

**CITY OF WOLVERHAMPTON COUNCIL  
EDUCATION**

**HOME TO SCHOOL TRAVEL POLICY**

The Authority is required to determine whether the provision of transport for pupils of statutory school age is necessary to facilitate the attendance at a designated school. Such transport deemed necessary must be provided free of charge.

**PART A**

**ELIGIBILITY BASED ON DISTANCE**

The Authority must provide free transport to pupils of statutory school age: -

**A1 Primary, distance**

Where the child is under eight years of age and resides over two miles from the nearest qualifying school;

**A2 Primary, extended rights**

Where the child is an eligible child (see **C3**) of at least eight years but under eleven years and where the family reside over two miles from their nearest qualifying school;

**A3 Secondary, distance**

Where the child is of statutory school age, over eight years of age and resides over three miles from the nearest qualifying school;

**A4 Secondary, extended rights**

Where the child is an eligible child (see **C3**) of at least eleven and of compulsory school age, there is a further entitlement since September 2008 in two ways: -

- to one of their three nearest qualifying schools where they live more than two miles, but not more than six miles from that school; or
- to the nearest suitable school preferred on grounds of religion or belief (or lack of belief), or on the grounds of single sex education, where they live more than two miles but not more than by fifteen miles from that school.

For definitions of qualifying school and eligible children, please see Part C.

## **PART B**

### **ELIGIBILITY FOR OTHER REASONS**

The Authority will provide free transport for pupils of statutory school age in the following circumstances: -

#### **B1 Special Educational Needs**

Where transport to an identified school is assessed as being necessary to fulfil the pupil's statement of Special Educational Needs. This would normally be on medical and/or educational grounds, to a nearest suitable placement in a special school, or resource base, or to a college-based provision. The way in which the decision on eligibility is made for special needs reasons is detailed in **Appendix SEN**.

In providing free transport for pupils with special educational needs, a variety of facilities may be used (including ambulance, coach minibus or taxi vehicles), or where appropriate, assistance with additional costs incurred for the use of public transport may be provided.

#### **B2 Examination and Distance**

Where children in the year 10 or 11 age group (who are undertaking public examination courses) move house but choose to remain at their current school, and therefore must travel in excess of the distances set out in A3 above.

#### **B3 Hazardous Journey and Distance**

Where the shorter route to school is considered to be hazardous by the LA, and a safe route is therefore over the walking distance limits set out in Part A above.

In assessing the safety of a particular route, the LA will always assume that a child is being accompanied as necessary and may seek advice from the City Council's Road Safety Officers concerning aspects of the journey, including footpaths, road widths, surface covers, visibility, lighting, etc.

#### **B4 Medical**

Where a pupil requires transport on proven medical grounds and no suitable public or other transport exists for the child's use. Such a request for transport must be supported by a medical practitioner. Individual cases may be referred to the School Medical Service or Area Health Authority for clarification.

#### **B5 School Closure**

Where the closure of a school results in a pupil being transferred to another school, children on the register of the closing school will be entitled to free transport to the receiving school, if the distance is over the limit set out in Part A above.

## **B6 Attendance at a Pupil Referral Unit/Centre (PRU)**

Where a pupil attends one of the Pupils Referral Units/Centres provided by the LA to address special needs, whether or not a statement of special educational needs is currently being maintained for the pupil, **and** B7 below applies.

## **B7 Exceptional Circumstances**

In cases of pupils whose education may be severely disrupted, for example, because of the effect of being taken into the care of the Local Authority, or if their home life has been very severely disrupted or if the non-provision of transport will place the continuity of education in jeopardy. The LA will consider each case individually, taking into account the special circumstances involved. Decisions of this nature will be recorded and countersigned by a senior officer.

## **PART C**

### **DEFINITIONS AND NOTES**

#### **C1 Home**

The address from which transport is given is the home address at which the child normally lives unless there are exceptional circumstances under B7 above which have been agreed in relation to a different address. In any case, an accepted second address should be within reasonable travelling distance of Wolverhampton. Additionally, transport will be provided from a short break address in lieu of home address for children accommodated by the LA under a series of short breaks and from a regional facility e.g. hospice.

#### **C2 Qualifying School**

For children who are resident in Wolverhampton, of compulsory school age and attending a “qualifying school”, home to school travel assistance is provided according to this policy.

“Qualifying Schools” are: -

- Community, foundation or voluntary schools
- Community or foundation special schools
- Non-maintained special schools
- Pupil referral units
- Maintained nursery schools, or
- City Technology Colleges (CTC), City Colleges for the Technology of the Arts (CCTA) or Academies

An appropriate school is deemed to be the nearest school at which the Authority can make arrangements for a place which provides education for the age and ability of a pupil, taking account of any special educational needs he/she may have.

The Authority is **not responsible** for the cost of transport in the following respects: -

- Where parental preference results in a pupil being placed in a school or facility other than the nearest suitable school suggested by the Authority.
- To a school maintained by another Local Authority where the admission to that school is as a result of parental preference, other than in cases where the LA could not secure a place at an alternative school within the criteria set out in Parts A and B above, regardless of whether this alternative school falls inside the City boundary.
- Of a pupil who resides outside the City, but who receives education in one of the City's schools. In these cases, it is for the home LA to make appropriate arrangements and bear the costs.
- Where the destination is a work-experience placement or other off-site activity arranged by the school, unless the child would normally receive transport under B1, **and if the pupil would be unable to take up the placement unless transport was provided.**

### C3 **Eligible Children**

The new extended rights eligibility is for children in families from low income groups. Low income groups are defined as those families with children who are entitled to free school meals (in accordance with income based criteria rather than any other arrangements in relation to the provision of free school meals) or children in families in receipt of the maximum level of Working Tax Credit.

### C4 **Distance**

The distance for qualifying purposes is measured by the "nearest available route". The route is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. As such the route measured may include footpaths, bridleways and other pathways as well as recognised roads.

### C5 **Age**

Provision of transport as detailed in Parts A and B above would not normally be extended to children above or below compulsory school age unless provided under B1. For older students where this applies, transport may be continued until the end of the academic year in which the pupil reaches 19 years of age.

## **C6 Mode of Transport**

In determining the mode of transport required, and the level of care during the journey, the following considerations will apply: -

- The criteria set out in Appendix SEN
- The safety, security and dignity of the pupil as affected by his/her physical, emotional, social, behavioural, or learning disability;
- The most efficient use of resources for the effective provision of transport suitable to the pupil's needs. In some cases, one contract vehicle may transport different pupils to more than one school site. Occasionally, a cash reimbursement may be available for transporting pupils to travel by private motor car, if this is deemed by the LA to be more cost-effective than including the pupil on organised or public transport and the parents would rather transport them privately.

## **C7 Collection and Return Arrangements**

Transport will normally be to and from bus stops of pick-up points for groups of pupils. It will only be provided from door-to-door if exceptional circumstances prevail, which result in it being unreasonable for the child to walk (accompanied by parent(s) if necessary) to a designated stop. No pupil under eight years of age should be expected to make his/her own way, unaccompanied, to the nearest pick-up point. Parents are responsible for making suitable arrangements in this respect.

Children and young people who are eligible to be transported on a contract route are only eligible for transport provision covering the normal daily timetable of that contract route and not for movement to non-school/extra-curricular activities where this would incur an additional charge. Transport at different times for extended school activities should be factored in by the providers of the facilities concerned and is not part of the home-to-school transport service. In exceptional cases where an additional activity is deemed central to meeting the needs as stated in a SEN, the local Authority may consider the practicality of extending home-to-school provision to facilitate this.

For contractual transport, parents will be notified of an approximate pick-up/drop-off time for the child. It is important that the parent or another adult known to the child is always available to take responsibility for the child after the homeward journey.

## **C8 Care during the Journey**

Pupils receiving transport under B1 above will be considered for the provision of a passenger assistant to care for them during the journey using the criteria in Appendix SEN. The individual needs/behaviour of the pupils or group/mix of pupils, the nature of the transport available, and the roadside conditions experienced on the journey to/from school will all be taken into account. The

passenger assistant will receive regular training in First Aid, Road Safety, and other issues related to the carriage of Special Needs children.

## **C9 Misbehaviour on School Transport**

If a child misbehaves persistently on school transport, or acts in such a way that it is no longer safe to transport him/her then the LA reserves the right to withdraw the provision and the responsibility for the journey then falls to the parent. Parents may then appeal against an exclusion from transport using the procedure in Part E.

## **PART D**

### **SEATS FOR NON-ENTITLED RIDERS IN CONTRACT VEHICLES**

The LA will not normally provide or subsidise the journeys of non-entitled pupils on vehicles arranged for children who do receive free transport.

Vehicles contracted by the LA to provide home to school transport for pupils entitled to travel free of charge will be, as far as possible, filled to their maximum capacity. Any vacant seats which may unusually occur will be reserved for the later inclusion of additional entitled pupils placed in schools during the academic year but, may, in the interim, be used to carry other pupils referred by other Children's Services staff as requiring exceptional assistance (see in Part B7 of this policy).

If not required in this way, a seat may be used by another child travelling from the same address to the same destination for the payment of a pro-rata charge. Where this occurs, payment may be made weekly in advance and it will be made clear that the arrangement could be terminated at a week's notice if the seat is required by an entitled child.

## **PART E**

### **ARRANGEMENTS FOR APPEAL**

If a parent is not satisfied with the Authority's decision on transport entitlement for their child based on this policy, then they may appeal in writing by following the two-stage review/appeal process **Appendix 1**. A full account of the circumstances of the case, with supporting evidence should be addressed to the Director of Education and Enterprise, at the Civic Centre address. A report requesting reconsideration will be prepared independently for a decision to be made by the Appeal committee.

## **Appendix SEN**

### **WOLVERHAMPTON CITY COUNCIL – EDUCATION – HOME TO SCHOOL TRAVEL POLICY – B1 DETAIL**

#### **SPECIAL NEEDS CRITERIA**

These criteria are for determining eligibility of home to school transport for a child with special needs living under statutory walking distance from their nearest appropriate school.

#### **A Initial Decision to provide or not to provide**

Transport will be provided to a child who meets one or more of the following conditions:

1. Is non-ambulant.
2. Has a physical or sensory condition that severely restricts mobility.
3. Has a medical condition that severely restricts mobility and/or requires care and supervision during the journey.
4. Has limited cognitive ability which is recognised via a Statement for Severe Learning Difficulties (SLD) or Profound Multiple Learning Difficulties (PMLD).
5. Is identified as needing to attend Broadmeadow School or any of its outreach or satellite centres except where this is the child's nearest school.
6. Attends a specialist placement in accordance with a statement for behavioural, emotional and social difficulties (BESD).

#### **B Level of Provision**

Once an eligibility decision is confirmed, the Authority will decide between the following options:

- Accompanied walk to school.
- Shared vehicle.
- Individual taxi.
- Wheelchair accessible vehicle.

The Authority will also decide whether the child needs:

- Extra space for equipment and/or luggage.
- A passenger assistant to supervise the journey, and level to which trained before an appropriate journey is assigned.

#### **C Keeping Up to Date**

For each child receiving transport, this process will be reviewed annually with a view to:

- Adapting to changed circumstances.
- Helping the child towards independent travelling in adult life.
- Reducing unnecessary cost to the authority.

## Appendix 1

### WOLVERHAMPTON CITY COUNCIL – EDUCATION – HOME TO SCHOOL TRAVEL POLICY – REVIEW/APPEAL PROCEDURE

#### Stage 1

- A parent/carer has 20 working days from receipt of the local authority's home to school travel assistance decision to make a written request in asking for a review of the decision.
- The written request should detail why the parent/carer believes the decision should be reviewed and give details of any personal and/or family circumstances the parent/carer believes should be considered when the decision is reviewed.
- Within 20 working days of receipt of the parent/carers written request a senior officer reviews the original decision and sends the parent a detailed written outcome setting out:
  - the nature of the decision reached;
  - how the review was conducted
  - 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;
  - information about escalation to stage 2 (if appropriate).

#### Stage 2

- A parent/carer has 20 working days from receipt of the local authority's stage one decision to make a written request to escalate the matter to stage 2.
- Within 40 working days an independent appeal panel considers written and verbal representations from the parent/carer and officers and gives a detailed written outcome setting out:
  - the nature of the decision reached;
  - how the review was conducted;
  - 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

If a parent/carer considers that there is a failure to comply with procedural rules or if there are any other irregularities in the way the appeal is handled they have a right to complain to the Local Government Ombudsman.

If a parent/carer considers the decision of the independent panel to be flawed on public law grounds, they may apply for a judicial review.