



SEND Transport Policy

**Home to Educational or Training Setting Travel Assistance
for Pupils with a Statement of Special Educational Needs
or a statutory Education, Health and Care Plan**

Sept 2017 (Version 2)

Contents

A: INTRODUCTION.....	4
1. Equality Statement.....	4
2. Safeguarding Statement	4
3. The Legal Framework.....	5
4. Principles.....	6
5. Role of parents in getting their child to school.....	6
B. ELIGIBILITY CRITERIA: SCHOOL AGED PUPILS	8
1. Residence and age:.....	8
2. Attendance at a “qualifying school”	8
3. Distance from the qualifying school:.....	8
4. Distance criteria for Low Income Families.....	9
5. Children / Young People with SEN and/or disabilities:	9
6. Children below Statutory School Age.....	10
7. Children / Young People at Boarding School	10
8. If there is an no “Available Walking Route”	10
9. Parents/carers with Disability	10
10. Pupils Permanently Excluded from School.....	11
11. Pupils placed in Alternative Provision by the Local Authority	11
12. Pupils with temporary Medical Difficulties	11
13. Child Protection	11
14. Individual Circumstances as Determined by the Transport Appeals Panel.....	12
C. CIRCUMSTANCES WHERE TRAVEL ASSISTANCE TO SCHOOL WILL NOT BE PROVIDED ..	
1. Attending a non-qualifying school of parental preference.....	13
2. Children / Young People Attending a School on the Grounds of Religion or Belief.....	13
3. Selective Schools	13
4. Change of Address / Moving House	13
5. Sibling, Brother, Sister	14
6. Respite Care.....	14
7. Alternative provision commissioned by a school	14
8. Part Time Attendance, Detention, After School Clubs, etc.	14
9. Other Circumstances where Travel Assistance will not be Provided	14

D. POST-16 STUDENTS.....	16
1. Eligibility Criteria	16
2. Students not Eligible for Travel assistance.....	16
3. Students who have been refused Travel assistance	17
E. TYPE OF TRAVEL ASSISTANCE OFFERED:.....	18
1. Public transport.....	18
2. Other forms of assistance	18
3. Passenger Assistants.	18
4. Promoting independence and travel training	18
5. Changes to type of travel assistance offered.	19
F. APPLYING FOR TRAVEL ASSISTANCE , DETERMINING ELIGIBILITY AND SETTING UP TRAVEL ARRANGEMENTS	20
1. Applying for travel assistance	20
2. How is eligibility decided?	21
3. Review of eligibility and withdrawal of travel assistance.....	22
4. Applicants who are not considered eligible for assistance.....	23
5. Setting-up travel arrangements for eligible applicants.....	23
6. Changes to circumstances.....	23
7. Deciding on the Mode of Travel Arrangements	24
8. Picking Up / Setting Down Points.....	24
9. Route Planning and Route Reviews.....	25
10. Maximum Journey Times.....	25
11. Fuel, Wear & Tear Payment	26
12. Sustainable Travel.....	26
13. Parental Responsibilities when a child is receiving travel assistance.	26
14. Pupil Behaviour	27
G. REVIEW OF DECISIONS, APPEALS PROCESS AND COMPLAINTS.....	28
1. Review of decisions.	28
2. Appeals Process.....	28
3. Complaints.....	29

A. INTRODUCTION

This policy sets out under what circumstances the Borough of Bournemouth will assist children and young people with a Statement of Special Educational Needs or a Statutory Education, Health and Care Plan with travel between home and their educational or training setting. This policy will apply to those children or young people who are resident within the Borough or where they might be resident elsewhere but are the financial responsibility of the Borough (as determined by relevant SEN and Care legislation).

The policy specifically relates to travel between home and educational / training setting at the start / end of the educational/training day or at other times where agreed by the Borough as being appropriate and necessary. This policy details the responsibilities of parents/carers (and young people where aged 18+), and those of the Borough.

This is not a new policy within the Borough of Bournemouth but it brings together previously agreed arrangements. This policy is also reflective of recent legislative changes relating to the Children and Families Act 2014 and associated Special Educational Needs Code of Practice.

Throughout this document the following abbreviations will be used:

Statement of Special Educational Needs = SSEN

Statutory Education, Health and Care Plan = EHCP

Many children / young People with a SSEN or EHCP do not need and do not receive travel assistance. Many of those who do require travel assistance will do so on distance grounds and not due to their special educational needs – the Borough’s criteria and process in this respect is described within this policy. Some children / young People may require travel assistance because of their special educational needs and/or require a specific type of assistance – this policy also details the Borough’s criteria and process in this respect.

1. Equality statement

Bournemouth Borough Council has a legal duty to advance equality of opportunity, eliminate unlawful discrimination and foster good relations between people who share a protected characteristic and those who do not. The statutory duty to have due regard to equality in its business, functions and services is detailed in the Equality Act 2010.

The Council is committed to these principles, will promote equality of opportunity and will treat all customers and staff fairly and responsibly.

2. Safeguarding statement

The Borough and its partners recognise that safeguarding is everybody’s responsibility. Whether their interest is in all young people ‘staying safe’ in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff will have appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out.

Schools and other educational or training settings, children, young people and their parents or carers, or any member of the community should feel secure that they can raise any issues or concerns about the safety or welfare of children and young people and know that they will be listened to and taken seriously. This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of children and young people. This is supported by a clear child protection policy, appropriate induction and training, briefings on and discussion of relevant factors and refreshed learning in line with current legislation and guidelines.

The Council acts as a Corporate Parent for Children in Care. This means that the local authority has a legal and moral duty to provide the kind of support that any good parents would provide their own children. This policy has been written to comply with these principles.

3. The legal framework

It is the responsibility of parents and carers to ensure that their children attend an educational setting and this includes the necessary travel arrangements to and from such a setting. The Borough has a duty and has powers to make particular travel arrangements for children with special educational needs and disabilities to facilitate their attendance at an appropriate education provision.

These responsibilities are set out in the Education Act 1996, as amended by the Education and Inspections Act 2006. These documents set out the statutory obligations and powers of Local Authorities to support children / young People with travel to and from an educational or training setting. These provisions are mandatory for children and young people of compulsory school age, and discretionary for children / young People below or above statutory school age.

Local Authorities have a duty to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children. Eligibility is determined by the distance the child resides from their nearest suitable school.

Statutory distance for school aged children / young People is defined as:

- 2 miles for a child under 8 years of age; and
- 3 miles for a child between 8 and 16.

This rule is applicable to all children / young People, whether or not they have special educational needs.

These distances are defined in Section 444 of the Education Act 1996 and they have long been established in detailed government guidance. The shortest available walking route is used to measure the distance between home and school, although this does not mean that the child is expected to walk alone, as they should be accompanied by an adult as appropriate.

Local Authorities are also expected to make travel arrangements for all children who cannot reasonably be expected to walk to school because of mobility problems or associated health and safety concerns related to special educational needs.

In addition to considering the distance from the child / young person's home to school, the Borough will also consider:

- the need of the child / young person

- the complexity of the home to setting journey
- the use of public transport whenever possible and appropriate
- promoting independent travel and travel training
- promoting a healthy approach to travel assistance as far as possible by encouraging children / young People to walk to school
- the most cost effective travel assistance arrangements

The 2006 Act also provided further assistance to families with certain eligibility criteria, e.g. low incomes

Section 509 of The Education Act 1996, The Education and Skills Act 2008 and statutory guidance relating to post 16 transport to education and training issued in February 2014 specifies Local Authority travel responsibilities in relation to Post 16 students.

The School information (England) Regulations 2008 requires local authorities to publish general arrangements and policies in respect of transport for pupils of compulsory school age.

For those children / young People with an EHCP, reference should also be made to the Children and Families Act 2014 and subsequent Special Educational Needs Code of Practice.

The Local Authority is required to publish details of arrangements and policy for transport of children and young people with a SEN or EHCP which will be reviewed annually.

4. Principles

- The Local Authority has a duty to provide travel assistance in a cost effective way, so the type of assistance offered will be kept under regular review. If a child or young person is being transported, the route and vehicle may need to be changed at short notice. Local pickup and drop off points will be used where possible.
- The ability to travel independently will always be considered before the provision of transport.
- Bournemouth Local Authority will give assistance with home to school travel for eligible children and young people with the active cooperation of their parents and carers.
- Wherever possible, it is expected that pupils and students will travel in the same way as other children / young People of their age, with an age-appropriate level of supervision from their parents or carers.
- The local authority will ensure that the particular needs of individuals are assessed and recognised, and everything will be done to ensure that these needs are met.
- The type of assistance offered will be appropriate for the age and needs of the traveller, will enable them to travel in reasonable comfort and to arrive at their educational or training setting ready to learn.
- The way that travel assistance is provided will aim to promote the progressive independence and health of the child or young person.
- Travel assistance will be regularly reviewed and can be withdrawn if a pupil loses eligibility, there are persistent and irresolvable safety issues or because of the non-cooperation of the parent or carer.

5. Role of parents/carers in getting their child / young person to school.

Parents/carers are required to cooperate with the Borough to find cost effective travel solutions for their child. For example by ensuring that their child is prepared and able to travel, ensuring that they are at the pickup points at the right time and by showing flexibility over arrangements where necessary.

Regular work commitments or domestic difficulties of the parents will not normally be taken into account when deciding the eligibility of a child or young person or the type of assistance offered.

Parents are expected to take responsibility for ensuring their child's attendance at school or their identified educational setting.

When their child is receiving travel assistance, parents are required to notify the Borough, at the nearest available opportunity, of any changes in circumstances that may affect eligibility or type of travel arrangements.

B. ELIGIBILITY CRITERIA: SCHOOL AGED PUPILS

1. Residence and age:

This section applies to children and young people who are;

- resident in Bournemouth (or the financial responsibility of Bournemouth)
- of statutory school age (5-16) with a SSEN or EHCP

2. Attendance at a “catchment / qualifying school”

Assistance is only given with travel between school and home if the child / young person attends a catchment or qualifying school.

For most pupils, including those who have a SSEN or EHCP in the mainstream sector, the “qualifying school” is the school that is declared by the Council to be the catchment/qualifying school or academy serving the area in which the child’s home address falls. However if that school is full, then the qualifying school could be the nearest school with an available place. This would be designated by the Local Authority.

In the case of a child / young person with a SSEN or an EHCP attending a special school or unit, it will be the nearest suitable special school or unit with a place available that can provide an education appropriate to the age, ability and aptitude of the child / young person and any special educational needs that the child has as specified in his or her SSEN or EHCP.

Therefore a qualifying school could be a

- community, foundation or voluntary school;
- mainstream academy;
- free school
- community or foundation special schools;
- special academy or special free school
- non-maintained special school;
- pupil referral unit;
- specialist nursery school
- independent special school if it is named as the local authority’s preferred placement in the pupil’s SSEN or EHCP.

(In individual exceptional circumstances, where an alternative form of education has been agreed, the term “qualifying school” may be taken to include an agreed provider of alternative education

3. Distance from the qualifying school:

Travel assistance will be given when a child / young person lives beyond ‘statutory walking’ distance from his or her qualifying school as below:

- A child under 8 years of age who lives more than 2 miles from the school, unless parents voluntarily make suitable arrangements.
- A child / young person aged between 8 and 16 years (who is not from a low income family) who lives more than 3 miles from the school, unless parents/carers voluntarily make suitable arrangements.

- Where a child / young person lives at 2 different addresses individual consideration will be given to the specific circumstances but the home address used to determine distance from the qualifying school will normally be the one at which the child or young person resides for the majority of the school week.

4. Distance criteria for low income families

Children/young people from low-income groups or families are defined in legislation as those entitled to free school meals, or whose families receive the maximum level of Working Tax Credit.

The distance criteria are different for this group, as follows:

- A child who is from a low income family aged 8 years but under 11 years of age who lives more than 2 miles from their primary school.
- A child / young person who is from a low income family aged between 11 and 16 who attends one of his or her three nearest mainstream qualifying schools and lives more than 2 miles but less than 6 miles from their secondary school.
- A child / young person who is from a low income family aged between 11 and 16 years who attends his or her nearest suitable school preferred by his or her parents on grounds of religion or belief and who lives more than 2 miles but not more than 15 miles from the school.
- Annual confirmation of low-income status is required. Assistance will usually be withdrawn if a family ceases to hold low-income status.

5. Children/Young People with SEN and/or disabilities:

The majority of children / young People with a SSEN and EHCP do not need and do not receive travel assistance.

It is the responsibility of parents and carers to ensure that their children attend an educational setting and this includes the necessary travel arrangements to and from such a setting.

Regular work commitments or domestic difficulties of the parents will not normally be taken into account when deciding the eligibility of a child or young person or the type of assistance offered.

There is no automatic entitlement to travel assistance for a child or young person who is the subject of a SSEN or EHCP.

Assistance will be considered when parents/carers are unable to transport their child and when a child or young person is incapable of travelling to school in the same way as other children of their age. Examples of areas of need, which may suggest that a child / young person cannot not be reasonably expected to walk to school, would be:

- (a) Long term severely restricted independent mobility (something that is likely to last at least a year, this can include sporadic conditions such as epilepsy or multiple sclerosis).
 - a physical disability e.g. severe cerebral palsy which may necessitate the daily use of significant mobility aids such as a wheelchair,

- a medical condition resulting in severe persistent pain and/or extreme fatigue, an example of this might be juvenile arthritis,
- a medical condition resulting in serious persistent health and safety risks. Examples of this might be intractable epileptic seizure disorders.

(b) an exceptional lack of age appropriate independence skills, so the child could be at significant risk when travelling to school. This could be caused by factors such as:

- severely restricted communication skills. Examples might be profound hearing impairment or severe autism or severe language disorder,
- a sensory impairment resulting in significantly restricted mobility, e.g. a severe visual impairment,
- significant learning disability, e.g. a child with severe learning difficulties who is unable to assess risk and adapt to everyday situations,
- severe behavioural, emotional and/or social difficulties in comparison with other children of their age.

6. Children below statutory school age

A child reaches statutory school age at the beginning of the term immediately following his or her fifth birthday. Where a 4 year old child is admitted to a reception class under local admission arrangements in the school year when they will become 5, a request for travel assistance will be considered as if he or she were of statutory school age. Normally no travel assistance will be provided at lunchtimes or at any time other than the normal start and end of the school day. Travel assistance between these times will usually remain a parental responsibility.

The Council does not provide travel assistance to independent nursery or pre-school settings but may do so when a child attends a specialist nursery in a special school.

7. Children / Young People at boarding school

A pupil has eligibility (a) where the distance criteria are met and (b) the Council has arranged for a child / young person to board at a school. Travel assistance will be provided in accordance with the boarding arrangements.

8. If there is an no 'Available Safe Walking Route'

When determining whether the child / young person's home is within the statutory distance, there must be an available walking route to the qualifying school that is reasonably safe. If the nature of the route is such that the child / young person cannot reasonably be expected to walk to school, even when accompanied by an adult, then the Council will deem it to be unavailable. In determining what is 'reasonable', the Council will take into account the latest national guidance on this issue from road safety professionals.

9. Parents/carers with a disability

Travel assistance may be provided for a child / young person reflecting the practical impact of the disability of either or both of his or her parents/carers. Each such instance will be considered on its own merits at the discretion of the authority. Documentary evidence will be required to support any application for assistance on these grounds, citing their own issues as the reason for their request. For example latest notification of highest

level of DLA for mobility or a medical consultant letter outlining the nature of the parent's disability and the impact this will have on them carrying out their day-to-day responsibilities to ensure their child travels to school.

10. Pupils permanently excluded from school

A pupil permanently excluded from a school will be provided with assistance to his or her next mainstream school provided it is both the nearest suitable school and is outside the statutory walking distance from home.

If the Local Authority places a permanently excluded pupil in a Pupil Referral Unit or similar alternative provision this will be regarded as a qualifying school for the duration of the placement.

The travel needs of a pupil who temporarily attends alternative provision because of a fixed term exclusion from a school or academy will normally be the responsibility of parents.

11. Pupils placed in alternative provision by the Local Authority

Where the Local Authority arranges for a child / young person to receive education other than in a school, the location where education is provided will be considered as if it were a school when determining eligibility for travel assistance. In determining reasonableness, the Council will take into account the cost to the Council of the proposed travel assistance and the availability of alternative arrangements.

12. Pupils with temporary medical difficulties

Where a pupil is temporarily unable to travel independently to their educational setting in their normal way as a result of an accident, planned surgery or an illness, then travel assistance may be available. Requests should be made to the Admissions team, or if the pupil has a SEN or EHCP, the SEN Assessment Team. Supporting advice from appropriate medical practitioners must accompany the request detailing:

- full medical details of the condition, including timescales for recovery;
- written medical confirmation regarding the child / young person's fitness to return to school;
- the likely period for which revised travel assistance arrangements may be needed;
- the type of travel assistance likely to be needed, for example, where the child / young person is in a full body cast;
- any manual handling risks.

13. Child protection

Travel assistance may be provided on a discretionary basis, to provide support and stability to a child / young person of statutory school age in general education, who is subject to a temporary change of address due to domestic violence, child protection or homelessness.

When a family is permanently re-housed the child / young person will be subject to the current eligibility criteria but safeguarding issues will always be considered when determining this, and when deciding the type of assistance to be offered.

14. Individual circumstances as determined by the Transport Appeals Panel

Where a child / young person does not meet the criteria set out in this Section or elsewhere in this Policy, it remains open to a parent/carer to point out unusual, individual or extenuating circumstances that might render it unfair for their child to be denied assistance.

Assistance with travel will be offered if the Borough's Transport Appeals Committee decides that this should be provided in recognition of individual circumstances.

C. CIRCUMSTANCES WHERE TRAVEL ASSISTANCE TO SCHOOL WILL NOT BE PROVIDED

1. Attending a non-qualifying school of parental preference

A child / young person will be ineligible for travel assistance where he or she attends a school (mainstream or special) which is not their qualifying school, where this is as a result of parental preference.

When expressing a preference for a school other than the qualifying school, parents are strongly advised to consider their commitment to providing transport for the whole duration of a child's attendance at that school and to consider whether their ability to provide it or pay for it is likely to continue over that period of time.

Where a child / young person is withdrawn by a parent from one school and placed in another school, travel assistance will not be provided unless the child is eligible from the home address to the new school. Such a transfer of school will be regarded as an expression of parental preference. Parents are strongly advised to seek to resolve difficulties locally wherever possible without withdrawing their child from school.

Where a parent has decided to educate their child other than at school no assistance for travel will be available from the Borough.

2. Children/Young People attending a school on the grounds of religion or belief

Travel assistance will not be given to children / young People attending schools on the grounds of religion or belief 'denominational grounds' except in one specific circumstance, where a child / young person is from a low income family, is aged between 11 and 16 years, attending his or her nearest suitable school preferred by his or her parents on grounds of religion or belief, and who is living more than 2 miles but not more than 15 miles from that school.

3. Selective schools

There is no additional entitlement to travel assistance on the grounds that the school attended is selective. The Council is not obliged to have regard to a parent's preference for the child / young person to attend a selective school when determining eligibility for travel assistance.

4. Change of address / moving house

Travel assistance will not be given to maintain a pupil's place at a school if the family chooses to move house within Bournemouth to a more distant address from the pupil's school. However, if no place is available at the nearest qualifying school within the statutory walking distance from the new address, then assistance would normally be given to the next nearest suitable school, as this would then become the qualifying school.

(Where the family move whilst the young person is in Years 10 or 11, and the new address is 3 miles or more from the school and is within reasonable daily travelling distance, then travel assistance may be provided.)

Residents moving house are reminded that if they move to an address in another authority, their child or student will then become subject to the policies of the authority into which they have moved. These may be different from those of Bournemouth.

Parents of a pupil with a SSEN or EHCP, currently receiving travel assistance, who move house within Bournemouth, should provide at least one month's notice to the SEN Team to allow their eligibility to be reassessed. The SEN Team may offer to move the child to a nearer suitable school bearing in mind any special circumstances, for example, examinations or students in their final year. Should this offer be refused, the current school may be then deemed as a "parental choice" and not meet the criteria set out in this policy.

5. Sibling, Brother, Sister

Eligibility agreed and assistance given to one child / young person in a family will not create a precedent for any of his or her brothers or sisters or other children / young People living at that address. Each child's or young person's case will be treated individually, and separate applications for assistance must be made for each child. If the Travel Policy has changed since an older sibling received assistance, the younger sibling will be subject to the new Travel Policy.

6. Respite care

Where Children's Social Care arrange respite care for a family there is no obligation for the Council to arrange travel to and from the respite care. Children's Social Care will consider the individual circumstances of the family involved and may arrange transport. Families that are offered a short breaks or respite care placement should not assume that home to school travel assistance will be provided to, from or during the placement.

7. Alternative provision commissioned by a school

Where a school has placed a child / young person in alternative provision the travel needs of the child / young person will normally be the responsibility of parents.

8. Part time attendance, detention, after school clubs, etc.

Travel assistance will not be provided at a time other than standard school times for example home during the day or late after school, including payback, detention, sporting or other after school clubs and societies. Pupils are expected to complete a full school day and fit into the normal timing of transport. Where a pupil's/student's day starts or finishes earlier or later the parent / carer would generally be required to make other travel arrangements outside the Borough's normal provision of assistance.

9. Other circumstances where travel assistance will not be provided

The Council's duty is to provide assistance for regular home to school travel, at the beginning and end of the school day. Travel assistance will not be provided:

- to extra curricular activities or between institutions within the school day. (For journeys of this nature the organising school or institution will be responsible for travel assistance arrangements);
- to dental or hospital appointments, or other non-educational appointments;

- in the event of sickness, where the child has to be collected from school (or returned to residential school midweek);
- for parents attending review meetings in day placements;
- for parents visiting their child / young person in a residential setting;
- to attend work experience;
- to attend an induction day / open evening at another establishment;
- to accompany a friend home;
- following misbehaviour occurring on transport, which threatens the health and safety of staff and/or other pupils in a vehicle.

D. POST-16 STUDENTS

This section applies to post 16 young people who have a SSEN or EHCP and who attend either:

- 6th form in a mainstream school
- A further education college.
- Post 16 provision in a specialist setting or with a training provider

This criteria applies to both day and residential provision where the Borough has deemed such provision to be appropriate and necessary.

1. Eligibility criteria

A young person must have a SSEN or EHCP to be considered for travel assistance under this policy. In addition, post-16 students will normally also meet criteria a, b, c, d and e documented below:

- **Type of course:** the student's course is regarded as full time education and deemed to be appropriate to both their needs and ability
- **Age range:** the student is aged 16-25
- **Location:** the student is attending the nearest educational setting that is able to offer a place on an age and need appropriate course
- **Residence:** the student is resident within the Borough
- **Needs:** the student is incapable of travelling to an appropriate educational setting or training provider in the same way as other young people of their age

For criteria e, please refer to needs eligibility examples described within Section B (Point 5) of this policy relating to long term severely restricted independent mobility, or a significant lack of awareness of common dangers and lack of age appropriate independence skills, so the young person could be at significant risk when travelling.

Where a young person or their family is in receipt of a benefit with a mobility element directly related to the needs of the young person, the Borough will consider asking for a contribution towards the cost of any travel assistance which might be agreed.

- **Religious Reasons**

Any eligible students wishing to continue their studies at an educational establishment with a particular religious denomination may do so with appropriate proof/evidence that they are of the same faith. Other qualifying criteria will still apply.

2. Students not eligible for travel assistance

Students who do not qualify for direct support from the Local Authority should enquire from the school or College they wish to attend as to whether support would be available from them.

Students who use public transport should also enquire as to the availability of discount tickets and other arrangements which may reduce the cost of travel.

3. Students who have been refused transport assistance

Students who have been refused travel assistance can appeal against the decision and the case will be reviewed. Please see Section G of this policy.

E. TYPE OF TRAVEL ASSISTANCE OFFERED:

1. Public transport

Travel assistance will normally be provided by issuing a travel pass for use on the public transport network; unless there are compelling reasons why this is not suitable. If public transport is wheelchair accessible, then this would be considered as the first option for independent wheel chair users.

2. Other forms of assistance

If a travel pass is not appropriate, the following travel assistance may be arranged in the following order:

- ◆ agreeing a fuel, wear and tear payment for a parent or carer to transport the child or young person or a person nominated by the young person or their family..
- ◆ providing a passenger assistant to support a child / young person to use public transport, or providing a walking escort.
- ◆ providing a personal travel budget
- ◆ providing a place on a minibus, or in exceptional cases, a taxi.

3. Passenger Assistants

If indicated by an assessment of travel assistance needs, additional support may be required to ensure the safety and well-being of individuals and groups of travellers. The Borough could at its discretion provide a specialist vehicle, specialist equipment and/or a passenger assistant. Passenger assistants will be subject to an enhanced Disclosure and Barring Service check and will be provided with appropriate training and support to enable them to work effectively with the children / young People who they are supporting.

There is no guarantee of the same passenger assistant being available every day and there may be delays associated with establishing a suitably qualified passenger assistant to provide support.

It may on occasion be appropriate and/or necessary for a parent/carer to act as passenger assistant. Where this is agreed, arrangements will normally include returning the parent/carer to their home address after the morning school journey and collecting them from their home address prior to the afternoon school pick up. Whilst this would normally happen, exact arrangements will always be determined by individual circumstance and cost effective use of public money.

4. Promoting independence and travel training .

The way in which pupils travel to school should change over time, reflecting and promoting their increasing maturity and helping them to become as independent as possible as a traveller. For pupils with SEN and disabilities increased independence may be demonstrated by a pupil gradually developing the skills and confidence to travel by public transport, instead of in a minibus, or by being able to walk to school. For others it could be that they need less support and supervision to be able to make use of specialist transport, so that the young person is able to travel with others, rather than needing to travel on their own.

Plans to encourage independent travel should be put in place by the school and parents/carers, working in partnership to mutually agreed targets. Progress will be evidenced at each subsequent Annual Review and and

applications made for continued travel assistance. This step is regarded as a positive achievement towards the pupil's progress in becoming a more independent traveller.

Secondary aged pupils with a SEN or EHCP who are eligible for travel assistance because of their special needs may also receive support for independence and mobility training as part of their school curriculum, if this is identified as a need. The way that the pupil travels to and from school should be used to help develop and consolidate new skills.

5. Changes to type of travel assistance offered.

Travel assistance will normally be agreed for no more than a year and formal reapplication annually is usually required if a family or young person wish to seek continuation. At the point each subsequent application is considered, the type of travel assistance offered will be reviewed to ensure any travel assistance offered is appropriate to the needs of the child or young person at the time of application.

Where a continuation of transport assistance is agreed, but different arrangements are to be put in place, a child or young person's particular sensitivity to change will be taken into account and normally discussed with both their educational setting and family.

If no reapplication is received, the LA will assume that travel assistance is no longer required.

F. APPLYING FOR TRAVEL ASSISTANCE, DETERMINING ELIGIBILITY AND SETTING UP TRAVEL ARRANGEMENTS

1. Applying for travel assistance

- a. **Children/young people without a SSEN or EHCP** - parents or carers should make an application using the *Application Form for Travel Assistance from Home to School for Bournemouth Residents*.

Advice and application forms are available from:

**The Children's Information Service
Customer Services
Town Hall
St Stephen's Road
Bournemouth BH2 6EB**

Telephone (01202) 456223 Email cs@bournemouth.gov.uk

Or the Councils website www.bournemouth.gov.uk Children & Education/ Schools / Help with Transport to School

The completed form should be posted or Emailed to:

**The Passenger Transport Unit
Planning and Transportation
Town Hall Annex
St Stephen's Road
Bournemouth BH2 6EA
Telephone (01202) 458852
Email: passenger.transport@bournemouth.gov.uk**

Applications for the start of the school year must be received by **30th June** in order to be processed by the start of the school year. Late applications will be processed but the Council is unable to guarantee that travel assistance will be ready for the start of term.

- b. **Children/young people with a Statement of Special Educational or statutory Education, Health & Care Plan**

Children /young people with a SSEN or EHCP aged 16 or younger who wish to be considered for travel assistance should follow the application process detailed above where a request for transport assistance is being made that is *not* specific to a child or young person's special educational needs e.g based purely on distance.

Where an application needs to be made because of a child or young person's special educational needs or the impact those needs may have on getting to school, parents or carers should make an application using the *Application Form for Travel Assistance for a child / young person with a Special Educational Need*.

Young people with a SSEN or EHCP aged 16+ who wish to be considered for travel assistance should also make an application using the *Application Form for Travel Assistance for a child / young person with a Special Educational Need*.

Children/young people and their families should contact the SEN Team if they need further guidance or support with completion of an application form.

Advice and applications are available from:

The Special Educational Needs Team

Children & Young People

Town Hall

Bourne Avenue

Bournemouth BH2 6DY.

Telephone: (01202) 456166

Email: SENTeam@bournemouth.gov.uk

Further assistance and advice is available from the educational or training establishment attended by the child / young person. **Applications will normally need to be endorsed by the settings special educational needs coordinator (SENCO) before submission to the SEN Team for consideration.**

Making an Application

Applications will normally be agreed for a maximum of 1 academic year but may be agreed for shorter or longer periods dependent on circumstances.

Applications for travel assistance should normally be made during the summer term for a September start but can be made throughout the year and are normally processed within 8 weeks of receipt.

Travel assistance will not be considered without submission of a fully completed and signed Travel Assistance application from family or a young person (where aged 18 and deemed to have capacity to complete such an application).

Where travel assistance has been offered, and a family or a young person wish assistance to continue beyond the agreed period, a new application for assistance will need to be made by the family or young person approximately 1 term and a minimum of 8 weeks before agreed arrangements end. If no new application is made transport assistance will cease at the end of the agreed funding period.

Applications should be made with regard to the allowance of processing time by the Borough. Forms which are not fully completed or use of the incorrect form will be returned to the parent/carer/young person for resubmission.

2. How is eligibility decided?

Council Officers will check applications in accordance with the eligibility criteria detailed in Section B of this policy.

Evidence for SEN / disability / medical criteria

For travel assistance awards on the grounds of SEN/ disability or medical criteria a decision will be based on written evidence from a range of sources; for example, the child / young person's parent or carer, Educational Psychologist, Community or Consultant Paediatrician and school or college's Special Needs Co-ordinator. Information is required on the mobility of the child / young person, the impact of any special medical or behavioural conditions on their ability to travel independently and the need for any special equipment.

Evidence of meeting low income family criteria

Evidence will be required that confirms that the child / young person is currently in receipt of Free School Meals (FSM). Alternatively, the parent /carer will need to provide a working tax credit notification letter evidencing entitlement to the maximum level of working tax credit with no reduction for income.

A child / young person who qualifies for free school meals by virtue of Universal Infant Free School Meals, will not qualify for travel assistance under low income rules.

Tax Credit - Parents should provide their most recent entitlement letter from the Inland Revenue and their NHS Exemption Certificate/Card. The letter will state which Tax Credits the applicant is entitled to and the amount of income the Inland Revenue has used to calculate an entitlement. If a parent is entitled to both Child Tax Credit (CTC) and Working Tax Credit (WTC) then they will both be listed separately on the same letter.

If the income level is not specified within the Tax Credit letter, parents should also provide a copy of their NHS prescription exemption card/certificate.

Disability Living Allowance – Where a Young person is aged 18 or older and are in receipt of DLA with a mobility element, Parents or the young person should provide their most recent entitlement letter which gives full details of their award and specifically their mobility element. If transport assistance is agreed for a young person who receives such a benefit the Borough may seek a financial contribution from the young person towards the cost of any travel assistance agreed.

Where a motability vehicle has been provided for the child / young person concerned the Borough would expect this vehicle to be used to transport to young person to and from an educational or training setting. In such circumstances family are able to request that a fuel allowance be paid.

3. Review of eligibility and withdrawal of travel assistance.

If travel assistance has been provided as a consequence of an error of the council, provision will not be withdrawn with fewer than 6 calendar weeks' notice.

Where travel assistance is awarded because a safe walking route is unavailable, transport assistance will be withdrawn following a notice period of 6 weeks if suitable improvements to the route are made and it becomes 'safe'.

In the event that travel assistance has been provided as a result of the parent or carers providing false or misleading information, the travel assistance will be withdrawn without notice, the authority may also seek financial recompense in these circumstances.

4. Applicants who are not considered eligible for assistance.

In the event of eligibility not being agreed, parents/carers will be notified by letter and informed of their right of appeal.

5. Setting-up travel arrangements for eligible applicants

Notification of eligibility will be passed to the Passenger Transport Unit (PTU). The Passenger Transport Unit will complete a risk assessment, this will draw upon the information supplied with the application form and where necessary involve further research. The purpose of this is to identify and minimise any potential risks and to determine the most suitable type of assistance to be offered.

In deciding the most appropriate type of travel assistance. The PTU will take into account the needs of the individual child or young person, their ability to travel independently, existing transport provision to the same school or college as well as their responsibility to procure the most cost effective suitable arrangement. Where a child or young person has transport assistance agreed specifically because of their special educational needs, the PTU will work with the SEN Team to identify and agree an appropriate form of transport assistance.

When arrangements are agreed, the PTU will notify the parents and/or young person sending them:

- details of the travel service to be supplied,
- a code of conduct,
- a list of useful points of contact,

If the proposed travel arrangements are deemed unsuitable by the parents or young person, they should contact the PTU within 5 days of receiving the notification, and the PTU will review their proposal with any relevant colleagues in the light of any new information provided.

6. Changes to circumstances

If there is a significant change in circumstances, such as a change of school or home address, a change in parent/carer circumstances, or a change in the child / young person's needs, an immediate review of travel assistance entitlement / provision may be required. It is the responsibility of the parent/carer to promptly notify the PTU of any change in circumstances that may affect the provision of travel assistance. The PTU will consult with the team that agreed the initial eligibility.

If the travel arrangements made by the Council for a child or young person become unsuitable as a result of an accident, planned surgery or an illness, then a request for revisions to the travel assistance arrangements must be made in writing to the PTU, providing the above information, giving a minimum of 10 days notice.

Passenger Transport Unit

Bournemouth Town Hall Annex

St Stephen's Road

Bournemouth BH2 6EA

Email: passenger.transport@bournemouth.gov.uk

All decisions will be based on the facts provided, taking into account the needs of the child / young person, the availability of appropriate travel assistance and any significant increase in the costs. In all cases, the PTU would seek information as to the possible options and associated costs. These may include:

- placing the child / young person on a different route;
- providing a separate or different vehicle;
- providing a specialist vehicle with medical support;
- providing a passenger assistant.

7. Deciding on the Mode of Travel Arrangements

The PTU will endeavour to follow established best practice in the provision of the most cost effective and appropriate travel assistance for each entitled child / young person, taking into account their own individual needs. The aim is to enable children / young People to reach school without such stress, strain, or difficulty that would prevent them from benefiting from the education provided.

The arrangements will be designed to allow the child / young person to travel in reasonable safety and in reasonable comfort. Factors considered will include:

- the location of home of the child / young person;
- the location of educational or training establishment the child / young person is attending;
- the availability and accessibility of public travel assistance and/or contracted services;
- the number of other pupils living in the same vicinity and attending the same school/setting or a different school/setting deemed to be on route;
- cost;
- traffic conditions;
- other operational issues that might affect the travel arrangements.

Priority will be given to travel assistance solutions that help to develop travel independence skills, so as the child / young person grows older, they are better equipped to lead independent lives.

8. Picking Up / Setting Down Points

Eligible children / young People will be picked-up and set-down from a convenient pick-up/set-down point or in a few exceptional cases from home where their needs require this. The Council's PTU will notify these arrangements to parents/carers.

A child / young person will normally be expected to walk a reasonable distance to and from home to meet their transport. This will not normally exceed:

1. 0.5 miles for a child up to 8 years old
2. 1 mile for child / young person over 8 years old

Parents are responsible for their child's safety in getting to and from the pick-up/set-down point. They are responsible for their child whilst waiting for travel assistance and when they leave the travel assistance at the end of the day.

Where taxis or minibuses are provided parents/carers have a responsibility to present their child to and to greet the child from the transport. Drivers and Passenger Assistants are instructed not to delay longer than 5 minutes at any pick up point in order not to inconvenience other passengers.

Parents/carers may not normally vary the agreed pick up / drop off arrangements. Occasional minor variations may be possible, by agreement with the PTU. Variations are unlikely to be agreed where the change would have a negative impact on other passengers or increase the cost of the journey. Neither Passenger Assistants nor Drivers are authorised to agree route variations.

The collection and set down arrangements will be reviewed annually and children with special educational needs will be encouraged towards independence.

9. Route Planning and Route Reviews

The PTU regularly reviews travel assistance provision and individual transport routes. A review may result in a change of arrangements to be provided. Wherever possible, notice will be given to parents of any proposed long-term changes to transport provision.

Consultation with parents will not normally take place as part of a route review. This is to enable route reviews to be carried out in a timely and efficient manner and to avoid raising parental expectations that preference for a particular form of provision will override the cost-effectiveness or efficiency.

Parents may receive notification at any time that the type of travel assistance for their child is to be changed as a result of a review. Changes may involve:

- new pick-up and set-down points;
- changes to public transport network coverage
- changes to timings;
- changes to the contractor employed;
- withdrawal of a Passenger Assistant;
- the inclusion of additional passengers;
- withdrawal of a fuel wear and tear payment;
- changes to the mode of travel assistance.

10. Maximum Journey Times

Best practice suggests that the maximum each way length of journey for a child of primary school age might be considered to be 45 minutes; whilst a child of secondary school age might be expected to travel up to 75 minutes each way. However, a child's special educational needs and/or disability might be such that a shorter maximum journey time is necessary.

Journey times may exceed these limits for exceptions such as:

- exceptional traffic or weather conditions;
- attendance at a special school;
- attendance at an out of area boarding school;
- attendance at an alternative school following exclusion or managed move.

The PTU may determine lower reasonable maximum journey times in individual cases, notwithstanding the exceptional circumstances detailed above.

11. Fuel, Wear & Tear Payment

The Council's Passenger Transport Unit (PTU) may request that parents use their own transport to convey their child to and from school:

- Where this is agreed by the Council the parent will be paid a 'fuel wear and tear' allowance to cover the expenses in providing this service.
- The parent will be required to complete a 'fuel, wear and tear' form that needs to be authorised by the school and submitted to the PTU monthly.
- Where agreed fuel, wear and tear for day pupils and children attending school in the Boroughs of Bournemouth, Poole and Christchurch will be normally be paid for two return trips per day.
- Where agreed, the allowance may be paid for boarders on the following basis:
 - one return trip at the beginning and one return trip at the end of each half term;
 - on other exceptional circumstances agreed by the school and / or the Admissions / SEN Assessment Team.
 - Parking, subsistence and other expenses will not be paid.
- The PTU will review, on a regular basis, the payment of all FWT payments and these may be withdrawn if;
 - entitlement to home to school travel assistance is withdrawn;
 - a more cost effective form of travel assistance becomes available;
 - in other circumstances determined by the PTU.

12. Sustainable Travel

The Council has legal duties, under the Education and Inspections Act 2006, to promote sustainable travel for children / young People, these duties include:

- assessment of travel and transport needs;
- audit of sustainable travel and transport infrastructure that may be used when travelling to or from school;
- strategy to develop sustainable travel and transport infrastructure;
- promotion of sustainable travel.

13. Parental Responsibilities when a child / young person is receiving travel assistance.

Parental cooperation is vital to the fair, efficient and equitable provision of travel assistance, particularly in the following areas of responsibility:

- Submitting applications as necessary for admission and for travel assistance to the Council; providing evidence of personal circumstances in support of any application or appeal for transport;
- Accompanying a child / young person as necessary when walking to and from school or to and from a pick up point and to wait with the child until the vehicle arrives, and to meet the child at the set-down point;
- Ensuring that a child / young person has their travel pass with them before they leave home;

- Ensuring the child / young person knows what to do in the event they have lost their travel pass and are refused travel, or if for any reason the vehicle does not arrive: for example, this could be returning home, going to a neighbour or telephoning the parent for assistance;
- Notifying the PTU of any change of address or telephone number in good time. The Council will not be responsible for any interruption of service provided to a child or any other consequential difficulty from not having an up-to-date address or operational telephone number;
- Support the Council in ensuring that the child / young person understands and upholds the council's behavioural code of conduct.

14. Pupil Behaviour

The Council publishes a code of conduct detailing rules and standards of behaviour which those travelling must follow to ensure their comfort and safety and that of other passengers and the public.

Transport operators will advise the PTU where behaviour of a pupil breaches the Code and in turn parents and schools will be notified. Schools will assist with investigating unacceptable behaviour and apply their disciplinary code as appropriate. Where a criminal act is suspected, the police will be notified.

Travel assistance may be withdrawn temporarily or permanently, as a result of severe or persistent unacceptable behaviour.

The PTU will endeavour to identify and implement 'reasonable adjustments' if unacceptable behaviour of disabled pupils is related to their disability.

G. Review of Decisions, Appeals Process and Complaints

1. Review of Decisions

Stage one: Review by a senior officer

- A parent/young person has 20 working days from receipt of the Borough's home to school transport decision to make a written request asking for a review of the decision.
- The written request should detail why the parent/young person believes the decision should be reviewed and give details of any personal and/or family circumstances the parent/young person believes should be considered when the decision is reviewed.
- Within 20 working days of receipt of the parent/young person's written request a senior officer reviews the original decision and sends the parent/young person a detailed written notification of the outcome of their review, setting out:
 - the nature of the decision reached;
 - how the review was conducted (including the standard followed e.g. Road Safety GB21);
 - information about other departments and/or agencies that were consulted as part of the process;
 - what factors were considered;
 - the rationale for the decision reached; and information about how the parent/young person can escalate their case to stage two (if appropriate).

Stage two: Review by independent appeal

- A parent/young person has 20 working days from receipt of the Borough's stage one written decision notification to make a written request to escalate the matter to stage two.
- Within 40 working days of receipt of the parent/young person's request an independent appeal considers written and verbal representations from both the parent, young person and officers involved in the case and gives a detailed written notification of the outcome (within 5 working days), setting out:
 - the nature of the decision reached;
 - how the review was conducted (including the standard followed e.g. Road Safety GB);
 - information about other departments and/or agencies that were consulted as part of the process;
 - what factors were considered;
 - the rationale for the decision reached; and
 - information about the parent/young person's right to put the matter to the Local Government Ombudsman (see below).

2. Appeals Process

The independent appeal will review previous decisions made. It will be undertaken by appropriate Borough employee(s) who are independent of the original decision making process and suitably experienced to ensure a balance is achieved between meeting the needs of the parent/young person and the local authority. It will also ensure that road safety requirements are complied with and no child / young person is placed at unnecessary risk.

Where the pupil in question holds a Statement of Special Educational Need or EHCP, it may be that a disagreement about travel is part of a wider question of school provision and placement. In this case it may be necessary for the matter to be considered by the Special Educational Needs and Disability Tribunal. Though this body does not hear appeals specifically about transport, it may consider it as part of a wider appeal. Officers of

the SEN Assessment Team will where necessary discuss and identify the appropriate means of appeal with parents/carers/young person.

Advice on how to appeal and the appeal process to follow can be obtained by contacting Admissions Services (01202) 456200, or for a child / young person with a SSEN/EHCP, to the SEN Assessment Team. (01202) 456166.

3. Complaints

If a parent, carer or young person is dissatisfied by any aspect of the Home to School Travel assistance service, this should initially be brought to the attention of the Passenger Transport Unit. Where a child / young person has a SSEN or EHCP a parent, carer or young person should contact the SEN Assessment Team. If the complaint is not resolved to your satisfaction it may be escalated via the Council's Corporate Complaints Procedure. Please contact:

Teresa Salmon, Adult and Children's Complaints Manager

Telephone: 01202 458712

Email: teresa.salmon@bournemouth.gov.uk

Post: Teresa Salmon, Adult and Children's Complaints Manager, 3rd Floor, Town Hall, Bourne Avenue, Bournemouth BH2 6DY

If you remain dissatisfied after the Complaints Manager has investigated your complaint, you can also ask the Local Government Ombudsman to look at the problem.

Local Government Ombudsman

There is a right of complaint to the Local Government Ombudsman, but only if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal has been handled. If the complainant considers the decision of the independent appeal to be flawed on public law grounds, the complainant may also apply for judicial review

To contact The Local Government Ombudsman:-

The Local Government Ombudsman

PO BOX 4771

Coventry CV4 0EH

www.lgo.org.uk

Telephone: 0300 061 0614

Secretary of State

A young person aged 16+ (academic year 12 and above), may also make a complaint to the Secretary of State. The Secretary of State may direct a local authority to make transport arrangements or provide financial assistance for travelling expenses for individuals or groups of learners. This only applies where particular transport arrangements or financial assistance have not been included in, or are not covered by, the local authority's transport policy statement. The Secretary of State can make a direction where he considers it expedient to do so, having regard to the particular circumstances of the case.

The Secretary of State also has powers to direct a local authority where they have exercised their functions unreasonably or where they have failed to discharge a duty