

Derby City Council

**Home to School Transport Assistance
Policy 2019/20**

Contents

1. Definitions	3
2. Assessment Criteria	5
3. Types of Travel Assistance	11
4. How to Apply	12
5. Appeals and Officer Reviews	14
6. Discipline on School Transport	15
7. Special Needs Discretionary Transport	16

Introduction

This policy is intended to provide information about transport assistance for children and young people from Reception to Year 11.

Transport assistance is granted for one academic year at a time only, and parents have to apply each year. Each application must be submitted with any supporting evidence of Free School Meals or Maximum Working Tax Credit / equivalent under Universal Credit, if needed to support your application – see section 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.

1.0 Definitions to help you understand our policy

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

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

Pupil – in this document, 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, 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.

Looked after Children – refers to children who are in the care of, or accommodated by a local authority.

Officer Review – is when an Officer in the Council looks again at an application for home to school transport assistance that has been refused.

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.

Suitable Schools -

- Community, foundation or voluntary infant, junior, primary and secondary schools;
- Community or foundation special schools;
- Non-maintained special schools;
- Pupil referral units (primary and secondary);
- Maintained nursery schools; or
- City Technology Colleges (CTC), city colleges for the technology of the arts (CCTA) or academies, including Free Schools and University Technical Colleges (UTC).

Preferred school - parents have stated a preference for 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 home to school transport assistance, throughout a pupil or student's attendance.

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

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

Special transport needs - some pupils and students may have specialised transport needs as a result of a disability and/or special educational need.

Pupil Referral Units - accommodate pupils and students with emotional and behavioral difficulties. The Council controls admission.

Shortest walking distance - the shortest available walkable route between the main access to and from your private property, this could be from the front gate or the top of the drive, to the nearest suitable school gate.

Suitable walkable route - the 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, the Council is not responsible for escorting your child to school.

The following are 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 and transport.

Community and Voluntary Controlled schools - the Head teacher and governors, in partnership with the Council, manage these schools. The Council co-ordinates the admissions.

Voluntary Aided schools - the relevant Religious Board and the Council jointly support these schools. The governors will normally employ all 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 home to school transport assistance purposes, all pupils that attend foundation schools are treated the same way as pupils that go to community schools and academies.

Trust schools - the Council maintains these schools; however, governors are responsible for admissions. For transport assistance purposes, all pupils that go to

trust schools are treated the same way as pupils that go to community schools and academies.

Enhanced resource provision - education is provided within mainstream schools that have extra resources for pupils and students with an Education Health and Care Plan and require more specialist support within mainstream classes.

Special schools - pupils and students who have an Education Health and Care Plan may go to a special school. Special Schools teach pupils and students with varying degrees of disability where parents have made a preference for this type of education. The Council arranges the admissions to all special schools on behalf of the parent.

2.0 How we assess who qualifies for transport assistance

2.1 Derby City Council's main criteria

The Council's main criteria sets out what we can consider when deciding whether or not a pupil qualifies for home to school transport assistance to the nearest suitable school. They are:

- the walking distance from home to school,
 - where the child is eligible for free school meals or where parents are in receipt of the maximum level of working tax credit ¹
- i. We will provide home to school 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. The distances are:
- two miles - for pupils who are under eight years old

Note: Home to school transport assistance will end at the end of the academic year in which the pupil is 8 years old.

- three miles - for pupils who are eight years old and over.
- ii. Where the pupil is eligible for free school meals, or the parent is in receipt of the maximum level of working tax credit¹, 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.

We can provide home to school transport assistance in one of the following ways:

- a) a travel pass or a season ticket for a local bus service, or

¹ Or equivalent under Universal Credit.

- b) a refund of travel expenses, paid in arrears 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 and/or disabilities (SEND)
- A travel pass or season ticket allows free travel of one return journey for each school day between the nearest pick-up point to the home address and the nearest suitable school.

2.2 Pupils in faith schools

Derby City Council provides home to school transport assistance until the end of statutory school age for secondary aged pupils attending a faith school where 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 credit².

Home to school transport assistance may be provided to the nearest suitable 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

Schools in Derby City have a single point of entry into Foundation Stage 2 classes each September. Pupils who go to school full time in a Foundation Stage 2 class will qualify for home to school transport assistance if they meet our main criteria in section 2.1.

Note: The Council is unable to provide any assistance for parents or responsible adults who accompany the child to and from the school.

Note: Home to school transport assistance will not be provided for any children before Foundation Stage 2.

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

For pupils travelling by bus, we aim 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 bus stops. We may make an exception to this policy if there are evidenced medical grounds.

² Or equivalent under Universal Credit.

2.5 Special Educational Needs and/or Disabilities (SEND)

a. The criteria for agreeing home to school transport assistance for pupils with SEND is:

- the walking distance from home to school or
- if the pupil is eligible for free school meals or if parents are in receipt of the maximum level of working tax credit³ or
- the child cannot reasonably be expected to walk to school due to SEND, independently or accompanied where necessary (see iii below).

i. We will provide transport assistance to the nearest suitable school for any full-time pupil where there is no school within the statutory walking. The distance is:

- a. 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

- b. three miles - for pupils who are eight years old and over.

ii. If the pupil is eligible for free school meals or the parent is in receipt of the maximum level of working tax credit³, home to school transport assistance may be provided to one of the three nearest secondary 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.

iii. If the pupil cannot reasonably be expected to walk to school because of their mobility problems and/or because of associated health and safety issues related to their SEND, home to school transport assistance may be provided.

b. Pupils placed out of Derby City for 38 or 52 week residential education provision

For a 38 week placement – the Council 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 they can claim fuel reimbursement for up to these numbers of journeys.

Note: Any entitlement is for home to school and return journey and claims can only be made after the journey.

For a 52 week placement – the Council will fund:

- A maximum of 12 return journeys per academic year, plus

³ Or equivalent under Universal Credit.

- 1 return journey for parents to attend the Annual Review.

c. After school activities

Where a pupil who normally receives home to school transport assistance attends after school activities, parents are responsible for collecting their children at the end of the activities.

d. School Trips

Where a pupil who normally receives home to school transport assistance takes part in a school trip, the school is responsible for arranging and funding the transport.

e. Escorts

- Escorts are provided based on the individual needs of the pupil.
- Council Officers will decide on the level of need for escorts based on evidence provided as part of the application which is regularly reviewed.

All vehicle drivers and escorts must have enhanced Disclosure Barring Service (DBS) checks.

Note: The transport provider may change throughout the time a pupil receives home to school transport assistance; this means that both drivers and escorts may change.

f. Fuel reimbursement

A parent may transport their child to and from school and claim fuel expenses. See section 3.3 for fuel allowance agreements. However, if the pupil is removed from an agreed route the parent is responsible for funding transport until the end of the academic year.

g. Personal Budget

Parents may ask the Council to consider a personal travel budget, please see our Personal Budget policy for more information www.derby.gov.uk/education-and-learning/special-education-needs-disabilities/special-educational-needs-assessment/.

2.6 Parents' right to a review of walking distances

Parents have the right to request a review of 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 for when we allow reviews.

To request a review of a walking distance please contact: School Organisation and Provision, Derby City Council, Council House, Corporation Street, Derby DE1 2FS. Telephone: 01332 642729 or email: Admissions@derby.gov.uk

2.7 Single parents

We are unable to apply any discretion or exceptions to our main criteria – see section 2.1 - for pupils from single parent families.

2.8 Families receiving Income Support/Job Seeker's Allowance or other benefits apart from Working Tax Credit / or equivalent under Universal Credit

We are unable to make any exceptions to our main criteria - see section 2.1 - for families that are receiving other benefit payments.

2.9 Moving house and temporary homes

We may provide home to school transport assistance 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

However, we can only consider this if the pupil remains at the same school, and the journey can be made by public transport.

We may also provide home to school transport assistance by using distance 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 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 can 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 per day, 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 home to school transport assistance if pupils move out of

Derby because the responsibility for transport assistance 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.

2.10 Pupils who are permanently excluded from school

The Council will organise a suitable school within the statutory walking distance for pupils that are permanently excluded. If the school the Council has organised for the pupil to attend is beyond the statutory walking distance, a travel pass may be issued.

If a parent sends their child to a different school from the school allocated by the Council, they are responsible for getting the child to school. We are unable to provide any help with transport assistance.

2.11 Pupil Referral Units

The Council will provide home to school transport assistance in the same way as pupils who go their nearest suitable school. See section 2.1.

2.12 Pupils who go to college who are under 16

Where a pupil attends a full-time college course, arranged by the pupil referral unit, we expect the pupil to use any available free transport provided by the college. We may consider providing home to school transport 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 are unable to provide home to school transport assistance.

2.13 Pupils on exchange visits

We are unable to provide home to school 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 or college.

2.14 Pupils who miss or don't go to school

Where a pupil who receives home to school transport assistance is missing from school, or is not attending, we can withdraw the home to school transport assistance and replace it with a refund of child bus fares or a fuel allowance where parents arrange their own transport to and from school. We will only pay this allowance in arrears, based on how often the pupil goes to school.

2.15 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 their child attends.

3.0 Types of transport assistance

3.1 Travel pass/season ticket

A 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 Independent Travel Training (ITT)

Independent Travel Training is available in the city on request for young people who currently face difficulties using public transport and would benefit from support to become more independent, enabling access to a school or local bus service.

All young people will be enabled to undertake independent travel training (ITT) unless they are assessed by Derby City Council's travel trainers and their school as being unlikely to benefit from such training and/or their additional needs/disability is such that they would be unable to complete the training.

For more information visit: <https://www.derby.gov.uk/education-and-learning/special-education-needs-disabilities/travel/independent-travel-training/>

Contact AccessToResources@derby.gov.uk or call 01332 642708

3.3 Fuel allowance

Where pupils qualify for home to school transport assistance and there is no public or school transport available for them to get to school, parents can request the Council to consider reimbursing fuel costs.

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 driving route. Fuel allowance is detailed below.

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 after the school has confirmed the pupil's attendance.
- We are unable to backdate payments for fuel allowance. Where pupils qualify, we will pay the allowance from the date we approve the application.
- Where there are two or more children from the same family attending the same school, or the same site, we will only 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,
 - attends 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. Parents must provide proof from a hospital or doctor of the medical condition and need.

- Where changes are made to the school/local bus services that means the pupil can use a bus pass to get to and from school, we may replace the fuel allowance with a bus pass.

- Fuel allowance for pupils with SEND will only be agreed where there are no spare places in the transport already going to and from the same school.

4.0 How to apply for transport assistance for children who are under 16 years old

Mainstream application forms are available from: School Organisation and Provision, Derby City Council, People Services Directorate, Council House, Derby DE1 2FS.

Telephone: 01332 642729 Minicom: 01332 640666 or download an application form from: <http://www.derby.gov.uk/education-and-learning/schools-and-colleges/schools-transport/>

If your child goes to a faith school, you can also request an application form from the school.

If your child has SEND, please contact: CYP Commissioning, Derby City Council, People Services Directorate, Council House, Corporation Street, Derby DE1 2FS.

Email: AccessToResources@derby.gov.uk or phone 01332 642708

Please return your completed application forms to the Transport Officer at one of the above addresses.

We will write to you with the Council's decision usually within two weeks. The letter will provide information about Officer Reviews and appeals if we do not think your child qualifies for transport assistance (see Section 5).

Where the Council agrees to provide home to school transport assistance TPOT will issue the travel pass/season ticket and post it by second class post to your home address.

4.1 Replacement passes

If your child loses the pass that we have provided, you will need to TPOT for a replacement. There is a £5.00 charge for replacement passes.

If we send you a travel pass with the wrong information on it we will replace it free of charge. Please return it to: Transport Procurement and Operations Team (TPOT), Communities and Place Directorate, Derby City Council, Council House, Corporation Street, DERBY, DE1 2FS or telephone: 01332 641729 (Minicom 01332 640666)

5.0 Appeals and Officer Reviews

5.1 When we allow Officer Reviews

Officer Reviews are where a senior officer reconsiders an application that has been refused, or where specialist transport provision has been requested. It is important to note that we can allow them only if:

1. Parents consider that the distance of the shortest walkable route between home and school has not been calculated accurately, and the original distance is within 10 per cent of the statutory walking distance. This means that:
 - Where the pupil is under eight years of age, or eligible for reduced mileage after aged eight - the original measurement must be no less than 1.8 miles, or
 - Where the pupil is aged eight and over, the original measurement must be no less than 2.7 miles
2. The pupil is 'looked after' by a local authority, or
3. The pupil cannot reasonably be expected to walk to school because of their mobility problems and/or because of associated health and safety issues related to their SEND.

We are unable to allow an Officer Review where:

- a. Parents apply for transport to a 'preferred' school or college – and the school or college is not the catchment area or nearest suitable 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 suitable school for the previous address.
- d. The request for an Officer Review is based only on the age or physical size of the pupil.

5.2 How to request an Officer Review

Stage one: Review by a Senior Officer

- A parent/carer has 20 working days from date of the transport decision letter, to make a formal written request asking for a review of the decision.
- The written request should detail why the parent/carer or young person believes the decision should be reviewed and give any details of any personal and/or family circumstances, including medical evidence; they believe should be considered when the decision is reviewed.
- Within 20 working days of receipt of written request, a senior officer will review the original decision and send a detailed written notification of the outcome of their review, including information about how the parent/carer can escalate their case to stage two (if appropriate).

Stage two: Review by an independent appeal panel*

- A parent/carer has 20 working days from the date of the transport (stage one) decision letter to make a written request to escalate the matter to stage two.
- Within 40 working days of receipt of the request, an independent appeal panel will consider written representations from both the parent/carer and officers involved in the case and provide a detailed written notification of the outcome, including information about the parent's rights to put in an official complaint to the Council, and if they are still unhappy, in referring the matter to the Local Government Ombudsman

*The independent appeal panel members are independent of the original decision making process and suitably experienced, to ensure a balance is achieved between meeting the needs of the young person and the local authority.

5.3 Complaints

The process to appeal against a decision or to complain should be made in the first instance to the local authority. See link for more information:

<http://www.derby.gov.uk/council-and-democracy/complaints/complaints-procedure/>

If learners or their families are still not satisfied they may complain to the Local Government Ombudsman. See link for more information: <https://www.lgo.org.uk/>

6.0 Discipline on school contract transport services and mis-use of travel passes/season tickets

6.1 Behaviour standards on home to school transport

TPOT provide the '*Guidelines for Students*' leaflet when travel passes are issued or a season ticket. The leaflet explains the standards of behaviour we expect from pupils, the importance of being on time, and attention to safety when travelling.

6.2 Considering reports of poor behaviour on home to school transport provided by Derby City Council

On receiving a report of poor behaviour on a contracted SEN journey, TPOT officers must review whether it is necessary to:

- a. withdraw transport immediately
- b. issue a warning and/or request the Commissioning team convene a multi-agency meeting*
- c. take no action, but record the details as part of a monitoring exercise.

If we withdraw home to school transport assistance, parents will need to make independent alternative arrangements to get their children to and from school.

Parents can ask for us to review our decision where we have taken action in this situation. The review will be undertaken by the Head of Traffic and Transportation or a Senior Officer within the same team.

To do this, contact: Transport Procurement and Operations Team (TPOT), Derby City Council, Council House, Corporation Street, DERBY DE1 2FS Telephone: 01332 641729 (Minicom: 01332 640666)

*Multi-agency meetings aim to reach a resolution to the behaviour issues on contracted transport by all parties working together. They may include representation from the pupil's parent/s carers or extended family, school, social workers, commissioning officers and transport procurement officers.

7.0 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 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.

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 charged 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, April 2010, November 2010, October 2011, March 2017, May 2017, May 2018, March 2019.

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332 64 Minicom: 01332 640666

Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku.
Prosimy o kontakt: 01332 Tel. tekstowy: 01332 640666

Punjabi

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਟੈਲੀਫੋਨ 01332 ਮਿਨੀਕਮ 01332 640666 ਤੇ ਸੰਪਰਕ ਕਰੋ।

Urdu

01332 یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم منی کام 01332 640666 پر ہم سے رابطہ کریں۔



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www.derby.gov.uk