

1.5 Walking Distance

We use approved mapping software which gives accurate walking distances from the gate of the child's home to the nearest entrance gate of the school. Distances for each group are set and final – these are walking distances which can differ greatly to driving distances. Some websites give approximate distances which can differ greatly from those we take using the specialist software designed for home to school walking distances.

1.6 Nursery Classes and Nursery Providers

Home to school transport is only available to those children who are of statutory school age or who are in the reception year. Transport is not provided to those attending nursery provisions, either in maintained schools or with private providers. Transport provision may be provided to a younger child attending a special school or special unit, and they will normally have an Education, Health and Care Plan.

1.7 Delivery of Service

The Transport Client Services Team (TCST) will make the precise arrangements for the transport and no prior commitment can be given by the other Local Authority staff. Other council staff/parents/carers/headteachers should consult with staff in the TCST who will advise on possible start dates, mode of transport etc. Other Local Authority staff will ensure that the appropriate form is completed accurately and with all relevant details in order to assist colleagues in the TCST to arrange the most suitable transport. The TCST will finalise arrangements as soon as possible but it may take 10 working days to set up the most appropriate transport. In these cases the TCST will reimburse parent's mileage for the round trip (home to school and return in the morning and again in the afternoon = 4 single trips a day) from the date of authorisation by the Transport Entitlement Officer until the day before contracted transport can be arranged if appropriate. Transport for special needs pupils is provided taking the needs of the individual pupil into account. In order to ensure that these needs are met as far as possible, there may be a time delay in arranging transport. It is important that the expectations of parents and headteachers are not raised unrealistically with regard to the commencement of transport provision.

1.8 Appropriate Benefits/Low Income

This relates to families of secondary school aged children and those studying post 16 who fulfil the eligibility criteria for Free School Meals (FSM) or who are in receipt of their maximum level of Working Tax Credit or other qualifying benefit. If an application is made on the basis of low income, any change in circumstance which means that the child would no longer be eligible on that basis must be advised to the Transport Entitlement Officer in writing within two weeks of the change.

1.9 Spare Seat Scheme

If transport is being provided for eligible pupils and there are spare seats on the contracted transport then a seat may be provided to any other pupil at a concessionary charge. Such transport is not guaranteed and may be withdrawn at short notice if the seat is required by another eligible pupil. Please check with the Transport Client Services Team for the current concessionary charge.

1.10 Temporary Transport (Exceptional Circumstances)

Where a pupil has a temporary medical problem/illness and cannot travel to school in their usual way, and parents/friends or relatives are unable to help, temporary transport may be provided. Transport must be recommended by a GP/doctor. A fixed review period will be set and both the provision and type of transport is not guaranteed after the review date.

1.11 Alternative Education

All transport costs associated with reintegration, integration, and alternative educational packages including work experience should be met by the school or the parent.

1.12 Pupil Behaviour

The Local Authority may withdraw the entitlement to transport, on a temporary or permanent basis, where the pupil's behaviour constitutes a danger to the driver, passenger assistant, other pupils or other passengers. The procedure for this can be obtained on request from the Transport Client Services Team or at

www.southend.gov.uk/etc

1.13 Exclusion

The Local Authority will not reimburse any additional transport costs incurred as a result of a decision taken by a school to exclude a pupil.

1.14 Reasonable Cost

Free home to school transport is only provided where that can be provided within reasonable cost to the Local Authority.

1.15 Review of Policy

It should be noted that the transport policy is kept under constant review. This policy was approved on 21st April 2011, reviewed in July 2017 and updated in October 2019.

2. Mainstream Transport – pre 16

Southend-on-Sea Borough Council as the Local Authority (LA) will only provide free transport for:

2.1 Infant age children (Reception to Year 2) who:

live at least 2 miles from, and attend, their nearest infant or primary school; **or**
live at least 2 miles from, and attend, the nearest denominational school to which the parents adhere, with vacancies in the appropriate year group and where the parents are in receipt of the appropriate benefits; **or**
are unable to be offered a place at their nearest school and live at least 2 miles from, and attend, the nearest infant or primary school with spaces in the appropriate year group; **or**
are unable to reasonably walk to school, even when accompanied by an adult, because of associated health and safety issues related to their special educational needs and/or their disability as defined by the Equality Act 2010. In recognition of this, a child who is in receipt of high rate Disability Living Allowance for mobility or enhanced rate Personal Independence Payment for mobility will be eligible for travel

assistance to their nearest appropriate infant or primary school, regardless of the distance from their home address

2.2 Junior age children (Year 3 to Year 6) who:

live at least 2 miles from, and attend, their nearest junior or primary school; **or**
live at least 2 miles from, and attend, the nearest denominational school to which the parents adhere, with vacancies in the appropriate year group and where the parents are in receipt of the appropriate benefits; **or**

are unable to be offered a place at their nearest school and live at least 2 miles from, and attend, the nearest junior or primary school with spaces in the appropriate year group; **or**

are unable to reasonably walk to school, even when accompanied by an adult, because of associated health and safety issues related to their special educational needs and/or their disability as defined by the Equality Act 2010. In recognition of this, a child who is in receipt of high rate Disability Living Allowance for mobility or enhanced rate Personal Independence Payment for mobility will be eligible for travel assistance to their nearest appropriate infant or primary school, regardless of the distance from their home address

2.3 Secondary age children (Year 7 to Year 11) who:

live at least 3 miles from, and attend, their nearest non-selective, non-denominational secondary school; **or**

are unable to be offered a place at their nearest non-selective, non-denominational school and who live at least 3 miles from, and attend, the next nearest non-selective, non-denominational school with vacancies in the appropriate year group; **or**

are unable to reasonably walk to school, even when accompanied by an adult, because of associated health and safety issues related to their special educational needs and/or their disability as defined by the Equality Act 2010. In recognition of this, a child who is in receipt of high rate Disability Living Allowance for mobility or enhanced rate Personal Independence Payment for mobility will be eligible for travel assistance to their nearest appropriate infant or primary school, regardless of the distance from their home address; **or**

have commenced GCSE or equivalent courses, move home during year 10 or 11, and attend a school at least 3 miles from their new home address; **or**

are from a low income family (defined as eligible to receive Free School Meals or whose parent/s are in receipt of the maximum level of Working Tax Credit or other qualifying benefit) and who:

live at least 2 miles from and attend any one of the three nearest secondary schools between 2 and 6 miles from their home; **or**

have been awarded a place at a selective school provided that:

- (a) they have sat the selection test, and
- (b) the selective school is within the Borough of Southend and at least 2 miles from the child's home, and

- (c) are from a low income family (defined as eligible to receive Free School Meals or their parent/s/carer/s are in receipt of the maximum level of Working Tax Credit or other qualifying benefit); **or**
- have been awarded a place at St. Thomas More High School or St. Bernard's High School provided that:
- (a) the pupil is confirmed as practicing a faith by their celebrant;
- (b) either St. Thomas More High School or St. Bernard's High School is at least 2 miles from the child's home, and
- (c) are from a low income family (defined as eligible to receive Free School Meals or their parent/s/carer/s are in receipt of the maximum level of Working Tax Credit or other qualifying benefit).

2.4 Cycle Allowance

Where a child of secondary school age is eligible to receive free transport, and their eligibility has been confirmed in writing by the Local Authority, they will be offered the option of a cycle allowance instead of a pass for public transport. This offer will include Bikeability training to Level 3 and an allowance of £60 per term. This allowance should be used to maintain their bike and to cover the cost of occasional trips on public transport should they wish to travel that way.

2.5 Independent Schools

The Local Authority will not provide transport to independent schools unless it has accepted responsibility for the placement e.g. where a child has an Education, Health and Care Plan naming the school (see Section 4 below).

3. Mainstream transport – Post 16

Students who are not from a low income family as defined in 1.8 above will not be eligible to receive travel assistance for their attendance at Sixth Form or College within the areas of Southend, Castle Point or Rochford. If the nearest establishment offering the course of their choice is outside that area, they will be required to pay the cost of a borough-wide annual Octopus pass (£610 at October 2019) and the Local Authority will pay the balance if all the criteria 1) – 5) below are fulfilled.

Those who are from a low income family as defined in 1.8 above may be entitled to free travel assistance if they meet all the criteria 1) – 5) below. Failure to fulfill any one of the conditions means that the student will not qualify for assistance.

- 1) The student must live within the boundary of Southend on Sea Borough Council.
- 2) The student must reside 3 miles or more from the college or school by the shortest available walking route.

- 3) The student must be under 19 years of age at the start of the academic year in September, or must have been under 19 at the start of the previous academic year in September if they are commencing the second year of a course.
- 4) The further education course must be registered as full time. A full time course is considered to involve 450 hours of guided learning spread evenly over the 36 weeks of the academic year. No applications can be considered from residential students for travel to and from school/college.
- 5) The student must access the course at the nearest publicly funded school or college offering the course to be studied. The word "course" for the purpose of travel assistance refers to the qualification achieved (e.g. BTEC GNVQ Advanced Business) and not the description of the course in the school or college prospectus. If the student is going to study a multi-subject course such as 'A' Levels, 'AS' Levels or GCSEs, they would be expected to attend the nearest school or college offering 50% or more of those subjects, for example 2 out of 3 subjects, or 2 out of 4 subjects. It is the student's responsibility to determine the closest appropriate establishment. If a low income student lives 3 miles or more from their nearest publicly funded school or college offering the course to be studied but chooses to attend another school or college within the areas of Southend, Castle Point or Rochford, we would provide travel assistance to the establishment further away as long as there is no difference in cost to the Local Authority. If at the time of application the chosen course at the closest establishment is full, and this is confirmed by a letter from that establishment, consideration will be given to providing travel assistance to the next closest school or college. It is the responsibility of the student or their parent to provide that written evidence at the time of application for assistance.

If a student studies at the sixth form of the school that they attended during years 10 and 11 and they were eligible for free travel assistance during years 10 and 11, they will be eligible for free assistance if they or their parent, carer or partner remain in receipt of the appropriate benefits. Current proof of benefit, which must be in the original form and dated 3 months or less from its submission, must be provided prior to each academic year.

4 Special Educational Needs Travel Assistance Policy

4.1 Introductions and Aims

This section of the policy sets out the Local Authority's approach to the provision of funded home to school travel assistance for children of statutory school age and post-16 students, who attend a Local Authority maintained school or academy and who have an Education, Health and Care Plan (EHCP).

This policy aims to promote freedom and choice by

- encouraging independence and life skills development wherever possible, by providing independent travel training for children as appropriate
- enabling families to receive reimbursements for making travel arrangements for their own child as appropriate

- making the provision of transport a last resort for those that cannot access any other form of travel assistance safely and once other travel assistance options have been discounted

4.2 Eligibility

Children do not automatically qualify for travel assistance because they have an EHCP, although it is recognised that some children cannot reasonably be expected to walk to school because of their mobility problems, even when the child would ordinarily expect to be accompanied. The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.

To be eligible for travel assistance, the child must:

- live in the Borough of Southend-on-Sea
- be of statutory school age
- have an Education, Health and Care Plan
- be registered at a school named in the EHCP which is the nearest suitable school to the child's home address

Unless there are specific circumstances as dealt with in other sections of this policy, the eligibility criteria for pupils with an EHCP are the same as for all other pupils. It will apply to the nearest appropriate mainstream school, learning resource base or special school as determined by the Local Authority.

When parents request a placement for their child in a school of their choice which is not the nearest appropriate school, the Local Authority is not responsible for the provision of travel assistance or the cost of that provision, as laid out in the Education and Inspections Act 2006.

The provision of travel assistance for the school journey should not be regarded as a permanent entitlement. Travel assistance will be reassessed as part of a child's review of their EHCP at transition points between Key Stages or at any point in between at the Local Authority's discretion.

Children with special educational needs but without an EHCP are considered within the general home to school travel assistance policy.

4.3 Types of Travel Assistance

In determining the type of travel assistance to be offered, the Local Authority will adopt a stepwise approach. The type of travel assistance to be offered to a child will be considered in the following order:

4.3.1 Public Transport Season Ticket

This is a ticket for use on public transport and is the most common form of travel assistance provided. Where it is possible for a child to travel on public transport accompanied by a responsible adult (if necessary) then a season ticket will also be provided for the responsible adult to facilitate this. Rail season tickets may be provided where appropriate.

4.3.2 Independent Travel Training

Children from Year 9 upwards whose application for travel assistance is successful will be considered for independent travel training to enable them to use public transport for the journey between home and school in the future. The process of determining suitability will be undertaken in consultation with the child's school. In arriving at a decision, the Local Authority will consider the home to school journey to be made on public transport, as well as the informed view of the child's school regarding the child's suitability for training.

The child will be provided with travel assistance until the travel training process has been completed. Once travel training has been successfully completed, this may take the form of a season pass for the child, or other assistance as appropriate.

4.3.3 Travel Support Allowance (TSA)

Children who are deemed to be unsuitable for independent travel training will be entitled to request a Travel Support Allowance (TSA). A TSA is a payment to help parents to get a child to school. Payments will be issued on a staged basis across the school year. In arriving at the TSA amount, the Local Authority will take into consideration the cost of transporting the child using its own in-house vehicles or external contracted vehicles, as well as the child's age, their timetable, and the distance from home to school. A parent may spend the TSA in any way they choose, as long as it ensures that the child attends school, e.g. arrange for a friend or relative to travel with the child; car share with other parents; arrange school transport for a sibling to enable the parent to transport the child with an EHCP to school; use a Motability car to transport the child, etc. The Local Authority may review the payment of the TSA if concerns are raised about the child's level of school attendance.

A TSA is optional for the parent and in making a request parents should consider whether it is appropriate for their circumstances. However, in instances where a child is to attend a school which is outside the Borough of Southend, a TSA will be the first means of assistance offered.

4.3.4 Transport Vehicles

The provision of a vehicle (usually a shared minibus) to transport a child or young person to and from school is made in **exceptional circumstances only** where it is assessed that no other form of travel assistance is suitable. Vehicle pick-up and drop-off times are arranged so that journey times are minimised and cannot be varied to suit the parent. When accepting an offer of supported transport, parents are agreeing to a kerbside or bus stop arrangement. A door-to-door service is not provided, but the kerbside or bus stop pick-up and drop-off points will be close to the child's home.

The provision of supported transport may cease to be necessary as a child grows older and as they become more independent.

4.4 Parental Responsibilities

If supported transport has been granted to a child, it remains the parent's responsibility to:

- a. ensure that the child is ready for collection at the appointed time and at the arranged pick up point. Failure to comply will result in the parent being responsible for getting their child to school. Contractors will not be expected to vary contract times and the Local Authority will not meet any additional costs incurred for pupils being late
- b. take their child from their home to the vehicle and to collect the child from the vehicle

- c. allow the Local Authority to use any specialist seating which the child requires
- d. sign off the risk assessment in relation to complex/medical needs and/or passenger assistant provision, where applicable

In addition, parents are responsible:

- a. if the child needs to return home during a school day due to illness
- b. if the child needs to return home to attend any health appointments during a school day
- c. if transport is required outside of the normal school hours to facilitate attendance on a school trip
- d. for providing their own travel arrangements should the school decide to exclude the child
- e. if family circumstances dictate that the child needs to travel earlier or later than provided for within the contracted transport

4.5 Passenger Assistants

Passenger assistants are normally provided on vehicles which convey more than five children. In other cases, passenger assistants will only be provided for children with the most complex needs or where a child's behaviour raises questions of health and safety. The child's school will be asked to carry out a risk assessment in order to justify the need for a passenger assistant for an individual pupil, should the need for one be indicated in the 'Request for Travel Assistance' form. The risk assessment will be considered by the Local Authority. In instances where a child requires solo transport with a passenger assistant, the parent will be expected to act as the passenger assistant.

The Council only accepts passenger assistants who hold an appropriate Disclosure and Barring Service (DBS) certificate.

4.6 Southend Special Schools and Learning Resource Bases

The provision of travel assistance to attend the special schools and learning resource bases is not an automatic entitlement. It is recognised, however, that when a child attends a special school or a learning resource base attached to a mainstream school, this may not be local to their home. For this reason, when required because of distance (see Section 4.2), vulnerability, behaviour or physical disability, the Local Authority may provide travel assistance.

If places are not available at the nearest appropriate school, the Local Authority will provide travel assistance to the next nearest school if it meets the distance criteria.

4.7 Residential Placements

A child placed in a residential school will be provided with travel assistance. In the first instance, this will be in the form of a TSA to enable the parent to make their own arrangements for getting the child to and from school. In cases where a TSA is not appropriate, the Local Authority will provide supported transport.

A child in termly boarding establishments will be entitled to travel assistance at the beginning and end of each term and for half term breaks. Weekly boarders will be entitled to travel assistance to the school on Monday morning and from the school on Friday afternoon.

The Local Authority will not provide travel assistance:

- where the residential school requires a child to go home for a period which would not form part of the above arrangement (e.g. if a pupil is not included on a school trip, the school is responsible for the travel assistance)
- for pupils attending a health provision (e.g. speech therapy, occupational therapy, mental health)
- for hospital appointments or dental treatment
- should the residential school decide to exclude the child
- if family circumstances dictate that the child needs to travel earlier or later than provided for within the contracted transport

4.8 Out-of-School Activities

The Local Authority will not provide transport either at evenings or weekends for out of school activities in any school.

4.9 Reintegration/Integration and Alternative Educational Packages

Any travel costs associated with reintegration, integration and alternative educational packages, including work experience, will not be met by the Local Authority and are the responsibility of the school, college or parent.

4.10 Exclusion from School

The Local Authority will not reimburse any additional travel costs incurred as a result of a decision taken by a school to exclude a pupil.

4.11 Post-16 Students who have an EHCP

This section of the policy relates to:

a. 16-19 year old students attending educational settings

If the Local Authority has supported the application, this is viewed as attending the nearest appropriate educational setting and the Local Authority will provide free or subsidised travel assistance providing the eligibility criteria are met. If the Local Authority has not approved the educational setting as the nearest appropriate setting, it will not provide travel assistance.

b. Students aged 19 – 25

If the Local Authority has supported the application, subsidised travel assistance may be provided. Applications are dealt with by Adult and Community Services Department.

In common with the assistance available to statutory school age children, Post-16 students will be considered for independent travel training as a first response to a request for travel assistance (see Section 4.3.2). Travel assistance will be provided whilst the student undertakes the training. Upon completion of the training course, should a student be considered unable to travel independently for the school journey, alternative forms of travel assistance will be offered, as detailed in Section 4.3 above.

If the student is deemed unsuitable for independent travel training they will be allocated a space on a dedicated vehicle for Post-16 students.

In line with mainstream charges for eligible students, a charge may be levied for travel assistance provided by the Local Authority to eligible Post-16 students. The charge will be reviewed on an annual basis. Those who are from a low income family may be entitled to free travel assistance. Proof of low income must be provided at the time of application. Please see the Local Authority's Low Income Criteria for Education Transport, available at http://www.southend.gov.uk/downloads/download/49/school_and_college_transport_assistance

4.12 Applying for Travel Assistance

In all cases where travel assistance is required, a 'Request for Travel Assistance Form' must be completed and returned to the Local Authority's Transport Entitlement Officer. Information contained within the form will enable eligibility to be determined as well as the provision of suitable travel assistance, where agreed.

5 Appeals

In accordance with statutory guidance, Southend on Sea Borough Council operate a two stage appeal process. Those declined travel assistance or those disputing the type of travel assistance offered may submit a Stage One appeal in writing within 4 weeks from the date of the decision notification. Requests for appeal will not be accepted outside the 4 week period. The appeal will be considered by a senior Local Authority officer, who will re-assess the original application. Within 4 weeks they will either uphold the decision and provide an explanation to the appellant why, or overturn the decision and award travel assistance or a change in the nature of the assistance offered. If the appellant wishes to pursue a Stage Two appeal, they should do so in writing within 4 weeks of the Stage One decision. The appeal will be considered by a panel, and the appellant will have the opportunity to appear before the panel should they wish to. They should provide a detailed explanation as to why they believe the child should receive travel assistance, or a different type of travel assistance to that already offered, and include all the supporting evidence they would like the panel to consider. This information will be provided in advance of the hearing to the panel members and the appellant for prior consideration. The decision of the panel will be communicated to the appellant in writing within 1 week of the decision being reached. Further correspondence will not alter the decision and the Stage Two appeal concludes the appeal process.

If an applicant believes the Local Authority has refused help unfairly, made a mistake or not handled their application or appeal for home to school transport correctly, they can complain to the Local Government and Social Care Ombudsman. If an applicant considers the decision of the appeal panel to be flawed on public law grounds, they may apply for judicial review.

Home to School Transport – Primary, Secondary & Post 16 Review/Appeals Process

