



## **Home to School/College Travel Policy and Guidance**

**Updated February 2019**



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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 natural parents and those with parental responsibility
2. The term 'EHCP pupil' means a pupil with either an Education Health and Care Plan (EHCP), Statement of Special Educational Need or a s139a Assessment.
3. The term 'Travel arrangements' refers to arrangements made by the parent, student or Council for a pupil or student to travel to education. This could include independent walking, travel training, public transport, contracted routes using taxis, minibuses or coaches, payment of a mileage allowance or a personal travel budget, or the parent transporting the child.

## 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, 1 Staffordshire Place, Stafford, ST16 2DH, telephone 0300 111 8007 , or email [transport.entitlement@staffordshire.gov.uk](mailto:transport.entitlement@staffordshire.gov.uk).

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

Newcastle and Moorlands office – 01782 297524  
Stafford and South Staffs office – 01785 356854  
Lichfield and Cannock office - 01543 512050  
East Staffs and Tamworth office – 01283 239755

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), or enquiries about entitlement to post 16 travel assistance 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 –

Blythe Bridge & Cheadle, Biddulph, Endon, Leek, Newcastle and Codsall – 01785 278679

Burton, Uttoxeter, Lichfield & Tamworth – 01785 276738

Cannock, Cheslyn Hay, Kinver, Penkridge, Rugeley, Stafford, Stone – 01785 278718

## **Travel to school for statutory school age children (up to and including 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 call Traveline on 0871 200 2233 or visit [their website](#)

For information on public bus stops and timetables near you visit [www.staffordshire.gov.uk/bustimes](http://www.staffordshire.gov.uk/bustimes)

## **General eligibility criteria**

Children of statutory school age (Reception to Year 11) are entitled to free home to school travel assistance if they

- reside in Staffordshire, **and**
- Live beyond walking distance from the school which is also their registered base (the school at which your child is registered on roll and is not a fee paying school), **and**
- Live within the designated catchment area of the school or are attending the nearest suitable school with places available, as determined by the Authority.

A suitable school is one which provides education appropriate to the age, ability and aptitude 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.

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 (see page 16) and there is no other alternative route below the walking distance
- Under the low income criteria for income assessed travel assistance (see page 7)
- 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 under the criteria you will have to arrange and pay for your child's travel arrangements.

## **Walking distance**

Walking distance is defined as up to two miles for children in year 6 and below, and up to three miles for children in Year 7 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.

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

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.

Applications for travel assistance at other times under the general eligibility criteria should be made by completing the necessary [online application form](#). It may take up to 20 working days after receipt of your application to arrange travel assistance and 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. The parent must be able to demonstrate adherence to the faith of that school if it is a denominational school. For a Catholic school, a copy of the Catholic Certificate of Baptism or Certificate of Reception for the child should be provided as proof of adherence to the Catholic faith.

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.

Supporting evidence should be provided as to how and why a school meets your philosophical or religious beliefs if you are applying under those grounds. 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 using the [online application form](#). It may take up to 20 working days after receipt of your application to arrange travel assistance and 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 long 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**

The location of the home address is calculated using the co-ordinates of the applicant's home address from the Local Land and Property Gazetteer (LLPG) and Ordnance Survey address point data.

The distance is measured using the shortest walking route from the child's home address, to the nearest open gate to the main school site (as stated on the government '[Get information about schools](#)' website), using the Geographic Information System (GIS) held within School Organisation, Admissions and Transport and is calculated

based upon the school gates, road and pathway network held at the time. This may change over time as the network is updated and new gates, roads and paths are added, or old ones removed. This could mean that later applications for travel assistance from the same address may not be entitled when earlier applications were entitled. Provision of travel assistance to a sibling or previous occupant of the property does not guarantee that future travel assistance requests from that address will be agreed.

We will use the calculated shortest walking route to determine which is the closest school (or three 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.

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

### **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 for travel assistance as if they are a year younger.

### **Travel from other addresses**

Free travel assistance is provided between the child's permanent home address and their registered school only. 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. In exceptional circumstances we may 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

## **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.

Nearest school – the nearest school can change over time as new schools are opened, closed, or schools change their age range, or as pupils move between the ranges covered by 2 and 3 tier schools. Parents may wish to re-apply for transport on nearest school grounds in future years. We will use the calculated shortest walking route to determine which is the closest school. We will then use the calculated shortest available walking route distance (if this differs) to determine if travel assistance is to be provided.

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 the section 'Post 16 travel assistance' for more information.

### **Denominational Travel**

Pupils who have started at or moved to a denominational school from September 2011 onwards are no longer offered free travel to their school except for those who are statutorily entitled to free travel assistance (under the low income criteria, or where the denominational school is their nearest suitable school with a place available and is over the statutory walking distance).

### **Moving address**

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. 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' can be 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' (they spend part of the week at their registered base, and part at another establishment) travel would only be considered to the main registered base under the general eligibility criteria. The registered base would be responsible for funding and authorising travel assistance to any other establishment should they agree that this should be provided.

If a school arranges a 'managed move' where the child remains on roll at their registered school but they attend another school, their registered base would be responsible for arranging and paying for travel assistance should they agree it is required.

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

- Written recommendation from at least one other professional (such as Education Welfare Worker or Educational Psychologist) that the child should transfer
- 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 the case will be reviewed on a regular basis and continued supporting medical evidence will be 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 form](#).

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 taken into account 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.

Please note requests for assistance due to individual family work commitments, childcare arrangements or convenience for parents are unlikely to be considered sufficient exceptional circumstances on their own for assistance to be given. 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 taking into account all the circumstances – there is no guarantee that assistance will be provided for any case. We may wish to speak to you or request further supporting information or evidence before making a decision.

### **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 and entitled is assessed from one main home address. It is the responsibility of the parent to make any necessary arrangements for transport at any other time, and to/from any other location.

Travel assistance will be normally take the form of either:-

- A pass for public transport (by bus or train). Pupils may be expected to change vehicles to complete their journey. For students with learning difficulties and disabilities independent travel training may be offered to enable use of public transport
- A place on a school bus or other vehicle hired by the County Council. Pupils may be expected to change vehicles to complete their journey.
- Payment of the travel costs through a mileage allowance or personal travel budget for families to make their own arrangements. The mileage for this payment will be calculated based on the shortest driving route (avoiding toll roads) using Google maps
- Any other suitable method making the best use of all resources (including financial) which are available

- The Council will determine which type of travel assistance will be offered and may change the type of assistance provided to make the best use of available resources.

Generally, 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.

The payment of travelling expenses in the form of a mileage or cycling allowance may be offered at the Authority's discretion. They will be paid at the end of each term, once the school has signed the claim form to confirm the child's attendance. Payment will not be backdated – if a child qualifies for help we will pay expenses from the date we have agreed the application. When there are two or more children from the same address attending the same school or same site, and we have agreed to payment of a mileage allowance, we will only pay one allowance as we expect them to travel together. Parents will be reimbursed for two return journeys between home and school each day attended. If, at a later date a bus or contracted route becomes available to and from school, the Authority may withdraw the travel expenses payment and replace it with a pass for public or contracted transport.

### **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.

It is the responsibility of parents in all circumstances to ensure their children get to school, and 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 – mainstream students**

As recommended by the Department for Education the Local Authority has a 2 stage review and appeals process. The timings outlined below are recommended and not compulsory. 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.

To request a Stage 1 review against a decision please complete (within 20 working days of your refusal) [the online review request form](#) with all your additional supporting information.

Your 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](#)

A Senior Officer 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).

If you wish to request a Stage 2 appeal then write within 20 working days of the Stage 1 decision to the Education Transport Appeals address above with your supporting additional information. The County Commissioner for Access for Learning will consider your case and make a recommendation to the Director for Families and Communities for a final decision. We aim to make a Stage 2 appeal decision within 40 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
- details of your right to put the matter to the Local Government Ombudsman (see below).

If at Stage 2 the decision not to provide travel assistance is upheld, you will be informed of their right of complaint to the Local Government Ombudsman, but only if you consider that there was a

failure of the County Council 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.

## **Temporary Vacant Seat Scheme**

Please note it may be cheaper for you to make your own travel arrangements - please check before applying.

You are advised to not base your choice of school on the expectation of obtaining a seat under the temporary vacant seat scheme. If your child is not eligible for free home to school travel there is no guarantee that a seat will be available under the temporary vacant seat scheme and your child's travel will be your responsibility. If a seat is offered, there is no guarantee that it will continue to be available during the time that the pupil remains at the school and may be withdrawn at a later date if required for an entitled pupil at short notice or if the route no longer operates.

We strongly suggest that parents consider alternative travel solutions. For more information please visit our [public transport page](#). For help with journey planning including both bus and rail information [Traveline](#) may be of assistance. A few schools make special travel arrangements for some pupils who are not entitled to free travel. These arrangements are generally explained in the school prospectus or schools can be contacted directly for more information.

Where a vehicle hired by the Authority has more seats than are needed for pupils entitled to free or subsidised travel assistance, places may be made available to other pupils (including those in Years 12 and 13). A standard charge **irrespective of the distance travelled or number of journeys required** will be made for each pupil. For 2019-20 the charge is £625 which can be paid by instalments.

Applications should be made via the [temporary vacant seat webpage](#).

## Allocation of seats

Please note that if the number of applications received is greater than the seating capacity available, then applications will be dealt with on a 'first come, first served' basis. It is therefore important that you return the Application Form as soon as possible. Priority will be given to existing seat holders for a limited time period with remaining seats being offered to new or remaining existing applicants. However, there is no guarantee that any seats will be available to purchase. For students with special educational needs seats will not be allocated until after October half term. This is due to the late notification of entitled special educational needs pupil's requirements. It will also reduce the possibility of the seat being withdrawn after allocation. The cost will be charged pro-rata to the annual pass price.

## Terms and conditions for temporary vacant seats

Mainstream pupils purchasing temporary vacant seats will be issued with appropriate passes and pupils must carry the pass every day that the seat is required. Passes will not be issued for Special Educational Needs (SEN) temporary vacant seats.

- All passes issued under this scheme remain the property of the County Council and a charge of £5.00 will be made to replace any passes that are lost or defaced.
- Should the seat be required at a later date for a pupil entitled to receive free transport or should the service be discontinued or the route altered, the temporary vacant seat will be withdrawn and the pass must be returned to the Authority. Please note that the pass may have to be withdrawn at short notice.
- **Provision of a temporary vacant seat does not imply that the Authority will assume responsibility for transporting the pupil to school in future years.** Your child may become settled in a school to which transport later becomes a difficulty for you. If you are able to find a solution it may be expensive. It is important to have considered alternative arrangements should a vacant seat not be available.

- Where transport is shared by two or more schools, INSET days may vary and transport will not operate solely for temporary vacant seat pass holders.
- A bus/taxi route will not be amended/diverted for vacant seat pass holders. Children will have to board the vehicle at an existing pick-up point. Due to the nature of taxi and bus routes, the nearest pick-up point to your home address may vary during the course of the contract.
- The number or availability of seats under the scheme may vary from year to year as the number of pupils entitled to transport fluctuates, vehicle sizes may also change when contracts are reviewed and routes may be ended.
- The charge for vacant seat provision is based on a one-way or return journey basis. The number of days or distance travelled has no bearing on the price for this provision.
- Passes will not be issued until the appropriate payment has been made or a direct debit mandate form has been completed, returned and accepted.
- If payments are defaulted, the County Council reserve the right to terminate transport with immediate effect. This payment method will not be allowed to be used the following year.
- Where a temporary vacant seat is withdrawn after payment has been made, a refund will be made based on unused complete months remaining on the pass. Where a pupil does not use a vehicle for part of a term (illness, holiday etc.), or the vehicle does not operate (e.g. inclement weather), refunds cannot be made.
- If you withdraw your application after your payment has been received, your pass must be returned for a refund. This may incur a £10.00 administrative charge.
- Existing seat holders must re-apply for their seat each year.

## Post 16 travel assistance

For local authorities in England, provision of travel assistance for students of sixth form age is not a statutory requirement and it is up to the local authority to decide what arrangements it considers necessary. We aim to provide support to those young people who need it the most whilst working within Government guidelines and supporting a sustainable public transport system across the county whilst building independence and life-long travel skills. The post 16 travel statement provides full details of the support available and is published by the end of May each year, following a period of time for students, parents, schools, colleges and neighbouring authorities to comment.

Please note the Raising of the Participation Age has not created any new entitlement to post-16 travel assistance – students are not required just to stay at school or college but can work, volunteer or take part in an apprenticeship whilst continuing their education. Always check all your travel options before you make a decision – consider your journey to and from school or college when choosing where to attend, and that receipt of travel assistance in previous years does not guarantee any assistance post 16. Most students who need to make travel arrangements will be able to make use of public transport, and public bus and train companies offer travel passes at competitive prices which may be your cheapest option – contact them directly for details and cost. For help with planning a journey contact [Traveline](#) on call 0871 200 2233. For details of your nearest bus stop and routes see [bus timetable search](#). Some schools and colleges also operate their own transport – contact them directly for information.

We support low income students, and those with an Education, Health and Care Plan or Statement of Special Educational Needs who require specialist travel assistance due to a learning difficulty or disability, through the Staffordshire Post 16 travel assistance scheme.

For full details of the scheme please see our [post 16 transport statement](#).

## **Transport for students with an Education, Health and Care Plan or Statement of Special Educational Needs**

Staffordshire places a strong emphasis on including children with special educational needs in their local primary or secondary school. Having an EHCP or Statement of Special Educational Needs or attending a special school or unit does not automatically result in the provision of free travel assistance.

Staffordshire values improved outcomes that support independence for pupils as much as possible. We offer independent travel training and the Disabled Person's Concessionary Pass (a companion pass may be provided for a companion to also travel free of charge). Please check our [bus pass webpage](#) for the most up to date information. The use of public transport will be our first offer of travel assistance where suitable, rather than arranging contracted transport.

In certain circumstances a mileage payment may be agreed which will be calculated based on the shortest driving route (avoiding toll roads) using Google maps.

### **Criteria for travel assistance**

Travel assistance may be provided for children with special educational needs to the nearest suitable school if:

- The child is in Year 6 or below and lives more than two miles from the nearest suitable school
- The child is in Year 7 to 11 and lives more than three miles from the nearest suitable school.
- The child is of statutory school age and has a severe, profound or multiple learning difficulties or a disability, and cannot be reasonably expected to complete the journey to school even when accompanied as necessary regardless of the distance (it

is the parent's responsibility to arrange for such accompaniment). Statutory school age is Reception to the end of Year 11.

Please note that as within our general guidance, travel assistance is provided to and from one permanent home address only. The following are some examples of when free travel assistance is unlikely to be provided -

- \* To/from breakfast or after school clubs or activities
- \* To/from work experience, taster or open days
- \* To/from part-time provision off the school site organised by the school e.g. to vocational classes at a college
- \* For movement between educational establishments/sites
- \* to/from temporary addresses
- \* from/to 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 different time, due to detention or before/after school activities
- \* due to parental work or childcare arrangements
- \* to/from any site other than the registered main base of the educational institution
- \* due to family financial circumstances except where the income assessed criteria are being met

Travel assistance is provided subject to the criteria outlined below if the child is attending the nearest suitable available provision. Where a parent chooses to send their child to a more distant school or specialist provider, then the parent will assume responsibility for the provision of transport and all associated costs.

Any travel assistance provided will be subject to an Annual Review and the type of transport or level of support may change to reflect the changing needs of the pupil. The provision of travel assistance may cease to be necessary as the child grows older and if they become more independent. Such decisions will be taken on an individual basis and will take full account of the child's needs.

### **Passenger Assistants**

Passenger assistants will be 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 which 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 passenger assistants are fully briefed about the needs of the pupil. It is not the passenger assistant's or driver's role to administer medication for any child in their care, unless it has been agreed and signed off in the child's care plan.

### **Short Stay arrangements**

There is no guarantee that requests for respite transport can be met as children entitled to home to school transport take priority. For children attending special schools, travel assistance may be provided between school and a 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.

**Post 16 travel assistance for students with special educational needs**

Please see from page 25 for more information or our [post 16 transport statement](#).

## **Right to review and appeal for students with special educational needs both under and over 16**

The Local Authority has adopted a 2 stage review and appeals process as recommended by the Department for Education.

The transport review and appeal process will only consider the entitlement to travel assistance, not the suitability of the Local Authority named school or placement. The student is entitled to appeal against a travel assistance decision based on:

- Eligibility for travel assistance
- Transport arrangements offered

The timings outlined below are recommended and not compulsory. The timings for responses may be extended if additional time is required to gather supporting information or delayed by school/ college holidays. The student will be advised of any delays by the SEND Assessment Team.

### **Initial Decision on Travel Assistance eligibility:**

A SEND Key Worker will make the initial assessment on whether a student is eligible for travel assistance. If it is determined that the student is not eligible, the student will be informed of the reasons for this and be given information about how they can escalate their case to the review / appeal process. A student has 20 working days from receipt of the decision to request a review / appeal.

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

A student has 20 working days from receipt of the Local Authority's travel assistance decision to request a stage 1 review using the review request form available on the [SEN travel page](#). The request should detail why you believe the decision should be reviewed and

give details of any personal and / or family circumstances the student believes should be considered when the decision is reviewed. Within 20 working days of receipt of the stage 1 request form a Senior Officer reviews the original decision and sends the student 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);
- 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 you can escalate your case to Stage 2 (if appropriate).

### **Stage 2 Review by an Independent Appeal Panel:**

A student has 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 student's request an Independent Appeal Panel considers written representations from both the student 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);
- 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 and include a Senior Officer of the SEND Assessment and Planning Service (EHC) and representatives from the Transport and the Connected County and Access to

Learning departments, to ensure a balance is achieved between meeting the needs of the parents and the Local Authority's duty.

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.