

# Home to School Transport Policy (0 to 25 Year Olds)

## 1. Introduction

This document describes the policy for home to school travel assistance and the criteria applied to determine eligibility.

The Policy has been developed in accordance with the legislative framework set out under the Education Act 1996 and current Government guidance. It will be reviewed and updated regularly to ensure that arrangements adopted within Buckinghamshire reflect any new legislation and guidance.

The Council has developed a Needs Analysis which supports and has informed this Home to School Transport Policy.

It is the responsibility of the parent/carer to ensure that their child attends school; however, in certain circumstances, we will provide travel assistance, if the criteria are met. Home to School travel assistance aims to:

- support those most in need
- promote principles of independence
- provide the most cost effective travel assistance
- promote and encourage the use of sustainable travel

As a Council, we expect the service delivered to be of a high standard. All children who travel under this Policy can expect that those standards will be monitored and maintained.

The Education Act 1996 provides the following duties and powers on local authorities:

- duty to promote sustainable modes of travel to meet school travel needs - s.508A
- duty to make necessary travel arrangements free of charge to secure suitable home to school travel arrangements for eligible children. Eligibility includes age, distance to school, disability and safe walking routes - S.508B
- power to make necessary school travel arrangements for other children on payment of a charge as appropriate - s.508C
- power to provide travel assistance or travel expenses for children attending early years education, subject to eligibility criteria - s.509A
- duty to prepare a Post-16 transport policy statement setting out transport provision and financial assistance (where applicable) to facilitate attendance of sixth form students at educational institutions - s.509AA and s.509AB

## 2. Non-statutory school age (0 to 4) Eligibility for Travel Assistance

Children under statutory school age are not automatically entitled to transport to an early years setting or school. Statutory school age begins on the first day of the term following the child's 5th birthday.

The Council will consider providing travel assistance for any child who will turn 5 within the term that the application is made, subject to them meeting the eligibility criteria and a safety assessment. Parents should not assume automatic entitlement.

The eligibility criteria are outlined in section 3. These are considered in accordance with the following additional guidance.

## **Children without an Education, Health and Care Plan (EHCP) attending nursery provision aged 0 to 4**

Parents are responsible for transporting their child to and from nursery provision.

## **Children with an Education, Health and Care Plan attending mainstream nursery provision age 0 to 4**

If a child has an EHCP and is attending a mainstream nursery then these cases may be brought to the Transport Exceptions Panel to be considered for transport assistance, as long as the placement is the nearest suitable setting. The transport assistance may be in the form of a Personal Transport Budget subject to a consideration of a family's ability to transport their child to nursery.

## **Children with an Education, Health and Care Plan attending specialist nursery provision age 0 to 4**

If a child's needs are such that an EHCP prescribes attendance at a specialist nursery then these cases may be brought to the Transport Exceptions Panel to be considered for transport assistance, as long as the placement is the nearest suitable setting. The transport assistance may be in the form of a Personal Transport Budget subject to a consideration of a family's ability to transport their child to nursery.

## **Children without an Education Health and Care Plan attending a reception class in a school in the year before they turn 5**

If it is determined that once the child is 5 they will meet the eligibility criteria for home to school transport, then they may be transported during the term that they are due to turn 5, providing there is existing transport running from the child's home area to the educational setting. This is subject to a risk assessment.

## **Children with an Education Health and Care Plan attending a reception class in a school in the year before they turn 5**

If a child with an EHCP would be eligible to receive Council funded home to school transport **assistance** once they **are turn** 5, then we would **aim to arrange transport consider providing transport assistance** if the child needs it before the age of 5. This would be the case even if there was no existing transport provision running from the child's home area to the educational setting. **These cases may be brought to the Transport Exceptions Panel for consideration.**

### 3. Statutory school age (5 to 16 - Mainstream and SEND)

Statutory school age begins with the start of term following a child's 5th birthday and ends on the last Friday in June in the academic year in which they turn 16.

Children of statutory school age need to attend a school or educational setting on a full-time basis; this is defined as 190 days (or 380 sessions) each academic year.

There are 4 categories of students of statutory school age living in Buckinghamshire and attending their nearest suitable school who are eligible for Council funded travel assistance:

1. children who live beyond the statutory walking distance
2. children from low-income families (where extended rights apply – see section 3.5)
3. children whose walking route to school is unsafe
4. children with Special Educational Needs (SEN), a disability or a mobility difficulty

The nearest suitable school is defined as 'the nearest qualifying school with places available that provides education appropriate to the child's age, ability, aptitude, gender and any special educational needs they may have'. A 'qualifying' school is:

- a maintained school or nursery, or a special school approved under s.342 of the Education Act 1996
- a pupil referral unit or alternative provision academy
- an academy

You can work out which school is [your nearest suitable school online](#).

When determining the nearest suitable school for transport purposes, it does not take into account whether a child is qualified for grammar school. Therefore the geographically nearest suitable school may be an upper/all-ability school. In these instances if a child chooses to attend a grammar school, Council funded transport cannot be provided to that school.

Parents/carers should always express a preference for their nearest suitable school on their application. The Admissions and Transport team will determine places available and therefore families do not need to be concerned about whether their child is likely to secure a place at the nearest suitable school.

Parents are not required to name the nearest suitable school as their first preference when they make their school application, but it must be listed as one of their preferences to ensure that if they cannot be offered a place at the nearest suitable school, then transport could be provided to the next nearest school.

If parents do not express their nearest suitable school as one of their preferences, and instead choose a place at a school which is not the nearest suitable school, the pupil will not be eligible for Council funded travel assistance unless the extended rights apply (please see section 3.5).

Please also see section 3.8 a) on those living closest to a non-Buckinghamshire School.

The previous information on “places available” does not apply to admissions to Special Schools or Additionally Resourced Provision.

### 3.1 Types of travel assistance

The travel assistance offered by the Council may take the form of:

- a *public* bus or train travel pass
- a Personal Transport Budget
- a Council arranged coach/bus service
- a Council arranged minibuss
- a Council arranged shared taxi
- a Council arranged solo taxi, based on a travel assessment undertaken by the Council
- Passenger assistant support, based on a travel assessment undertaken by the Council

In order to determine the most appropriate travel option for pupils and the most cost-effective means of travel assistance, the Council will use a range of criteria. These are described in the following sections.

In some exceptional circumstances, a Personal Transport Budget may be offered to mainstream (non-SEND) pupils who are eligible for Council funded travel assistance, as an alternative to Council organised transport. However, in these instances Council funded and organised travel assistance is always available if this is the preference. Please also see section 7.1 on Personal Transport Budgets.

### 3.2 Statutory Walking Distances

The statutory walking distances are as follows:

- up to 2 miles (if below the age of 8)
- up to 3 miles (if aged between 8 and 16)

If the distance between home and school is more than these limits, the pupil is eligible for transport assistance.

### 3.3 Calculation of distances and available routes

For eligibility purposes, the statutory walking distances will be calculated with reference to the shortest walking route a pupil can walk safely (accompanied as necessary). A route might include footpaths, bridleways and other tracks which are not passable by motorised transport.

For pupils who fall within the 'Extended Rights' eligibility criteria the 6 mile and 15 mile upper limits are not walking routes (see section 3.5). These routes are those which are passable using a suitable motorised vehicle. In short, the two upper limits will be measured along road routes.

### 3.4 Pupils who live beyond the statutory walking distance

Travel assistance will be provided free of charge for those pupils of statutory school age who are travelling over the statutory walking distance to/from the nearest open entrance gate of their

nearest suitable school. Pupils may be required to use public transport and in these cases they will be provided with a free bus **or train travel** pass in order for them to use the service.

### **3.5 Extended rights for pupils from low income families**

A pupil may be eligible for extended rights under the 'low income' provisions. The Council defines low income families as those where a child receives free school meals because their parents or carers receive at least one of the benefits listed below:

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Child Tax Credit – provided you are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190
- Universal Credit - with an annual earned income of £7,400 or less (after tax and not including any benefits you get)
- The guaranteed element of Pension Credit
- Support under Part VI of the Immigration and Asylum Act 1999

If you are not entitled to free school meals, another benefit that is accepted is entitlement to the maximum level of Working Tax Credits. This means that there is no reduction due to income in the Working Tax Credits elements section of your HM Revenue & Customs award notice for the current tax year and your annual income is no more than £16,190.

Where extended rights apply, pupils aged 8 to 10 from low income families who live more than 2 miles (rather than 3) from their nearest suitable school become eligible for funded home to school transport from the Council.

Secondary school age pupils from low income families who attend schools between 2 and 6 miles from their home will be eligible for Council funded home to school transport even if the school they attend is not their nearest suitable school, providing it is one of the three nearest schools which the pupil is qualified to attend (e.g. a mainstream pupil is not qualified to attend a special school even if it is one of the 3 nearest schools and therefore it would be discounted).

Secondary school age pupils from low income families who attend a school between 2 miles and 15 miles away from home will be entitled to Council funded home to school transport if their parents/carers have expressed a wish for them to be educated at that particular school based on the parents/carer's religion or belief and, having regard to that wish, there is no nearer suitable school. This applies to parents/carers with a particular religious or philosophical belief, including those with a lack of religion or lack of belief.

### **3.6 Pupils whose route to school is unsafe**

If the route to school is unsafe to walk, and if the pupil lives within the statutory walking distance of and is registered at the nearest suitable school, the Council will provide funded suitable travel arrangements.

All walking routes are assessed in accordance with the Road Safety GB and RoSPA (Royal Society for the Prevention of Accidents) guidelines. The Council will assess the route at the times the pupil would be using it and will take into account:

- the age of the pupil
- whether risks might be less if the pupil were accompanied by an adult and whether that is practicable
- the width of the road and the existence of pavements
- the volume and speed of traffic
- the conditions at different times of the year

### 3.7 Transport to schools that are not the nearest

If a place cannot be offered at the nearest suitable school when this has been expressed as one of the preferences, then travel assistance to the next nearest suitable school will be offered. Where the Council allocates a school place which is not a preference, we will only consider providing Council funded transport if the nearest suitable school was expressed as one of the preferences.

### 3.8 Home to school transport provision in specific circumstances

There may be specific circumstances where Council funded travel assistance could be provided. These are outlined below:

#### a) Those living closest to a non-Buckinghamshire School

Where the nearest suitable school is outside of Buckinghamshire, pupils will be offered transport to the nearest Buckinghamshire school, unless there is an out of county school that can be treated as if it were a Buckinghamshire School for transport purposes (subject to normal eligibility rules). We call these schools “Equivalent Schools.” An Equivalent School is the nearest out of county school where most parents/carers in a specific area have in the previous year chosen to apply to and have been allocated a place. Transport is provided there as it is closer than a Buckinghamshire school. A list of these out-of-county Equivalent Schools will be published on the Buckinghamshire Council website each year in time for the annual admissions process. Currently the out of county Equivalent Schools are Icknield School, Lord Williams School and Wheatley Park School, all of which are in Oxfordshire.

#### b) Reception intake (outlined in section 2: Non statutory school age 0-4)

#### c) **The** pupil will be attending a linked junior/combined school

A linked junior/combined school is a school that has an existing arrangement with an infant school within the catchment area. The school gives priority in their admissions to pupils applying from the linked infant school. If the pupil is attending an infant school, and they make an application to the linked junior/combined school, then transport will be provided even when this is not the nearest school. Transport would also be provided to the nearest suitable school (subject to the normal rules)

#### d) pre-existing primary transport serves **the pupil's local** area

At primary age, where there is established school transport to the catchment primary school, travel assistance will be provided subject to the normal eligibility rules. The catchment school that transport is provided to, may not be the nearest school to the pupil's home but it will be the nearest catchment school if there is more than one.

#### e) Other exceptional circumstances

Parents/carers of pupils who do not meet the eligibility criteria above, *who feel that their circumstances merit provision of travel assistance should make an application in writing to the Transport Exceptions Panel (TEP). may have reasons why they think their child should be provided with travel assistance, other than a), b), c) or d) above, which they want the Council to consider. The Council has a 2 stage appeal process for parent/carers to challenge decisions about transport eligibility. Please see 10.21 How to challenge a decision.*

Each **appeal application must be made in writing. The appeal** will be considered and transport may be provided at the discretion of the Council.

Discretionary assistance will be:

- dealt with on a case-by-case basis
- granted for a set period of time
- is subject to review more frequently than other circumstances
- may cover the whole cost of transport provision or be a contribution to the cost of the travel assistance

### **3.9 Criteria for home to school transport for pupils with Special Educational Needs and Disabilities (SEND)**

Pupils who have SEND may require assistance with getting to school or to another educational setting. This may be over and above the provision made for other pupils. Having an Education, Health and Care Plan does not automatically mean that a child will be eligible for travel assistance. The Council considers the individual needs of pupils, including professional advice, and will consult with parents/carers and teachers about transport needs and assistance. Where appropriate the pupil will also be consulted.

The Council will take the following into account when determining eligibility for transport assistance for pupils with SEND:

- mobility
- medical needs
- behaviour
- vulnerability (including age, young parents and those at risk of disengaging from employment, education or training)
- practicality
- travel training
- nearest suitable school

This list is for guidance only, and satisfaction of one or more of these factors does not automatically support entitlement to transport assistance.

When determining the most appropriate type of travel assistance for pupils with SEND, **the Council** will consider the following:

- age of the pupil
- nature and severity of the pupil's SEND
- availability of public transport
- length and nature of the journey

- most cost-effective mode of transport
- safety of handover arrangements

### 3.10 Elective Home Education

Where parents/carers decide to provide Home Education for their children instead of sending them to a school, this is called [Elective Home Education \(EHE\)](#). In the case of EHE, no assistance will be available from the Council in connection with any transport need arising.

### 3.11 Education other than at school (EOTAS)

Education other than at school (EOTAS) must be agreed by the Council. Where the Council arranges for a student to have education other than at a school, the Council will provide transport subject to the normal eligibility criteria as detailed in this Home to School Transport Policy.

## 4. Non-statutory school age (16 to 19 - Mainstream and SEND)

Under national legislation, students are required to be in education, employment, or training until their 18th birthday. This could involve staying in full-time education in school/college, starting an apprenticeship or traineeship, or spending 20 hours or more a week working or volunteering while in part-time education or training. ~~mixing full-time work with study, following an apprenticeship, continuing full-time in school or college, or combining part-time training with volunteering.~~ There has not, however, been any change to statutory school age which ends at the end of the academic year in which the student turns 16.

Under the current law, there is no automatic entitlement to Council funded transport from home to school or to another educational setting once a student is 16 and over. However, the Council is required to facilitate the attendance of all those of sixth form age ~~i.e. those students in school years 12 to 14~~ i.e. those students over compulsory school age who started their programme of learning before their 19th birthday. This may involve travel assistance, but the Council does not need to provide this assistance free of charge. Responsibility for attendance lies with the student and their parents/carers.

Where a student with SEND starts a new course at aged 19 or older, any transport assistance which is necessary to facilitate attendance must be free of charge i.e. fully Council funded, as they are Adult Learners. [More information is provided in our Post-16 Transport Policy Statement.](#)

## 5. Post-16 Transport Policy Statement

The Council has a duty to prepare and publish an annual Transport Policy Statement. This statement specifies the arrangements for transport that the Council considers it necessary to make in order to facilitate the attendance of sixth form students receiving education or training.

The [Post-16 Transport Policy Statement](#) includes information on:

- fares, Passes and Travel Cards
- travel assistance for mainstream students including the Spare Seats Scheme
- travel assistance for students with SEND
- financial hardship
- bursaries

- independent Travel Training

This Post-16 Transport Policy Statement takes account of the [Special Educational Needs and Disability Code of Practice 0 to 25 years](#).

## 6. Support for students with SEND 19-25 years

The Council outlines the support available to students aged 19 to 25 with SEND in the Post-16 Transport Policy Statement described above.

## 7. Personal Transport Budgets and Mileage claims for pupils with SEND

### 7.1 Personal Transport Budgets

Students of all ages with SEND who are eligible for transport are able to apply for a Personal Transport Budget. This can be awarded at the discretion of the Council and is a sum of money to support the pupil to travel from home to their school or educational setting.

A Personal Transport Budget is paid on the assumption that a pupil of statutory school age attends their school/educational setting 190 days a year (as determined by the government definition of a school year); or for students who are over 16 years old, that they attend a full-time programme of learning that is at least 540 guided learning (planned and funded) hours per year.

If a pupil or student receives a Personal Transport Budget part way through the school year, or attends school or learning on a part-time basis, the total payment would be on a pro rata basis to account for the reduced amount of time that a parent/carer would be responsible for transport arrangements.

### What is a Personal Transport Budget?

**The A** Personal Transport Budget allows families to have the freedom and flexibility to make their own travel arrangements rather than travelling on Council organised transport. **A Personal Transport Budget can be awarded at the discretion of the Council. It is a sum of money to support the student to travel from home to their school or educational setting.** It is not a short-term alternative while a transport application is being processed.

A Personal Transport Budget could be used in many ways, including:

- to pay for fuel and/or running costs on a family vehicle that is used to transport a student to school/educational setting
- lease a vehicle to use if **you the family** don't have one
- paying for a shared taxi with other pupils
- paying for another person to take a sibling to school to free a parent/carer up to transport the pupil with SEND
- buying travel passes for other children in the family so that they can travel to and from school, allowing the parent/carer to transport the pupil with SEND
- ~~paying for a travel pass for the pupil with SEND~~

- paying for childcare for another child to allow a parent/carer to take the pupil with SEND to school/educational setting
- working with the school to join up transport options with other parents (e.g. car share), encouraging a sense of community

Personal Transport Budgets can be used for any non-Council provided transport service. This means for, example, a public transport bus pass, commercially provided closed school bus pass or rail pass. A Personal Transport Budget cannot be used for Council organised transport services, for example the Council's Spare Seats scheme or to pay for Council transport for an annual fee.

*All eligible students requesting a Personal Transport Budget will have their application assessed. We will take into consideration any cost to the Council of arranging the transport and will make a best value assessment based on the specific needs of the student.*

## Conditions of use for Personal Transport Budgets

If a parent/carer uses the Personal Transport Budget to employ someone (e.g. for childcare), then they will be responsible for complying with relevant rules regarding Tax and National Insurance, Employment Law, Insurance, Health and Safety or any other relevant rules or legislation in force at that time. In addition, it is good practice for parents/carers to make relevant and appropriate checks on whether employed staff have current Disclosure and Barring Service (DBS) certificates; and that parents/carers arrange or pay for those checks if directly employing an individual who doesn't have one.

Similarly, if a parent/carer uses the Personal Transport Budget to enter into contracts with organisations e.g. after school/**extra-curricular** clubs, or individuals, the parent/carer would be responsible for complying with the terms and conditions of those contracts. This may include payment arrangements or notice of cancellation.

Personal Transport Budgets cannot be used in the following circumstances:

- to buy or utilise space on transport services from the Council
- for any purpose that does not enable the pupil to travel to/from the school/educational setting
- to travel to activities other than the educational setting, for example work experience
- for any activity that is illegal, unlawful, or unsafe
- for other purposes that may bring the Council into disrepute

To apply for a Personal Transport Budget the student will need to:

- live within the area where Buckinghamshire is the local council
- have an Education, Health and Care Plan
- attend the school/s or educational setting/s outlined in the Education, Health and Care Plan. See section 10.2 for further information
- comply with the eligibility criteria described in section 3.9

All children with an Education, Health and Care Plan in the same family would be considered when agreeing the amount awarded via a Personal Transport Budget. There may be some circumstances where it is appropriate for a family to have one child travelling on Council arranged transport (and paying an annual fee), while the other child has a Personal Transport Budget. Where this is an appropriate arrangement, this would be discussed with the family.

Appropriate spot-checks will be carried out at set intervals and at a proportionate level to ensure that Personal Transport Budgets are used appropriately, in accordance with the Council's quality assurance protocol for Personal Transport Budgets.

A Personal Transport Budget may be withdrawn in some circumstances or a reduction in the payment amounts made, including if:

- a pupil's attendance falls below 90% (this aligns with the government definition of "Persistent Absence" in school-age children which is an absence rate of 90% and below) - it would be recognised that attendance for some pupils may be affected by their medical needs, and this will be taken into consideration in determining whether to withdraw, reduce or reclaim a Personal Transport Budget.
- a pupil regularly arrives late at school in the mornings or in an unfit state to learn
- if it becomes evident that a Personal Transport Budget is not being used appropriately
- it is not cost-effective for the Council to continue providing the Personal Transport Budget
- it has been assessed that the pupil is no longer eligible for transport assistance
- there is a change to national legislation and/or the Council's policies

## Agreeing the amount of Personal Transport Budgets

The following factors will be taken into consideration alongside discussion with the family, to determine the appropriate personal budget amount:

- the special educational needs and disabilities of the pupil
- the travel distance
- how the pupil might travel to school
- the time the journey takes
- whether the pupil is able to travel alone or if they need to be accompanied
- the age of the pupil
- whether any specialist equipment might be required

The minimum standard amount that would be awarded with a Personal Transport Budget is 45p per mile. The cost of two return journeys per day of attendance at school (i.e. all four legs of the journeys) would be included in the Personal Transport Budget amount. Any variation to the standard amount will be considered as part of the pupil's travel assessment. As every family's circumstances are different we are unable to determine an approximate upper limit. In many cases it may exceed the amount a family would pay if the Council were organising the transport on their behalf.

There might be circumstances where a Personal Transport Budget is not appropriate. This could include where the Council can arrange transport at a lower cost. This will be assessed as part of the application process. The Council will make the final decision based on all the available information.

More detailed information can be found on our [Personal Transport Budgets webpage](#).

## 7.2 Mileage Allowance for SEND

Personal Transport Budgets **have replaced** mileage allowances. However, there may be exceptional circumstances where a mileage allowance could be offered on a temporary basis.

## 8. Looked After Children (under the care of the Council - all ages)

The Council is committed to supporting those most in need, ensuring that travel assistance is available to those who require it. It is recognised that Looked After Children face specific challenges and barriers to achieving their full potential, and as corporate parents we are committed to reducing those barriers.

For Looked after Children under our care, transport will be provided as follows:

- if a Looked After Child is educated at a school that is not the nearest suitable school for less than one term, transport will be provided by the Council for this period.
- if a Looked After child is educated at school that is not the nearest suitable school for more than one term, transport will be provided by the Council for one term. During this term it is expected that an application will be made to the nearest suitable school unless there are exceptional circumstances as to why the pupil should not move to this school. The view of the Head Teacher of the Virtual School will be taken into account when considering exceptional circumstances at the Transport Exceptions Panel.

## 9. Fares, Passes and Travel Cards

### 9.1 Sustainable modes of travel

The Council has a [Sustainable Modes of Travel Strategy](#) [PDF | 0.5MB]

School Travel Plans identify and address congestion, safety, health and environmental issues associated with car use on the school journey. Schools may organise campaigns and projects, run initiatives and events and promote activities to reduce single occupancy car use for the journey.

### 9.2 Spare Seats Scheme

The Council contracts with companies to provide **school** bus transport for students who are eligible for Council funded transport. Spare seats on these vehicles may be sold where there are seats remaining after the allocation of seats to **qualifying eligible** students have been made. **More information about the Council's Spare Seat Scheme can be [found on our website](#).**

Spare seats on Council provided transport are extremely limited. All purchased seats will be subject to the seat being withdrawn with 5 working days' notice if it is required for a pupil who is eligible.

On routes where spare seats are available and where applications are received by the advertised deadline, spare seats will be prioritised and allocated in the following order:

1. renewal applications

2. looked After Children or former Looked After Children who have been adopted
3. students with Special Educational Needs and Disabilities (SEND) who have an Education, Health and Care Plan (EHCP)
4. children of Armed Forces personnel - in line with our duty as part of the Buckinghamshire Armed Forces Covenant
5. siblings of students allocated a place in priority 1 and siblings of eligible students travelling on the same route.
6. all others - on a first come first served basis from date of application

Detailed [terms and conditions](#) on the Spare Seats Scheme are published on our website.

The travel pass provided for this transport is the responsibility of the pupil. If lost or damaged, **contact us online to request a replacement quoting a valid student reference number, name, address and date of birth.** replacements will be provided but this will carry An administration charge **will apply.**

## 10. General Guidance

### 10.1 Home address

Transport assistance is based upon the distance from the home address to school and will be verified using the information supplied by the parent/carer. Home address is defined as being the address at which the parent/carer ordinarily reside and with whom the child normally lives.

In situations of joint parental custody, the home address would normally be that at which the parent/carer, in receipt of the child benefit for that pupil, resides. If child benefit is not received then the address at which the child is registered with a GP will be used. If this is not conclusive then we will use the address the child spends the greater proportion of the school week.

### 10.2 Educational placement for students with SEND

Transport assistance is based on travel from the home address to the educational placement or placements named in section I of the Education, Health & Care Plan.

Placements attended will need to meet the criteria for transport eligibility to receive transport assistance. There is no automatic entitlement to transport assistance.

### 10.3 Change of address and emergency contact details

Parents have an obligation to notify the council when they move house.

If a pupil or student moves to an address further away from the school such that their current school is no longer the nearest suitable school, the council will normally expect the parents/carers to apply for a place at the nearest suitable school and to consider a moving date which takes account of a planned transition to the new school. If parents/carers choose not to apply for a place at the nearest suitable school, the council will not continue to provide travel assistance unless

there are exceptional circumstances. Parents/carers will need to appeal to the Transport Exceptions Panel for the exceptional circumstances to be considered. These circumstances will be considered by the Transport Exceptions Panel.

Parents/carers must provide the council with up to date emergency contact numbers and email addresses. It is the parent/carer's responsibility to provide updated information where there are changes, to avoid incurring costs.

If a pupil or student remains eligible for travel assistance, it can take up to 15 working days to organise the transport arrangements.

## 10.4 Inaccurate Applications

The Council reserves the right to reclaim the cost of any transport provided, if it is found that any incorrect information has been submitted in order to gain travel assistance.

## 10.5 Students living outside of Buckinghamshire

Students who live outside of Buckinghamshire attending a school in Buckinghamshire should apply to their own Local Authority for assistance with transport.

## 10.6 Grounds of religion or belief

There is no eligibility for transport assistance for pupils on the grounds of religion or belief, except in relation to low income families (see section 3.5).

## 10.7 Transport during the school / college day

Transport is only provided Monday to Friday. The only exception to this may be instances where weekend travel is required for students who are boarders at residential schools. Transport is provided at the start and end of the normal school or college day. Transport will not be provided for journeys made during the school/college day.

Travel assistance will not be provided outside of the pre-agreed timetable. Examples of circumstances where travel assistance will not be provided are:

- to enable students to undertake work experience, work placements, apprenticeships or traineeships
- to enable the student to attend any off-site provision arranged by the school/college
- for induction or taster days
- to take students home after extra-curricular activities or detentions
- for students who are taken ill at school/college to enable them to return home
- to enable students to attend medical or dental appointments

Where students attend medical or dental appointments or off-site provision arranged by the school, then in the above circumstances the school, college or parent/carer, as appropriate, must make arrangements and pay for transport.

## 10.8 Transport timing

Appropriate transport arrangements will be made based on the age and needs of the child. Pick-up and drop-off times cannot be rescheduled to take into account other family commitments. Parents/carers who are unable to be home at the specified pick-up and drop-off times and location will have to make alternative arrangements.

Students receiving mainstream transport assistance are expected to walk up to 1 mile to their pick-up point, with or without a parent/carer as appropriate. The pick-up point for SEND students may be a short distance from the home address.

Parents/carers will be responsible for ensuring their child is at the pick-up/setting down point near their home and for accompanying their child to/from this point where required. Parents/carers will be responsible for ensuring they are waiting to meet the pupil at the setting down point on the return (homeward) journey. [SEND transport guidelines are published on our website.](#)

## 10.9 Transport for students with SEND transferring to a different school/setting

Transport is arranged from home to the designated school only. Where a pupil is transferring to a new school during the academic year, we accommodate requests for changes in transport where possible. Any request for transport to other schools or settings during transitions need to be submitted to the Transport Exceptions Panel for consideration.

## 10.10 Transport following the closure of a school

If a school decides it needs to close early or not open because of severe weather, every attempt will be made to inform the parents/carers. This may not always be possible especially in the case of larger schools. The school will advise parents/carers of their procedures in the event of an emergency closure.

In [bad severe](#) weather conditions, the transport operator is the sole judge of whether to begin or complete a bus journey, giving priority to the safety of the pupils on the vehicle.

Parents/carers must ensure that the pupil is [warmly appropriately](#) dressed in case the journey to or from school is very slow or even halted in [bad severe](#) weather.

In the event that transport is not able to operate in the morning because of adverse weather conditions, but a parent/carer nevertheless decides to take the pupil to school, then they will be expected to make their own arrangements to collect the pupil either at the end of the day or at the time of early closure.

Drivers are required to seek the safest route and may therefore avoid normal routes in order to stay on major roads or to avoid specific hazards. They are instructed that they must only set-down pupils at specific set-down points. Where transport is not able to access the predetermined set-down point due to [poor severe](#) weather, passengers may be asked to leave the vehicle at an alternative safe location.

Where these arrangements are made, any problems with bus routes will be available online at the following links:

For school closures: [Council arranged transport](#)

For changes to bus routes: [Public buses](#)

Where a road is too hazardous for school transport in the morning, the transport operator is under no obligation to attempt the afternoon run. Parents/carers would be informed if this is the case so they can make alternative arrangements to collect the pupil from school.

## 10.11 Disclosure and Barring Service (DBS) Checks

Enhanced Disclosure and Barring Service checks are carried out on all drivers and passenger assistants prior to them being employed on Home to School Transport contracts. Following a satisfactory check and appropriate safeguarding training, an identity badge will be issued to drivers and passenger assistants by the Council which will be worn at all times as proof of approval to undertake the work. If a driver or passenger assistant cannot produce their badge, you should notify the Client Transport Team immediately and do not let your child travel in the vehicle.

If you have any concerns regarding the behaviour of drivers or passenger assistants, please report this by completing the school transport '[Contact Us Form](#)'.

## 10.12 Safety of Routes

The Council will monitor the routes and vehicles used to ensure that they are fit for purpose and do not pose a risk to anyone travelling on the vehicle or using the route to travel to school. Any vehicle or route found to be unsafe will be withdrawn and alternative arrangements made until normal service can be resumed. The Council reserves the right to make changes to routes and types of travel as necessary.

If you are concerned regarding the safety of a route, you can report this by completing the school transport '[Contact Us Form](#)'.

## 10.13 Identification of new routes

The Council reserves the right to review all routes in light of any changes to the Admission Policy or areas of new housing. If such changes mean that a pupil will no longer be entitled to transport then the notice of withdrawal will be two months from the date of notification to the parent/carer.

Examples of change could include the building of new roads, opening of new footpaths, or changes to the safety of a route as determined by the Council's Road Safety Team.

## 10.14 Journey Times

The Council will make every effort to ensure that travelling times to and from school are a maximum of:

- 45 minutes each way at primary school age;
- 75 minutes each way at secondary school age

The distances involved mean that some pupils will have longer journeys. Please note that return journeys are not constrained by specific times therefore homeward journeys may be quicker than advertised. Every effort is made to ensure that the waiting time on school premises, before and after school, and at pick up and set down points, does not exceed 20 minutes.

Parents/carers will receive a schedule of journey pick up times and will be notified if there are any changes.

## 10.15 Data Protection

The Data Protection Act 2018 and General Data Protection Regulation (GDPR) regulates the way we use your personal information.

You provide this information when you seek services from or come into contact with us. The Act provides a legal framework to the way we handle this data. Data Protection compliance is not an activity that is done once and requires ongoing compliance measures and reviews.

To ensure this compliance is managed in a structured way, the Council employs a Data Protection Officer. Our data protection policy can be found here: [data protection](#).

## 10.16 Parents/Carers of students with SEND who are not at home

In the event that parents/carers of pupils with SEND are not at home when the pupil is returning from school, the driver or passenger assistant will notify the Council's Client Transport **Services team** to seek advice. Where possible, they will make a return visit to the family home to check if the parent or carer has returned.

If the parent/carer has not returned by the end of the route, the driver or passenger assistant will contact the Client Transport **Services team** to inform them of the situation. The Client Transport **Services team** will then inform the Head Teacher and/or the relevant Social Care team. Drivers and passenger assistants will receive further instructions following the advice given by the Head Teacher and may be required to travel back to school to leave the pupil with an appropriate adult. In all cases, a note will be left for the parent/carer containing details of who they should contact and the whereabouts of the pupil.

If an incident happens after 5pm Monday to Thursday, and after 4.30pm on a Friday, contact will be made with the Social Care Emergency Duty Team. All incidents will be recorded and considered by the Council.

## 10.17 Passenger Assistants for students with SEND

Passenger assistants are responsible for the supervision of pupils to and from school. They will oversee the pupil's conduct and safety in such a way that the driver is able to drive the vehicle safely in his/her duties. The role of the passenger assistant is to help the driver to ensure the pupil can access their transport provision in a safe and appropriate way.

The needs of each individual pupil will be assessed to determine whether they will require supervision by a passenger assistant. There is no minimum and maximum age that determines whether a passenger assistant is required.

Passenger assistants receive training in order to understand the needs of pupils placed in their care. All Council passenger assistants are subject to an Enhanced Disclosure and Barring check (DBS). **SEND transport guidelines are published on our website.**

Every effort will be made to ensure that the same passenger assistant and driver continue to transport a pupil. We understand disruption can be unsettling and will do our best to minimise changes. This may not always be possible and changes may need to be made, for example as a result of staff unavailability/staff turnover/contract renewals.

The passenger assistant is not responsible for administration of medical aid. If a pupil has a medical condition which could require the administration of medical aid during the journey, the Council will make suitable transport arrangements. Alternatively, the parent could choose to receive a Personal Transport Budget and arrange their own transport.

## **10.18 Residential Schools**

The frequency of transport for pupils in 52-week placements will be determined individually.

The frequency of transport for pupils in a standard 40 week placement will depend on the number of weeks in the school calendar. The following numbers are for guidance only:

- termly Boarders: 2 journeys each term, 6 journeys per academic year
- half Termly Boarders: 2 journeys each half term, 12 journeys per academic year
- fortnightly Boarders: 2 journeys each fortnight, 38 journeys per academic year
- weekly Boarders: 2 journeys each week, 76 journeys per academic year

Where a student is unable to make their journey to school due to sickness or family matters and the Council has been informed at least 24 hours before, the journey will be provided at a date agreed between the Transport Officer and the parent/carer. A parent/carer will be expected to make their own transport arrangements if the Council is notified less than 24 hours before.

## **10.19 Expected level of behaviour for all pupils**

We aim to ensure the safety and well-being of all pupils travelling on Home to School Transport. To ensure this, all pupils using Council organised transport are expected to meet standards of behaviour that will ensure their own safety and that of other passengers. The Council will work in partnership with schools and other educational settings to promote appropriate standards of behaviour and pupils being transported will be expected to follow the same behaviour codes as they do when in school or other educational settings. Behaviour that does not meet our standards will be monitored and appropriate action taken.

Where behaviour falls below the required standards transport may be suspended for a set period or withdrawn completely. This would be a matter of last resort. The length of the suspension or withdrawal from home to school transport will be dependent upon the seriousness of the incident.

When behaviour first becomes an issue dialogue with the parents/carers and the school/educational setting will begin, with a view to resolving issues prior to any further action being taken. Parents/carers will be notified when transport is suspended or withdrawn, giving 5 days' notice of the suspension/exclusion. This will take the form of a written warning letter, suspension or withdrawal letter. If an incident is of a serious nature the Council reserves the right to withdraw the pupil from transport immediately to ensure the safety of the pupil and others. In these instances the parent/carer will be notified.

The decision to suspend or withdraw transport will take into account any special educational needs and disabilities the pupil may have that impact on their presenting behaviour. Where this is the case, the Council will work with parents/carers and the pupil with SEND (where they have capacity) to identify alternative solutions to safely transport them to their school/ educational setting. As this is an exceptional circumstance, if an immediate solution cannot be identified a Personal Transport Budget may be offered on a temporary basis.

Parents/carers are responsible for transporting their own children during any period of exclusion from transport due to inappropriate behaviour that is unrelated to any special educational needs and disabilities. There would be no refunds for transport during this period.

Behaviour that falls below the required standard includes that which is likely to significantly offend or endanger others, including, but not limited to:

- serious damage to the vehicle by the pupil
- actions which may constitute a health and safety risk
- assaults on others
- verbal, **written or online** abuse of other people including but not limited to swearing, taunting, racist, sexist, transphobic or homophobic comments, threatening behaviour
- incitement of others to engage in misbehaviour
- making repeated malicious false allegations of mistreatment requiring investigation
- serious misuse of a travel pass
- failure to comply with the reasonable instructions of the driver, passenger assistant, Council officer, or authorised member of school / establishment staff

During the period of suspension or withdrawal, it is expected that parents/carers take steps to address the behaviour. The parent/carer, pupil (where reasonable) and school/educational setting will be consulted on arrangements for the return to transport.

Parents/carers who wish to appeal a decision taken to suspend or withdraw transport should follow the process outlined in the suspension or withdrawal notification letter. This will enable a review of the case.

## **10.20. Application and Review Process**

### **Application process**

Application forms for Home to School Transport are available by [contacting the Admissions and Transport Team](#).

Further information can be found here about [the \*\*fundedfree\*\* school transport application process](#).

# Review process

Provision of travel assistance at any one time does not guarantee that this will be an ongoing arrangement and the requirement will be reviewed by the Council on a regular basis.

All pupils who receive travel assistance will be subject to review:

- at the end of Year 3 in which the pupil attains the age of 8 years;
- at the end of Year 6;
- following the successful completion of Independent Travel Training;
- *at the annual review meeting if the pupil has an Education, Health and Care Plan;*
- following a change in circumstances.

If during the course of any school year the Council determines that the provision of home to school transport need no longer be provided, it will stop at the end of the term in which the decision was made.

## 10.21 How to **appeal challenge** a decision

### **Concerns about transport arrangements**

*Transport arrangements are based on the Council's assessment of the young person's individual transport needs and relate to how their transport is delivered. Examples include the type of vehicle, number of passengers, use of a passenger assistant.*

If you have a concern about *how your child's transport arrangements are being delivered*, you should [contact the Client Transport Team](#) in the first instance. If your concern is *unable to be not resolved*, *you should use the complaints process please see section 10.22 on How to make a Home to School Transport complaint.*

### **Appeals about transport eligibility**

*Transport eligibility relates to whether the child or young person:*

- *has a legal right to have transport provided, or,*
- *meets Buckinghamshire Council's criteria for exceptional reasons to have transport provided.*

The Council has a 2 stage *appeal review* process for *young people and* parents/carers *who wish* to challenge a decision about *transport eligibility*.

- *exceptional circumstances that the parent/carer believes should be considered as to why transport should be provided for their child, if the child young person is not entitled to Council funded transport in accordance with this Policy*
- *the decision made by the Council not to award a child Council funded home to school transport*

*The appeal process is to challenge the above areas.*

### Stage 1 – **Review by a senior officer/officer panel**

Parents/carers have 20 working days to request a review of our decision about home to school transport **eligibility**. Parents/**carers** should write to us, detailing why the decision should be reviewed, giving details of any personal/family circumstances, and including **all any** supporting evidence to be considered **for example, evidence from a medical professional**. **In most cases the parent/carer will be asked to complete a form for further information. The parent/carer will receive an acknowledgement when we have received their written request for a review.**

**The parents/carers of students with EHCPs should write to their named Education, Health and Care Coordinator or the relevant area team:**

- **[Aylesbury SEND Area Hub](#)**
- **[Chiltern and South Bucks SEND Area Hub](#)**
- **[Wycombe SEND Area Hub](#)**

**The parents/carers of all other students should write to the Admissions and School Transport Team using the [Admissions and school transport 'Contact us' form](#).**

The decision will be reviewed by a senior officer or via the Transport Exceptions Panel. **The Transport Exceptions Panel meet throughout the year and is made up of officers from Children's Services, the Client Transport team and *Integrated SEND* teams.**

Within 20 working days of receipt of **this letter** **their written request including all supporting evidence**, parents/**carers** will be advised in writing of the appeal decision.

## **Stage 2 - review by an Independent Appeal Panel**

Parents/carers have 20 working days from **the** receipt of our Stage 1 **appeal decision notification letter** ~~written decision notification~~ **to write to ask for it to be reconsidered at Stage 2, which is a review by an Independent Appeal Panel. Details of where to send the Stage 2 request will be included on the Stage 1 appeal decision letter.** ~~to make a written request to escalate the matter to Stage 2.~~ Within 40 working days of receipt of the parents/carers **Stage 2** request, an Independent Appeal Panel will consider written and verbal representations from both the parent/carer **and as well as** officers involved in the case. **The Independent Appeal Panel** will give a detailed written notification of the outcome within 5 working days of the panel meeting.

The Independent Appeal Panel is made up of trained volunteers who have experience of transport issues. These volunteers are independent of the Council.

## **Stage 3 - complaint to Local Government and Social Care Ombudsman**

Parents/carers can complain to the Local Government and Social Care Ombudsman only if they consider that:

- there was a failure to comply with the procedural rules
- if there are any other irregularities in the way the appeal has been handled

For further information please [contact the Admissions team](#).

## **10.22 How to make a **Home to School Transport** complaint**

Any pupil, parent or carer wishing to make a complaint relating to Home to School Transport arrangements should complete the school transport ['Contact Us Form'](#).

Formal complaints should be made through our [Feedback and Complaints Procedure](#).

## 11. Further Information and Key Contact Details

If you require further information *or need help in making an appeal*, please contact the relevant service as follows:

For *students with EHCPs* please contact your named Education, Health and Care Coordinator or the relevant area team:

- [Aylesbury SEND Area Hub](#)
- [Chiltern and South Bucks SEND Area Hub](#)
- [Wycombe SEND Area Hub](#)

For all other students please contact Admissions and School Transport using the [Admissions and school transport 'Contact us' form](#).

For more information on school transport please visit [our website](#) and [the SEND Local Offer](#).