

**NOTTINGHAMSHIRE COUNTY COUNCIL**



**HOME TO SCHOOL TRANSPORT POLICY**

**SEPTEMBER 2011**

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## 1. INTRODUCTION

This document sets out Nottinghamshire County Council's policy for the provision of school transport services and travel assistance, for compulsory school aged pupils (under 16 years old). This policy is compliant with the duties and powers of local authorities set out in the Education and Inspections Act 2006. It applies to all admissions to schools on and after 1 September 2011.

This policy can be viewed in conjunction with the following;

- Nottinghamshire Sustainable School Travel Strategy 2007 – 2011  
(link <http://www.nottinghamshire.gov.uk/gettingtoschool.htm>)
- Nottinghamshire Post -16 Transport Policy 2011  
(link <http://www.nottinghamshire.gov.uk/schooltravel-post16.htm>)

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 and Young Peoples' Plan and ensures that the Council fulfils its statutory obligations. Within that context the aim of the policy is to provide a high 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.

## **2. TRAVEL ASSISTANCE TO QUALIFYING SCHOOLS**

### **2.1 Entitlements to Home to School Transport**

Schedule 35B to the 1996 Act (inserted by the Education and Inspections Act) includes an extension of rights to free school travel arrangements for children in low income groups, i.e; those entitled to free school meals and those whose families are entitled to the maximum level of Working Tax Credit.

### **2.2 Summary of Entitlements**

#### **2.2.1 Children aged 4 Years old in full time education**

With effect from September 2011, children aged 4 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 2 miles or more from home. Free transport to a preferred school is only available if that school is 2 miles or more from home and closer than the catchment area school.

#### **2.2.2 Children Aged 5-7 years**

Children of compulsory school age who are under the age of eight are entitled to free school transport to their nearest qualifying (catchment area) school if it is 2 miles or more from home. Free transport to a preferred school is only available if that school is 2 miles or more from home and closer than the catchment area school.

#### **2.2.3 Children aged 8-11 years**

Children aged between eight and eleven are entitled to free transport where they live 3 or more miles from their nearest qualifying (catchment area) school. Free transport to a preferred school is only available if that school is 3 miles or more from home and closer than the catchment area school.

#### **2.2.4 Children 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 3 miles or more from home. Free transport to a preferred school is only available if that school is 3 miles or more from home and closer than the catchment area school.

#### **2.2.5 Children aged 8-11 years in low income groups**

Children aged between eight and eleven from low income families are entitled to free transport where they live 2 miles or more from their nearest qualifying (catchment area) school. Free transport to a preferred school is only available if that school is 2 miles or more from home and closer than the catchment area school.

#### 2.2.6 Children 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 2 and 6 miles from their home.

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

Children 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 2 and 20 miles from their home \*see section 5.4.6 for details.

Children 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 2 and 20 miles from their home \*see section 5.4.6 for details.

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

Pupils of secondary school age from low income families may travel free to the nearest suitable school preferred on grounds of religion or belief, where the school is between 2 and 25 miles from their home see section 5.4.6 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 2 and 25 miles from their home (see section 5.4.6 for details).

#### 2.2.9 Transport eligibility when school year repeated

Children 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.” Compulsory school pupils up to 7 years of age, attending a preferred school, will be eligible for free transport if that school is 2 miles or more from home and closer than the catchment area school. Pupils aged 8 to 16 will be eligible for free transport if that school is 3 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.

Nottinghamshire County Council sometimes operates discretionary travel schemes that could benefit Nottinghamshire residents. With effect from September 2011 the County Council is operating a discretionary free travel scheme for year 7 pupils attending preferred schools in Nottinghamshire. For

further information about the scheme, including how to apply, visit the County Council's School Travel Website at:

[www.nottinghamshire.gov.uk/schooltravel-under16.htm](http://www.nottinghamshire.gov.uk/schooltravel-under16.htm)

### **3. ADDITIONAL TRAVEL ARRANGEMENTS AND ENTITLEMENTS**

#### **3.1 Pupils with Statements of Special Educational Needs**

See Appendix A

#### **3.2 Pupils looked after by Nottinghamshire County Council**

See appendix B

#### **3.3 Behaviour and Attendance Service - Learning Centres**

The relevant site of the Learning Centre will be considered the qualifying establishment, even if the child is on roll at a school. Normal walking distance criteria will apply.

Assessments of travel needs will be undertaken as part of the admissions procedure to the Learning Centre and arrangements will be made as appropriate by the Learning Centre management.

#### **3.4 Admission of pupils aged under 16 to Colleges of Further Education (CFE) or other institutions in lieu of school**

Where a pupil of statutory school age attends a CFE or other institution in lieu of school then travel assistance will only be considered where the County Council determines that the college should be treated as the qualifying institution. Assistance rules are then as for a qualifying school.

Applications for travel assistance should be sent to TTS, who will then inform the school of the cost if the County Council (via the Authorising Officer) has recommended the move, and then travel assistance will be determined in accordance with section 2 of this policy.

If the pupil's previous school has directed the attendance at a CFE or other institution, 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.

### **3.5 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:

<http://www.nottinghamshire.gov.uk/schooltravel-post16.htm>

## **4. DISCRETIONARY PROVISION AND EXEMPTIONS FROM POLICY**

### **4.1 Moving home and temporary accommodation**

A child attending the qualifying secondary school who moves in the last two years of their compulsory secondary education or their last year of education at a qualifying primary school will continue to receive assistance if they remain at this school. Assistance will be based on the standard mileage and age criteria (see section 2) but will be restricted to a maximum travelling distance of 8 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 after the last day in August of the year in question. Therefore those who move during the summer holidays before September 1<sup>st</sup> 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 6 months from the time of the move. Assistance is not provided where parents/carers go abroad for extended periods and their children are cared for at an alternative address.

### **4.2 Permanent exclusions and managed moves**

Where, following a permanent exclusion or a managed move, a child 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 of an excluded pupil 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 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 the Authorising Officer and is over the walking distance. If the pupil was originally in a preferred school, then the follow-on school would still be classed as preferred for travel assistance purposes, unless it is the catchment area school for the home address.



### **4.3 Long fixed term exclusions**

For fixed period exclusions beyond 5 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.

### **4.4 Bullying**

Some parents/carers change their child's school on the grounds of their child being bullied 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 if 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 follow-on school would still be classed as preferred for travel assistance purposes, unless it is the qualifying school for the home address.

### **4.5 Single parents/carers and dual parental homes**

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

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. Assistance to both homes will not be provided.

### **4.6 Students 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 children who are allowed a place on a contract service.

### **4.7 Travel assistance for travel other than home to school**

No assistance is available from the school transport budget for educational visits, career appointments or other non-educational journeys.

## **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 nearest available walking route.

In the case of low income groups the minimum statutory distances are measured by using the nearest 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 pupils after parents/carers have been provided with a reasonable period of notice, which is normally one term.

### **5.2 Walking distance exemptions**

Pupils living within the available walking distance limits and attending the qualifying school will be eligible for free travel if:

#### **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 are temporarily incapacitated and unable to walk to or from school. Parents should obtain a certificate or letter from the hospital or their family doctor stating that the pupil requires the provision of transport to enable them to access school. (The authorisation should state specifically why the pupil is unable to travel to school accompanied by their parent/carer) The authorisation should be sent to SEND Policy and Provision, who will make the necessary arrangements.

### 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.

### 5.2.4 Exceptional Circumstances

Exceptional circumstances will be determined on a case by case basis by the Transport Policy Development Officer or the Group Manager, SEND Policy and Provision.

## 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 school medical officer, the family doctor or other appropriate professional adviser.

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 high 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 and from school or college at the beginning and end of each official school/college day. Transport for extra-curricula activities before the start of or after the end of the official school/college day will not 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 in Section 2. The pass will allow one inward and 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 available, but space is available on buses contracted by the County Council, a pass may be purchased by the parent. 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 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 mileage 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 2 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 Grant for use of own vehicle (special cases)

If parents/carers convey their children to/from school using their own vehicle (for medical or other exceptional reasons), then a grant will be paid based on the shortest distance by car at the public transport user rate for a return journey in each direction, subject to the conditions stated in 5.4.3.

#### 5.4.5 Grant Variation

If bus fares increase or decrease then the grant will be amended and parents/carers notified at the earliest opportunity.

If there is a change in the provision of school or local bus services the grant may be replaced by the issue of a travel pass, in accordance with the requirement to achieve best value for money.

#### 5.4.6 Transport assistance for pupils attending a school on the grounds of the parents/carers 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 and pupil adheres to the religion or belief.
- In the case of admission on denominational grounds, the transport application is counter-signed by the Headteacher 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.

Pupils from low income families meeting the criteria above are exempted from charges, i.e.:

- Pupils in receipt of free travel on denominational grounds for the school year 2006/07 and until they leave statutory education, change the home address or change school or

For new enrolees:

- Pupils entitled to free school meals.
- Pupils whose parents/carers are entitled to their maximum level of Working Tax Credit.
- Where a family has 3 or more siblings attending schools on denominational grounds (up to age 16) only the two youngest children will be subject to a charge.

The County Council continues to exercise discretionary powers in consideration of exceptional circumstances.

## **5.5 Bus escorts/supervisors/parent observers**

Transport Policy Development Officer or Team Manager (Statutory Assessment and Placements) in consultation with TTS will undertake a risk assessment to determine whether it is necessary to provide a supervisor, conductor or other facilities (e.g. on-bus communication facilities) on any of the services provided.

Parents/carers may travel to or from mainstream school as observers on contracted buses or taxi services on approval of the head teacher and TTS. This may extend to local bus services operated commercially with the approval of the bus operator. The parent will travel free of charge and will be issued with an appropriate travel pass if they are travelling in a supervisory capacity. All applications for such travel will be assessed by TTS.

Parents/carers will normally be expected to make their own arrangements for the return journeys to or from school. The County Council will accept no liability for any injury or loss sustained by a parent during a journey to or from school and the parent must be informed of this disclaimer by the head teacher before the journey is undertaken.

## **6.0 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.

<http://www.nottinghamshire.gov.uk/u16travelassistform.pdf>

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 the TTS at Trent Bridge House for assessment of travel assistance.

Parents/carers will be made aware by post 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 3 instalments.

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

## **6.2 Duplicate passes**

An application for a duplicate pass, together with the appropriate fee, should be made by the school on form TA12. Any travel pass returned because of incorrect information should be sent with form TA13. The new pass will be issued free of charge.

## **6.3 Lost/stolen passes**

Passes that have been lost or stolen can be replaced on payment of an administration fee of £5. No administration fee will be charged if a pupil can substantiate that the pass has been stolen (e.g. crime number). In the case of pupils eligible for free travel, a temporary pass (TA 10) 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 students 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.
- That it is desirable in the interests of safety and comfort to provide a seat for each pupil. Legislation permits pupils 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. Pupils who reach the age of 14 during a school year are deemed to be under 14 years of age until the last day of August following their 14<sup>th</sup> birthday.
- The need to consult with the 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 5 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, TTS will issue to all transport operators, notes of guidance 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 students 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 travel to any student or 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 other, 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 and students 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 has the right to a review of a decision that free transport is not available.

This should be set out on form TA2, which specifies 3 categories

- That the distance has been wrongly measured – this will be re-checked by TTS.
- That the walking route measured is not available – this will be assessed by TTS.
- That there are other exceptional reasons pertinent to the specific review of the transport decision.

Should a review find in the parents/carers favour then 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, which ever is the latest.

## **7. DEFINITIONS**

### **7.1 Qualifying Schools**

- community, foundation or voluntary schools
- community or foundation special schools
- Nottingham learning centre
- maintained nursery schools
- city technology colleges (CTC), city colleges for the technology of the arts (CCTA) or Academies
- Academies

### **7.2 Catchment Area Schools**

In Nottinghamshire your home address will be in a catchment area for a school and this 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.”

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/home/learningandwork/educationandachievement/schools/gettingaschoolplace.htm>

### **7.3 Coterminous and Overlapping Catchment Areas**

In the event of 2 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 Need 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.

## **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 pupils, which is defined as those eligible for free school meals or whose parents are in receipt of the maximum level of Working Tax Credit.

## **8. ABBREVIATIONS/ACRONYMS**

CFCS	- Children, Families and Cultural Services
TTS:	- Nottinghamshire Transport and Travel Services
Parents/carers:	- Includes single parent and child guardian(s)
SEN:	- Special Educational Needs
SEND:	- Special Educational Needs and Disability

## **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 transport applies equally to children and young people with or without Special Educational Needs (SEN) and Disabilities.
- 1.2 Some children and young people with SEN and disabilities may require special transport arrangements. Wherever possible and appropriate, children and young people 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 Where children and young people attend a school other than the catchment school as the qualifying (designated) school, travel assistance will be determined in accordance with Section 2.
- 1.4 Transport will be provided for a pre-school age child who has a statement of SEN which specifies that the child requires transport. In such cases, transport may be provided to nursery schools, nursery classes or units and pre-school playgroups.
- 1.5 Where parents/carers choose to send their children to a preferred school, section 2 of the Home to School Policy will apply.
- 1.6 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, the provision of transport will be reviewed and may be withdrawn.
- 1.7 Home to school transport will only be provided at the beginning and end of the normal school day, except in exceptional circumstances.

### **2. Qualification by distance from School**

- 2.1 The distance criteria described in section 2 apply equally to children and young people 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 free travel if:

- a) 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
- b) There may be exceptional circumstances which require the provision of special transport. The Group Manager, SEND Policy and Provision will consider any exceptional circumstances in individual cases.

### **3. Review of Transport Decisions**

- 3.1 A parent/carer has the right to a review of a decision to refuse the allocation of home to school transport. Where the initial application has been made on a TA1 form, the review should be requested using a TA2 form. Where the initial application has been made directly to SEND Policy and Provision, the review should be requested from the SEND Officer. There are three categories under which a review can be requested:
- a) That the distance has been wrongly measured – this will be rechecked by TTS.
- b) That the walking route measured is not deemed available – this will be assessed by TTS.
- c) That there are other exceptional reasons pertinent to the specific review – these will be reviewed by Children, Families and Cultural Services.
- 3.2 Where a review finds in the parent/carer's favour, the free travel will be backdated to the start of the academic year in which the application was made or to the date of the receipt of the appeal, whichever is later.
- 3.3 The County Council will determine the type of transport and the appropriate route to be provided, based upon the evidence available. This includes the type of vehicle and whether or not an escort is required. There will be no right of appeal regarding the type of transport provided.

### **4 Escorts**

- 4.1 The Transport Policy Development Officer or Team Manager (Statutory Assessment and Placements) in consultation with TTS will undertake a risk

assessment to determine whether it is necessary to provide an escort or other facilities.

## **5. Residential Special Schools**

- 5.1 Where the County Council has placed a pupil in a residential special school, 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 statement of special educational needs. 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 children or young people 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. Annual Reviews**

- 6.1 It is the parent/carer's responsibility to arrange transport so that they can attend these events.

## **7. Transition Visits**

- 7.1 The County Council will not provide assistance with transport for transition visits. It is the parent/carer's responsibility to arrange transport to and from transition visits.

## **8. Work Experience Placements**

- 8.1 The County Council will not provide assistance with transport for work experience placements. It is the responsibility of the school and parents/carers to arrange suitable transport.

## **9. Pupils Aged Under 16 Attending Colleges or Alternative Provision**

- 9.1 For pupils aged under 16 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 is a parental choice, it is the responsibility of the parent/carer to provide transport.
  - If the pupil's designated school has arranged educational provision off-site, the school will be responsible for arranging and funding any necessary travel.

## **10. Respite Care**

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

## **11. School Trips**

11.1 The County Council will not provide assistance to schools with transport for school trips.

## **12. Swimming Transport**

12.1 The County Council will not provide assistance to schools with swimming transport.

## **13. *Review of Transport Provision***

13.1 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.



## APPENDIX B

### **Protocol between relevant divisions in Children's, 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 children of statutory school age when in the public care of Nottinghamshire County Council.
2. The protocol is required in order to clarify the funding implications in 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 Children's Social Care and Planning, Support and Improvement.
3. Children's Social Care responsibility for transport for a LAC when moving care arrangements is as follows:
  - To inform the Transport Development Policy Officer 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 Development Policy Officer of any subsequent changes to care arrangements by completing a Looked After Child Home to School Transport 50/50 Transport Request Form
  - To try to reduce the number of moves of care for individual children
4. The Transport Policy Development Officer's 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 with Transport and Travel Services to transport the child to school if the care address is further than the statutory walking distance from school i.e.
    - Two miles if the child is under 8 years of age
    - Three miles if the child is 8 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
5. Transport and Travel Services will set up the transport contract for the pupil and will make the necessary 50/50 funding arrangements between Children's Social Care and the Transport Policy Development Officer for budget purposes.
  6. Transport will normally be provided by Foster Carers or Residential staff, who will be reimbursed. If appropriate, a bus pass will be arranged. If neither of these is possible transport will be arranged.
  7. An exception to the 50/50 agreement exists if a child is in Years 6, 10 or 11. In these circumstances Planning, Support and Improvement will cover the whole cost of transport, as it would have done, for any other child moving within an 8 mile radius from their current school.