



# **Home to School/College Travel Policy and Guidance for statutory school age pupils**

**Updated November 2023**



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This document only applies to Staffordshire residents. If you do not live in Staffordshire, you should approach your own council for transport assistance, regardless of which county the school/college attended is located in.

For the purposes of this document -

1. The term 'parent' includes parents and those with parental responsibility.
2. The term 'EHCP pupil' means a pupil with an Education Health and Care Plan (EHCP)

## **Contacts**

Decisions regarding entitlement to travel assistance for non EHCP pupils up to the age of 16 (Year 11) are made by the School Admissions and Transport Service.

Decisions regarding entitlement to travel assistance for EHCP pupils are made by the appropriate officer from the SEND Assessment and Planning Service

For any enquiries about the day-to-day operation of your travel (such as complaints or queries about the bus service or route you have been allocated to, queries about the pick-up point or you have lost your pass) please contact

Transport and the Connected County, 1 Staffordshire Place, Tipping Street, Stafford, ST16 2DH

email [student.transport@staffordshire.gov.uk](mailto:student.transport@staffordshire.gov.uk)

or telephone –

Codsall, Leek and Moorlands – 01785 278679

Stone, Stafford and surrounding areas – 01785 278718

Burton, Uttoxeter and East Staffs – 01785 276738

Newcastle, Kinver, Wombourne, Lichfield and Cannock – 01785 854234

## **Travel to school for all statutory school age pupils (Reception to the end of Year 11)**

Parents have a right in law to state a preference for a school for their child but that does not automatically carry with it a right to free travel. Every parent has a responsibility to ensure their child's regular attendance at school and this may involve accompanying your child all or part of the way to school or arranging for someone else to accompany them. Less than 10% of pupils are entitled to travel assistance from the County Council and most families therefore make their own travel arrangements each day.

When choosing a school, the journey there should merit some careful consideration for both parent and pupil. Travel options should be investigated if you are not entitled to free home to school travel. There is a range of travel support that you may find useful when planning the journey to school - for example school crossing patrols and public transport. You may also wish to check with the bus operator to see what tickets and fares they offer or speak to the school to see if they arrange any transport.

Parents need to be aware of problems surrounding parking at schools leading to peak hour congestion and safety issues. Staffordshire County Council would prefer children to be able to walk to and from school wherever possible, to encourage sustainable travel and promote health and exercise. Safer routes to school and school travel plans are developed to make this easier for pupils – please contact the school directly for more information. To encourage walking and cycling to school there are a number of initiatives that will be of benefit. Staffordshire operates [Walking Buses](#) which may be able to help if parents are unable to accompany primary aged pupils on the journey to school. The Council also offers [Bikeability](#), a cycling training course designed to equip pupils with the skills to cycle to school.

For more information on public transport please visit our [public bus information](#) or call Traveline on 0871 200 2233

## **General eligibility criteria for all pupils (including those with an EHCP)**

Children from reception up to year 11 are eligible for home to school travel assistance if they meet the following criteria:

- they live in Staffordshire and also
  - live over walking distance from the school where they are registered and it is their [catchment area](#) school (as determined by Staffordshire County Council), or it is the nearest suitable school with places available; or
  - live under the walking distance but the child's learning difficulty or disability means they cannot be reasonably expected to make the journey safely to the nearest suitable or catchment school, even when accompanied. Parents/carers are responsible for making any arrangements for their child to be accompanied if necessary.

Generally, we do not consider work or other childcare commitments as a reason for parents not to accompany their child themselves, or to make their own arrangements for any accompaniment, if required.

Assistance may also be provided:

- If a pupil lives below walking distance from the nearest or catchment school but the route has been declared unavailable for an accompanied pupil (see page 16) and there is no other alternative route below the walking distance
- Under the low income criteria for income assessed travel assistance for secondary age pupils (see page 8)
- When attending the closest or catchment school and a medical condition prevents the pupil from making the journey even when accompanied (see page 15)

If your child does not qualify for assistance, you will have to arrange and pay for your child's travel arrangements.

### **Walking distance**

In law walking distance is defined as up to two miles to the age of 8 and 3 miles from the age of 8.

In Staffordshire we are more generous, and we use a walking distance of up to 2 miles for children in year 6 and below, and up to three miles for children in Year 7 (age 11) to Year 11. Routes are considered based on the pupil being accompanied as necessary and it is the parent's responsibility to make such arrangements.

Note - Special consideration will be given to pupils who are 0.005 miles or less below the walking distances stated above.

### **Nearest suitable school**

A 'suitable' school is one which provides education appropriate to the age, ability, aptitude and sex of the pupil, and any special educational needs that the pupil may have. This could be within or outside of Staffordshire, a two or three tier school, and a faith or non-faith school. The fact that a school does not offer a specific subject, specialism or exam board does not make it unsuitable. Please note a nearest school for admissions purposes may not be the nearest school for travel assistance to be considered. 'Suitable school' does not mean the most suitable school for a child. Schools are able to meet a wide range of needs. The nearest secondary school to the home of a child of secondary school age, for example, will almost always be their nearest suitable school (provided it would be able to admit them).

We will use the calculated shortest walking route to determine which is the closest school(s) - this route may not be one available to be walked. We will then use the calculated shortest available walking route distance (if this differs) to determine if travel assistance is to be provided. The nearest school can change over time as new schools are opened or closed, schools change their age range, as pupils

move between the ranges covered by 2 and 3 tier schools, or as the road network is updated.

Parents may wish to re-apply for transport on nearest school grounds in future years, but should also take account that when considering which is the 'nearest' school we will check to see if a place would reasonably been available at the school for the pupil at either -

- A. At the point that they joined the school if they have moved schools mid-year; or
- B. At the point that the school place was offered for them to join the school for those who moved as part of the usual admissions round (e.g. Reception starters, primary to high moves etc). We will assess your prospect of having gained a place at a nearer school(s) by checking if you would have qualified for a place because you would have had a higher priority than the last person offered a place at the school on national offer day.

This process will apply for all transport applications, regardless of how long after the pupil started at the school the transport application is received. The fact that a parent chose to not apply for a place at that school, does not affect the process. If they would reasonably have been offered a place it will still be considered as the 'nearest'. If a parent has rejected an offer of a place at any nearer school, it would still be considered as 'suitable'. When a parent chooses a school, which is neither the catchment or nearest school, or to which there is no entitlement under low-income grounds, they remain responsible for arranging and funding their own travel as they feel is necessary.

The fact that a child or young person may have an EHCP or attends a specialist education establishment does not automatically mean they are eligible for travel assistance or have a special transport need. If the pupil is below the walking distance limit and is able to safely walk to school (accompanied as necessary, with the parent/carer being responsible for arranging that accompaniment), then they are **not eligible** for travel assistance.

For a child with an Education, Health and Care Plan, the school named in a child's plan will usually be considered their nearest

suitable school when assessing eligibility for travel assistance, subject to the exception set out below:

Where a parent would prefer their child to attend a school that is further away from their home than the nearest school that would be able to meet their needs, the local authority will consider whether transporting the child to the preferred school would be incompatible with the efficient use of resources. They should determine the cost of providing the child with free travel to each of the two schools. If it would cost more to transport the child to the preferred school, they should decide whether the additional cost of providing travel to the parent's preferred school is incompatible with the efficient use of resources, this will include deciding whether the educational benefits and other advantages the school will provide for the child outweigh the additional cost. This work will be carried out by your Key Worker as part of the EHCP process.

If the authority determines that providing travel to the parent's preferred school would be incompatible with the efficient use of resources, the local authority may name the nearer school, or name the parent's preferred school on the condition that the parent arranges the travel or provides some, or all the cost of the travel. Should you have any query regarding the named school within the EHCP, please contact your Key Worker.

### **Applying for travel assistance under the general eligibility criteria**

For non EHCP pupils, when a pupil moves school as part of the general admissions process (for example starting school or moving from primary to secondary school) you will be advised what the arrangements are for applying for travel assistance. For applications for assistance at any other time, after checking if your child is entitled via our on-line checker at

<https://apps2.staffordshire.gov.uk/scc/schoolroutes/> applications should be made using the Citizen's portal [https://ems.staffordshire.gov.uk/CitizenPortal\\_LIVE/en](https://ems.staffordshire.gov.uk/CitizenPortal_LIVE/en)

For pupils with an EHCP, please contact your Key Worker who will advise you of the application process and direct you to the application form if required.



It may take up to 10 working days to assess your application and 20 working days after you child has been assessed as entitled to arrange travel assistance. You will be expected to make and pay for your own travel arrangements during this time.

### **Income Assessed Travel Assistance**

Children of secondary school age (School Years 7 to 11) from low income families also have an additional entitlement to income assessed travel assistance to either:

- one of the three nearest suitable schools to where they live when it is more than 2 miles, but less than 6 miles from home, or
- the nearest suitable school that is more than 2 miles but less than 15 miles from home, preferred on the grounds of the parent's religious or philosophical beliefs.

See 'Nearest school' for details of how we determine this.

Low income groups are defined as those who are entitled to, and registered for, free school meals or are in receipt of the maximum level of Working Tax Credit. The maximum amount of working tax credit would be shown as 'deduction due to income £0.00' within the calculation section of your TC602 award notice.

If you wish to claim under Working Tax Credit grounds, proof of receipt of maximum Working Tax Credit must accompany your application form (a copy of all pages of your most recent Tax Credit Award Notice form TC602 - you can request one from Her Majesty's Revenue and Customs). If you wish to claim under free school meals grounds, we will check our records to confirm that you are registered as eligible for free school meals. Information about eligibility for free school meals and the free school meals online application form can be found online at [free school meals webpage](#) or contact the Free School Meals Entitlement Team on 0300 111 8007.

We need evidence on how and why a school meets your philosophical or religious beliefs. You must be able to prove

evidence of adherence to faith if it is a denominational school (for example for a Catholic school, a copy of your child's Catholic Certificate of Baptism or Certificate of Reception).

The term 'belief' must be more than an opinion or idea held by the parent. The law requires that a belief must be genuinely held, and attain a certain level of cogency, seriousness, cohesion and importance. The following examples are unlikely to meet the requirements for the provision of travel on faith or philosophical grounds –

- the wish to have a child educated at a particular category of school (for example an academy school or grammar school)
- the wish for a child to be taught in a particular language
- a belief that a child should be privately educated
- objections to rules requiring that a school uniform must be worn
- the belief that a particular school will provide a better level of education

Applications for income assessed travel can be made using the Citizen's portal

[https://ems.staffordshire.gov.uk/CitizenPortal\\_LIVE/en](https://ems.staffordshire.gov.uk/CitizenPortal_LIVE/en) It may take up to 10 working days to assess your application and 20 working days after your child has been determined as entitled to arrange travel assistance. You will be expected to make and pay for your own travel arrangements during this time.

Please note for income assessed travel assistance:

- An annual re-assessment of eligibility will be made. If claiming on the basis of receiving the maximum amount of Working Tax Credit, a copy of your TC602 must be provided. If you have received a TC603 form as your Tax Credit renewal notice, you must request a TC602 award notice from Her Majesty's Revenue and Customs to provide as ongoing proof

- If family financial circumstances change and so the child no longer meets the eligibility criteria above, travel assistance will be withdrawn at the end of the academic year. Parents would then become responsible for making their own arrangements to ensure their child attends school if their child is not eligible under other grounds.
- Where a child on income assessed travel assistance no longer qualifies under the mileage criteria due to a change of address, travel assistance may be withdrawn immediately. Parents would then become responsible for making their own arrangements to ensure their child attends school.
- Parents should note that if their circumstances change there is no guarantee that free travel assistance will be provided throughout their child's secondary education.

## **Additional general information regarding home to school travel assistance**

### **Property location and route calculation**

We calculate the location of a home address using the property seed point as defined by the National Land and Property Gazetteer. We measure to the nearest open gate to the school main site, or if no gate details are held, we will use the school's location as held by the Department of Education. Eligibility is determined based upon the catchment areas, school gates and age ranges, road and pathway network held at the time on the geographical information system (GIS), and the route being measured down the middle of the road. The route and distance may change over time as the network is updated and new gates, roads and paths are added or old ones removed. We will use the calculated shortest walking route to determine which is the closest school (or 3 closest when under low income grounds). We will then use the calculated shortest available walking route distance (if this differs) to determine if travel assistance is to be provided.

**Please note:** a sibling or previous occupant of the property may have got help with travel. This does not guarantee that we will agree future travel assistance requests.

Children attending their catchment or closest middle school who live between 2 and 3 miles from the school will have free home to school travel assistance provided during Year 5 and Year 6. However, their travel assistance will be withdrawn at the end of Year 6 as they will no longer be above the 3 mile distance criteria applied from Year 7 onwards.

### **Passenger assistants**

Passenger assistants are generally not provided for mainstream home to school travel, regardless of the age of the pupils being transported.

For pupils with an Education, Health and Care Plan, passenger assistants are provided if:

- the child is under 5 years old; or
- the child's disability makes it necessary to provide a passenger assistant; or
- the child has an emotional/behavioural difficulty that gives rise to concerns about the wellbeing of the pupil or other pupils or staff during the journey.

Schools and parents have a responsibility to ensure that they brief passenger assistants about all the needs of the pupil.

It is not the passenger assistant's or driver's role to administer routine medication or carry out routine medical procedures for any child in their care. Buses and taxis are not a good environment in which to give medication and only in exceptional cases can rescue medication be administered by trained transport staff.

### **Withdrawal of assistance given in error**

In the event that Staffordshire County Council has provided free travel assistance in error, the service will be withdrawn giving notice which the Council considers reasonable in the circumstances.

## **Pupils repeating a year**

Pupils who repeat a year will be considered and assessed for travel assistance as if they are a year younger.

## **Travel from other addresses**

We provide free travel between your child's permanent home address and their registered school. Home to school travel assistance will not be provided to a school at which your child is not a registered pupil. There is no requirement to consider or provide travel assistance from multiple addresses. We would not provide travel assistance to or from other addresses (including to other family member's or childminder's addresses) to suit childcare or parental work arrangements.

If a child spends time during the school week at more than one address, it is the main address i.e., the one held by the school and that proof can be produced showing it is registered for the purpose of claiming child benefit, from which eligibility for free travel assistance will be assessed. If these two addresses differ, we will consider the address held by the school as the main address. Only in very exceptional circumstances may we consider entitlement to travel from other addresses.

The following are some examples of when free travel assistance is unlikely to be provided-

- \* to/from breakfast or before or after school clubs or activities
- \* to/from work experience, taster or open days
- \* to/from part-time provision off the school site organized by the school e.g. to vocational classes at a college
- \* movement between educational establishments/sites
- \* to/from temporary addresses

- \* to/from child minders, friends or other family members addresses
- \* to students on exchange visits – the receiving family are responsible for arranging and paying for any transport required
- \* to/from dental, clinical, medical or hospital appointments
- \* at a differing time due to detention or after school activities
- \* due to parental work or childcare arrangements
- \* to/from any site other than the registered main base of the school at which the pupil is registered
- \* due to family financial circumstances except where the income assessed criteria are met

For pupils with an EHCP, travel assistance may be provided between school and a short stay (respite) care setting where there is an existing contract that can be utilised at no additional cost. If there are additional transport costs, parents or the organisation providing respite care will be required to meet them. Requests for respite transport must be put in writing to Transport and the Connected County, giving at least ten working days' notice.

### **School changes and new schools**

Academies or schools that have changed status e.g. become a trust school – the existing catchment area at the date of conversion would be used by the authority to determine entitlement to travel assistance and remain unchanged unless otherwise amended by the County Council.

Newly established schools such as Free Schools – travel assistance will be provided if it is the nearest suitable school above walking distance with places available or meets the income assessed travel assistance criteria.

Catchment area changes – should any school wish to change its catchment area for admissions purposes, the one previously in place will remain unchanged and continue to be used to determine entitlement to travel assistance, unless changes have been agreed by the County Council.

School reorganisation - If a child has to move school after a school reorganisation or closure, and they lived in the catchment area of their former school, they will only be offered travel assistance to their new designated school if they meet the general eligibility criteria. Travel assistance for those who do not meet the general eligibility criteria would only be provided if it has been agreed by the Authority as appropriate under the school closure/reorganisation plan.

### **Raising the participation age (RPA)**

Young people must now continue in education or training until they reach 18. These changes did not however extend the entitlement for the provision of free travel assistance beyond Year 11 as it does not mean that the student has to stay at school - for example they can choose to work full time and study part time, continue full time study at school or college, or be involved in part time training whilst volunteering. Please see our [post 16 transport statement](#) for further details of travel for year 12 onwards.

### **Denominational (faith based) travel**

Travel assistance to denominational (faith based) school is generally only provided when the low income criteria is met, or where the school is their nearest suitable school with a place available and is over the statutory walking distance.

### **Moving address**

We expect that the journey to school is considered as part of a house move. If your child already receives travel assistance and you move, you must advise your school of the new address, and return any travel pass to Transport and the Connected County.

If your child will no longer be attending the catchment or closest school for their new address, they are no longer entitled to free travel assistance. Please consider that over 90% of pupils are not entitled to travel assistance and it is therefore highly likely that you will need to make your own travel arrangements each day. We would expect you to fund your own travel arrangements to continue attending the existing school or alternatively transfer your child to the nearest suitable or catchment school serving your new address. There is a range of travel support that you may find useful when planning the journey to school - for example public transport, road safety training carried out within schools, school crossing patrols, cycle training and walking buses.

Should your child be attending the catchment or nearest suitable school with a place available for your new address, and you live over distance then a new application should be made for travel assistance.

If your new address is within Staffordshire, your move was sudden and due to exceptional circumstances, and the pupil was attending the catchment or nearest suitable school for your last address (but it is no longer the catchment or closest school for the new address) the Authority may consider offering travel assistance to continue to attend the same school. An application should be made and you must attach evidence of what you consider to be your exceptional circumstances. Applications for pupils in years 10 and 11 will be given a higher level of consideration but each application will be considered on its' own merits considering all the circumstances and supporting evidence provided – there is no guarantee that assistance will be provided for any case.

### **Moving school for reasons other than moving address**

If a child moves to another school or educational establishment other than due to a house move, travel assistance would not normally be offered unless the 'General eligibility criteria' or 'low income' criteria are met.

If a child has been placed into an alternative establishment for provision of their education (for example, a Pupil Referral Unit) the



service responsible for the move should consider if travel assistance will be offered.

If a child becomes 'dual registered' for example as part of a managed move or an off-site direction, we expect that the parents and the school or service arranging that placement would consider and agree how the journey would be made to the secondary learning establishment. Should the secondary placement then become the main registered base for the pupil, travel assistance would only be provided if the general criteria (nearest suitable or catchment school) or low-income criteria are met.

If travel assistance is being requested as it is claimed that the child has moved school because they were being bullied, the following would be required before travel assistance is considered -

- Written confirmation from the Head Teacher of the original school that all efforts had been made to address the issue, and that they feel it is in the best interest of the child that they should transfer to a new school; and
- Written recommendation from at least one other professional (such as Education Welfare Worker or Educational Psychologist) that the child should transfer; and
- The school being transferred to is the next nearest school to the home address with an available place and you live over walking distance from the school.

Each request will be considered on its own merits. The additional costs involved will be taken into consideration.

### **Medical reasons**

Please note that the allocation of a school place on medical grounds does not mean that a pupil will be automatically entitled to home to school travel assistance on medical grounds.

If a child who is attending their correct catchment or nearest suitable school is unable to walk to school due to a medical condition and/or

disability (even when accompanied as necessary) and you are unable to make your own alternative travel arrangements, we may offer assistance. You should complete the [online general travel assistance application form](#) and provide supporting written evidence from a medical professional detailing why the medical condition and/or disability prevents the pupil from completing their journey (even if accompanied), and confirming the likely period of incapacity. You should also provide details of what alternative travel arrangements you have tried/considered and why they are not suitable. We generally do not consider work or other childcare commitments as sufficient exceptional circumstances on their own to make travel arrangements.

For children of primary school age, travel assistance may also be considered if both parents' medical conditions and/or disabilities prevent them from accompanying their child on their journey to school. Again, the pupil needs to be attending their catchment or nearest suitable school and an application should be made in writing and providing the additional information outlined above.

Where travel assistance is provided under medical grounds this may be in the form of a payment for you to make your own travel arrangements. Eligibility will be reviewed on a regular basis with continued supporting medical evidence being required.

### **Unavailable walking route**

If a pupil is attending the catchment or nearest school and is below walking distance, travel assistance may be provided if the route has been assessed as unavailable and there is no other alternative route below the walking distance. If you wish to apply for travel assistance on this basis, please complete [the online line application](#).

If you request an assessment, we will arrange to forward to you a map of the route for you to provide details of which areas of the route you consider are unavailable for an accompanied pupil and why (taking into account the assessment criteria as published on our website). This information will be considered when the assessment is made.

When considering a walking route, it is assumed that the child will be accompanied as the parent feels necessary. Where parent(s) are working at the time their child will travel to and from school, it is a parent's responsibility to make other arrangements for someone to accompany their child as they feel necessary. For details of the route assessment criteria used please [visit our website](#)

Please note that new walking route assessments requests received in the summer term will be completed as soon as possible but are generally carried out towards the end of the autumn term, with the Council aiming to make a final decision by the end of the calendar year in which the request is made. You would remain responsible for arranging and funding your own travel whilst the assessment process is carried out.

### **Special circumstances**

You must provide written details of any special exceptional circumstances you want to be considered when applying using the application form. We may wish to speak to you or request further supporting information or evidence before making a decision.

Please note requests for assistance due to individual family work commitments, childcare arrangements or convenience for parents, or due to the withdrawal or non-availability of other transport options for non-entitled pupils are unlikely to be considered sufficient exceptional circumstances on their own for assistance to be given.

### **What type of travel assistance will be offered?**

Any travel assistance provided will be for one return journey each day at the beginning and end of the normal school day (the session times approved by the school governing body) to the registered main base of the school.

Travel assistance will take the form of one of the following:

- A pass for public transport (by bus or train). Pupils may need to change vehicles to complete their journey. For students with learning difficulties and disabilities we may offer [independent travel training](#) to help them to use public transport

- A payment for you to make your own travel arrangements (a mileage allowance or personal travel budget).
- A place on a school bus or other vehicle hired by us. Pupils may need to change vehicles to complete their journey.

We will decide what type of travel assistance is provided based upon what is most appropriate, suitable, and cost effective. We may change the type of help provided over time.

Assistance may be in the form of a personal travel budget if the pupil has a special transport need. A special transport need goes beyond what most pupils of a similar age would need in order to make the journey and is one where the pupil's additional needs or disabilities mean that they –

- Would need to use a wheelchair or mobility scooter to make the journey; or
- They require a specialised vehicle or specialist seating (use of harness or restraint for example); or
- Their sensory, physical, medical difficulties or challenging behaviours place them or others at serious risk of danger during the journey to school, even if accompanied; or
- Are likely to require personal care or medical intervention during their journey; or
- Require additional bulky equipment to be transported with them (such as walking frames, oxygen etc that could not be easily carried by the pupil or their accompanying parent/carer); or need to take something beyond that which could be carried by accompanying parent/carer if under distance, or could not be accommodated onboard a mainstream coach/minibus if over distance; or
- Cannot share transport with other children because of their additional needs or require the support of a passenger assistant to complete a vehicle journey to school; or

- Their needs mean that whilst the pupil can generally walk if accompanied, the distance or time required for their particular journey to school would trigger or exaggerate their additional needs or medical issues.

There may be other circumstances not detailed here, and these would be considered on an individual basis.

We will consider supporting information from educational settings and professional medical evidence and opinions (not parental views) when deciding if there is a special transport need, along with any information gathered as part of the EHCP assessment process. We may ask parents to provide further medical professional supporting information to help us make our decision.

If eligible, a personal travel budget may be offered at 60p per mile for four journeys (two return journeys) per day, paid monthly in advance. The number of miles paid will be calculated to 2 decimal places using the shortest driving route (avoiding toll roads) in Google Maps at the time of day the morning journey would be made. In exceptional circumstances, for pupils with particularly specialist individual transport needs, we may offer a bespoke budget based upon those needs. Those needs would need to be demonstrated by providing professional supporting information from a school, hospital, consultant, or specialist support service of their opinion of the needs and how they affect the type of transport required.

If a pupil is eligible for travel assistance based purely on them being over the distance criteria and they have no special transport need, a mileage allowance may be offered. A mileage allowance may be paid at 45p per mile for four journeys per day, paid at the end of each term.

In all cases, payments made be reduced or reclaimed based upon pupil's attendance. **Please note:** if there are two or more children from the same address attending the same school or same site where we have agreed to a mileage allowance or personal travel budget, we will usually only pay one allowance as we expect them to travel together.

Generally, all children may be required to walk up to one mile to or from a designated pick up/drop off point or public transport. It is for parents to decide if a child needs to be accompanied on that journey and make any arrangements they feel are necessary.

If you disagree with the type of travel assistance offered, you have a right to request a review.

In the event that we have provided free travel assistance in error, the service will be withdrawn giving notice which we consider reasonable in the circumstances.

## **Behaviour and safety on transport**

Travel assistance is provided in the expectation that children will behave appropriately on the vehicle. Additionally, Staffordshire County Council contracted home to school routes operate a 'no pass, no travel' policy to ensure that only those entitled to travel board the vehicle, and to avoid vehicles becoming overloaded. Children must carry their pass with them every day for contracted or public transport and have it available for inspection when asked and may be refused transport if they fail to do so, with parents expected to make and fund alternative arrangements in such circumstances. If the pass is damaged or lost, please contact Transport and the Connected County (see the 'Contacts' section for their details) for a replacement - a £5 administration charge is currently payable.

Parents are still responsible for the behaviour of their child whilst travelling to and from school. The Authority may withdraw travel assistance where it has made every reasonable effort to provide free travel and the child's behaviour has created a safety hazard to themselves or others or amounts to a persistent or serious abuse of the system. Offensive language, behaviour that endangers other road users, pedestrians, passengers or the driver, or causes damage to a vehicle will not be tolerated.

The Authority, after consultation with the school and the transport operator, will advise parents by letter of any incident that

has occurred where the intention is to withdraw travel assistance for a defined period. Where misbehaviour is serious an immediate and permanent ban may be considered appropriate. The withdrawal would indicate that travel arrangements were necessary and had been made but that the child's behaviour was such that they are unable to take advantage of them. Parents will then be required to make and fund their own travel arrangements. The action taken will be confirmed with the school and bus operator. Parents will be required to pay for any damage caused and the Police may be informed.

## **Right to review and appeal**

As recommended by the Department for Education the Local Authority has a 2 stage review and appeals process. The timings for responses may be extended if additional time is required to gather supporting information or delayed by school / college holidays.

Please note that whilst the review and appeal process takes place you remain responsible for arranging and funding your own travel as you feel is necessary.

You can appeal against a travel assistance decision based on:

- Eligibility for travel assistance (please note for those with an EHCP, queries regarding the suitability of named school should be raised with your Key Worker not via the appeal process).
- Transport arrangements offered.

The responsibility to supply any supporting information for an application, review or appeal rests with the applicant. This will include information from outside agencies, which the applicant feels supports their request.

### **Stage 1: Review by a Senior Officer**

To request a Stage 1 review against a decision please complete (within 20 working days of your refusal) the online review request form and attach all your additional supporting information you wish to be considered.

You review request should explain why you consider the decision is wrong and present sufficient evidence to support your position, including any exceptional circumstances relevant at the time of your previous or present application.

Review or appeal requests will be considered applying our published [Data Protection and Fair Processing notice](#)

An Officer not involved in the original decision will review your case, considering if the law and policy have been properly applied and consider any exceptional circumstances you have outlined. We aim to make a Stage 1 review decision within 20 working days and include within the decision letter:

- 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; and
- how to escalate your case to Stage 2 (if appropriate).

## **Stage 2 – Independent Appeal Panel**

Parents have 20 working days from receipt of the Local Authority's Stage 1 written decision notification to make a written request to escalate the matter to Stage 2. Within 40 working days of receipt of the request an Independent Appeal Panel will consider the case. Parents will also be given the opportunity to make a verbal representation to the Panel if they wish. Within 5 working days of the Panel meeting, a response will be provided setting out:

- the nature of the decision reached;
- how the review was conducted (including the standard followed);
- 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 your right to put the matter to the Local Government Ombudsman (see below).



The Independent Appeal Panel members will be independent of the original decision-making process but are not required to be independent of the authority.

If at Stage 2 the decision not to provide travel assistance is upheld, you will be informed of your right of complaint to the Local Government Ombudsman, but only if you 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 you consider the decision of the Independent Appeal Panel to be flawed on public law grounds, you may also apply for judicial review.

Please note that if you have been unsuccessful, further review and appeal requests would not be accepted by the Authority in the same academic year unless there has been a significant material change in your circumstances or you are able to provide new supporting information for consideration.

## **Sale of spare seats on contracted transport**

Staffordshire no longer offers spare seats on contracted transport for sale. The withdrawal or non-availability of other transport options is not generally considered a reason for the authority to arrange and/or fund transport for a non-entitled pupil.