

## **Derby City Council's policy on home to school transport**

<b>Contents</b>	<b>Page Numbers</b>
Definitions	2
Assessment Criteria	4
Statutory Walking Distance	4, 5, 6
Faith Schools	5
Pupils under 5 Years Old	5
Medical Needs	6
Special Educational Needs	6
Route Safety	6
Moving House	7
Types of Free Travel	9, 10
How to Apply	10, 13
Replacement Passes	11
Officer Reviews	11, 15
Discipline on School Transport	12
Appeals	12, 15

Derby City Council considers that providing help with transport is about meeting a **pupil's needs** rather than the family's situation.

Transport to mainstream schools is granted for one academic year at a time only, and parents have to apply each year. Each application needs to be submitted with any supporting evidence of Free School Meal or Working Tax Credit if needed to support your application– see 2.1. 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 SOME DEFINITIONS TO HELP YOU UNDERSTAND OUR POLICY

**Transport Procurement and Operations Team** – TPOT – is the team in the Council responsible for organising school buses and other transport.

There are four types of '**mainstream schools**':

**Academies** – are all ability schools established by sponsors from businesses, faith or voluntary groups working in partnership with central Government. Governors are responsible for admissions and transport.

**Community and Voluntary Controlled schools** – the headteacher and governors, in partnership with the Council, manage these schools. The Council arranges admissions.

**Voluntary-aided schools** – the relevant Religious Board and the Council jointly support these schools. The governors will normally employ all the staff and manage admissions. These schools are sometimes called 'faith' or 'denominational' schools.

**Foundation schools** – the Council maintains these schools, but the governors are responsible for admissions. For free transport purposes, all pupils that go to foundation schools are treated the same way as pupils that go to community schools.

Within some of the mainstream schools there are

**Enhanced resource provision** – these are mainstream schools that have extra resources for particular children with statements of special educational needs and more specialist support and staff. Pupils are taught in mainstream classes.

The city also has a number of

**Special schools** – children who have a statement of special educational needs may go to these schools. 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.

**Parent** – in this document, this means anyone who is responsible for the care of a child, according to the Education Act 1996.

**Pupil** – in this document, this means 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, but for transport purposes will include those in Foundation Stage 2.

**Student** – in this document, this means 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** – refers to children who are in the care of, or 'accommodated by', a council.

**Officer review** – this is when someone in the Council looks again at an application for free travel.

**Catchment area** – the catchment area is a marked out geographical area made up of the streets around the school. We call this school '**the catchment area school**'.

**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.

**Faith school, voluntary-aided/voluntary-controlled school** - parents may choose to send their children to voluntary-aided/voluntary-controlled schools on religion or belief grounds. See Section 2.2

**Designated area** - each voluntary-aided school has a geographical area, which is usually made up of Parishes that the school serves.

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

**Pupil referral units** - these cater for pupils with emotional and behavioural difficulties. The Council controls admission.

**Shortest walking distance** – this is 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.

**Suitable walkable route** – this means a route where a child can walk safely from traffic to and from school – with the parent or another 'responsible adult'

if the parent decides this is needed. If a parent cannot do this, we are **not** responsible for escorting your child to school.

## **2 HOW WE ASSESS WHO QUALIFIES FOR FREE TRANSPORT**

### **2.1 Our main criteria**

Our 'main criteria' are the things we take into account when we decide whether or not someone qualifies for free travel to the nearest suitable school. They are:

- the walking distance from home to school,
- the pupil's age,
- how reasonable the journey is,
- If the child is eligible for free school meals and
- If parents are in receipt of the maximum level of working tax credit.

We will provide free transport 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. This distance is:

- two miles - for pupils who are under eight years old  
**Note:** free travel stops at the end of Year 3 in which the pupil becomes eight
- three miles - for pupils who are eight years old and over.

If the child is eligible for free school meals or the parent is in receipt of the highest level of working tax credit, the distance is two miles. For secondary schools, transport may be provided to one of the three nearest schools if the child 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.

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

- a a travel pass for a school bus service or a season ticket for a local bus service
- 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.

#### **Notes:**

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

- > Pupils who repeat a year will qualify for free travel as if they are a year younger.
- > Pupils who are placed in a class a year ahead of their age will qualify for free travel on the basis of their actual age.
- > A travel pass 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.
- > We normally view a 'reasonable journey' as:
  - primary age – a door-to-door journey of not more than 45 minutes
  - secondary age – a door-to-door journey of not more than one hour and 15 minutes.

## **2.2 Pupils in faith schools**

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

- If the child is eligible for free school meals.
- If parents are in receipt of the maximum level of working tax credit.

Transport 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 home address.

## **2.3 Pupils under five years old**

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 free travel if they meet our main criteria in section 2.1. Parents or responsible adults who go with the child have to pay their own fare.

Pupils under five years old, who we place in an enhanced resource school or special school, may qualify for free travel. We will decide if they qualify after we have looked at all the evidence.

## **2.4 Walking distance - home to bus stop and bus stop to school 2009/2010 Academic year.**

For pupils travelling by school buses, our Transport Procurement and Operations Team aims to keep distances to and from the bus stop as short as possible. We do, however, expect pupils to walk up to one mile each way to get to bus stops. We may make an exception to this policy if there are medical grounds - see section 2.5 a and b for details.

## **2.5 Walking distance - exceptions**

Pupils who live within the statutory walking distance limits and are attending the nearest suitable school may qualify for free travel if

### **a they have special educational needs**

We will assess the pupil's special educational need, and will draw on any medical and other advice that we need. Pupils may have a special transport need if they **cannot**:

- manage the distance they need to walk to the bus stop
- use public transport safely even if help is given.

### **b they have temporary medical needs**

We may provide free travel for a pupil who goes to the catchment area school and is ill or injured for a short time and cannot walk to and from school or use public transport. Parents should get a certificate or letter from the hospital or their family doctor that says what the injury or illness is, and states the pupil cannot go to school unless we arrange transport. If we do not get this medical evidence, we cannot give free travel. The need for transport will be decided by looking at the distance and the particular medical condition. An Officer Review may be given if your application is refused.

## **2.6 How we assess route safety**

- a When we assess a particular route, we only look at the danger that might come from traffic or highway conditions.
- b We assume that the pupil will be with a responsible adult and will be wearing suitable clothes and shoes.
- c We assume that the route is safe if the footway or roadside has a reasonable width and is in a reasonable condition or there is a public footpath.
- d The fact there is no street lighting will not affect how we assess the route. However, where there is both no street lighting and pedestrians cannot get off the road, we may take this into account when we assess the route.
- e We look at the accident record of the route, and particularly at its impact on pedestrians.
- f Where pupils would have to cross roads, we check if there are zebra/pedestrian crossings and islands/refuges to help make these crossings.

## **2.7 Parents' right to a review of walkable routes**

Parents have the right to ask us to review the decision we have made about walking distances. We will only allow a review if the original measurement is within ten per cent of the 'statutory walking distance' – see section 5.1a for when we allow reviews.

To ask us to review the distance we have measured, contact:

The Transport Officer  
Derby City Council  
Children & Young People's Service  
Middleton House  
27 St Mary's Gate  
Derby DE1 3NN

Telephone: 01332 716939

If you want, you can come with us when we re-measure the route on foot with a calibrated trundle wheel – the equipment we use to measure routes.

## **2.8 Lone parents**

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

## **2.9 Families on Income Support/Job Seeker's Allowance or other benefits apart from Working Tax Credit**

We don't make any exceptions to our main criteria – see section 2.1 – for families that are getting other welfare payments.

## **2.10 Moving house and temporary homes**

We may give free travel to pupils going to 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.

We may give help by using the mile and age criteria for the statutory walking distance - see section 2.1.

The original school must have been the catchment area school for the previous address, or, for those who qualify for enhanced free transport, 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. Where parents don't have transport because they don't have a car, we don't provide taxis. 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 free travel 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.

#### **2.11 Pupils that 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 another school other than the school we find, and get a place for their child, they are responsible for getting the child to school. We will not help with transport.

#### **2.12 Pupil Referral Units**

For pupils that go to referral units, we will help with travel in the same way as we help pupils that go their nearest suitable school.

#### **2.13 Pupils that go to college who are under 16**

If a pupil gets on 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.

If 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.

#### **2.14 Pupils on exchange visits**

We don't give free travel to pupils on exchange visits. Parents of the receiving family are responsible for any travel arrangements for the journeys to and from school/college.

## 2.15 Pupils who miss or don't go to school

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

## 2.16 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 stays there

# 3 TYPES OF FREE TRAVEL

## 3.1 Free pass

A free travel pass covers journeys from home to school and return on school days only. See our main criteria for how a pupil qualifies in section 2.1.

## 3.2 Fuel allowance

If pupils qualify for free travel but it's not easy for them to get to school by public transport, parents can ask us to look at 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.

Petrol allowance will be set on a sliding scale of:

Distance in miles	Per mile
Up to 50 per round journey	40p
51 - 100	30p
101 - 200	20p
201 upwards	10p

### Notes:

> We pay the allowance after the end of each term - and only once the school confirms the pupil's attendance.

- > We cannot backdate help with fuel – if pupils qualify for help, we will pay the allowance from when we receive the parent’s application.
  
- > Where there are two or more children from the family attending the same school or the same site, we will give the fuel allowance only 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 free travel:
  - 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 child’s medical needs, we may give a fuel allowance. Parent/carers must give us proof from a hospital or doctor of what the medical need is – see section 2.5b.
  
- > 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 grant with a bus pass.
  
- > Special needs fuel allowance will only be agreed where there are no spare places in the taxi going to the same school.

#### **4 HOW TO APPLY FOR FREE TRANSPORT FOR CHILDREN WHO ARE UNDER 16**

- You can pick up the application form from:

Derby City Council  
 Children & Young People’s Service  
 Middleton House  
 27 St Mary’s Gate  
 Derby DE1 3NN

- You can telephone us to request one on: 01332 716938 Minicom: 01332 716709

- 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 up the form from the school.

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

We will write to you to tell you of the outcome of your application within two weeks. If we do not think your child qualifies for free travel, we will tell you what you need to do to ask for an officer review, if this applies – see section 5.

Our Transport Procurement and Operations Team issues the travel pass and sends it to your home address.

#### **4.1 Replacement passes**

If your child loses the pass that we have provided, you will need to ask the school or the Integrated Passenger Transport Group for a replacement. There will be a £5.00 fee for replacing the pass.

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

Transport Procurement and Operations Team  
Derby City Council  
Roman House  
Friar Gate  
Derby DE1 1XB

Telephone: 01332 641739

They will send you a new pass, free of charge.

## **5 OFFICER REVIEWS**

### **5.1 When we allow 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. 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 child 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 child 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.

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 child
- e the school is within the statutory walking distance.

If you believe that our officers have failed to follow the correct procedure when we deal with your application, you can ask the Assistant 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 Assistant 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 if you are still unhappy.

An Assistant Director can assess short-term, emergency transport on a 'fast-track' basis if it's needed.

## **5.2 Grounds for an appeal to a councillors committee**

An Assistant Director, working with the councillor who's responsible for Children and Young People in the Council's Cabinet, may refer cases to the Taxi Licensing and Appeals Committee. This would happen if the policy doesn't cover an individual's position, so the Committee would interpret the policy for the individual and make the judgement.

## **6 DISCIPLINE ON SCHOOL TRANSPORT SERVICES AND MIS-USE OF TRAVEL PASSES**

### **6.1 Our guidelines**

We hand out the leaflet 'Guidelines for Students' when we issue a travel pass. This explains what we expect from pupils in terms of behaviour, being on time, and attention to safety.

### **6.2 How we deal with pupils who don't behave on any transport provided by Derby City Council**

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 what we find out from 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 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:

The Transport Procurement and Operations Team  
Derby City Council  
Roman House  
Friar Gate  
Derby DE1 1XB

Telephone: 01332 641739

## **7 HOME TO COLLEGE TRAVEL FOR STUDENTS WITH SPECIAL EDUCATIONAL NEEDS WHO ARE OVER 16**

### **7.1 How we assess who qualifies – our main criteria**

We will give students with special educational needs transport from home to college - up to the end of the term in which they reach the age of 25 - **as long as:**

- a doctor or suitably-qualified medical professional gives proof in writing that the student cannot use existing public or college transport.  
**Note:** Where a student is going to college directly after leaving school, we may already have up-to-date information about their transport needs so we may not need proof.

**and**

- the college is:
  - the 'designated' college for the student's home address **or**
  - nearer to the student's home than the designated college **or**
  - a placement made by the Learning and Skills Council.

**and**

- the student is attending college on a full-time basis – that's at least 16 hours of teaching each week.

#### **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 giving free travel 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.

> The Learning and Skills Council will fund college placements only if the course allows the student to make progress.

> Where Derby College doesn't offer a course that allows a student to progress, we will give free travel 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:

Special Educational Needs  
 Derby City Council  
 Children and Young People's Service  
 Middleton House  
 27 St Mary's Gate  
 Derby DE1 3NN

Telephone: 01332 716946

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 7.3 – 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
- for transport 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.

We have standard times for arriving and leaving college at the start and end of the college day.

## **7.2 How to apply for free transport for students with special educational needs who are over 16**

You can pick up the application form - **Form SNS 3** - from:

Special Educational Needs  
Derby City Council  
Children and Young Peoples Service  
Middleton House  
27 St Mary's Gate  
Derby DE1 3NN

Or you can telephone us to request one on: 01332 716946 Minicom: 01332 716709

Please return your application to the Special Educational Needs Section at the above address.

### **7.3 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 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 council.

We **won't** consider an officer review:

- where the student has reached the age of 25
- just because the timetable does not match the arrangements we've made for transport.

If you believe that our officers have failed to follow the correct procedure when we deal with your application, you can ask the Assistant 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 Assistant 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 if you are still unhappy.

An Assistant Director can assess short-term emergency, transport on a 'fast-track' basis if it's needed.

### **7.3 Grounds for an appeal to a councillors committee**

An Assistant Director, working with the councillor who's responsible for Children and Young People in the Council's Cabinet, may refer cases to The Taxi Licensing and Appeals Committee. This would happen if the policy

doesn't cover an individual's position, so the Committee would interpret the policy for the individual and make the judgement.

## **8 DISCRETIONARY TRANSPORT**

### **8.1 Granting of Mainstream Discretionary Transport or 2009/2010 Academic Year.**

Where children are not entitled to free transport, discretionary transport may be granted when all entitled children have been allocated seats and any spare places remain. The cost of these places will be charged in advance.

The existing transport will not divert from its original route to accommodate a discretionary child and therefore children must get to a suitable pick up point. These places are only allocated on the understanding that they can be withdrawn, giving one-month's notice, if they are needed for an entitled child. In these circumstances a refund would be made. However, refunds would not be given for days a child does not travel, for example because of sickness or holiday. There is no right to an Officer Review if discretionary transport is refused or withdrawn.

### **8.2 GRANTING OF SPECIAL NEEDS DISCRETIONARY TRANSPORT**

Discretionary transport may be granted in special circumstances for special needs children only if space is available in a private hire minibus or hackney carriage vehicle. These places are only allocated on the grounds they can be withdrawn, giving one-months notice if they are needed for an entitled child. In these circumstances a refund would be made. However refunds would not be given for days a child does not travel, for example because of sickness or holiday. The cost for this transport will be charged at the actual cost of the seat and will be charge termly in advance. Transport will only be allowed after full payment and receipt of a signed agreement.

*Revised: October 2003, September 2004, March 2005, September 2006, September 2007, July 2008 August 2009*