



# School transport policy

**Last updated:** September 2019 (Vacant seat rates updated & two stage appeal process introduced)

## Document summary

This document sets out the East Sussex County Council's current home to school transport policy for students who live in the county. This policy follows what we need to do by law, and it should be noted that it could be subject to change in the future. Therefore, this policy does not amount to a legitimate expectation that any service currently offered will continue to be offered.

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## Introduction

Parents and carers have a legal responsibility to ensure that their children attend school regularly. This includes arranging travel to and from school, meeting the costs and accompanying their child as necessary.

In some cases, the Council has a legal obligation to provide suitable free school transport. Transport will be provided in the most cost effective and appropriate way for the child's needs. This policy summarises the categories of eligible children, the provision offered, circumstances when assistance is not provided, and how to appeal against a decision.

Separate documents set out the additional provision for children and young people with Special Educational Needs and Disabilities (SEND) of statutory age (Reception to Year 11 pupils) and discretionary age (post-16 students):

- [SEND Travel Assistance Policy](#)
- [Post-16 SEND Travel Assistance Policy](#)

## 1. Qualifying criteria for home to school transport

The following circumstances explain when support can be given to children of compulsory school age. If your situation does not fit into the policy, we are unable to provide support.

### 2.1. Statutory walking distance

We will provide free transport between home and school for children over eight years of age who live more than three miles away from the designated school, or two miles for children under eight years of age. This is known as the **statutory walking distance**.

Distances are measured by the shortest available walking route using our Geographical Information System, taking account of public footpaths.

The designated school is the school suitable to the child's age and ability which serves the area in which the child lives. If there is more than one school, this is the nearest school to the home which is suitable for the child and at which a place is available (measured as above and **not** in a straight line or any other method).

### 2.2. Route safety

This relates to children who live within the statutory walking distance and attending their designated school. Assessments do not determine whether a route is "safe" or "dangerous". All roads may be thought of as presenting some element of road safety risk, whether they are heavily trafficked urban routes, or more lightly trafficked rural routes. Instead, the assessment determines whether transport should be provided because a child's **only** walking route presents particular road safety hazards.

Where the suitability of a route is questioned, the Road Safety Team will look at the relationship between pedestrians and traffic and will make a formal assessment based on national guidance. Issues surrounding personal security do not form part of the assessment and it is assumed the child is accompanied by a responsible adult. There is no requirement for a route to be lit and temporary closures such as road works or flooding are not taken into account. If alternative routes are available within the statutory walking distance then assistance will not be granted.

Parents are responsible for ensuring their child has suitable clothes and equipment for the journey (for example, boots, wet weather clothes, reflective bands, torch, etc) and national guidance is quite clear that conditions such as muddy footpaths or lack of street lighting do not mean that a route is not available.

In fact, the following will normally be considered available at all times for the home to school journey; crossing fields, wooded areas, bridleways, public footpaths and public rights of way.

### **2.3. Extended rights eligibility**

Free transport is provided to pupils entitled to [free school meals](#) or whose families receive the maximum level of Working Tax Credit\*\* in the following circumstances:

**Primary age pupils** – Children over eight whose designated school is more than two miles but less than three miles from their home will continue to receive transport help if they are from a low income family.

**Secondary age pupils** – Children from low income families will qualify for free transport to one of their three nearest schools from where they live, provided the school attended is more than two miles but less than six miles away. Distances up to two miles are measured using the shortest available walking route whereas the six mile upper limit is measured using roads only.

**Secondary age pupils attending church aided schools** – Children from low income families attending the nearest church school preferred on grounds of religion or belief, will qualify for free transport to that school if it is more than two miles but less than fifteen miles away from home. Confirmation of baptismal status or support from the parish priest or minister is required.

**Secondary age pupils attending selective schools** – Children from low income families attending the nearest selective school will qualify for free transport to that school if it is more than two miles but less than fifteen miles away from home. (A 'selective school' admits students on the basis of some sort of selection criteria, usually academic)

\*\*You can tell if you are in receipt of the maximum WTC from your tax credit award notice issued by HM Revenue and Customs. Part 2 entitled 'How we work out your tax credits' includes details of WTC elements other than child care. It then lists 'any reduction due to your income'. You are in receipt of the maximum where the reduction shows as £0. Alternatively, you will be on the maximum if your assessed income is below £6420.

You can apply online at

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/free/form-travel-assistance/>

If you do not have access to the internet, please contact the Admissions Team on 0300 330 9472.

## **2.4. Pupils with medical conditions**

Some children may be unable to walk even a short distance to school. We may be able to assist with travel assistance if all other solutions have been looked into. For example, if arrangements with another parent or discussions with the school about travel options have been unable to provide a solution.

To qualify for help your child must be attending the designated school. Additionally we will need to ascertain that your child cannot be reasonably expected to walk to school even if it is under the statutory distance. To assist in deciding this, we will need to see medical evidence from a consultant or GP confirming your child's medical condition and any relevant facts regarding or impacting upon his or her mobility.

Please note that a fee may be charged for supplying the medical evidence and you would need to pay any costs. We will also need to know how long transport assistance is required and an indication of what type of travel is appropriate. If transport assistance is agreed, your case will be reviewed regularly.

Go to [eastsussex.gov.uk/educationandlearning/schools/transport/free/medical-condition/](https://eastsussex.gov.uk/educationandlearning/schools/transport/free/medical-condition/) for an application form.

## **2.5. Disabled parents and carers of primary aged children**

If you are prevented from accompanying your children on the home to school journey because of a disability\*, we may be able to assist with travel assistance if all other solutions have been looked into. For example, if arrangements with another parent or discussions with the school about travel options have been unable to provide a solution.

*\* a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.*

To receive help, your child must be attending the designated school. We will then look at the distance to school. Where the distance is very short, assistance may not be agreed, especially for a child in Year 5 or 6.

You will need to complete an application form (see paragraph 2.4) and attach medical evidence from a consultant or doctor which must not be older than three months from the date of application. Please note that a fee may be charged for supplying the medical evidence and you would need to pay any costs. Transport cannot be arranged until the medical evidence is provided. If transport is agreed, your case will be reviewed regularly.

## **2. Types of travel assistance for eligible children**

### **3.1. Using the bus and rail network**

It is for the local authority to decide on the travel arrangements to get pupils between home and school at the beginning and end of the school day. In most cases, we provide a ticket for use on public transport or provide a seat on a hired coach.

Students are collected as near to their home as possible, although they may have to walk a short 'reasonable' distance to meet the transport. This will not usually be more than one mile from their home address. The responsibility for making sure a child's safety in getting to and from the picking up point is with the parent or carer.

There are no legal guidelines for what is a reasonable journey time. This will depend on the age and individual needs of the child. However, we aim to make sure that no child will have a journey of no more than 75 minutes, with the exception of school placements outside of the county.

### **3.2. Mileage payments**

If there is no suitable public transport or hired vehicle, parents willing to make their own travel arrangements will receive help with the cost of two return journeys a day. This is based on the distance between home and school. Payment is made on a family basis since the cost will be the same for two or more children, with changes to this cost if children are at different schools.

This is not available to parents who prefer to make their own arrangements to transport their child to their designated school if public transport or a hired vehicle is available.

### **3.3. Travel by taxi or minibus**

In cases where the home address is not served by public transport, hired transport will be provided to get pupils between home and school at the beginning and end of the school day. Once authorised, new transport solutions can take up to 10 working days to organise.

In the morning, you will need to have your child ready at the agreed collection time. Drivers are required to wait for five minutes from the agreed time before leaving. It is also the responsibility of the parent or carer to get the child into the vehicle and the school's duty to get the child from the vehicle into the school building.

In the afternoon, you will need to make sure that a responsible adult is at home to receive your child at the agreed time. Drivers are required to wait for five minutes after the agreed drop-off time before leaving, as delays could impact other children and their families. Failure to make sure that a responsible adult is at home to receive the child may result in the child being taken to a safe place such as Social Care premises. It is the parent or carer's responsibility to arrange for their travel home and to pay any costs.

### **3.4. Service standards for hired transport**

#### **Licensing and training of drivers and escorts**

Drivers of coaches will possess PCV licenses. Taxi drivers will have been approved by the local Borough or District Council licensing officers. The County Council offers training to drivers and escorts to support them in their role, including additional guidance about individual pupil's needs.

#### **Disclosure and Barring Service**

All drivers and passenger assistants of taxis, minibuses and hired coaches on council paid transport are subject to a DBS check. This does not currently apply to those driving public transport.

#### **Suitable vehicles and equipment**

Vehicles used to transport children will be appropriate to the needs of the child. Where children need to be transported in their wheelchairs, a specialist vehicle will be provided. Other essential items of equipment will also be transported.

## **Contract information**

All parents or carers will be provided with detailed information about the travel arrangements. Such as, driver name and phone number, pick up and drop off times, parental responsibilities and handover arrangements.

## **Monitoring operator performance**

If parents have any concerns about the service being provided they should contact staff in the Client Transport Services in Communities, Economy and Transport Department so that the concerns can be raised with the provider of the transport service. Please phone 01273 335067. Service performance is subject to a contract between the operator and the council.

## **3. Review of transport provision**

Travel assistance will be reviewed regularly to make sure that the service provided continues to be appropriate for the child's needs.

## **4. Transport for sixth form students**

### **Raising the participation age**

The government has increased the age to which all young people in England must continue in education or training, requiring them to continue until at least their 18<sup>th</sup> birthday.

This does not mean young people have to stay in school to continue in education or training. Options include full-time study in a school, college or with a training provider. They can also go into full-time work or volunteering combined with part-time education, training or an apprenticeship. As a result, any travel support given to students up to and including Year 11 does not go past the compulsory school age.

### **Travel assistance available to sixth formers**

East Sussex County Council no longer offers direct support. For further information about transport and financial support for 16-19 year old students, visit [www.360.org.uk/travel](http://www.360.org.uk/travel)

ESCC may provide discretionary travel support for post-16 students with Special Educational Needs or Disabilities (SEND), although families are expected to make a contribution towards total costs. For more details, visit [www.eastsussex.gov.uk/sendtravel](http://www.eastsussex.gov.uk/sendtravel)

## **5. Application process**

Eligibility for children of compulsory school age on age and distance and route safety is assessed when school places are allocated. An application is required for support under extended rights and medical conditions.

## **6. When transport is not supplied**

### **Transport services other than at the start or end of the school day**

Our duty is to provide assistance to get children to and from school at the beginning and end of the school day. It is the responsibility of parents or carers to arrange and pay for transport at other times. For example, we do not provide transport for:

- Medical appointments
- Specific exam timetables

- Pre course visits or 'taster' days
- Breakfast or after-school clubs
- Parents' evenings
- Work experience or placement
- Extra-curricular activities
- School trips or educational visits
- Fixed-term exclusions
- Off- site educational placements

## Independent or private schools (including nurseries)

Assistance is not given to children attending schools in the private sector unless the placement has been made by the Inclusion and Special Educational Needs & Disabilities team and transport has been recommended by the Specialist Transport Officer.

## More than one home address

We only accept responsibility for the transport of children between their **main** residence and school. If children have more than one address, a decision needs to be made as to which address the children live. This would usually be where most school nights are spent but may include factors such as where the child is registered with a doctor, or where the child benefit is paid to.

## Family circumstances

When looking at eligibility for travel assistance, we cannot take the following factors into consideration: parent's or carer's working hours, parents or carers taking other children to other schools, or parents or carers looking after other children.

## Denominational primary schools

There is no policy to support children attending a denominational church aided **primary** school for reasons of religion or faith.

## 7. Vacant seats scheme

Requests are sometimes received from parents who would like their children to use a school coaches when they do not qualify for travel assistance. If spare places exist, a travel permit can be purchased. This is only available on timetabled coaches.

Payment must be made in advance and the cost from September 2019 is £155 per term for a secondary school student and £77.50 per term for primary school children (based on the six term year).

A second or subsequent child from the same family will be charged at £116.25 (secondary) and £58.10 (primary). These costs are reviewed yearly.

Where there is more demand for places than seats available, the following priorities will be used to decide who can travel:

1. If students are attending their designated school but do not qualify for free school transport, then those living furthest from the school are given priority.
2. If students are not attending their designated school, then those living nearest to the school are given priority.

Places on hired vehicles cannot be guaranteed. If a statutory traveller needs a place on a hired vehicle, **non-statutory** travellers may have to be removed. Full details of the Vacant Seats Scheme are available online at: [www.eastsussex.gov.uk/schooltransport](http://www.eastsussex.gov.uk/schooltransport)

## 8. Review/Appeals procedure

We operate a 2 stage appeal process.

A stage 1 review involves a senior officer reviewing the original decision. Written notification of the review outcome will include what factors were considered. The senior officer cannot offer transport if the case does not meet the stated eligibility criteria. This stage is only for children of compulsory school age.

Those remaining unhappy with a decision not to agree transport or with the transport offer can escalate their case to a Stage 2 appeal. Reasons need be put in writing including any professional evidence such as a GP letter. If the appeal is due to financial hardship, the financial form must be completed.

The Stage 2 Appeal Panel will review all of the documentation and decide if the reasons are exceptional. Parents cannot appear in person and the Panel's decision is final.

Visit [www.eastsussex.gov.uk/educationandlearning/schools/transport/free/school-transport-appeals/](http://www.eastsussex.gov.uk/educationandlearning/schools/transport/free/school-transport-appeals/) for full details of the appeal stages.

## 9. Complaints

The County Council is here to help and support the people of East Sussex. Services are provided as efficiently as possible and it is expected that staff are helpful, polite and explain things clearly whether on the telephone, in writing or face to face.

Sometimes things do go wrong and parents or carers may not be happy with the service they have received. We welcome comments, good and bad, as an opportunity to put things right and improve our services. Parents should let us know if they feel that the council has failed to do something, done something wrong or acted unfairly or impolitely.

Complaints can be made to the Children's Services Customer Relations Team. Their contact details are shown below:

Email: [CS.Customerrelations@eastsussex.gov.uk](mailto:CS.Customerrelations@eastsussex.gov.uk)

Address: East G, County Hall, Lewes, BN7 1UE

You can also submit your complaint online:

<https://escchildrenscomplaints.freshdesk.com/support/tickets/new>

Complaints and concerns about transport arrangements should be directed to:

Email: [compliance.cts@eastsussex.gov.uk](mailto:compliance.cts@eastsussex.gov.uk)

### Contact your County Councillor

Parents can contact their local County Councillor – visit [www.eastsussex.gov.uk/](http://www.eastsussex.gov.uk/)

### Ombudsman

If we do not resolve your complaint, you may wish to take your complaint to the Local Government & Social Care Ombudsman. The Ombudsman is independent of all government bodies and can look into your complaint. They will usually only look into your complaint after you've given us a chance to deal with it.

Phone: 0300 061 0614    Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)    Website: [www.lgo.org.uk](http://www.lgo.org.uk)