent non-maintained special schools

7.2 Catchment Area Schools

Every address in Nottinghamshire is in a 'catchment area' for a school and that school is generally referred to as the qualifying school for pupils living within that area. The catchment area is defined by streets or areas, or in the case of some junior and secondary schools, by the catchment area of their "linked schools."

Schools may publish an alternative geographical area in their admissions literature as their catchment. This will not be considered by Nottinghamshire County Council when assessing home to school transport entitlements. Entitlements will be assessed on the basis of the catchment area as defined by Nottinghamshire County Council.

Information about identifying your catchment school can be down loaded from the Nottinghamshire County Council Web Site, link given below:

<http://www.nottinghamshire.gov.uk/findmynearest>

7.3 Coterminous and Overlapping Catchment Areas

In the event of two or more schools having a coterminous or overlapping catchment area the nearer or nearest of the schools to the home address will be regarded as the designated catchment school for transport purposes.

7.4 Designated Schools

Nottinghamshire County Council may designate a school other than the catchment or nearest school as the qualifying school. This may be done either through a Statement of Special Educational Needs, an Education, Health and Care Plan or by an Authorising Officer of the County Council.

7.5 Preferred Schools

Parents/carers have the right to express a preference for a school other than the catchment area school and this is known as a “preferred school.”

7.6 Schools attended on the grounds of parents/carers religion or belief

‘Religion’ means any religion, and ‘belief’ means any religious or philosophical belief. References to “religion or belief” include references to lack of religion or belief. It therefore follows that this duty covers all religions and denominations, as well as philosophical beliefs.

7.7 Walking Routes and Availability of Walking Routes

The walking route is defined as the nearest available walking route between the home boundary gate and the nearest school gate. To be treated as a walking route the route must be available to be walked (accompanied as necessary by an adult) with reasonable safety – taking into account highway conditions only. Personal safety is a parental responsibility. TTS measures the distance involved and assesses availability against set criteria. Where statutory free travel is not automatically awarded an appeal process (TA2) exists and the case can be reassessed, at which time other factors may be taken into account (see part 6.8).

7.8 Low Income

The Education and Inspections Act 2006 places a duty on local authorities to provide free transport for some of the most disadvantaged children, which is defined as those eligible for free school meals or whose parents/carers are in receipt of the maximum level of Working Tax Credit.

Special Educational Needs and Disability Travel Policy

1. Legal Requirements and general responsibilities

- 1.1. The legal requirements relating to the general duty of a Local Authority to provide transport from home to school are contained within Section 509 of the Education Act 1996. The duty to consider the provision of free or assisted travel applies equally to pupils with or without Special Educational Needs (SEN) and Disabilities.
- 1.2. Some pupils with SEN and disabilities may require assistance with their travel to school. Wherever possible and appropriate, pupils with SEN and disabilities should be treated in the same way as those without, i.e. in general, they should walk to school, travel on public transport or be taken by their parents/carers. They should develop independent travel skills, which should be assessed at each annual review.
- 1.3. The County Council will determine the appropriate travel assistance provided in accordance with the eligibility criteria in Section 2 of the Home to School Transport Policy and the County Council's aim to provide best value.
- 1.4. Where pupils attend a school other than the catchment school as the qualifying (designated) school, travel assistance will be determined in accordance with Section 2 of the Home to School Transport Policy.
- 1.5. Where parents/carers choose to send their children to a preferred school, Section 2 of the Home to School Transport Policy will apply.
- 1.6. Travel assistance may be provided for a pre-school age child who has an Education, Health and Care Plan (EHCP). In such cases, assistance may be provided to nursery schools, nursery classes or units and pre-school playgroups.
- 1.7. Where special transport is provided this will normally be to and from a designated collection/drop off point located within one mile of the home address. A pick up and/or drop off at home will only be provided in exceptional circumstances; additional medical information may be required to support the request.
- 1.8. Where special transport is provided parents/carers are responsible for escorting their child to and from the vehicle at the designated collection/drop-off point. Where a parent/carer does not receive the child upon return from school, the child will be taken to a place of safety. Where a parent/carer consistently fails to deliver/receive their child at the pick-up/drop-off point at the agreed time, the provision of transport will be reviewed and may be withdrawn.

- 1.9. Home to school transport will only be provided at the beginning and end of the normal school day, except in exceptional circumstances
- 1.10. Transport arrangements are subject to regular review to take account of pupils joining and leaving school. In addition, there is a legal obligation that transport contracts are periodically re-tendered (generally every 2-3 years) to achieve Best Value

2. Qualification by distance from School

- 2.1. The distance criteria described in Section 2 of the Home to School Transport Policy apply equally to pupils with and without SEN and disabilities. There are, however, a number of walking distance exemptions.
- 2.2. Pupils living within the appropriate walking distance limits and attending the qualifying/designated school may be eligible for travel assistance if:
 - The pupil has a special transport need that requires the provision of transport for them to access and attend school. The special transport need is assessed by the County Council, drawing upon medical and other professional advice, as required. A special transport need may arise where the pupil:
 - lives within the walking distance but is unable to walk/travel safely to school when accompanied by a parent/carer
 - is unable to use public transport when accompanied by a parent/carer
 - There may be exceptional circumstances which require the provision of special transport. The Transport Policy and Engagement Team will consider any exceptional circumstances in individual cases.

3. Escorts

- 3.1 TTS will utilise the advice received from educational and medical professionals to determine whether it is necessary to provide an escort or other facilities.

4. Independent Travel Training (ITT)

- 4.1 The County Council operates the TITAN (Travel Independence Training Across the Nation) and details of the programme can be obtained from:

www.nottinghamshire.gov.uk/travelling/travel/itt/

All pupils/students will be enabled to undertake independent travel training unless they are assessed, by an officer of the Council and the pupil's school, as being unlikely to benefit from such training. Special transport provided by the County Council will not be available for pupils/students who are able but choose not to participate in the travel training programme.

Pupils/students who have successfully completed the ITT programme will be enabled to make their journey to school independently. Special transport will not be provided for these pupils/students unless their circumstances change significantly.

5. Residential Special Schools

- 5.1. Where the County Council has placed a pupil in a residential special school over statutory walking distance, parents/carers may be reimbursed at public transport rate to transport their children to and from the school at mid and full-term holidays, or as determined by the pupil's EHCP. Weekly boarders will be provided with travel assistance at the beginning and end of each school week. Where parents/carers do not have access to transport, or where it is more cost effective, transport will be provided by the County Council.
- 5.2. Where pupils attend a residential special school on a 52 week placement, transport is not provided. If assistance with transport is required, the social care worker allocated to the family should be contacted.

6. Pupils Aged 16 and Under Attending Colleges or Alternative Provision

- 6.1. For pupils aged 16 and under who attend college or other alternative educational provision on a full-time basis, eligibility for travel assistance will be assessed as follows:
 - If the placement has been made by a LA officer then travel assistance will be in accordance with Section 2 of the Home to School Transport Policy
 - If the placement is a parental choice, it is the responsibility of the parent/carer to provide transport.
 - If the pupils designated school has arranged educational provision off-site, the school will be responsible for arranging and funding any necessary travel.

7. Cases where there will not normally be an entitlement to transport

1. To access breakfast or after-school clubs including out of school activities
2. To work experience, taster or open days, or transition visits
3. To provision off the school site organised by the school
4. For transfers between educational establishments during the school day
5. To and from temporary addresses including friends and child minders where these arrangements are made by the family
6. To and from medical appointments
7. Following detention
8. At times to suit the convenience of family arrangements
9. At times when other siblings in the family have to be taken to other schools
10. For late arrival or early departure, for example due to illness or medical appointments
11. For shorter than normal days e.g. during the exam season

12. For a child whose level of attendance is a cause of concern, but for whom no eligibility criteria are met
13. For students on exchange visits
14. Where the behaviour of a young person is not acceptable to the driver of the vehicle and places other travellers at risk. In these circumstances parents will be required to make alternative arrangements.

8. Short Breaks/Respite Care

- 8.1. This is not covered by the Home to School Transport Policy. Transport requests should be made to Children's Social Care and Health.

9. Review of Transport Provision

- 9.1. Transport provision will be reviewed annually to determine whether the basis for entitlement has changed and whether the current nature of travel assistance provided remains appropriate.

10. Review of Transport Decisions

- 10.1 A parent/carer has the right to a review of a decision if they believe that the County Council has assessed their entitlement to free transport incorrectly.

Stage one: officer review

The request for review should be set out in a letter or email. This will be considered by the Transport Policy and Engagement Officer, who is independent from the original decision process. When a decision has been reached, the parent/carer will be sent a detailed written notification of the outcome of the review. This will explain the rationale for the decision reached and explain how, if they wish to do so, the parent /carer can request their case be taken to stage two of the appeal process.

Stage two: Transport Appeal Panel review

A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request for their case to be taken to stage two of the review process.

The Transport Review Panel members are independent of the original decision making process to ensure a balance is achieved between meeting the needs of the parent/carer, pupil and the County Council.

If a stage two appeal is unsuccessful, there is no further right of appeal within Nottinghamshire County Council. However if a parent/carer is dissatisfied with the way the appeal has been conducted they may complain to the Local Government Ombudsman. The Local Government Ombudsman has no statutory power to overturn the decision of the Panel but can draw the County Council's attention to any misadministration leading to injustice.

Should a review find in the parents/carers' favour, free travel will be backdated to when the original application was received by TTS or the start of the academic year in which the application is made, whichever is the later.

FINAL DRAFT

Protocol between relevant divisions in Children, Families and Cultural Services for the transportation of Looked After Children (LAC) to school

1. This protocol has been established in order to clarify the procedure for arranging the transportation of pupils of school age when in the public care of Nottinghamshire County Council.
2. The protocol is required in order to clarify the funding implications of a change of care placement. The aim is to ensure that continuity of school placement can be supported by sharing the cost (50/50) of transporting the pupil to school, between council services, i.e.: Children's Social Care and the Home to School Transport Policy budget.
3. Transport will normally be provided by foster carers or residential staff, who will be reimbursed (50/50). If appropriate, a bus pass will be arranged. If neither of these is possible transport will be arranged.
4. Children's Social Care responsibility for transport for a LAC when moving care arrangements is as follows:
 - To inform the Transport Policy and Engagement Assistant as soon as possible of the new care arrangements by completing a Looked After Child Home to School Transport 50/50 Transport Request Form
 - To monitor the care arrangements for the child
 - To make short term interim arrangements for transport, if necessary, as it can sometimes take up to 20 working days and sometimes longer dependant on contract requirements for the necessary long term arrangements to be made.
 - To inform the Transport Policy and Engagement Assistant of any subsequent changes to care arrangements by completing a Looked After Child 50/50 Transport Request Form
 - To try to reduce the number of moves of care for individual children
5. Transport and Travel Services' responsibility for transport for a LAC when moving care arrangements are as follows:
 - To assess the transport required for the pupil in conjunction with the Home to School Transport Policy.
 - To make permanent arrangements to transport the pupil to school if the care address is further than the statutory walking distance from school, i.e.
 - Two miles if the pupil is under eight years of age
 - Three miles if the pupil is eight years of age or over

- To agree with Children's Social Care a duration for travel assistance and reassessment timescale.
 - To aim to keep the transport arrangement delays to a minimum
6. Transport and Travel Services will set up the transport contract for the child and will make the necessary 50/50 funding arrangements between Children's Social Care and Transport and Travel Services for budget purposes.
 7. If a school is chosen by carers during a long term placement then entitlement to travel assistance will be assessed as per the home to school transport policy. If there is no entitlement, home to school transport will not be agreed. If Social Care wish to support travel to school this will be funded entirely from the Social Care budget
 8. An exception to the 50/50 agreement exists if a child is in Years 10 or 11. In these circumstances the Home to School Transport Policy budget will cover the whole cost of transport, as it would have done for any other child moving. This is restricted to a maximum travelling distance of eight miles or 45 minutes travelling time between home and school.

FINAL DRAFT

Travel Entitlements for Pupils identified with Social, Emotional and Mental Health needs (SEMH)

1. Home to School Transport in Nottinghamshire is provided for eligible pupils who meet the criteria as laid out in the Home to School Transport Policy. The policy sets out the Council's statutory duty to provide home to school transport to eligible pupils.
2. Pupils identified with Social, Emotional and Mental Health needs (SEMH) will be assessed for home to school travel entitlements using the same criteria against which all other children in Nottinghamshire are assessed. They will be awarded travel assistance in accordance with the Home to School Transport Policy and parents/carers will be expected to complete the same application forms and provide medical/professional evidence where required.
3. Some pupils identified with SEMH may require special transport arrangements. Wherever possible and appropriate, pupils with SEMH should be treated in the same way as those without, i.e. in general, they should walk to school, travel on public transport or be taken by their parents/carers. They should develop independent travel skills, which should be assessed at each annual review.
4. For clarification on implementation of the Policy the following educational placement scenarios for children with SEMH have been identified.

5. New School Place

- 5.1. Where a pupil is allocated a new school (not catchment) by a Local Authority (LA) Officer then the entitlement to home to school transport will be as per Section 2 of the Home to School Transport Policy. The new school will be treated as the designated school.
- 5.2. Where a parent/carer has decided to place their child at a new school this will be treated as a preferred school choice. The entitlement to home to school transport will be as per section 2 of the Home to School Transport Policy.
- 5.3. Where a child is placed at a new school without the authorisation of the LA then this also will be treated as a preferred school choice in relation to the entitlement of home to school transport assistance.

6. Alternative Placement – Full Time Block Release / Respite / Time Out

- 6.1. Where a pupil has a fixed period of time (weeks) being taught full time at a school or location other than the one at which they are on roll, then in normal circumstances parents will be expected to transport their child to that location.
- 6.2. Schools should factor in travel arrangements when designing a package of learning and should provide support to parents to enable pupils to attend.

- 6.3. In exceptional circumstances transport assistance may be considered by the LA and will be determined on a case-by-case basis by the Transport Policy and Engagement Team

7. Alternative Placement – Part-Time

- 7.1. Where a pupil is placed by their designated school on a part-time or ad hoc timetable at an alternative place of learning then in normal circumstances parents will be expected to transport their child to that location.
- 7.2. Schools should factor in travel arrangements when designing a package of learning and should provide support to parents to enable pupils to attend.
- 7.3. In exceptional circumstances transport assistance may be considered by the LA and will be determined on a case by case basis by the Transport Policy and Engagement Team

8. Alternative Placement – Multi-site

- 8.1. Where a school or SBAP places a pupil at more than one location, home to school transport will only be considered to the primary location if that location is their designated place of learning as agreed by a LA Officer.
- 8.2. Schools should factor in travel arrangements when designing a package of learning and should provide support to parents to enable pupils to attend.
- 8.3. The LA will not normally provide home to school transport to more than one location and will not provide home to school transport to a location not agreed by an LA officer.

9. Inter site transport during the day

- 9.1. Where a school or SBAP arranges for pupils to attend different establishments during the school day it will be the responsibility of the school/ SBAP/parents to arrange and fund transport.
- 9.2. Where a pupil receives home to school transport this will only be to one site and therefore any arrangements made by the school must take this into account i.e. a pupil will not be picked up from a different establishment in the evening to the one at which they were dropped off in the morning.
- 9.3. Home to school transport is only provided at the beginning and end of a normal school day, no dispensation will be made for pupils not ready to be collected at the end of the school day.