

# **SCHOOL AND POST-16 TRAVEL ASSISTANCE POLICY**

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## SCHOOL AND POST-16 TRAVEL ASSISTANCE POLICY

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## 1. INTRODUCTION

The London Borough of Havering Home to school transport policy explains the assistance and support given to eligible children and young people travelling between home and school/college.

The Education Act 1996 (as amended) requires Local Authorities to make such suitable and free travel arrangements for 'eligible children' as they consider necessary to facilitate attendance at school. This policy sets out the arrangements the Council will make in order to meet its statutory duty and, in addition, covers students from the ages of 16-25 with special educational needs who may also be entitled to assistance.

This policy has been approved by the Council's Elected Members and complies with the Education Act 1996 and its amendments in the Education and Inspections Act, 2006. It also follows the associated statutory guidance provided by the Department for Education.

All pupils up to the age of 16 (or 18 if they remain in full-time education) are currently entitled to free transport on buses within London. Havering Council considers this sufficient to meet the transport needs of the majority of children and young people under the age of 18.

## 2. GENERAL PRINCIPLES

This policy is underpinned by the following general principles:

- It is **the parents' responsibility to ensure that their child attends school regularly.**
- Students who are able to travel independently or use public transport will always be encouraged to do so in the first instance, and supported to achieve this if necessary.
- Students who have specific travel needs will be offered the most independent and personally enabling solution for their situation.
- The Council will ensure that transport for eligible children is arranged when needed, after other potential options have been explored. Care will be taken to ensure that assistance is provided in the least restrictive way possible.
- The travel needs of individuals will be reviewed regularly and at least on a yearly basis to ensure that the arrangements are still appropriate for their assessed needs.

- Where additional transport is provided by the Council, the most cost-effective mode of transport that meets the individual's needs **must** always be used.
- The use of existing provision such as free travel on public buses in London will be encouraged wherever possible.

### **3. ELIGIBILITY CRITEREA**

The Education and Inspections Act 2006 amended the Education Act 1996, setting out the definition of 'eligible children'. Those who qualify for travel assistance to and from school are defined under the following criteria.

The vast majority of children eligible for travel assistance under this section would have their needs met by the provision of free travel on public buses in London. However, those who require additional or alternative assistance should apply using the Application for Travel Assistance [www.havering.gov.uk/schooltravelassistance](http://www.havering.gov.uk/schooltravelassistance).

In order to be considered for travel assistance the child must attend the nearest suitable qualifying school. A suitable qualifying school is one that offers an efficient full-time education suitable to a pupil's age, ability and aptitude, and any special educational needs the child may have and is one of the following:

- (a) a community, foundation or voluntary school;
- (b) a community or foundation special school;
- (c) a non-maintained special school;
- (d) a pupil referral unit;
- (e) a maintained nursery school;
- (f) City Technology Colleges (CTC), City Colleges for the Technology of the Arts (CCTA) or Academies, including free schools and University Technical Colleges (UTC)
- (g) For children with SEN, an independent school can also be a qualifying school where this is named on the child's Education, Health and Care Plan (EHC Plan) or statement, or it is the nearest of two or more schools named.

If a child attends a suitable qualifying school they may be awarded travel assistance if they meet one of the following criteria:

#### **Distance**

Travel assistance may be awarded on distance. Children of compulsory school age (5-16) if their nearest suitable qualifying school is:

- beyond 2 miles walking distance (if below the age of 8); or

- beyond 3 miles walking distance (if aged between 8 and 16)

The travel needs of the majority of children in Havering will be appropriately met by entitlement to free travel on London's buses, which is provided regardless of distance from school. However, a small number may qualify for alternative or additional help as set out in this policy.

Children living outside the statutory walking distance to the nearest qualifying school, where no suitable arrangement can be made for a school closer to home, are eligible for assistance.

The walking distance is measured from a child's home address to the school using the shortest available route along which a child, accompanied as necessary, can walk with reasonable safety to school. Distances are calculated using an independent on-line route planner.

### **Safety**

If a child lives within the standard walking distance of the nearest qualifying school, the Council may provide travel assistance where the nature of the route is such that the child cannot reasonably be expected to walk (accompanied as necessary) safely.

In assessing whether or not a route is safe, the Council will take into account a range of factors including:

- the age of the child;
- the width of any roads travelled along and the existence of pavements;
- the volume and speed of traffic;
- existence of street lighting; and
- different conditions at different times of year.
- whether risks might be less if the child were accompanied by an adult and whether this would be practicable;

If a parent's disability prevents them from accompanying their child along a walking route that would otherwise be considered as safe without adult supervision the Council may consider a reasonable adjustment and may provide travel assistance. As per Schedule 35 of The Education Act 1996, disability is as defined in section.6 of Equality Act 2010: a person has a disability if they have

- a) a physical or mental impairment, and
- b) that impairment has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.



## **Low Income**

Pupils who are entitled to free school meals or whose parents are in receipt of maximum Working Tax Credit if:

- The nearest suitable qualifying school is beyond 2 miles (for children over the age of 8 and under 11);
- The school is between 2 and 6 miles (if ages 11-16 and there are not three or more suitable nearer schools);
- The school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).

## **Medical or Mobility Needs**

### **(a) Temporary Medical or Mobility**

If a child who normally walks or uses free bus travel to get to school cannot for medical reasons do so for a period of time, alternative assistance will be provided where the Council is satisfied that the parents are unable to make arrangements for the pupil to be taken to school. Supporting medical evidence must be provided with the application. The provision of assistance under this section will be time-limited, based on the medical evidence concerning the nature and expected duration of the child's medical condition.

### **(b) Long Term Medical or Mobility**

Where the Education, Health and Care Plan (EHCP) panel are in agreement that a child's long term medical, psychological or mobility condition prevents them from travelling safely with or without adult supervision to school / college, the Council may provide travel assistance. Supporting medical evidence must be provided with the application and the provision of any assistance will be reviewed on a regular basis.

## **4. SPECIAL EDUCATIONAL NEEDS and DISABILITIES (“SEND”)<sup>1</sup>**

Children living within the statutory walking distance but who cannot reasonably be expected to walk to school due to their special educational needs, disability or mobility problems, including temporary medical conditions may be awarded travel assistance.

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<sup>1</sup> Children under 16 (or up to 19 with Statement of SEN or EHCP)



Generally, the Council expects the majority of children either to walk to school or travel independently on free public transport. However, the Council acknowledges that some children with Statements of Special Educational Needs (SEN) or Education, Health and Care Plan (EHCP) may require alternative or additional travel assistance.

If assessment shows that it would be inappropriate for a child to travel independently and the parents are unable to accompany their child, the Council may decide to arrange transport from a designated meeting point which, depending on the severity or complexity of the child's physical or learning needs, may include the child's home.

Where transport needs are identified in a child's Statement of SEN or EHCP and travel assistance is given, this will be provided for the current academic year. The needs and circumstances of the child will be reviewed annually in the Annual Review of the Statement of SEN or EHCP and on receipt of an application for travel assistance for the following academic year. Changes identified in a child's needs or circumstances may lead to changes to the type of assistance provided or discontinuing their assistance.

Each request for travel assistance will be considered on its own merits. The Council has discretion to grant assistance even though it falls outside the normal policy, and will do so in exceptional circumstances. Reasons for decisions will be recorded and reviewed.

#### **Freedom Pass.**

Where a child has applied for and received a Freedom Pass on the grounds of their disability, it is expected that this would be also used for travelling to and from school. Exceptional circumstances would need to be demonstrated to justify any additional assistance from the Council.

## **5. POST-16 STUDENTS**

For the majority of Havering students over the age of 16, Transport for London provisions are deemed suitable. Free bus travel is provided by Transport for London for under 19s attending full-time education courses (free travel expires at the end of the academic year in which the student turns 18). A 30% discount on adult travel cards and bus passes is also available for students aged 18-25. Some young people may also be eligible for a Freedom Pass on the grounds of their disability.

Further to the provisions above, the 16-19 Bursary Fund is a discretionary award that may be available from colleges for young adults who face financial barriers to participation including the cost of transport.

If assistance over and above free and discounted travel on public buses in London is required, for students with disabilities, application should be made using the Application for Travel Assistance form.

### **Students aged 16-19 with a Statement of SEN or EHCP attending School**

These students may be eligible for travel assistance under the provision set out in section 3 of this policy. The travel needs of those students aged 16-19 attending college or training whose statement of SEN will have lapsed but who have a s139a Moving On Plan or EHCP may also be supported by the Council, where necessary.

### **Young Adults with Learning Difficulties and Disabilities (“LDD”)**

The Council has a duty to support participation in education and training for young adults aged 19-25 with learning difficulties and disabilities. This duty ceases at the end of the academic year in which a student turns 25 and applies to Havering residents only.

Additional travel assistance for these students may be provided in various forms. However, students with LDD should have access to independent travel training as part of their curriculum and participation in this will be expected, where appropriate.

## **6. TYPES OF TRAVEL ASSISTANCE**

If a child is eligible for travel assistance, the Council will determine the type of travel assistance suitable to meet the needs of the child. Family circumstances will be taken into account, but requests from parents for a particular form of assistance will not unduly influence the final decision. The types of travel assistance which may be granted include:

- Free and discounted travel from Transport for London (If assistance over and above free travel on public buses is required, the most appropriate type of travel assistance will be established by the Council following an assessment of the travel needs of the child.)
- Provision of a Welfare Escort or Travel Buddy to assist with travel.
- Provision of a seat on a vehicle which will transport the child or young person to their school or college from an agreed meeting point where this is reasonable.

- Provision of a seat on a vehicle which will transport extremely vulnerable pupils, particularly those with severe medical and/or mobility needs, from their home address to school or college.
- Reimbursement of fares for travel to and from school arranged by parents up to the value of oyster card fares, with the prior agreement of the Council. This may be to enable the young person to access train or tube services/ or enable parents to accompany their child to and from school.
- Reimbursement of fuel costs either by payment of mileage allowances based on mileage claims submitted by parents from an agreed Havering parental address to the child's school.
- Referral onto the Travel Training programme.
- Combinations of the above arrangements.

## **7. PLACEMENTS BASED ON PARENTAL PREFERENCE**

When a child is admitted to the parents' preferred school and there is another suitable qualifying school (please see section 3 of this policy) located closer to the home address, then the parents will be responsible for arranging and meeting the costs of their child's journey to and from school as the child will not be eligible for travel assistance. The distance between the home address and the preferred school is determined using address points and is measured in a straight line, not by the shortest walking or bus route, between the data points for the preferred school and the address of the child's normal place of residence. (Address points are points marked in the centre of the child's home address, or in the centre of a block of flats in which the child's home address is located and in the centre of the main building of the preferred school unless otherwise specified).

## **8. HOW TO APPLY**

### **Free travel on public buses in London**

You can find further information on free and discounted travel for young people on the Transport for London Website [www.tfl.org.uk](http://www.tfl.org.uk)

### **Additional or Alternative Travel Assistance**

To apply for Travel Assistance based on the eligibility criteria in section 3 (4 or 5), the online travel assistance application form must be completed and submitted. This form can be found at [www.havering.gov.uk/schooltravelassistance](http://www.havering.gov.uk/schooltravelassistance)

Please note that applications for Travel Assistance form must be submitted in respect of each academic year for which the child requires assistance. Applications for travel

assistance must be submitted yearly. Failure to complete applications by the deadline specified will result in an assumption that travel assistance is not required for that academic year and it will be withdrawn.

## **9. PROMOTING INDEPENDENCE**

The Council will encourage and actively support children and young people in Havering who are capable of learning to travel independently. Travel training may be provided in the form of one-to-one training, covering all aspects ranging from road safety to journey planning, and would be tailored to each child or young person's circumstances. Schools and colleges are also encouraged to also embark on their own programmes.

In order to identify those suitable for personalised travel training, the Council may arrange mobility assessments at the following stages:

- On receipt of any new requests for assistance in getting to school or college.
- At the end of Key Stages 1 and 2 and at Key Stage 3 (approximately age 14), if already receiving Council assistance in getting to school.
- Annually for those in Further Education establishments and already receiving Council assistance in getting to college.

The Council's aim is to give increased freedom and quality of life to Havering's children and young people. It is also an enabling process for future employment and successful travel training has been demonstrated to increase self-confidence dramatically.

## **10. THE ROLE OF PARENTS**

The Council is mindful of the difficulties faced by families of children with significant or complex needs which can impact on their ability to support their child on their journey to school. However, parents are expected not to unreasonably withhold their support in assisting their child. Where a child is identified as being suitable for and able to benefit from independent travel training by the Council, the Council expects parents to support the child in this.

Where travel assistance is given in the form of transport from a designated meeting point (which may include the child's home), parents **must** make the following commitments to ensure the smooth-running of any arrangements:



- To provide up to date contact details (in particular, telephone numbers) so that the Council's Passenger Travel Services ("PTS") can advise parents of any delays or problems.
- To ensure that the child is ready to be collected at the arranged time and place.
- To ensure that the parent (or other appropriate adult) is waiting to receive the child at the arranged time and place at the end of the school day.
- To telephone PTS as soon as possible if the child not going to school for any reason.

Where a child will only be able to travel safely if a parent is present, the parent can be requested to act as escort for the child. This is not remunerated.

If a school needs to send a child home for any reason, parents **must** make their own arrangements for collecting their child. Travel assistance cannot be rearranged in these circumstances.

Parents have a duty to ensure that their children attend school regularly. The Council would not expect parents to unreasonably refuse to accompany their children if this is appropriate to a child's needs.

## 12. APPEALS AND COMPLAINTS

### For SEND or Post-16 applicant:

In the event of a parent carer being dissatisfied with the outcome of the application for transport for their child the following appeals process will apply. This will cover appeals against the decision to provide a certain type of assistance, or refusal of travel assistance.

#### Stage 1 – Review

The parent /carer should complete a written appeal within 20 working days of the original notification of decision. (For SEND and Post 16; CAD Transport, London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD) (For all other categories; School Admissions Manager, London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD)

This written appeal should include why the parent/carers believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes that have not been considered when the decision is reviewed.

The decision will then be reviewed by a senior officer in discussion with staff with knowledge of the child. The outcome of the review and reasons will be communicated within 20 working days from the date of receipt of the request for a stage 1 appeal.

If the parent carer remains dissatisfied with the outcome of the stage 1 review then they can request a further appeal.

#### Stage 2 – Appeal

The parent carer has 20 working days to challenge the review decision.

A stage 2 appeal will be heard by an independent panel within the council. (For SEND and Post 16; CAD Transport, London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD) (For all other categories; School Admissions, London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD). The parent carer should submit the appeal with supporting evidence along with the stage 1 decision. The panel will, within 40 days of receipt, consider the appeal in line with this policy. This decision will be sent by letter within 5 working days.

During each stage of the appeal process the reviewing officers/panel will use the evidence available to them to review the previous decision and whether the policy has been applied correctly. When a parent/carers submits additional information for consideration it would be helpful to consider providing any of the following:

- Details of how the child currently travels around outside of school
- Examples of incidents/concerns as a result of the Councils original decision
- Medical evidence from a medical practitioner or consultant
- What efforts have been made by family and friends to support the child with travel assistance and attendance at school
- Evidence that alternative travel options have been explored, along with evidence why they are not suitable

The appeal process is separate from any complaints or concerns that a parent/carers may wish to raise around the quality of the service that they or the child receives.

#### **Further complaints**

#### **Havering Corporate Complaints Procedure**

The Council's Transport Appeals Procedure in respect of eligible Children and Young People will ensure that the merits of every transport application have been fully and properly considered, taking account of the relevant circumstances. However, if parents remain dissatisfied and believe that the procedure has not been followed properly, they may complain under the Corporate Complaints Procedure. The merits of the decision not to provide help with transport costs will not be considered under this

procedure as that decision has already been subject to the appeals process. However, should the process followed be found to be flawed, the decision may be reconsidered.

Complaints under the Corporate Complaints Procedure can be made in a number of ways:

- Online at [www.havering.gov.uk/complaints](http://www.havering.gov.uk/complaints)
- By email [complaints@havering.gov.uk](mailto:complaints@havering.gov.uk)
- By letter to **Customer Relations, Town Hall, Main Road, Romford, RM1 3BB**
- By phone **01708 431801**

However parents choose to inform the complaints team about their complaint, they should give as much information as possible as it will help the team investigate the matter fully.

### **Local Government Ombudsman**

If parents are still not satisfied with the way their complaint has been dealt with they can ask the Local Government Ombudsman to investigate. This is an independent body which investigates complaints against local authorities.

To contact the Local Government Ombudsman, parents can contact them in two ways:

- By phone: Advice Team - 0300 061 0614. They will take all the details by phone so there is no need to complain in writing if parents don't wish to.
- Write to the Local Government Ombudsman: PO Box 4771, Coventry CV4 0EH. Parents should include a daytime telephone number so they can contact them to discuss the complaint.