

# Hartlepool Borough Council Children's Services

## Home to School Transport Policy 2008/09

Revised June 2021



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## **Introduction**

Hartlepool Borough Council recognises that it is the responsibility of the parent / carer to ensure that their child attends school and make any necessary travel arrangements. However, in certain circumstances, Hartlepool Borough Council will provide home to school travel assistance if the criteria are met.

This document describes the policy and criteria applied. It will provide a starting point for parents and carers in order for them to be able to establish if they are entitled to the provision and how to access the support available.

This policy has been developed in line with current Government legislation, in particular:

- Section 508A of the Education Act 1996 – Local Authorities duty to promote sustainable modes of travel
- Section 508B and schedule 35B of the Education Act 1996 – travel arrangements for eligible children
- Section 508C of the Education Act 1996 – travel arrangements for other children

Hartlepool's children's services Department will continue to offer school places to children that are within a reasonable distance of their place of residence. In some cases this is not always practical, and therefore the Authority will aim to:

- Promote walking to and from school in order to reduce the number of car journeys as part of the Authority's commitment to protecting the environment in which we live and work
- Strive to ensure that journey times to and from school for pupils are reasonable so no pupil is disadvantaged by the routes in use,
- Provide travel assistance, where necessary, which is safe and meets the requirements of all parties whilst remaining cost effective.

Hartlepool Borough Council expects the service delivered to be of a high standard. Those pupils who qualify under this policy can expect that those standards will be monitored and maintained.

## **Legislative Framework**

The Education Act 1944 as amended by the Education Acts 1986 and 1996 and the Education Reform Act 1988 sets out the minimum provision for home to school transport which local authorities must provide.

The basic provisions are:

- A child under the age of 8 is eligible for free home to school travel assistance to their nearest suitable school, if it is more than 2 miles from their home
- A child who is 8 years or over is eligible for free home to school travel assistance to their nearest suitable school, if it is more than 3 miles from their home
- The Local Authority must make arrangements to enable an eligible child to travel to school for the beginning of the school day, and return home at the end of the school day. They are not required to make arrangements for travel between institutions

during the school day, or to enable children to attend extra-curricular activities and other commitments outside of school hours

- A Local Authority is not required to make home to school travel arrangements for an eligible child where:
  - Suitable home to school travel is provided by someone else e.g. the school
  - A parent chooses to make their own arrangements for the child's travel to and from school

The Education and Inspections Act 2006 extends Local Authority duties and powers relating to home to school transport:

- By extending entitlement to free home to school travel assistance for low income families

The Statutory walking distances are (as detailed earlier):

- 2 miles for a child up to the age of 8 years
- 3 miles for a child over the age of 8 years

**In Hartlepool the statutory walking distance is modified by discretionary power to achieve consistency between sectors:**

- 2 miles up to the age of 11 years (primary pupils)
- 3 mile from the age of 11 – 16 years (secondary pupils)

### **Unsafe walking route**

A child may be eligible for free travel assistance if they attend their nearest suitable school, the school is within walking distance of their home, but they cannot reasonably be expected to walk to school because the nature of the route would make it unsafe.

The Local Authority assess all routes using Great Britain Road Safety Guidance

The Courts have defined an available route as one “along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as “available” because of dangers which would arise if the child was unaccompanied.”

### **Travel assistance**

The Travel assistance provided would be for the full distance between home and school/unit unless individual assessment allows that pupils may appropriately be expected to walk a short distance to/from the school/unit picking up/setting down point.

The Authority is bound to provide travel assistance only in the case of pupils of school age (5-16) attending their nearest suitable school. **The Authority is not required to provide travel assistance where a child attends, at the parent's wishes, a school which is not the nearest to their home.**

## **Section 1 - Mainstream and Low Income Transport Provision**

### **1.1 Primary and secondary aged pupil entitlement**

Travel assistance will be provided free of charge for those pupils of primary and secondary age who are travelling over the statutory walking distance to/from the main entrance of their nearest suitable school.

Pupils may be required to use public transport and in these cases they will be provided with a free bus pass in order for them to use the service. The bus pass is the responsibility of the child and if lost, replacements will be provided but this will carry an administration charge of £5.00.

### **1.2 Children entitled to free school meals, or whose parents are in receipt of their maximum level of Working Tax Credit or Universal Credit**

**Primary School Extended Rights to Free Travel (low income families)** - children aged 8 -10 from low income families must have travel arrangements made where they live more than two miles from their nearest qualifying school. Regardless of the level of family income, children of compulsory school age, but under the age of eleven are entitled to free travel arrangements to their nearest qualifying school more than two miles from their home

**Secondary School Extended Rights to Free Travel (low income families)** - This extends a right to free transport to the most disadvantaged pupils of secondary school age (those entitled to free school meals and those whose parents are in receipt of their maximum level of Working Tax Credit or Universal Credit) to include travel assistance to any one of their:

- Three nearest schools between 2 and 6 miles from their home
- To the nearest suitable school preferred on grounds of Religion or Belief up to a distance of 15 miles from their home, if there is no suitable school closer

Where, during the course of a school year, a child ceases to be eligible for free school meals, or a parent ceases to receive maximum working tax credit, the Local Authority will continue to provide free travel assistance for the remainder of that school year. Please note that applications for Home to School transport under the low income criteria are required each year and will not automatically carry on into the following academic year.

### **1.3 Distance Measuring for Free Transport for Children of Low Income Families**

The 2 mile limit is measured in the same way as the “statutory walking distance”. i.e. along the “nearest available route”. This might include footpaths, bridleways and other tracks which are not passable by motorised transport. However, the 6 mile and 15 mile upper limits are not walking routes. These routes are those which are passable using a suitable motorised vehicle. In short, the two upper limits will be measured along road routes.

### **1.4 Grounds of Religion or Belief**

Since September 2015 students starting a Denominational School have not been entitled to travel assistance with home to school transport, unless they are eligible under low income entitlement.

This means that parents will be responsible for travel arrangements and costs if their child attends a denominational school if it is not their nearest suitable school.

Concessionary travel seats may be available on dedicated home to school transport if there is spare capacity once all eligible students have been accommodated (see section 6.6 for further details)

### **1.5 Home Address**

Travel assistance is based upon the distance from the home address to school and will be verified using the information supplied by the parent / guardian to the school Admissions Team. The Admission policy defines a home address as being the address at which the parent / guardian ordinarily reside and with whom the child normally lives.

In situations of joint parental custody, the home address would be at which the parent / guardian, in receipt of the child benefit for that student, resides.

### **1.6 Change of address**

If during their school life, a pupil changes address and intends to continue at the same school, it is the responsibility of the parent to ensure that the child attends school. The terms of section 444(4 & 5) and section 509 (1 & 2) of the Education Act 1996 places no responsibility on the Local Authority to provide home to school transport.

### **1.7 Parental preference**

If a child is attending a school of parental preference i.e. not the school that the Authority considers being the nearest suitable school, within the terms of sections 444 (4) and 509 (1 & 2) of the Education Act 1996, there is no duty to provide free travel assistance.

### **1.8 Medical cases**

In circumstances where a pupil lives within the statutory walking distance but is unable to make their way to school due to a short-term medical condition (e.g. broken leg), transport may be considered .

Parents are required to make an application in writing to the home to school transport service, and each case will be reviewed on an individual basis and will be granted at the discretion of Passenger Transport Services. Parents may be required to pay a daily cost as a contribution towards the cost attributed to the Authority.

### **1.9 Transport provision for special circumstances (discretionary assistance)**

Each application for discretionary assistance will be dealt with on a case-by-case basis and discretionary assistance may be granted for a set period of time. Discretionary award of home to school transport is subject to review more frequently than other circumstances.

## **1.10 Expected level of behaviour for all Pupils**

The consequences of poor behaviour on school buses can be wide ranging. Other passengers may be deterred from using public transport shared with poorly behaved school pupils; in extreme cases, serious injury and even death have resulted from an accident caused by such behaviour.

The Local Authority will work in partnership with schools to promote appropriate standards of behaviour by pupils on their journey to and from school. The Education and Inspection Act 2006 requires head teachers to determine what measures should be taken to promote self-discipline among pupils; and encourage positive behaviour and respect for others, including the prevention of bullying. The Education and Inspection Act also suggests that head teachers must make and publish rules, and decide on penalties for unacceptable behaviour and empowers head teachers 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.

Pupils being transported will be expected to follow the same behaviour codes as they do when in school and are provided with a 'Code of Conduct' explaining what is expected of them whilst travelling on home to school transport. Unacceptable behaviour will be monitored and appropriate action taken. Parents will be responsible for transporting their own children during any period of exclusion from transport.

The Authority reserves the right to withdraw free travel assistance permanently or for a fixed period in the event of misuse or wilful damage of any vehicle or equipment. Hartlepool Council, along with the transport providers may also refer matters to the Police for prosecution. When considering whether to exclude a pupil from transport, Passenger Transport Services will require written statements from the Driver and the Passenger Assistant, where applicable, in support of alleged unacceptable behaviour. Consultation will involve a representative from the school before any exclusion is implemented.

Anyone found trying to defraud the Bus Company or the Local Authority will also be subject to similar penalties. Parents / carers will be informed of any such incidents in writing and an outline of the action to be taken will be included. In cases of wilful damage, parents / carers will be required to pay for any damage caused by their child.

Parents / carers will be offered the opportunity to appeal against any decision

No eating, drinking or smoking will be allowed on any vehicle at any time.

## **1.11 Inaccurate Applications**

The Local Authority reserve the right to reclaim the cost of any transport provided, if it is found that any incorrect information has been provided to the Local Authority in order to gain admission to a school that would otherwise be outside of the admission zone or inaccurate information was used to obtain eligibility to travel assistance.

## **1. 12 Application process**

Application forms for Home to School Transport are available from Passenger Transport Services Team or can be downloaded at



Parents will be notified within 5 working days of receipt of the application form, if their application has been successful. Unsuccessful applicants have the right of appeal

**It is important to note that during the Summer Term the majority of all applications are received for processing. This may mean that there may be a delay in being able to notify parents on whether or not their application has been successful. Please be aware that all applications received prior to the end of July will be processed in time for your child to receive notification of their travel assistance before the start of the new academic year.**

Any pupil who applies for home to school transport assistance must be resident within Hartlepool.

## **Section 2 - Special Educational Needs Transport Policy**

### **2.1 General**

All pupils, including those with Special Educational Needs and Disabilities (SEND), are subject to general Local Authority Transport criteria as described in section 1 for primary and secondary mainstream pupils.

Children who have Special Educational Needs and Disabilities may require assistance with getting to school that are over and above the provision made for all pupils. The purpose of this Policy is to help parents understand whether their child will be eligible for assistance. All necessary arrangements for eligible children will be made by Passenger Transport Services after consultation with the Authority's Special Educational Needs and Disabilities (SEND) Team

### **2.2 Criteria for Special Education Needs and Disabilities Home to School Transport**

The Policy seeks to develop both inclusion and independence in pupils. It is therefore in the best interests of all pupils that they are encouraged to develop both educationally and socially. This includes working towards independent travel and increased mobility.

Whether or not pupils need assistance with travelling to and from school will be considered at the time of the initial assessment of their Education, Health and Care Plan (EHCP). A child will be eligible for travel assistance if:

- They attend their nearest suitable school and it is further from their home than the statutory walking distances detailed earlier in the legislative framework section of this Policy, or
- They attended their nearest suitable school, and
- It is within the statutory walking distance of their home, and
- They cannot reasonably be expected to walk there because of their special education needs, disability or mobility problems (please see accompaniment for further details)

Every case will be considered individually on its merits and parents /Guardians may be asked to provide information about the child and why they could not reasonably be expected to walk to school.

Parents are advised that where home to school travel assistance is agreed by the Local Authority, their child may be expected to join an existing transport route and share the vehicle with other pupils unless otherwise specified through the assessment process.

Where a pupil is educated outside of Hartlepool, the Local Authority will explore all cost effective means of transportation before reaching a decision on the type of transport. In some cases where it is felt more appropriate, a bus pass may be provided instead of a taxi or mini-bus provision

## **Accompaniment**

When assessing route safety and whether a child with SEND can reasonably be expected to walk to school, consideration will be given as to whether the child would be required to be accompanied. Where a child does need to be accompanied, the general expectation is that they will be accompanied by a parent or carer unless there is good reason why it would not be reasonable to expect a parent or carer to do so. For example, a parent's disability may prevent them from accompanying their child along a route that would be considered unsafe without adult supervision. Please note issues such as parents work commitments would not be considered a 'good reason' for not accompanying your child to school.

## **Ways in which free home to School travel assistance may be provided**

- Independent travel training
- Refund of bus fares or provision of a bus pass for Public Transport
- Mileage allowance payment
- Allocated a personal transport budget
- Seat on a dedicated school bus
- Provision of a taxi – travel independently
- Provision of a taxi with parent acting as passenger assistant
- Provision of a taxi with an allocated passenger assistant

## **Independent Travel Training**

It is very important that all young people are given the chance to develop their skills and make progress with their independence. Nowhere is this more important than in the area of travelling around. In some cases students may be assessed suitable to attend 'Independent Travel Training' giving them the skills and confidence to travel by public transport, rather than on dedicated transport, or by being able to walk to school.

Independent travel training is about supporting the individual to make a journey between two places on their own safely. This journey could be as simple as walking a short distance or as complicated as using two buses combined with walking between the connections and walking to and from the stops. A training programme tailored to the individuals needs is provided, covering road safety, personal safety and transport training as required.

Processes to establish an independent travel training plan will be put in place; working in partnership with the SEND Team, Passenger Transport Services, the student, the School and Parents/Carers.

## **Refund of bus fares or provision of a bus pass for Public Transport**

In some cases, the assessment for travel assistance may determine that a child's travel needs will be met through existing Public Transport Services and they may be provided with a bus pass that will enable them to travel at school times. Or alternatively they may provide evidence of bus fares that they have paid for themselves that can be refunded

## **Mileage allowance payment**

Where a child is deemed eligible for home to school travel assistance but a parent is able to transport their child, they may be eligible for payment to contribute to the mileage and fuel costs of the home to school journey

## **Allocated a personal transport budget**

A voluntary personal transport budget may be offered to parents where this is deemed the most cost-effective option. This will be a payment made on a termly basis to the parent and they will be responsible for arranging and providing the transport required to enable their child to attend school.

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Please note the provision of home to school transport is subject to annual review and can therefore be withdrawn if it is no longer deemed appropriate or necessary. This action, however, would not normally come into effect until the term following the decision.

Further information about Special Education Needs and Disabilities can be found on the Hartlepool Borough Council website:

<https://hartlepool.fsd.org.uk/kb5/hartlepool/fsd/send.page>

or to access further details on Hartlepool's local offer, this is part of the Council's website for parents, professionals and any members of the public who want to know about Special Educational Needs in Hartlepool

[https://hartlepool.fsd.org.uk/kb5/hartlepool/fsd/local\\_offer.page](https://hartlepool.fsd.org.uk/kb5/hartlepool/fsd/local_offer.page)

## **2.3 Passenger Assistants**

Passenger Assistants will be provided when specified by the SEND Team. There is no minimum and maximum age that determines whether a passenger assistant is required.

The needs of each individual young person will be assessed to determine whether they will require supervision by a Passenger Assistant. Passenger Transport Services employs Passenger Assistants who have specialist training in order to understand the needs of pupils within their care. All Local Authority Passenger Assistants are subject to an enhanced Disclosure and Barring check (DBS).

Passenger Assistants will be responsible for the care and supervision of pupils to and from school. They will oversee the pupil's conduct and safety in such a way that the driver is unhindered in his/her duties.

Provision of a Passenger Assistant at any one time does not guarantee that this will be an ongoing arrangement and the requirement will be reviewed by the SEND Transport Review Panel on a regular basis

## **2.4 Review Process**

The requirements of pupils with Special Educational Needs will be reviewed annually as part of the annual review process and transport arrangement will be considered by the Special Educational Needs and Disabilities Transport Review Panel.

## **2.5 Special Educational Needs Transport Review Panel**

The SEND transport review panel will have representatives from the following:

- Special Educational Needs Assessment and Review Team
- Passenger Transport Services

The transport review panel will review individual circumstances and make a determination as to whether or not the child receives free home to school travel assistance and what type of travel assistance is the most appropriate.

Where during the course of any school year the SEND Transport review Panel determines that the provision of free home to school travel assistance is no longer required, it will cease at the end of the term in which the Panel's decision was made.

All young people who receive free home to school transport will be subject to review:

- At the end of Year 6
- Y9 review for possible requirements for extended curriculum studies
- During Year 11 for those children transferring to Post 16 in a maintained school
- Following the successful completion of Independent Travel Training

## **2.6 Confidential Information**

Every effort will be made to ensure that the same Passenger Assistant and driver continue to transport a child. However this may not always be possible and changes will often need to be made, for example as a result of staff unavailability / staff turnover / contract renewals. The Local Authority reserves the right to make changes to routes and modes of travel as necessary.

The transport provider and the Passenger Assistant provided (if appropriate), will be given information on a confidential basis outlining any particular difficulties or circumstances which they need to be made aware of, this will be in line with the legislation around Information Governance and is subject to General Data Protection Regulations (GDPR). Information will also be made available to key staff involved in transportation as to whether the child being transported has specific medical conditions which may affect the journey to and from school.

The Local Authority will ensure that this information is provided to key staff only in consultation with parents / carers and the school.

## **2.7 Residential Schools**

Pupils in residential schools for the standard 40 weeks academic year (and who are eligible for transport assistance) will be provided with transport assistance between home and school for the start and end of term period (generally half-terms). This totals 12 single journeys, 4 per term. Transport for pupils in 52-week schools will be determined individually.

Transport assistance for any pupils attending residential schools will not exceed the 12 single journeys. However, if the school is closed on a weekly or fortnightly basis this will be reflected in the fees being paid by the Local Authority for the placement and accordingly, transport will be provided to coincide with school closures.

Transport assistance may be in the form of regional pick-up points for bus services.

## **2.8 Mobility Aids**

Any pupil who uses a mobility aid and requires home to school transport, will be transported in accordance with the Passenger Transport Services code of practice, MiDAS Handbook and guidance from the Medical Devices Agency.

A mobility aid risk assessment will need to be carried out before a mobility aid is transported

## **2.9 Parental Responsibility**

Parents and carers are required to ensure that pupils are ready for collection at the designated times for transport to and from school.

Parents and carers are responsible for escorting their child to and from the vehicle.

Persistent failure to be ready for delivery /collection may result in either temporary or permanent withdrawal of transport. Parents will then be responsible for their child's attendance at school.

Parents / carers must provide the Local Authority with emergency contact numbers which must be amended and updated as necessary.

**Home to school only** – Transport to alternative addresses, for instance to take into account child care arrangements, after school clubs or respite care will not usually be provided

## **2.10 Referral process**

Staff within the SEND Team will be responsible for making application for transport on behalf of the SEND students. Due to some of the special needs that pupils may have, transport can take up to 5 working days to be arranged. Transport will not be provided if the appropriate referral has not been made.

## **2.11 Pupils from other Education Authorities**

Pupils who live outside the borough are not the responsibility of Hartlepool Borough Council and will not therefore be provided with travel assistance. However, some pupils resident in other Local Authorities may be allowed to travel on Hartlepool transport if it is cost effective

and agreed by their home authority. This will be subject to transport capacity. Hartlepool Council will then make a charge to the appropriate Local Authority responsible for that pupil. Hartlepool Council may need to withdraw such places in the event of an in-borough pupil requiring transport assistance.

## **2.12 Dual Placements / Inclusion**

Where a child is registered at two qualifying schools the Local Authority will provide travel assistance to whichever school the child is attending on any school day. Any travel required between schools during the school day is not part of the home to school transport duty, it is for the two schools to determine who will bear the costs of particular journeys during the school day

Where a pupil is based full-time in a school but visits another for inclusion or as a guest, the school where the pupil is usually based, as they are receiving full funding for this pupil, will be responsible for the cost of transport.

## **2.13 Parental visits to schools**

Transport assistance will not be provided to parents or family who wish to visit the school for any reason. Any arrangements of this nature will need to be agreed directly with the school. However, a maximum of one parent / carer may be provided with travel assistance to school to attend an annual review.

Parents who wish to accompany their child to school on the first day of school will be expected to make their own arrangements. Where a school stipulates that a parent should attend on the first day, transport must be arranged with the school.

## **2.14 Pre-school Provision for SEN Pupils**

Pre-school pupils with a statement or who are undergoing statutory assessment are considered for discretionary free travel assistance in the context of advice from medical, psychological and education professionals involved. Transport would only normally be considered to the pupil's nearest school/nursery setting or to the school/nursery setting considered appropriate by the Local Authority.

## **Section 3 - Post-16 Transport**

### **3.1 General**

This section describes the Post 16 policy which provides a starting point for students in order for them to be able to establish if they are entitled to travel assistance and how and where to access the support if available. For further information please refer the Post 16 Transport Policy Statement at [https://www.hartlepool.gov.uk/downloads/file/24/post\\_16\\_policy\\_statement\\_2015](https://www.hartlepool.gov.uk/downloads/file/24/post_16_policy_statement_2015)

### **3.2 Sixth Form / Further Education Pupils**

Free transport provided by the council is limited to statutory school age pupils; therefore no assistance is given for pupils attending school sixth forms (years 12 & 13) and Colleges of Further Education

Financial concessions or other support may be available to students attending school sixth forms (years 12 and 13) and Colleges of Further Education from their respective Educational establishments. Please contact your student services team at your Educational establishment to find out what support is available.

### **3.3 Transport arrangement for Post 16 students with Special Educational needs**

The Local Authority may provide travel assistance for students from 16-19 years old that have a statement of special educational needs or EHC (One) Plan if a college course has been identified in order for them to progress their development.

The SEND team will consider all applications and the following criteria will be applied.

- The LA may provide transport assistance for students from 16 - 19 years who have previously had a statement of special educational need or EHC (One plan) and a further education college course has been identified to be undertaken at the nearest appropriate college. If a student prefers to undertake the same course at a college further away, then this would be their preference and as such would not receive any assistance with individual transport.
- Where a student has special educational needs, the LA may provide transport until the end of the academic year when the student becomes 19 years of age. The transport provision allocated will be determined by nature of the pupil's requirements
- The LA in partnership with 6th forms, FE colleges and Catcote Academy, may also consider individual applications from students aged 16-19 years old who have an identified learning or physical disability that prevents them from using public transport. Independent information would be needed to support these applications.
- The LA may consider individual circumstances for those students with learning and physical difficulties who apply for transport over the age of 19 years. It would be likely that in most cases, they will be referred to Learning Disability Social Care Team for an assessment. If assistance is agreed, a contribution towards the transport would be requested.

Some students may benefit from completing the Local Authority's Independent Travel Training Scheme, which is designed to develop students' skills to travel independently to and from education and social activities by providing a personalised travel programme. Independent Travel Training will be discussed, if appropriate, at Annual Reviews. If it is deemed beneficial to the young person, continuation of home to school transport arrangements will be contingent on the Independent Travel Training being completed.

Assessment for inclusion in the **Independent travel training scheme (ITT)** will be carried out by the Passenger Transport Services Team, for further information on the ITT scheme, please contact Passenger Transport Services on 01429 523695

## **Section 4 - Sustainable Modes of Travel Strategy**

The Councils Sustainable Modes of Travel Strategy can be downloaded from the Councils web site using the following link

[https://www.hartlepool.gov.uk/downloads/file/1996/hartlepool\\_sustainable\\_modes\\_of\\_travel\\_strategy\\_-\\_draft\\_april\\_2016](https://www.hartlepool.gov.uk/downloads/file/1996/hartlepool_sustainable_modes_of_travel_strategy_-_draft_april_2016)

## **Section 5**

### **Looked After Children**

The Children Act 1989 refers to looked after children. This means children who are in the care of the Local Authority, or are provided with accommodation, (defined as accommodation for a continuous period of more than 24 hours). Children can be placed in the care of a Local Authority due to a court order or accommodated under section 21 of the 1989 Act; this is where an agreement is reached with the family as to the best arrangement for the child.

In some cases certain pupils will be allocated a period of placement at an appropriate establishment to allow for their parents or carers to have a period of respite. For this group of pupils, transport will be provided as follows.

As a general rule, if a child is accommodated outside the catchment area of his/her present school for what is likely to be a period of time in excess of one term, transport will be organised by the Home to School Transport Service for the settling in period only.

Following the placement, at the first planning meeting convened by Social Services, consideration will then be given to the transfer of the child to the appropriate school for the current location and in most cases it is hoped that this will be achieved.

When a period of time is likely to be short-term (less than one term), transport will be organised by the Home to School Transport Service for a maximum period of one term if, in the view of the Social Services department, it is in the best interest of the child to remain at the present school.



## **Fair Access**

There may be times when children may need to be educated out of school, or may need to move to an alternative school due to exceptional circumstances, such as attendance issues, medical needs, behaviour issues etc.

In most cases the admissions and transport requirements of these children will be assessed through the laid down procedures of this Home to School Transport Policy. However in some cases provision may be determined through the 'In Year Fair Access' process and free travel assistance may be provided in exceptional circumstances to the school, Pupils referral unit or out of school provision to ensure attendance

## **Section 6 - General Information**

### **6.1 Pre-school provision**

Transport assistance for 3 and 4-year-old nursery age children attending nursery education provided by the Authority will only be granted in exceptional circumstances, as this is non-statutory provision. Any assistance granted would relate to the circumstances of the child, not the parent or carer.

Children receive free bus travel on public services up to the age of 5 years old. Parents / carers are expected to accompany the child to nursery. Assistance with travel costs for the parents / carers is not provided.

### **6.2 Complaints**

Any pupil, parent or carer wishing to make a formal complaint relating to Home to School Transport should contact the Passenger Transport Services Team Leader in the first instance. Please see section 7 for contact details

### **6.3 Appeals process**

Local Authorities must have in place a review/appeals process for parents to follow should they disagree with the eligibility of their child for travel support. The Department of Education Guidance on Home to School travel and transport (July 2014)

<https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance> outlines a process that is followed by Hartlepool Borough Council.

Stage one - A parent has 20 working days from receipt of the Local Authorities decision to make a written request for a review of that decision. Providing details of why they believe the decision should be review providing as much detail as possible.

Within 20 working days a senior officer will review the original Decision and send the parent a detailed written outcome.

Stage two - If a parent disagrees with the outcome of the stage one review within 20 working days they must make a written request to escalate the matter to stage two.

Within 40 working days an independent appeal panel will be convened to consider the appeal.

For further information please contact the Passenger Transport Services team for a copy of the appeals process or a guide can be downloaded from [https://www.hartlepool.gov.uk/downloads/file/1992/home\\_to\\_school\\_transport\\_parental\\_guide\\_to\\_appeals\\_process](https://www.hartlepool.gov.uk/downloads/file/1992/home_to_school_transport_parental_guide_to_appeals_process)

#### **6.4 Disclosure and Barring Service checks (DBS) and identity badges**

Disclosure and Barring Service checks replace the Criminal Record Checks and are carried out on all drivers and Passenger Assistants prior to them being employed on home to school transport. Following a satisfactory check, an identity badge will be issued to Drivers and Passenger Assistants by the Local Authority which will be worn at all times as proof of approval to undertake the work.

Any concerns regarding the behaviour of Drivers or Passenger Assistants must be reported to the Passenger Transport Services Team Leader.

#### **6.5 Safety of routes**

The Local Authority will monitor the routes and vehicles used on the routes to ensure that they are fit for purpose and do not pose a risk to anyone travelling on the vehicle or using the route to travel to school. Any vehicle or route found to be unsafe will be withdrawn and alternative arrangements made until normal service can be resumed.

Anyone with a concern over the safety of a route should report his or her concerns in writing to the Passenger Transport Services Team Leader.

#### **6.6 Fare paying seats / Concessionary travel permits**

In some cases, spare places may be available on coaches, buses or taxis that convey eligible pupils to school. These places may be made available to pupils who do not qualify for free travel following the purchase of a concessionary travel permit.

Where spare capacity exists on current vehicles that have been contracted to provide home to school transport for entitled pupils, the Passenger Transport Services will make these seats available for non-entitled pupils, subject to the seat being withdrawn with **FIVE** working days' notice should the seat be required for an entitled pupil.

Dedicated school bus services are established to provide travel assistance to those who are eligible under the content of this policy. If there are no eligible students requiring travel assistance routes may be altered or ceased. Where this may be required those that have accessed services under the concessionary travel permit scheme will be advised and will need to seek alternative travel options – this is not a duty of the Local Authority

Further details can be obtained from the Home to School Transport Service.

## **6.7 Identification of new routes**

The Local Authority reserves the right to review all routes in light of any changes to the admission zones or areas of new housing. If such changes mean that a pupil will no longer be entitled to free transport then the notice of withdrawal will be two months from the date of notification to the parent / carer.

Examples of change could include building of new roads, opening of new footpaths, or changes to the safety of a route as determined by the Road Safety Team.

## **6.8 Journey times**

A general guide for the maximum journey time is 45 minutes for a child of primary school age and 75 minutes for a child of secondary school age, including any time taken to walk to a pick up point. Where a child is attending a school out of the Borough, journey times will vary and be dependent upon the proximity of the school and traffic flow.

Every effort is made to ensure that the waiting time on school premises, before and after school, and at pick up and set down points, does not exceed 20 minutes.

## **6.9 Transport following the closure of a school**

If a school decides it is prudent to close early or not open because of severe weather, every attempt will be made to inform the parents. However, this may not always be possible especially in the case of larger schools. The school will advise parents of their procedures in the event of an emergency closure.

In bad weather conditions, the transport operator is the sole judge of whether to commence or complete a bus journey, giving priority to the safety of the pupils on the vehicle.

Parents must ensure that the pupil is warmly dressed in case the journey to or from school is very slow or even halted in bad weather.

Should the school transport on any route not operate in the morning because of adverse weather conditions, but a parent nevertheless decides to take their child to school, then they will be expected to make their own arrangements to collect the child either at the end of the day or at the time of early closure.

Drivers are required to seek the safest route and may therefore avoid normal routes in order to stay on major roads or to avoid specific hazards. They are instructed that they must only set-down pupils at specific set-down points.

Where a road is too hazardous for school transport in the morning, the transport operator is under no obligation to attempt the afternoon run.

## 6.10 Parents/ Carers Not at Home

Parents/ carers are required to be at home to receive their child after school. There are rare occasions when a parent /carer may be held up and in those instances the following procedure will be followed:

- If the Parent or Carer is not at home the Driver or Passenger Assistant must notify Passenger Transport Services Team to seek advice.
- Where possible, make a return visit to the family home to check if the Parent or Carer has returned.
- If the Parent/carers has not returned by the end of the route, the Driver or Passenger Assistant must contact the Passenger Transport Services Team to inform them of the situation.
- The Passenger Transport Services Team will then inform the Head Teacher and / or the Child and Adult Services Social Worker (CSSW), as well as the School Attendance Team.
- Drivers and Passenger Assistants will receive further instructions following the advice given by the Head Teacher and the School Attendance Team and may be required to travel back to school to hand over the child to staff at the school or a School Attendance Officer.
- In all cases, a note must be left for the parent containing details of who they should contact and the whereabouts of the child
- If an incident happens after 5pm Monday – Thursday and after 4.30pm Friday, contact will be made with the Emergency Duty Team

All incidents will be recorded and considered by the Transport Review Panel

## 7 Contact details

If you require any further advice or support on provisions within this Policy useful contacts are:

Passenger Transport Services	01429 523769	<a href="mailto:passengers@hartlepool.gov.uk">passengers@hartlepool.gov.uk</a>
SEND Team	01429 523123	<a href="mailto:SEN@hartlepool.gov.uk">SEN@hartlepool.gov.uk</a>
School Admissions Team	01429 523768 01429 523765	<a href="mailto:admissionsteam@hartlepool.gov.uk">admissionsteam@hartlepool.gov.uk</a>