

## Cabinet – 14 September 2011

### Home to School Transport Policy

**Portfolio:** Councillor Rachel Andrew, Children's Services

**Service:** Walsall Children's Services, Serco

**Wards:** All

**Key decision:** Yes

**Forward plan:** Yes

#### 1. Summary

Cabinet is asked to approve the refreshed Home to School Transport Policy which sets out more clearly the details of the policy which has been in force for some time.

#### 2. Recommendations

That Cabinet approves the refreshed policy. A summary of differences between the existing policy and revised draft policy are attached **Appendix B**.

#### 3. Report detail

- 1.1 All local authorities have a Home to School Transport Policy which sets out the detail of eligibility for the provision of transport between home and school. The opportunity has now been taken to refresh the policy to take account of legislative changes, setting out the details more clearly and clarifying various aspects of how the policy is applied. This will aid understanding by parents and schools.
- 1.2 The responsibility for mainstream home to school transport for eligible pupils remains with the local authority equally for all maintained schools and academies.
- 1.3 The refreshed policy is attached as **Appendix A**. The policy sets out clearly the provision for children attending mainstream schools and for children with a statement of special educational needs.
- 1.4 By including additional detail in the policy all users will have an improved understanding of the provision and also of responsibilities.

- In order to support all stakeholders further, a guidance booklet is being produced. This will set out relevant information in separate sections for parents, schools, transport contractors and others.
- Further work is being undertaken in relation to provision for children and young people who receive the mobility component of DWP and if further changes in the policy are proposed, there will be a further report to Cabinet following any required consultation.

#### **4. Council priorities**

The proposal set out in this report will assist the Council in the delivery of its Corporate Plan. The refresh of the policy will improve the clarity of information available to communities and neighbourhoods.

#### **5. Risk management**

The Council's policy should be set out clearly to aid public understanding of the details.

#### **6. Financial implications**

There are no direct financial implications as a result of this report. The refreshed policy would be made available on the Council website and the cost of printing booklets would be met from within existing budgets.

#### **7. Legal implications**

The policy has been produced in accordance with the requirements of the Education Act, as amended by Part 4 of the Education and Inspections Act 2016, and subsequent guidance issued by the Department for Education. Account has also been taken of sustainable travel policies and school travel plans.

#### **8. Property implications**

There are no property implications as a result of this report.

#### **9. Staffing implications**

There are no direct implications as a result of this report

## 10. Equality implications

The detail of the policy takes account of equality implications

## 11. Consultation

- The following were consulted □ Legal Services, □ Finance Services, □ □ D and Cllr □ □ Andrew.
- The changes proposed in the revised □ome to School Transport □olicy are minor and the impact on individual children and their parents is not considered to be sufficient to warrant wider consultation.

## Background papers

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## Author

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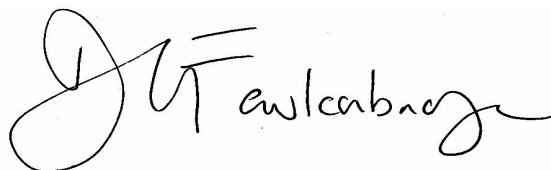
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Signed□

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Date□□ September □□□□



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# **Home to School Transport Policy**

**September 2011**

For the purposes of this document, the term 'parent' means parent or carer. The term 'child' means child or young person.

This policy only applies to children resident in the borough of Walsall. Parents of children resident in other local authority areas should obtain the policy for that area from the local council.

#### Contacts for more information

Transport Coordinator  
Walsall Children's Services – Serco  
Education Development Centre  
elsall Lane  
shall  
Walsall  
WS1 1AA.

Tel 0121 717 1111

Service Manager Planning, Admissions and Transport Tel 0121 717 1111  
Walsall Children's Services – Serco  
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## Home to School Transport

Parents have a duty to ensure that their children attend school and to make any necessary transport arrangements. When applying for a school place for their child, parents should consider the transport implications of their preferences. The authority plans school places across the borough in order to ensure that there are sufficient places in the local area. In Walsall, most families live within two miles of at least one primary school and within three miles of at least one secondary school.

This policy sets out the circumstances in which the local authority will provide transport assistance to help children get to and from school.

This policy has been produced in accordance with the requirements of the Education Act, as amended by Part 1 of the Education and Inspections Act 2006, and subsequent guidance issued by the Department for Education. Account has also been taken of sustainable travel policies and school travel plans.

### **FREE TRANSPORT FOR CHILDREN OF STATUTORY SCHOOL AGE (INCLUDING RECEPTION AND YEAR 11) ATTENDING MAINSTREAM SCHOOLS**

Arrangements for children with a statement of special educational needs are set out on page 1.

#### **General eligibility**

Children are normally entitled to free home-to-school transport if they live in Walsall and

- attend the nearest appropriate school and
- live beyond walking distance from the school at which they are on roll.

Walking distance is defined in legislation as 2 miles for children aged between 5 years and 11 years and 3 miles for children aged between 11 years and the end of the school year in which the child reaches 16 years of age. Children aged 5 but under age 11 from low income families are entitled to free transport to their nearest suitable school if the distance from home is more than 2 miles (shortest walking route). Walsall's policy is to apply the 2 miles limit to all primary year groups including Reception and Years 1 and 2.

Distances are measured from the midpoint of the home address to the midpoint of the school site using the shortest route that can be walked in reasonable safety from the child's address to the nearest open gate to the school site using the Geographical Information System (GIS) used by the Transport Team.

Additional used criteria are considered when assessing the suitability of a walking route. These criteria include an assumption that the child will be accompanied by an adult as necessary unless a disability prevents this. If a parent's working

arrangements make it difficult to accompany their child to school, they have a duty to make arrangements for another responsible person to do so.

There is no entitlement to free transport for children under statutory school age other than those admitted to a reception class and who will reach five years of age during the school year.

Transport is provided in the form of a bus pass for use on journeys to and from school. No free travel arrangements will be made for parents who wish to accompany their child to school.

upil attendants are not provided for home-to-school transport to mainstream schools.

### Denominational schools

Transport to the nearest appropriate denominational school is only provided where the qualifying distances above are met and a child is offered a place under a denominational criterion in the school's admission arrangements and for which eligibility has been shown.

### Income assessed transport to secondary schools

Children of secondary school age (aged 11 to 16 years; Year 7 to Year 11) from low income families have an entitlement to income assessed transport.

Eligible children are entitled to free transport to attend

- one of the nearest three suitable maintained schools as long as the school is more than 1 mile (walking route) but less than 2 miles from the child's home address;
- the nearest school preferred on grounds of 'religion or belief' if it is more than 1 mile (walking route) but less than 2 miles from the child's home address.

The definition of 'religion or belief' follows that of the Equality Act 2010. The definition of 'religion' includes those religions widely recognised in this country. 'Beliefs' must attain a certain level of cogency, seriousness, cohesion and importance. In the case of denominational schools, the parent must be able to demonstrate adherence to the faith; supporting evidence will also be required in the case of philosophical belief.

The following examples **do not** meet the requirements for the provision of transport on faith or philosophical grounds

- the wish to have a child educated at a particular category of school e.g. grammar school, academy;

- objections to rules requiring that a school uniform must be worn;
- a belief that a particular school will provide a better education;
- the wish for a child to be taught in a particular language;
- a belief that a child should be privately educated.

Low income groups are defined as those who are entitled to free school meals or are in receipt of their maximum level of Working Tax Credit (WTC).

Entitlement to free school meals will be checked against the local authority's records. For information about eligibility for free school meals, parents should contact Benefit Services on 0121 353 3333.

Proof of maximum Working Tax Credit must be sent with the application form. This should be a copy of the most recent Tax Credit Award Notice (form TC000) or a letter from the Benefits Agency confirming receipt of maximum Working Tax Credit.

Eligibility for income assessed transport is reassessed annually. There is therefore no guarantee that free transport will be provided throughout a child's secondary education and parents should bear this in mind when considering their preferences for a secondary school place for their child.

Parents applying for the continuation of free transport must complete an application form in the summer term. If a family's financial circumstances have changed and the child is no longer eligible, transport will be withdrawn at the end of that school year. The parent would then be responsible for making transport arrangements for their child.

If a change of address means that a child is no longer eligible for free transport under the distance criteria, free transport will be withdrawn at the end of that term.

## **Other circumstances in which transport may be provided**

### **1 Change of address**

When a family moves to a new address, there is an expectation that the child will transfer to a school close to the new address or that parents will make their own transport arrangements to enable their child to continue attending the existing school.

Parents whose child receives free transport should send details of the new address to the Transport Coordinator. Where there is a continued entitlement to free transport and the child continues to attend the same school, it will not usually be necessary for a new pass to be issued.

Following a change of address, transport to a school in Walsall or elsewhere will only be provided for children who remain eligible on criteria relating to distance, income assessed transport or transport to a denominational school.



For children in Year 1 or Year 2, transport to a school in Walsall or elsewhere may be provided if

- transfer to a school closer to home is impractical because of syllabus requirements;
- the new address is beyond walking distance from the school at which the child is on roll; and
- the journey distance and time are reasonable.

## 2 Change of school

Moving a child to another school is a very serious step to take and can affect a child in many ways. In most cases things that worry parents and children can be resolved and discussion with the child and the staff at the current school should avoid a transfer between schools in almost all circumstances. Assistance with transport will only be available where a child qualifies for income assessed transport as set out above. In very exceptional circumstances where a move to another school is unavoidable, parents may request special consideration.

If a school makes arrangements for a child to attend another school, college or other setting for part of the week or to attend a work experience placement, the school where the child is on roll is responsible for agreeing and funding any assistance with transport costs.

Sometimes 'managed moves' are arranged where a child attends another school for an initial period prior to going on roll at that school. Transport assistance will be provided where the child meets the eligibility criteria because of the home to school distance or low family income. Low income groups are defined as those who are entitled to free school meals or are in receipt of their maximum level of Working Tax Credit (WTC).

In some cases, a child may attend a Short Stay School (Pupil Referral Unit) or similar provision for a period of time. Where appropriate, assistance with transport will be provided and parents should contact the Transport Coordinator for advice. Each case will be considered on its own merits.

## 3 Medical reasons.

If a child is unable to walk to school because of a medical reason, free transport may be provided. Parents must complete a *Transport Assistance Application Form* and provide supporting written evidence from the child's GP or hospital stating why they are unable to walk to school and the likely period of incapacity. Each case will be considered on its merits.

Where transport is provided on medical grounds, the case will be reviewed regularly and continued supporting medical evidence will be required.

Medical reasons relating to a parent will only be considered in exceptional circumstances.

#### **4 Disabled parents**

It is a parent's responsibility to get their child to and from school. Where the parents' disability prevents them from accompanying their child to school, requests for transport assistance will be considered. However, parents will be expected to try to make reasonable alternative arrangements, for example by asking a friend, relative or parent of another child to accompany their own child to school.

#### **5 Selective schools**

Transport assistance for children attending a selective school is only provided where the child meets the eligibility criteria because of the home to school distance or low family income.

#### **6 Special circumstances**

Consideration will be given to requests for transport in circumstances which are not covered above. Parents should complete *Transport Assistance Application Form* and provide full details of the circumstances. Free transport will only be provided in exceptional cases.

#### **General information**

Free transport is only provided from the child's permanent home address to the school where they are on roll. If a child spends time at more than one address during the school week, eligibility to transport will only be assessed from the main address and any transport arrangements will only apply to that address.

Transport usually takes the form of a bus pass for use on public bus services. The payment of travelling expenses in the form of a mileage or cycling allowance may be offered at the local authority's discretion where this is cost effective. Any such allowances will be paid termly in arrears and are dependent upon the school confirming the child's attendance on the claim form. Where mileage has been agreed, parents will be reimbursed for four journeys between home and school each day. The current rate is 10p per mile regardless of the number of children transported. Where there are two or more children living at the same address and attending the same school, and mileage has been agreed for one child, an additional mileage allowance will not be paid for additional children as all the children are expected to travel together.

Parents who transport their child to and from school are advised to make contingency arrangements for someone else to take their child to school should their

own transport suddenly become unavailable. It is not possible for the local authority to provide alternative transport on an ad hoc or temporary basis. Parents whose transport becomes permanently unavailable should contact the Transport Coordinator to discuss alternative arrangements. It may take up to 5 working days for alternative transport arrangements to be set up.

Free transport is not provided for most 5-16 pupils attending mainstream schools or colleges. Transport information for most 5-16 pupils is available on line at [www.walsallcs.com](http://www.walsallcs.com) (follow services to schools link).

Home to school transport policy is subject to review. The eligibility of applications will be considered against the policy in force at the time of the application.

The following list provides some examples of where free transport cannot be provided:

- to a school other than the school where the child is on roll (unless agreed because of special circumstances, for example, where a child is on a managed move to another school);
- travel to work experience, taster or open days;
- movement between different schools or school and college;
- travel to any part time provision off the school site organised by the school;
- to/from medical or dental appointments;
- from an address other than the child's home address or the agreed pick up point (unless agreed because of special circumstances);
- in the event of sickness where a child has to be collected early from school;
- to/from temporary addresses (unless agreed because of special circumstances).

## Poor behaviour on public transport

The consequences of poor behaviour on buses can be wide ranging. Other passengers may be deterred from using public transport shared with poorly behaved school pupils. Such behaviour may jeopardise the safety and welfare of school children, other passengers and transport personnel. Where it is reasonable to do so, headteachers have powers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school. Walsall Children's Services – Serco may withdraw transport assistance where a child's behaviour is unacceptable and in such cases the parent would be responsible for getting their child to school.

## How to apply for transport

When a parent receives a letter offering a school place for their child, the letter will include details of the arrangements for applications for transport assistance. Parents should complete a *Transport Assistance Application Form* and return it, together with

any supporting evidence, to the Transport Coordinator in good time before the start of the new school year. It may take up to 10 working days to process a fully completed application and parents will be expected to make and pay for their child's travel arrangements should the school term commence during this period.

Buses passes will be issued at the start of each term through the school attended by the child. Any arrangement, parents may collect an initial bus pass from the offices of Walsall Children's Services – Serco.

Eligibility for free transport will be reassessed each summer for the following school year. Parents applying for a continuation of free transport should complete a *Transport Assistance Application Form* and return it, together with any supporting evidence, to the Transport Coordinator.

All application forms should be sent to

Transport Coordinator  
Walsall Children's Services – Serco  
Education Development Centre  
Walsall Lane  
Walsall  
WS1 1BB.

## Transport appeals

Parents have a right of appeal against a decision not to offer free transport for their child. Parents wishing to do so should write to the Managing Director, Walsall Children's Services – Serco, at the above address and provide full details and enclose any supporting evidence. Parents will be notified of the outcome of the appeal within 10 working days of receipt of the appeal. There is no further right of appeal unless there is a significant change in circumstances.

## Complaints

Any complaints should be referred in the first instance to the Service Manager, Planning, Admissions and Transport who will arrange for the investigation of complaints from parents, children, schools, and transport contractors.

## TRANSPORT FOR CHILDREN WITH A STATEMENT OF SPECIAL EDUCATIONAL NEEDS

Children with special educational needs have the same entitlement to free transport as any other child and the general eligibility criteria set out above therefore apply.

Children entitled to free transport would normally live beyond the specified distance or be unable to walk safely, accompanied as necessary, to school because of their

Sick, disability or mobility problem and be attending the nearest appropriate school as determined by Walsall Children's Services – Serco.

The majority of children with special educational needs have their needs met in their local mainstream school and do not normally require assistance with home-to-school transport.

Walsall's inclusion policy places a strong emphasis on enabling children with special educational needs to be educated at a local mainstream school; however, some children with statements of special educational need can only have their needs met by resourced provision at a designated primary or secondary school or by a special school. The transport needs of such children are assessed individually; they do not automatically qualify for free home-to-school transport.

Transport need is assessed using advice gathered from various professionals through the statementing process. The starting point for consideration of transport needs is that children have the same entitlement to transport as any other child.

Where parents prefer their child to attend a more distant school, they are responsible for making and paying for transport arrangements.

Once an appropriate educational placement has been agreed for a child with a statement of special educational needs, consideration will be given to the provision of transport. The mode of travel and whether or not to provide a pupil attendant is at the sole discretion of Walsall Children's Services – Serco.

The majority of special needs transport is provided through private hire vehicles. Contracts are awarded through a tendering process. Parents and schools must accept that the transport provider may change as a result of retendering or for other reasons as Walsall Children's Services – Serco sees fit.

Where transport is provided, a child will be expected to join an existing transport route and share the vehicle with other pupils unless other arrangements are authorised by Walsall Children's Services – Serco.

Where a child is educated at a setting outside the borough of Walsall, Walsall Children's Services – Serco will explore all cost effective means of transport before reaching a decision on the type of transport to be provided.

The provision of home-to-school transport where the distance criterion is not met is subject to annual review and can be withdrawn if it is no longer deemed necessary or appropriate. Such changes would normally come into effect from the start of the term following the decision.

In all cases the nature of the transport arrangements is subject to annual review and may change. In some cases, transport may cease to be necessary as the child grows older and becomes more independent. Such decisions are taken on an individual basis and take account of the child's needs.

It is important that all children are encouraged to develop both educationally and socially. This includes working towards independent travel which is encouraged for

older children where appropriate and transport arrangements may take the form of a bus pass. A change to independent travel would only take place following consultation with parents and schools.

Factors taken into account when deciding whether a child is to be offered home to school transport or a bus pass include

- distance to school
- whether the journey is on a main bus route accessible to the child
- whether the child receives mobility allowance
- whether the child has serious medical problems
- whether the child has significant/complex learning difficulties which affect their ability to travel independently to school
- whether the child has a physical or sensory impairment which affects their ability to travel independently to school
- whether any severe family/personal circumstances affect a child's ability to travel to school or college
- the most cost effective mode of transport for journeys to schools and colleges outside Walsall.

## **Pupil attendants**

The needs of each child to be accompanied will be assessed by Walsall Children's Services – Serco. Where appropriate, a pupil attendant will be provided through the contract with the vehicle operator.

Pupil attendants are responsible for the care and supervision of pupils on the journey to and from school. They will oversee the behaviour and safety of children so that the driver is unhindered in his/her duties.

## **Transport personnel**

Criminal background checks are undertaken for all pupil attendants and drivers prior to their employment on home to school contracts. Following a satisfactory check, an identity badge will be issued to pupil attendants by Walsall Children's Services – Serco; this must be worn at all times and parents are asked to ensure that they only hand their child over to personnel wearing an identity badge. On occasion it may be necessary for a driver with a private hire (PH) licence to take on the role of pupil attendant in order to ensure that transport to/from school can be provided. These personnel must wear their PH licence identity badge.

For drivers, criminal background checks are undertaken as part of the licensing arrangements (PSV licence) and an identity badge is issued by the licensing authority. Drivers with a Public Service Vehicle (PSV) licence are subject to the same background checks as pupil attendants and upon completion of a satisfactory check, an identity badge will be issued by Walsall Children's Services – Serco.

Any concerns regarding drivers/pupil attendants who fail to wear their identity badge must be reported immediately to the Transport Coordinator.

## **Journeys covered**

Where transport is provided, this will be limited to the journey to school at the beginning of the school day and the journey home at the end of the school day. There is no provision for routes to be altered to take account of medical appointments etc. Transport is not provided for work experience or to other educational settings. If a child becomes ill or is sent home because of misbehaviour, it is the responsibility of the parent to arrange for the collection of their child.

## **Mileage allowance**

In some cases the parents of a child for whom home to school transport has been agreed may wish to transport their child to school in their own vehicle.

Where this is appropriate for the child's needs and is cost effective, a mileage allowance will be paid. Where mileage has been agreed by Walsall Children's Services – Serco, parents will be reimbursed for four journeys between home and school each day. The current rate is 40p per mile. Mileage allowances will be paid termly in arrears and are dependent upon the school confirming the child's attendance.

Parents who transport their child to and from school are advised to make contingency arrangements for someone else to take their child to school should their own transport suddenly become unavailable. It is not possible for Walsall Children's Services – Serco to provide alternative transport on an ad hoc or temporary basis. Parents whose transport becomes permanently unavailable should contact the Transport Coordinator to discuss alternative arrangements. It may take up to 10 working days for alternative arrangements to be set up.

## **Respite care**

Children will be transported to/from school to respite care where this has been agreed. This may mean that a child is transported on a different vehicle to usual. Parents should give at least five working days notice of respite placements in order to enable transport arrangements to be made.

## **After school activities**

Where arrangements do not involve the need for an additional vehicle or an additional journey, transport will be scheduled to enable a child to access after school activities at the school they attend.

## **Sharing information about a child**

The transport contractor and personnel involved in transporting a child to school may be given confidential information relating to a child's needs which they need to be aware of. They will also be advised of any child who is prone to fits or other conditions which may affect the journey to or from school.

## **Vehicle occupancy**

Where Walsall Children's Services – Serco agrees that a taxi is to be provided to transport an individual child to/from school and that it is appropriate for the parent to accompany the child instead of a pupil attendant, only one adult will be allowed to travel with the child.

## **Parental responsibilities**

Parents must ensure that their child is ready for collection at the designated time and place for the journey to and from school. They are responsible for escorting their child to the vehicle for the journey to school and collecting their child from the vehicle on the journey home.

In the event of parents not being at the agreed drop off point at the scheduled time, the child will be taken to a Safe place.

Persistent failure to be ready for collection at the start or end of the school day will result in either temporary or permanent withdrawal of the transport service. In these circumstances parents would become responsible for getting their child to and from school each day.

Transport contractors must immediately notify the Transport Coordinator of any occasions when a child is not ready for collection in the morning or met at the pickup point at the end of the school day.

Parents must provide Walsall Children's Services – Serco with emergency contact numbers which must be updated in the event of any change. Failure to do so may mean that it is not possible to contact parents in an emergency.



## Behaviour

It is important that children are well behaved on journeys to and from school and that they follow instructions given by pupil attendants and drivers. Harassment, abuse and violence towards other children or personnel will not be tolerated, nor will any other behaviour which compromises their own health and safety or that of other occupants of the vehicle or results in damage to vehicles. Where a child's behaviour whilst in transit results in any of the above, transport may be withdrawn for a fixed period or permanently and/or charges for damage may be passed on to those responsible. Walsall Children's Services – Serco may refuse to transport children displaying aggressive or dangerous behaviour.

Please also see section on poor behaviour on public transport on page 10 which also applies to children with special educational needs who are travelling independently on public transport.

## Post 16 students

Through ongoing social and independence training, very few young people who continue their education beyond 16 years of age will require assistance with transport.

Where transport is provided by Walsall Children's Services – Serco, it will continue until the end of the school year in which a young person reaches the age of 16 years, or until they finish their course of study, providing they are attending the nearest appropriate school/college, the course is full time and they began their course on or before their 16<sup>th</sup> birthday.

## Transport appeals

Parents have a right of appeal against a decision not to offer free transport for their child. Parents wishing to do so should write to the Managing Director, Walsall Children's Services – Serco, at the above address and provide full details and enclose any supporting evidence. Parents will be notified of the outcome of the appeal within 10 working days of receipt of the appeal. There is no further right of appeal unless there is a significant change in circumstances.

## Complaints

Any complaints should be referred in the first instance to the Service Manager/Planning, Admissions and Transport who will arrange for the investigation of complaints from parents, children, schools, and transport contractors.

### Home to School Transport Policy

#### Summary of differences between the existing policy and revised draft policy (April 2011)

##### Background

The original policy was written prior to 2000 in accordance with the requirements of the 1999 Education Act. Practice was subsequently amended in Walsall in 2000 to ensure compliance with the amendments to the 1999 Act which were introduced as a result of the Education and Inspections Act (2006).

##### Summary of differences

Where page references are given in this summary these refer to the draft Home to School Transport Policy (April 2011).

##### Transport for children of statutory school age attending mainstream schools:

The existing policy makes reference to the distance between home and school being measured from postcode to postcode; due to a change in the software used by the Transport Team, distances are currently measured by the Capita One Geographical Information System (GIS) from the midpoint of the home address to the midpoint of the school site using the shortest route that can be walked in reasonable safety from the child's address to the nearest open gate to the school site; the wording of the revised policy reflects this change (page 4).

The revised policy makes reference to how the suitability of walking routes will be assessed and the fact that such an assessment includes the assumption as stated in the statutory guidance that the child will be accompanied by an adult as necessary unless a disability prevents this (page 4).

The existing policy makes reference to the entitlement to parental preference when applying for a school place and states that free transport will only be available when parents choose their nearest appropriate school; however the revised policy has been amended to take account of changes in legislation as detailed below.

When the existing policy was produced a free bus pass was provided to children residing in Walsall and attending their nearest appropriate school where the distance between home and school measured by the shortest walking route was:

1.5 miles for children aged 5 up to 7 years

2 miles for children aged 7 years up to the end of the academic year in which the child reaches 11 years.

Although these distances remain compliant with the statutory walking distances it has become usual practice in Walsall since this policy was written to extend the

miles walking limit for children in all primary year groups including reception and Year 1 and 2 and the wording of the revised draft policy reflects this change (page 10).

- Although this is not a change to the policy, the revised policy makes it clear that there is not entitlement to free transport for children under statutory school age, other than those who have not reached the age of 5 at the time they are admitted to reception; and that pupil attendants are not provided for home to school transport to mainstream schools.

### **Transport to denomination schools:**

- The policy remains unchanged.

### **Income assessed transport to secondary schools:**

- The additional entitlement to free transport for children of secondary school age from low income families was an amendment to the Education Act 1996 which was introduced by the Education and Inspections Act 2010. This section is therefore new to the policy (pages 11 to 12) although in practice Walsall has complied with this statutory requirement to provide free transport for qualifying pupils since the implementation of the new regulations.

### **Change of address:**

- The revised policy is changed in that it specifies that there is an expectation that a child will transfer to a school closer to their home address or that parents will make appropriate transport arrangements and that free transport will only be provided where the child is eligible. (page 13)
- For children in Years 11 and 12 wording is changed to state that free transport 'may' be given where a change of school is inappropriate. The existing policy stated that transport would only be provided where the statutory distance requirements were met, but the revised policy states that the new address must be beyond walking distance from the school and that the journey distance and time must be reasonable (page 13).

### **Change of school:**

This section is new to the revised policy.

- The revised policy states that when a child moves school as a result of parental preference a child will only receive assistance with transport when they qualify under low income criteria (page 14).
- The revised policy states that parents may request special consideration where a change of school is unavoidable (page 14).

- The revised policy also makes provision for transport assistance to be provided to children attending a school on a trial 'managed move' basis or attend a pupil referral unit where they meet the eligibility criteria due to distance or low income (page 6) and this has been general practice in Walsall for some time.

### **Medical reasons:**

- The existing policy states that pupils with medical needs may be provided with free transport where medical evidence is provided and their parents are eligible on low income grounds. The revised policy states that medical evidence will be required and that each case will be considered on its merits there is no requirement for the family to be eligible on low income grounds. (page 6)
- The revised policy states that medical grounds relating to a parent (page 6), or parents' disability (page 7) may be considered in exceptional circumstances. This has been general practice in Walsall for some time, but was not specified in the existing policy.

### **Selective schools:**

- The existing policy stated that transport assistance would only be provided where the child qualified on low income grounds. The revised policy includes eligibility under distance criteria (page 7).

### **Poor behaviour:**

- The revised policy makes the additional provision that head teachers have the power to take action to address unacceptable behaviour when it takes place outside the school premises which is in line with the 2014 Act.

### **Transport for children with a statement of special educational needs:**

- The revised policy states that where parents prefer their child to attend a more distant school, they are responsible for making and paying for transport arrangements. This is a change to the existing policy (page 6).

### **Respite Care:**

- The existing policy states that although transport arrangements may be made by the Transport Team the additional costs would be met by Social Services. In the revised policy the cost of transport is met by Walsall Children's Services or Serco. The revised policy states that parents are required to give at least 4 working days notice of respite placements in order to enable transport

arrangements to be made – this requirement is not present in the existing policy (page 11).

#### **After school activities:**

- The existing policy makes no reference to transport to and from after school activities. The revised policy states that where arrangements do not involve the need for an additional vehicle or money transport will be scheduled to enable a child to access after school activities at the school they attend (page 11).

#### **General:**

- The revised policy specifies that where a child resides at more than one address, transport will be assessed and available from the main address only. This is not specified in the existing policy, although it has been general practice in Walsall for some time (page 7).
- The revised policy states that a mileage or cycling allowance may be offered where appropriate (page 7); the existing policy does not make provision for payment of a cycling allowance.

#### **Transport Appeals:**

- The existing policy states that appeals will be heard by an appeals panel. The revised policy states that appeals should be addressed to the Managing Director, Walsall Children's Services, Serco (page 11).

#### **Complaints:**

- The existing policy states that complaints should be put in writing to the Transport Coordinator in the first instance. The revised policy is that complaints should be addressed in the first instance to the Services Manager, Planning, Admissions and Transport (page 11).

## Home to School Transport Policy

### Summary of differences between the existing policy and revised draft policy (April 2011)

#### Background

The original policy was written prior to 2000 in accordance with the requirements of the Education Act and practice was subsequently amended in Walsall in 2000 to ensure compliance with the amendments to the Education Act which were introduced as a result of the Education and Inspections Act (2006).

The current draft of the revised policy was produced in April 2011.

#### Summary of differences

Where page references are given in this summary these refer to the draft Home to School Transport Policy (April 2011)

#### Transport for children of statutory school age attending mainstream schools:

- The existing policy makes reference to the distance between home and school being measured from postcode to postcode; due to a change in the software used by the Transport Team, distances are currently measured by the Capita One Geographical Information System (GIS) from the midpoint of the home address to the midpoint of the school site using the shortest route that can be walked in reasonable safety from the child's address to the nearest open gate to the school site; the wording of the revised policy reflects this change (page 4).
- The revised policy makes reference to how the suitability of walking routes will be assessed and the fact that such an assessment includes the assumption as stated in the statutory guidance that the child will be accompanied by an adult as necessary unless a disability prevents this (page 4).
- The existing policy makes reference to the entitlement to parental preference when applying for a school place and states that free transport will only be available when parents choose their nearest appropriate school; however the revised policy has been amended to take account of changes in legislation as detailed below
- When the existing policy was produced a free bus pass was provided to children residing in Walsall and attending their nearest appropriate school where the distance between home and school measured by the shortest walking route was
  - 2 miles for children aged 5 up to 11 years
  - 3 miles for children aged 11 years up to the end of the academic year in which the child reaches 16 years.

Although these distances remain compliant with the statutory walking distances it has become local practice in Walsall since this policy was written to extend the 2 miles

walking limit for children in all primary year groups including reception and years 1 and 2 and the wording of the revised draft policy reflects this change (page 1).

- Although this is not a change to the policy, the revised policy makes it clear that there is not entitlement to free transport for children under statutory school age, other than those who have not reached the age of 5 at the time they are admitted to reception; and that pupil attendants are not provided for home to school transport to mainstream schools.

#### **Transport to denomination schools:**

- The policy remains unchanged.

#### **Income assessed transport to secondary schools:**

- The additional entitlement to free transport for children of secondary school age from low income families was an amendment to the Education Act 1996 which was introduced by the Education and Inspections Act 2010. This section is therefore new to the policy (pages 3 to 4) although in practice Walsall has complied with this statutory requirement to provide free transport for qualifying pupils since the implementation of the new regulations.

#### **Change of address:**

- The revised policy is changed in that it specifies that there is an expectation that a child will transfer to a school closer to their home address or that parents will make appropriate transport arrangements and that free transport will only be provided where the child is eligible. (page 5)
- For children in years 5 and 6 wording is changed to state that free transport 'may' be given where a change of school is inappropriate. The existing policy stated that transport would only be provided where the statutory distance requirements were met, but the revised policy states that the new address must be beyond walking distance from the school and that the journey distance and time must be reasonable (page 5).

#### **Change of school:**

This section is new to the revised policy.

- The revised policy states that when a child moves school as a result of parental preference a child will only receive assistance with transport when they qualify under low income criteria (page 6).
- The revised policy states that parents may request special consideration where a change of school is unavoidable (page 6).

- The revised policy also makes provision for transport assistance to be provided to children attending a school on a trial 'managed move' basis or attend a pupil referral unit where they meet the eligibility criteria due to distance or low income (page 6) and this has been general practice in Walsall for some time.

#### **Medical reasons:**

- The existing policy states that pupils with medical needs may be provided with free transport where medical evidence is provided and their parents are eligible on low income grounds. The revised policy states that medical evidence will be required and that each case will be considered on its merits there is no requirement for the family to be eligible on low income grounds. (page 6)
- The revised policy states that medical grounds relating to a parent (page 6), or parents' disability (page 7) may be considered in exceptional circumstances. This has been general practice in Walsall for some time, but was not specified in the existing policy.

#### **Selective schools:**

- The existing policy stated that transport assistance would only be provided where the child qualified on low income grounds. The revised policy includes eligibility under distance criteria (page 7).

#### **Poor behaviour:**

- The revised policy makes the additional provision that headteachers have the power to take action to address unacceptable behaviour when it takes place outside the school premises which is in line with the 2014 Act.

#### **Transport for children with a statement of special educational needs:**

- The revised policy states that where parents prefer their child to attend a more distant school, they are responsible for making and paying for transport arrangements. This is a change to the existing policy (page 6).

#### **Respite Care:**

- The existing policy states that although transport arrangements may be made by the Transport Team the additional costs would be met by Social Services. In the revised policy the cost of transport is met by Walsall Children's Services (Serco). The revised policy states that parents are required to give at least 5 working days notice of respite placements in order to enable transport arrangements to be made – this requirement is not present in the existing policy (page 6).



### **After school activities:**

- The existing policy makes no reference to transport to and from after school activities. The revised policy states that where arrangements do not involve the need for an additional vehicle or voluntary transport will be scheduled to enable a child to access after school activities at the school they attend (page 11).

### **General:**

- The revised policy specifies that where a child resides at more than one address, transport will be assessed and available from the main address only. This is not specified in the existing policy, although it has been general practice in Walsall for some time (page 7).
- The revised policy states that a mileage or cycling allowance may be offered where appropriate (page 7); the existing policy does not make provision for payment of a cycling allowance

### **Transport Appeals**

- The existing policy states that appeals will be heard by an appeals panel. The revised policy states that appeals should be addressed to the Managing Director, Walsall Children's Services – Serco (page 11).

### **Complaints:**

- The existing policy states that complaints should be put in writing to the Transport Coordinator in the first instance. The revised policy is that complaints should be addressed in the first instance to the Service Manager, Planning, Admissions and Transport (page 11).