



Derby City Council

# **Home to School Transport Assistance**

## **Proposed Policy**

**November 2014**

## Contents

1	DEFINITIONS TO HELP YOU UNDERSTAND OUR POLICY.....	4
2	WHO QUALIFIES FOR TRANSPORT ASSISTANCE.....	6
2.1	Main criteria .....	6
2.2	Pupils in faith schools .....	6
2.3	Pupils under five years old/Foundation stage 2 .....	7
2.4	Walking distance - home to bus stop and bus stop to school .....	7
2.5	Special Educational Needs (SEN) .....	7
2.6	Lone parents.....	8
2.7	Families on other benefits apart from Working Tax Credit .....	9
2.8	Moving house and temporary homes.....	9
2.9	Pupils who are permanently excluded from school .....	9
2.10	Pupil Referral Units .....	10
2.11	Pupils attending college who are under 16 .....	10
2.12	Pupils on exchange visits.....	10
2.13	Pupils who miss or do not attend school.....	10
2.14	Preferred school.....	10
3	TYPES OF TRANSPORT ASSISTANCE .....	11
3.1	Travel pass for a bus service .....	11
3.2	Independent Travel Training (ITT) .....	11
3.3	Fuel allowance .....	11
3.4	Personal travel budget .....	12
4	DISCIPLINE ON SCHOOL TRANSPORT SERVICES AND MISUSE OF TRAVEL PASSES.....	12
4.1	Guidelines for students .....	12
4.2	How we deal with pupils who do not behave on transport provided by us....	12
5	HOW TO APPLY FOR TRANSPORT ASSISTANCE FOR CHILDREN WHO ARE UNDER 16 .....	13
5.1	Replacement passes .....	14
6	OFFICER REVIEWS.....	15
6.1	When we allow Officer Reviews.....	15
6.2	Officer Reviews.....	15
7	SPECIAL NEEDS DISCRETIONARY TRANSPORT.....	16
8	HOME TO SCHOOL/COLLEGE TRAVEL FOR STUDENTS WHO ARE OVER THE AGE OF 16 WITH SPECIAL EDUCATONAL NEEDS.....	17
8.1	Our main criteria .....	17
8.2	How to apply for transport assistance for students with special educational needs over 16 years .....	18
8.3	When we allow Officer Reviews.....	18

It is a parent's legal duty to ensure their child attends school. Derby City Council can help by providing transport assistance in line with the criteria outlined in this policy.

Transport assistance is granted for one academic year at a time, and parents must apply each year. Each application needs to be submitted with any supporting evidence. All distances are measured for each application, to take into account new routes which may be shorter, or longer than previous year's measurements.

## 1 DEFINITIONS TO HELP YOU UNDERSTAND OUR POLICY

**Parent** – anyone who is responsible for the care of a child. We use the same definition as stated in the Education Act 1996.

**Pupil** – a young person who is of compulsory school age, which is the term after the child's fifth birth day and before the last Friday in June in Year 11. For transport purposes the term pupil will also include those in Foundation Stage 2.

**Student** – a young person who attends a sixth form or college beyond the statutory school age, which is the last Friday in June in Year 11.

**Children in care** – children who are in the care of, or 'accommodated by', a Local Authority.

**Officer review** – the process of someone within the Council looking again at an application for transport assistance.

**Transport Procurement and Operations Team (TPOT)** - the team within the Council responsible for organising home to school transport.

**Catchment area** – a marked out geographical area made up of the streets around a school.

**Catchment area school** – a school within the catchment area.

**Nearest suitable school** - for transport purposes, the nearest suitable school may not be the catchment area school.

**Preferred school** - parents have a right to say they prefer a school other than the catchment area school. This is known as 'a preferred school'. This school will remain a preferred school when parents apply for help with transport, throughout the pupil's attendance.

**Designated area** - a geographical area, which is usually made up of Parishes served by a voluntary aided school (see section 2.2 for Faith/voluntary aided schools).

**Special transport needs** - some pupils may have special transport needs that come from a disability or a special educational need.

**Shortest walking distance** – the shortest walkable route between the main access to and from your private property, such as your front gate or the top of your drive, and the nearest school gate.

**Statutory Walking Distance** – as set out in section 2 in accordance with the definition in the Education Act 1996.

**Suitable walkable route** – a route where a child can walk to and from school safe from traffic – with the parent or another ‘responsible adult’ if the parent decides this is needed. If a parent cannot do this, the Council is **not** responsible for escorting your child to school.

**Mainstream school** - There are six types of ‘mainstream school’:

- **Academies** – all-ability schools established by sponsors from businesses, faith or voluntary groups working in partnership with Central Government. Governors are responsible for admissions.
- **Community and Voluntary Controlled schools** – schools managed by the head teacher and governors, in partnership with the Council. The Council arranges admissions.
- **Voluntary-aided schools** – schools supported by the relevant Religious Board and the Council jointly. The governors will normally employ all staff and manage admissions. These schools are sometimes called ‘faith’ or ‘denominational’ schools.
- **Foundation schools** – schools maintained by the Council but the governors are responsible for admissions. For transport assistance purposes, all pupils attending Foundation schools are treated in the same way as pupils attending community schools.
- **Trust schools** – schools maintained by the Council but governors are responsible for admissions. For transport assistance purposes, all pupils attending Trust schools are treated in the same way as pupils attending community schools.
- **Free schools** – all-ability state funded schools set up in response to parental demand.

Within some of the mainstream schools there are:

- **Enhanced resource provision** – some mainstream schools have extra resources for particular children with statements of special educational needs and/or Education Health and Care plans and more specialist support and staff. Pupils are taught in mainstream classes.

Derby City also has a number of other types of schools:

- **Special schools** – a school where children who have a statement of special educational needs and/or Education Health and Care plan may attend. This type of school receives pupils with a degree of disability where parents have made a preference for this type of education. The Council arranges admissions for all special schools.
- **Pupil Referral Units** - caters for pupils with emotional and behavioural difficulties. The Council arranges admission.

## **2 WHO QUALIFIES FOR TRANSPORT ASSISTANCE**

### **2.1 Main criteria**

Our 'main criteria' is what we take into account when we decide whether or not someone qualifies for transport assistance to the nearest suitable school.

It is:

- the walking distance from home to school,
- if the child is eligible for free school meals,
- if parents are in receipt of the maximum level of working tax credit.

We will provide transport assistance to the nearest suitable school for any full time pupil when there is no school within the 'statutory walking distance' stated in the 1996 Education Act.

Statutory walking distance is:

- two miles - for pupils who are under eight years old  
(**Note:** transport assistance will end in the academic year in which the pupil is 8 years old),
- three miles - for pupils who are eight years old and over.

If the pupil is eligible for free school meals **or** the parent is in receipt of the maximum level of working tax credit, the distance is two miles. For secondary schools, transport assistance may be provided to one of the three nearest schools if the pupil lives more than two miles, but not more than six miles from that school, or to the nearest school based on religion or belief up to a maximum distance of 15 miles.

The 'walking distance' is measured by suitable walkable route (see section 1).

We will give travel assistance in one of the following ways:

- a) a travel pass for a school service or a season ticket for a local bus service, or
- b) a refund of travel expenses, paid in arrears, for a 'child bus fare', or fuel allowance, as long as the school confirms the pupil has been attending.

See section 3 for more details.

See section 2.5 for our arrangements for pupils with special educational needs.

### **2.2 Pupils in faith schools**

Derby City Council provides transport assistance to the end of statutory school age for secondary age pupils attending a maintained faith school if the pupil is attending on religion or belief grounds and

- The pupil is eligible for free school meals **or**
- Parents are in receipt of the maximum level of working tax credit.

Transport assistance may be provided to the nearest school based on religion or belief if the school is over two miles but less than 15 miles from the pupils home address.

## **2.3 Pupils under five years old/Foundation stage 2**

We have one entry point to Foundation Stage 2 classes in September. Pupils who go to school full time in a Foundation Stage 2 class will qualify for transport assistance if they meet the main criteria in section 2.1. Parents or responsible adults who go with the child have to pay their own fare.

Transport assistance will not be provided for any child before Foundation Stage 2.

## **2.4 Walking distance - home to bus stop and bus stop to school**

For pupils travelling by bus, our aim is to keep distances to and from bus stops as short as possible. We do, however, expect pupils to walk up to one mile each way to get to a bus stop. We may make an exception to this policy if there are medical grounds.

There is no automatic entitlement for door-to-door transport provision for any child. Parents are responsible for their child up to the point they get on or off the bus.

## **2.5 Special Educational Needs (SEN)**

There is no automatic entitlement to transport for pupils with SEN. As for mainstream pupils, parents are responsible for ensuring their child attends school. The Local Authority will provide transport assistance in the circumstances identified below.

### **a) The main criteria for agreeing transport for pupils with SEN is:**

- the walking distance from home to school (as section 2.1),
- if the pupil is eligible for free school meals (as section 2.1),
- if parents are in receipt of the maximum level of working tax credit (as section 2.1).

### **b) Pupils placed out of Derby City for 38 or 52 week education placement**

#### **38 week placement – the Local Authority will fund:**

- 12 return journeys for the pupil – to take the pupil to school and return home for each half term **plus**
- 1 return journey for parents to attend the Annual Review.

If parents transport the pupil themselves they can claim:

- Up to 12 return journeys per year for the pupil to return home and back to

- school for each half term **plus**
- 1 return journey for parents to attend the Annual Review.

Please note any entitlement is for home to school and return journey and claims can only be made AFTER the journey.

**52 week placement – the Local Authority will fund:**

- A maximum of 12 return journeys per academic year **plus**
- 1 return journey for parents to attend the Annual Review.

**c) Before/after school activities**

When a pupil who normally receives Local Authority transport attends before or after school activities or clubs, parents will be responsible for transporting their children prior to/at the end of the activity.

**d) School trips**

When a pupil who normally receives Local Authority transport goes on a school trip the school will be responsible for arranging and funding the transport.

**e) Escorts**

- Escorts are provided dependent on the need of the pupil.
- Officers will determine the need for escorts based on evidence provided.
- The need for an escort will be reviewed.

All drivers and escorts have enhanced DBS checks.

The transport provider may change throughout the time a pupil receives Local Authority transport – this means that drivers and escorts will change.

**f) Travel Assistance provided**

See section 3 for the types of travel assistance provided.

Note: A parent may transport their child to school and claim fuel expenses (see section 3 for fuel allowance agreement). However, if a parent is removed from an already agreed route then the parent will be responsible for funding the transport until the end of the academic year.

## **2.6 Lone parents**

We don't make any exceptions to the main criteria – see section 2.1 – for pupils from lone parent families.



## **2.7 Families on other benefits apart from Working Tax Credit**

We don't make any exceptions to the main criteria – see section 2.1 – for families receiving other welfare payments (ie Income Support, Job Seekers Allowance, etc).

## **2.8 Moving house and temporary homes**

Transport assistance may be given to pupils attending the nearest suitable secondary school who:

- are in the last two years of statutory education in Derby, and
- move to a new permanent address, or
- move to a temporary address.

We will consider this only **if** they remain at the same school and the journey can be made by public transport.

Help may be given by using the mile and age criteria for the statutory walking distance (set out in section 2.1).

The original school must have been the catchment area school for the previous address, or, for those who qualify for enhanced transport assistance, one of the three nearest secondary schools. If not, we may work out the difference in distance between the parent's preferred school to the catchment area school and the home address. In this case, we would only contribute part of the travel costs.

Where there is no public transport available, we will offer a fuel allowance. All allowances are based on two return journeys, at most, at the public transport rate and are payable in arrears at the end of the term. We do not provide taxis where parents don't have transport because they don't have a car. However, we may give a contribution towards travel costs.

### **Notes:**

- We consider that year 10 starts on the first day of the summer holiday.
- We will stop any transport assistance if pupils move out of Derby. The responsibility transfers to the new authority where the pupil is living. Pupils that move into Derby from another authority will need to apply to Derby City Council for help with transport. We will assess all applications using this policy.

## **2.9 Pupils who are permanently excluded from school**

We will find a suitable school within the statutory walking distance for pupils that are permanently excluded from their school. If the school is beyond the statutory walking distance, a travel pass may be issued.

If parents prefer a school other than the school we find, and get a place for their child, they are responsible for getting the child to school. No transport assistance will be provided.

## **2.10 Pupil Referral Units**

For pupils attending pupil referral units, we will help with travel in the same way as we help pupils that go their nearest suitable school (see section 2.1).

## **2.11 Pupils attending college who are under 16**

If a pupil attends a full-time college course, as arranged by the pupil referral unit, we expect the pupil to use any available free transport provided by the college. We may consider help where a college service is not available and the pupil lives outside the statutory walking distance.

Where the previous school has agreed to the pupil attending the college, but the pupil has stayed on the school roll, we will not give any help with transport.

## **2.12 Pupils on exchange visits**

We do not give transport assistance to pupils on exchange visits. Parents of the receiving family are responsible for any travel arrangements for the journeys to and from school/college.

## **2.13 Pupils who miss or do not attend school**

If we learn that a pupil who is receiving transport assistance is missing school or not attending school, we can withdraw the travel assistance. We will replace it by a refund of 'child bus fares' or a fuel allowance where parents/carers arrange their own transport for the child to school. We will pay this allowance in arrears, and base it on how often the pupil goes to school.

## **2.14 Preferred school**

Parents who choose a school other than the nearest suitable school are responsible for getting their child to and from the school throughout the time that their child attends the school.

### 3 TYPES OF TRANSPORT ASSISTANCE

We give transport assistance in one of the following ways:

#### 3.1 Travel pass for a bus service

A travel pass or season ticket allows free travel on one return journey for each school day, and only between the nearest pick-up point to the home address and the nearest suitable school.

This may be for a school bus service or a season ticket for a local bus service.

See our main criteria for how a pupil qualifies in section 2.1 or 2.5 for SEN.

#### 3.2 Independent Travel Training (ITT)

ITT may be provided to support pupils with a special educational need to become independent travellers, allowing them to access a school or local bus service.

Please contact: Children and Young People Commissioning on 01332 640749.

#### 3.3 Fuel allowance

If pupils qualify for transport assistance but it's not easy for them to get to school by public transport, we will consider contributing to fuel costs instead.

The fuel allowance is based on:

- two return journeys, at most, for each school day that the pupil attends, multiplied by
- the distance that we measure by the shortest car route.

Fuel allowance will be set on a sliding scale of:

Distance in miles	Per mile
Up to 50 per round journey	45p
51 - 100	35p
101 - 200	25p
201 upwards	15p

#### Notes:

- We pay fuel allowance after the end of each term - and only once the school has confirmed the pupil's attendance.
- We cannot backdate help with fuel – if pupils qualify for help, we will pay the allowance from the date we approve the parent's application.
- Where there are two or more children from the same family attending the same school or the same site, we will give the fuel allowance to one member of the family at any one time because we expect them to travel

together.

- Where another child from the same family, who also qualifies for transport assistance:

- is attending a different school on a different site, **and**
- goes to a school that is further than the statutory walking distance,

...we will calculate the 'round trip' and pay the allowance on this basis after confirming both children's attendance.

- If parents have to drive their children to/from the nearest suitable school on a short-term basis because of the pupil's medical needs, we may give a fuel allowance. Parent/carers must give us proof of the child's medical need from a hospital or doctor.
- If a parent transports their child because their child has been removed from an already agreed route, then the parent will be responsible for funding the transport until the end of the academic year.
- If there's a change to the school/local bus services, which means that pupils can now use them to get to and from school, we may replace the fuel allowance with a bus pass.
- Where the parent/carers has a motability vehicle for the benefit of the child, there is a reasonable expectation that this will be used to transport the child to school and fuel will be reimbursed.

### **3.4 Personal travel budget**

Where a pupil is unable to travel by bus, we will consider providing a personal travel budget. This will be at an amount determined reasonable by the Local Authority and determined on a case-by-case basis.

## **4 DISCIPLINE ON SCHOOL TRANSPORT SERVICES AND MISUSE OF TRAVEL PASSES**

### **4.1 Guidelines for students**

We include the leaflet 'Guidelines for Students' when we issue a travel pass or a season ticket. This explains what we expect from pupils in terms of behavior, being on time, and attention to safety.

### **4.2 How we deal with pupils who do not behave on transport provided by us**

If we receive reports that pupils are behaving badly on any transport, we will deal with the report in this way:

- a) The Transport Procurement and Operations Team will investigate the incident(s).
- b) Depending on the result of this investigation, we can either:
  - give a warning to individual pupils, or
  - remove their right to travel.
- c) If we withdraw our help with transport, parents will need to make independent alternative arrangements to get their children to school.

Parents can ask for an Officer Review where we have withdrawn a pass in this situation. To do this, contact:

Transport Procurement and Operations  
Derby City Council  
Council House  
Corporation Street  
Derby DE1 2FS

Telephone: 01332 64 1761 (Minicom: 01332 64 0666)

## **5 HOW TO APPLY FOR TRANSPORT ASSISTANCE FOR CHILDREN WHO ARE UNDER 16**

- You can pick up an application form from:  
School Organisation & Provision  
Derby City Council  
Council House  
Corporation Street  
Derby DE1 2FS

Telephone: 01332 64 2729 (Minicom: 01332 64 0666)

- You can download an application form from: [www.derby.gov.uk/admissions](http://www.derby.gov.uk/admissions)
- If your child goes to a faith school, you can pick a form up from the school.

Please return your application to the Transport Officer at the above address.

- If your child has a special need, please contact:  
Special Educational Needs  
Derby City Council  
Council House  
Corporation Street  
Derby DE1 2FS

Telephone: 01332 64 0823 (Minicom: 01332 64 0666)

We will tell you the outcome of your application within two weeks. If we do not think your child qualifies for transport assistance, we will tell you what you need to do to ask for an Officer Review if this applies (see section 6).

The Transport Procurement and Operations Team will issue the travel pass and send it to your home address.

## **5.1 Replacement passes**

If your child loses the pass that we have provided, you will need to ask the school or Transport Procurement and Operations Team for a replacement. There will be a £5.00 fee for any replacement pass.

If we sent you a travel pass that gives wrong information, please return it to:

Transport Procurement and Operations  
Derby City Council  
Council House  
Corporation Street  
Derby DE1 2FS

Telephone: 01332 64 1761 (Minicom: 01332 64 0666)

They will send you a new pass free of charge.

## 6 OFFICER REVIEWS

Officer Reviews are our way of looking again at some of the applications we have refused. We do them within four weeks of the parent getting in contact with us.

### 6.1 When we allow Officer Reviews

We allow them **only if**:

- a) parents believe that we have wrongly calculated the distance of the shortest walkable route between home and school **and** our original measurement was within 10 per cent of the 'statutory walking distance'.

This means:

- if the pupil is under eight years of age – or eligible for reduced mileage after aged eight - the original measurement must be at least 1.8 miles, or
- if the pupil is aged eight and over, the original measurement must be at least 2.7 miles.

- b) the child is 'looked after' by a local authority,
- c) the child is unable to walk due to a disability.

We **won't** allow an officer review if:

- a) parents apply for transport to a 'preferred' school or college – and the school or college is not the catchment area, nearest suitable or qualifying school,
- b) parents and/or pupil move house, other than in Years 10 and 11,
- c) parents move house in Years 10 and 11 and the original school was not the catchment area or qualifying school for the previous address,
- d) the appeal is based only on the age or build of the pupil,
- e) the school is within the statutory walking distance, or
- f) the students timetable does not match the arrangements we have made.

### 6.2 Officer Reviews

#### a) Officer reviews for mainstream students

Please contact:  
School Organisation and Provision  
Derby City Council  
Council House  
Corporation Street  
Derby DE1 2FS

Telephone: 01332 64 2729 (Minicom: 01332 64 0666)

## **b) Officer Reviews for students with special needs**

Please contact:  
Special Educational Needs  
Derby City Council  
Council House  
Corporation Street  
Derby DE1 2FS

Telephone: 01332 64 0823 (Minicom: 01332 64 0666)

### **Special Needs second reviews**

Where you are still not happy with our decision after an Officer Review you may ask for a further review. We will undertake this within 8 weeks.

## **c) Complaints**

If you believe that officers have failed to follow the correct procedure when dealing with your application, you can ask the Service Director to look again at your application. However, you won't be able to ask for this to happen just because you don't agree with our final decision.

If the Service Director finds that the correct procedure was not followed but that the outcome would still be the same, you can take things further by using the Council's complaints procedure.

## **7 SPECIAL NEEDS DISCRETIONARY TRANSPORT**

Discretionary transport may be granted in special circumstances for special needs children. Where this is granted, the parent will be expected to contribute to (up to 100% of) the cost of the seat. Transport will only be allowed after full payment, termly in advance and receipt of a signed agreement.

These places can be withdrawn giving one month's notice. In these circumstances a refund would be made.

Refunds would not be given for days a child does not travel, for example because of sickness or holiday.



## 8 HOME TO SCHOOL/COLLEGE TRAVEL FOR STUDENTS WHO ARE OVER THE AGE OF 16 WITH SPECIAL EDUCATIONAL NEEDS

Statutory eligibility to free home to school transport ends at age 16.

There are a range of transport assistance options available for post 16 students. For more information see our 'Post 16 Transport Policy Statement' at:  
[www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/schools/DerbyCityCouncil-Post-16-Transport-Policy-Statement-14-15.pdf](http://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/schools/DerbyCityCouncil-Post-16-Transport-Policy-Statement-14-15.pdf)

### 8.1 Our main criteria

We will give students with special educational needs and severely restricted mobility\* transport assistance from home to school/college - up to the end of the term in which they reach the age of 19 - **as long as**:

- the school is the nearest suitable school, or if a college, the college is:
  - the 'designated' college for the student's home address **or**
  - nearer to the student's home than the designated college
- and**
- the student is attending school/college on a full-time basis – that is at least 16 hours of teaching each week.

\*As defined by being eligible for the Disability Living Allowance mobility component at the highest rate.

Transport assistance provided for students over the age of 16 may be in the form of a personal travel budget.

#### Notes:

- Derby College is the 'designated college' for students living in Derby.
- Where Derby College doesn't offer a particular vocational, that's work-related, subject, we will consider providing transport assistance to the nearest college that does offer the subject **as long as**:
  - the student meets our other criteria **and**
  - gives us a letter from Derby College, or any nearer college, that states they cannot offer the course the student needs.
- This applies only to the general subject area and not to the particular content of the courses. We don't make any exceptions for GCE A/AS level subjects.
- Where Derby College doesn't offer a course that allows a student to progress, we may give travel assistance to a college outside the city that does – **as long as** we decide it's within reasonable travelling distance.

- We'll also consider making an exception to our rules where it's more difficult for a student to go to a particular college because it doesn't have the right specialist facilities or staff.

To ask us to consider making an exception to our rules, contact the Special Educational Needs team at the address below.

You'll need to give us a letter from Derby College, or any nearer college, if appropriate, that tells us they cannot offer the facilities that the student needs. You can ask for an officer review – see section 8.3 – if you don't agree with the decision we make.

We **don't** give help with transport:

- to and from work experience
- for students on 'taster courses'
- for induction and enrolment
- to and from Social Services Day Care centres, unless this is a more cost-effective journey than the journey that already happens from the student's home.

Where transport is provided, it is:

- at standard times for arriving and leaving school/college at the start and end of the school/college day, and
- to/from one location/site only.

## **8.2 How to apply for transport assistance for students with special educational needs over 16**

You can pick up the application form from:

Special Educational Needs  
Derby City Council  
Council House  
Corporation Street  
Derby City Council  
DE1 2FS

Telephone: 01332 64 0823 (Minicom: 01332 64 0666)

## **8.3 When we allow Officer Reviews**

Officer Reviews are our way of looking again at some of the applications we have refused. We complete reviews within four weeks and allow them **only if**:

- a) where, for college students, Derby College, or another nearer college, can offer a place but there are individual reasons why another suitable college is requested.
- b) The student is 'looked after' by a Local Authority.

We won't consider an Officer Review because the timetable does not match the arrangements we've made for transport.

### **Special Needs second reviews**

Where you are still not happy with our decision after an Officer Review you may ask for a further review. We will undertake this within 8 weeks.

### **Complaints**

If you believe that officers have failed to follow the correct procedure when dealing with your application, you can ask the Service Director to look again at your application. However, you won't be able to ask for this to happen just because you don't agree with our final decision.

If the Service Director finds that the correct procedure was not followed but that the outcome would still be the same, you can take things further by using the Council's complaints procedure.

*Policy revised: October 2003, September 2004, March 2005, September 2006, September 2007, July 2008, August 2009, April 2010, November 2010, October 2011, November 2014*