



# Home to School Travel Assistance Policy Academic Year 2023-24

## Policy Purpose

Inform **parents/carers** about the ways in which eligible children may be supported to access their education setting for the 2023-24 academic year. This policy supersedes all previous Derby City Council (The Council) Home to School Travel Assistance Policies.

Ensure The Council meets its statutory duty to provide home to school travel assistance for all **eligible children of compulsory school age**.

Ensure The Council exercises its statutory duty to promote **sustainable** and **active** travel to school and be compatible with the efficient use of Council resources.

Provide parents/carers with easy-to-understand information about the Home to School Travel Service, including:

- who is eligible for free home to school travel assistance.
- types of travel assistance that may be offered to eligible children.
- how and when parents should apply for home to school travel assistance-
- how eligibility will be assessed.
- how distance and route safety is assessed.
- other help with home to school travel.
- how to appeal against a decision made by the Home to School Travel Service or to lodge a complaint.

Support parents/carers to understand if their child is eligible and whether they should apply for free home to school travel assistance.

Demonstrate how the Council's Home to School Travel Service discharges its Public Sector Equality Duty, as required by the Equality Act 2010, to ensure policies and decisions do not impact negatively on people with protected characteristics.

Evidence how the policy meets the requirements outlined in the current Statutory Guidance for Local Authorities: also, the new Statutory Guidance for Local Authorities, currently in draft, produced by the Department for Education [2022 Statutory Guidance for Local Authorities](#).

If you or someone you know needs help to understand or read this document, please contact the Home to School Travel Service by email: [schooltravel@derby.gov.uk](mailto:schooltravel@derby.gov.uk) or by telephone: 01332 642716; Minicom 01332 640666.

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## 1.0 Introduction

**Note: Parents/carers are advised not to apply for home to school travel assistance until they have considered all the information provided in this policy.**

- 1.1 Parents/carers have a legal responsibility for ensuring their child's attendance at school. The general expectation is that children will be accompanied by their parent/carer when travelling to and from school, unless there is a good reason why it is not reasonable to expect the parent/carer to do so. Where parents/carers are unable to accompany their child to and from school, it is their responsibility to arrange for a suitable adult to provide this support.
- 1.2 When considering a school place for a child, parents/carers must also consider how their child will travel to school. If the parent/carer **school preference** is not the **catchment school**, or the **nearest suitable school** with places that can meet need, the child, including a those with an Education Health and Care Plan (EHCP), may not be entitled to travel assistance.
- 1.3 In all cases, where free home to school travel assistance is sought from the Council, parents/carers must evidence that they have exhausted all other options before applying.
- 1.4 The Council would prefer children to walk or cycle from home to school if they are able to. This supports the environment, promotes children's health, and develops essential preparation for adulthood skills. Where walking or cycling are not appropriate options, the Council believes that the feasibility of independent or accompanied travel on public transport should be considered.
- 1.5 The Council will consider different types of travel assistance when determining what is necessary to facilitate the attendance of an eligible child to their nearest suitable school, and to make efficient use of Council resources.
- 1.6 All decisions about what type of travel assistance is offered to an eligible child will be based on the child's individual circumstances.
- 1.7 Home to school travel assistance cannot be provided to fit in with parents'/carers' other social, family, caring or work commitments.

## 2.0 Equalities, Diversity & Inclusion

- 2.1 This policy gives due consideration to the nine protected characteristics as detailed in the Equality Act 2010. Reasonable adjustments can and will be made in relation to any protected characteristic to ensure that parent/carers and their children have equal access to the application process and that suitable travel assistance arrangements are made for all eligible children of compulsory school age.

### **3.0 Understanding the policy and who is entitled to support.**

- 3.1 For information regarding young people aged 16-19 and 19-25 with an EHCP, please see Derby City Council Post-16 Travel Assistance Policy Statement 2023-24.
- 3.2 This policy applies to all eligible pupils of compulsory school age who live at an address within Derby city and are attending their nearest suitable school.
- 3.3 The Council expects parents/carers to exercise their legal responsibility to make travel arrangements for their child to attend their nearest suitable school.
- 3.4 Home to school travel assistance will be provided for all eligible children who cannot be reasonably expected to travel, alone or accompanied, to their nearest suitable school.
- 3.5 The Council will always consider sustainable forms of travel assistance that help to develop independent travel skills to enable children to prepare for adulthood and to lead independent lives.
- 3.6 For children with an EHCP, the Council will only consider applications for home to school travel assistance to the school or education setting named in Section I of their plan.
- 3.7 Not every eligible child, or child with an EHCP, will automatically be offered or receive home to school travel assistance.
- 3.8 The Council does not provide travel assistance for children of pre-school age.
- 3.9 A child may be temporarily eligible for free home to school travel assistance because of a mobility impairment or at times of ill health, or for medical reasons that may affect their ability to travel to school.
- 3.10 The Council is only required to provide home to school travel assistance to enable an eligible child to travel to school for the beginning and end of the normal school day.
- 3.11 Travel assistance will not be provided for the following: -
  - Travel between education settings during the school day
  - Extra-curricular activities and other commitments outside of school hours, e.g., breakfast clubs, after school clubs
  - School trips
  - Work experience
  - Children taken ill during the school day.
  - Appointments, including medical, therapies or other specialists.
  - Children or young people excluded during the school day.
  - Induction/open days/interview visits

- Parent /Carer attendance at school
  - Journeys to/from alternative residential addresses other than the address recorded on the application.
- 3.12 Parents/carers, or the school, are responsible for arranging and funding any travel arrangements outside of that described in section 3.10 of this policy.
- 3.13 The Council will provide travel assistance between school and Council approved respite centres for overnight stays. If respite does not include an overnight stay, or occurs on a Friday, parents/carers are responsible for collecting their child from the respite centre. Travel assistance to and from respite centres will not be provided during school holidays, bank holidays or school inset days.
- 3.14 If an eligible child lives at more than one address, the Council will usually provide travel assistance to and from the address where Child Benefit (or equivalent) is paid.
- 3.15 Siblings of eligible children are not entitled to free home to school travel assistance. It is the responsibility of the parent/carer to make travel arrangements for any child who is not eligible for travel assistance.

#### **4.0 Eligibility criteria**

- 4.1 The Council has a statutory duty, in relation to eligible children, to make suitable home to school travel assistance arrangements.
- 4.2 A child is eligible if they:
- live at a Derby city address
  - are of compulsory school age
  - attend their nearest suitable school
  - live more than the statutory walking distance from their nearest suitable school
  - cannot reasonably be expected to walk, alone or accompanied, to their nearest suitable school because of their special educational needs or disability (SEND), or mobility impairment
  - cannot walk to their nearest suitable school in reasonable safety.
- 4.3 There are '**extended rights**' to home to school travel for children from low-income households who attend their nearest suitable school [see sections 4.16 to 4.19]

## Statutory Walking Distance

- 4.4 The Council will provide home to school travel assistance to the nearest suitable school for any full-time pupil where there is no suitable school within the statutory walking distance, as stated in the 1996 Education Act.
- 4.5 A child under the age of 8 is eligible for home to school travel assistance to their nearest suitable school if it is more than 2 miles from their home.
- 4.6 A child aged 8 years or over is eligible for home to school travel assistance to their nearest suitable school if it is more than 3 miles from their home.

**Child A** is six years old and attends their nearest suitable school. It is 2.3 miles from their home. Child A does not have an EHCP and is able to walk.

*Child A is eligible for home to school travel assistance because their school is beyond the statutory walking distance for a child of their age.*

**Child B** is eleven years old and attends their nearest suitable school. It is 2.6 miles from their home. Child B has no EHCP and is able to walk. There are no extended rights.

*Child B is not eligible for free home to school travel assistance because the school is not beyond the statutory walking distance for a child of their age.*

**Child C** is eleven years old and attends their nearest suitable school. It is 3.6 miles from their home. Child C has no EHCP and is able to walk. There are no extended rights.

*Child C is eligible for free home to school travel assistance because their school is beyond the statutory walking distance for a child of their age.*

- 4.7 Parents/carers can request a review of the decision the Council has made about walking distances. To do so, contact the Home to School Travel Service by email: [schooltravel@derby.gov.uk](mailto:schooltravel@derby.gov.uk) or by telephone: 01332 642716; Minicom 01332 640666.

## Special Educational Needs, Disability, or Mobility problems (SEND)

- 4.8 A child with SEND may be eligible for home to school travel to their nearest suitable school if they cannot reasonably be expected to walk to school, alone or accompanied, due to their SEND or mobility impairment.
- 4.9 A child does not need to have an EHCP, or attend a special school, to be eligible for home to school travel assistance.
- 4.10 Not every child with an EHCP, or who attends a special school, will be eligible for, or offered, free home to school travel assistance. There is no automatic entitlement on the grounds of having an EHCP.

**Child A** is autistic and has an EHCP. Child A attends a school outside of Derby city. There are two suitable schools within Derby city, which the Council has identified, that can meet need and have places. Parent insists on exercising the right for their preference school to be named in section I of the EHCP. As this is preference school and not the nearest suitable school, Child A is not eligible for travel assistance, as eligibility is based on attending the nearest suitable school.

**Child B** is hearing impaired and has an EHCP. Child B lives 0.5 miles from the enhanced resource school where Child B's needs are being met. Child B's sibling, who does not have an EHCP, attends the same school. Parent drives and has car but chooses to accompany both children to school on foot, as this is the quickest way to get to school. Despite having an EHCP and being eligible, Child B will not be offered free travel assistance, because parent is accompanying Child B's sibling to the same school and there are no physical restrictions that mean Child B cannot walk to school with their parent and sibling.

- 4.11 The Council will assess eligibility for home to school travel assistance for a child with SEND or a mobility impairment on a case-by-case basis and will identify the individual travel requirements. The needs will be assessed using the information detailed in the application, the child's EHCP, if they have one, plus any accompanying medical documentation.
- 4.12 The Council will consider whether a child is physically capable of walking to school, or using public transport, and be able to keep themselves safe whilst walking to school unaccompanied.
- 4.13 The Council will consider whether a child could reasonably be expected to walk or use public transport, if accompanied by a parent/carer, and whether the child's parent/carer can reasonably be expected to accompany their child to school.

### **Children with an EHCP**

- 4.14 A child with an EHCP will have a school named in section I of their plan. This should be the nearest suitable school that can meet need, as recommended by the Council's EHCP team. If the child cannot reasonably be expected to walk to school, alone or accompanied, because of their SEND or mobility impairment, they will be provided with free home to school travel assistance (*see section 6, Types of travel assistance available*).
- 4.15 Where a parent's/carer's preferred school is further than the nearest suitable school, the local authority may name both schools in the EHCP, on the condition that parents pay the cost of the transport to the preferred school.

## Extended rights category

- 4.16 If a child is eligible for free school meals, or if a parent/carer with whom they live receives maximum Working Tax Credit, or equivalent under Universal Credit, (and parents/carers can provide evidence of this), the Council may provide free home to school travel assistance to the nearest suitable school if:
- the child is over 8yrs and under 11yrs, and the distance between home and school is more than 2 miles.
  - the child is of secondary school age (11yrs-16yrs) and the distance between home and school is between 2 and 6 miles; and there are not 3 or more nearer suitable schools.
  - the child is of secondary school age (11yrs-16yrs) and the school is between 2 and 15 miles and is the nearest preferred school on grounds of religion and belief. For example, to qualify for free travel assistance to a catholic school, proof of baptism will be required, in addition to meeting the extended rights criteria outlined above – i.e., free school meals / maximum Working Tax Credit.
- 4.17 If during a school year a pupil stops being eligible for free school meals, or a parent/carer stops receiving maximum Working Tax Credit (or equivalent), the Council will continue to provide free home to school travel to the nearest suitable school for the remainder of that school year. Evidence of free school meals or maximum Working Tax Credit will need to be produced annually.
- 4.18 Working Tax Credit is being phased out as claimants are transferred onto Universal Credit. No child will cease to be eligible for extended rights because of the roll out of Universal Credit.

**Child C** is eleven years old and eligible for free school meals. The nearest suitable school is 2.5 miles away from the home. The second nearest suitable school is 3 miles away. The third nearest is 5 miles away.

*Child C would be eligible for free home to school travel assistance to any of these schools because they qualify under extended rights (free school meals) and all nearest schools are over 2 miles away.*

*Child C would receive a free bus pass.*

**Child D** is eleven years old and eligible for free school meals. The three nearest schools are School X (1.5 miles), School Y (2.2 miles) and School Z (5.5 miles).

*Child H would be eligible for free home to school travel to School Y or School Z, but not to School X.*

*Child H would receive a free bus pass to get to School Y or School Z, as they are 2 of the 3 nearest schools and they are between 2 and 6 miles from their home.*

- 4.19 The Council is unable to make any exceptions or apply any discretion for families receiving other benefit payments.



## Unsafe walking route

- 4.20 For each application, the Council will consider if a journey to the nearest suitable school is a safe walking route for the child.
- 4.21 The Council will consider whether a route, which would be unsafe for a child to walk on their own, could be considered reasonably safe if they were accompanied by an adult; also, whether the child's parent/carer can reasonably be expected to accompany the child.

**Child E** is twelve years old. They attend their nearest suitable school. It is 2 miles from their home. The only walking route to this school is along a busy road with no footpaths or stepping off points. The local authority carries out an assessment of the route and decides it would not be possible for a child to walk it in reasonable safety, even if accompanied.

*Child E is eligible and would receive a free bus pass.*

## 5.0 Applications

- 5.1 An application for home to school travel assistance must be submitted via the online application portal, where possible, before 31 May.
- 5.2 Eligibility for a bus pass will be assessed upon receipt of application. If a bus pass is issued to an eligible child, it is valid until the end of the school year. An application to renew a bus pass must be made by 31 May each year.
- 5.3 Parents/carers must inform the Home to School Travel Service of any changes to their circumstances that could affect their eligibility or type of travel assistance.
- 5.4 The Council reserves the right to request proof of eligibility at any time

## 6.0 Types of travel assistance

### Bus pass

- 6.1 In many cases, the offer of home to school travel assistance for an eligible child will be a bus pass. Where a child is assessed as needing to be accompanied on public transport (e.g., due to their age or their SEND) a bus pass may be provided for the adult accompanying the child.
- 6.2 Children who are assessed as eligible for a free bus pass will be issued with an Arriva bus pass and/or a Trent Barton bus pass. Both passes can be used for travel in the evenings and at weekends too.

- 6.3 If the Council's offer of travel assistance is a free bus pass, parents/carers will need to apply annually (by 31 May) and provide evidence of continued eligibility.

### **Independent Travel Training (ITT)**

- 6.4 The Council's enriched independent travel training service is delivered by Transition 2 (T2) who are experts in supporting children and young people with SEND. Independent Travel Training (ITT) is a great way for children to gain essential organisational and independence skills within their circles of support and will be fully embedded with opportunities for children to develop their functional skills in ways that make literacy, numeracy and ICT meaningful and useful.
- 6.5 ITT can provide long term benefits to individuals in terms of a skill for life that may lead to greater social inclusion and improved employment prospects. Preparing for adulthood is a key part of the SEND reforms of 2014 and focuses on four key outcomes: employment/education; independent living; community participation; and good adult health.
- 6.6 ITT is available for eligible young people from Year 7 onwards who would benefit from support to become more independent, enabling access to a school bus service or a local bus service. To enable children and young people to travel independently, the Council will consider the suitability of ITT, before exceptional circumstances for bespoke travel arrangements are applied.
- 6.7 If a child has an EHCP, the agreed training and outcomes will be included in sections B and F of the plan. The benefits of ITT will be discussed with parents/carers and assurances provided that the child will not lose their current transport offer until they are confident, independent travellers. Once a child can travel independently, they will be provided with a free bus pass for as long as the child remains in full time education and continues to meet eligibility criteria.
- 6.8 See Appendix B for an overview of the Enriched Independent Travel Training Service offer, commissioned to and delivered by Transition 2.

### **Mileage Allowance**

- 6.9 Where a bus pass or ITT is not a suitable travel assistance offer, parents/carers of an eligible child, with access to a vehicle, (including a Motability vehicle for a child) may be offered a mileage allowance. Some families may prefer the autonomy of taking their own child to school and they can be financially supported in doing so. The Council will reimburse fuel costs at the standard Council mileage allowance rates, as detailed in the table below.

<b>Derby City Council mileage allowance rates</b>	
<b>Total distance (2 return journeys)</b>	<b>£ Amount per mile</b>
Up to 50 miles	£0.45
51-100 miles	£0.35
101-200 miles	£0.25

- 6.10 The mileage allowance is based on a maximum of two return journeys for each school day that the child attends, multiplied by the distance that we measure (using Google Maps) as being the shortest driving route. Payments are made in arrears, after the end of each school term, once attendance has been confirmed by the school.
- 6.11 Having access to a Motability vehicle does not affect eligibility for home to school travel assistance for a child attending their nearest suitable school. However, the offer of home to school travel assistance for any parent/carer with access to a vehicle will usually be a mileage allowance.

### **Notes**

- New applications for mileage allowances should be received by 31 May each year, to ensure this is in place for the start of the new academic year.
- In year applications will be considered and, if eligible, payment will be backdated to the date the application was received.
- Mileage allowances will be paid after the end of each term and only after the school has confirmed the child's attendance for that term.
- Where two or more eligible children from the same family attend the same education setting, a mileage allowance will be approved for one child, at any one time, because the eligible children are expected to travel together.
- Where another child from the same family qualifies for travel assistance and they attend a different school, that is further than the statutory walking distance, the 'round trip' mileage will be calculated and the mileage allowance will be paid on this basis, after confirming both pupil's attendance.
- Where parents/carers need to drive their children to/from the nearest suitable school on a short-term basis, due to a child's medical needs, a temporary mileage allowance may be possible. Parents/carers must provide proof from a hospital or GP of the medical condition and the child's specific needs for this to be considered.

### **Other types of travel assistance**

- 6.12 Where possible and appropriate, the Council's will always seek to provide free home to school travel assistance in the form of a bus pass, ITT, or a mileage allowance.
- 6.13 In exceptional circumstances, where all other options have been considered, and it is agreed that a free bus pass, ITT, or a mileage allowance do not meet individual needs, a child may be offered a seat in a minibus or taxi. [See paragraph 11.3 for what are considered exceptional circumstances].

- 6.14 If a child who receives home to school travel assistance in the form of a seat in a taxi or minibus is regularly absent from school/not attending, the Council can withdraw this and replace with an offer of a bus pass or a mileage allowance, if the parent/carer has access to a vehicle.

## **7.0 Other considerations**

- 7.1 Parents/carers should always consider how their children will get to school at the time they are choosing which schools to apply for.

### **Looked after children**

- 7.2 Like all other children and young people, Looked After Children should walk or use public transport to get to their nearest suitable school, independently or accompanied, if they are able to and in safety. If this is not possible, other types of travel assistance may be considered to ensure their attendance. Travel assistance for Looked After Children will only be considered if the child is placed at residential address within Derby city.

- 7.3 If the child's residential placement is moved outside of Derby city, travel assistance will cease, and the corporate parent will be required to submit a new application to the Local Authority where the child is placed (even if they remain in Derby City school).

### **Children placed out of Derby city, 38 or 52-week residential provision**

- 7.4 Regardless of whether an out of area residential placement is 38 or 52 weeks in duration, the Council will fund 12 return journeys to take the child to the named provision and return home for each half term, plus one journey for the parents/carers to attend the Annual Review of the child's EHCP.

### **Children who are permanently excluded from school**

- 7.5 The Council will endeavor to organise a suitable school, within the statutory walking distance, for children who are permanently excluded. If the school that the Council has organised for the child to attend is beyond the statutory walking distance, the parent/carer can apply for home to school travel assistance and, in most cases, the offer will be a free bus pass.

### **In Year Fair Access (IYFA)**

- 7.6 For children attending a school named by the IYFA scheme, this will be classed as their nearest suitable school. Applications for home to school travel assistance will be assessed using the same eligibility criteria as children who go to their nearest suitable school, as outlined in section 5 of this policy. The offer will be a free bus pass.

## **Pupil Referral Units (PRUs)**

7.7 For children attending a PRU, this will be classed as their nearest suitable school. Applications for home to school travel assistance will be assessed, using the same eligibility criteria as children who go to their nearest suitable school, as outlined in section 5 of this policy. The offer for eligible children will usually be a free bus pass.

## **Children on exchange visits**

7.8 The Council cannot provide home to school travel assistance to children on exchange visits. Parents/carers of the receiving family are responsible for any travel arrangements for the journeys to and from school or college, for the duration of the exchange visit.

## **8.0 When to apply for home to school travel assistance**

8.1 For free bus passes, a new application must be submitted each year. Applications must be submitted with supporting evidence of free school meals or maximum Working Tax Credit or equivalent under Universal Credit; for faith schools, proof of baptism will also be required.

8.2 New applications for home to school travel assistance must be submitted by 31 May each year, for the start of the new academic year. Parents/carers are responsible for submitting applications by this deadline. Applications received after this date will be assessed and processed, but the Council cannot guarantee that travel assistance arrangements will be in place for the start of the academic year.

8.3 For all other types of travel assistance, parents/carers need to submit a new application if: -

- applying for home to school travel assistance for the first time
- the child is starting a new school in September 2023
- the child is moving from year 6 to year 7 (secondary phase transfer)
- the child is moving from year 11 to year 12 (post-16)
- the child is in year 12 or above (post-16 must re-apply every year)
- moving to a new home address

8.4 If any circumstances change, e.g., a change in extended rights status, a new application will need to be submitted to determine continued eligibility.

## **9.0 How to apply for home to school travel assistance**

- 9.1 From 01 April 2023, parents/carers must complete an application, using the online application form, which can be accessed via the Council's website. This is the quickest way for parents/carers to apply and the preferred way for applications to be received. Reasonable adjustments can and will be made in relation to any protected characteristic to ensure that parent/carers and their children have equal access to the application process.
- 9.2 Parents/carers will need to attach and upload any supporting information [e.g, evidence of free school meals or medical information] to their online application. Parents/carers will not be able to progress to the next stage of the application until documents have been successfully uploaded when prompted.
- 9.3 Parents/carers who do not have access to the Internet, via a Smartphone, PC, or tablet device, should use the free computer and Internet access, which is available at the Council House and at all Derby City Council library sites, to submit an online application.
- 9.4 Parents/carers who do not have access to the Internet and cannot physically access the Council House or their local Council library site, can contact the Home to School Travel Service and request a paper copy of the application to be posted to their address.  
Telephone: 01332 642716; Minicom 01332 640666.
- 9.5 Completed paper applications and supporting evidence must be posted or delivered to:  
Home to School Travel Service  
Derby City Council  
The Council House  
Corporation Street,  
Derby  
DE1 2FS

## **10.0 What can I do if my application for travel assistance is refused?**

- 10.1 If an application for travel assistance for a child is refused, or parents/carers are not happy with the decision parents/carers are entitled to request an officer review. An officer review involves a senior officer reviewing the original decision that resulted in the application being refused. This may result in the decision being upheld.
- 10.2 Parents/carers wishing to complain about the service provided by the local authority should use the local authority's complaints procedure [Customer complaints - Derby City Council](#) .

## **How to request an Officer Review**

### **10.3 Stage 1: Review by a Senior Officer**

- A parent/carer has 20 working days, from the date of the decision letter, to make a formal request for an officer review of the decision. Parents/carers must complete a Stage 1 Appeals Form (See Appendix C)  
[Please note: If completing forms is a barrier, parents/carers should ask for support from the school or elsewhere to complete the written request].
- The formal request should detail why the parent/carer or child believes the decision should be reviewed, providing details and evidence of any individual and/or family circumstances, including medical evidence, they believe should be considered.
- Within 20 working days of receipt of the formal request for an officer review, a senior officer will review the original decision. They will send a detailed written notification of the outcome, by email, including information about how a parent/carer can escalate their case to Stage 2, if appropriate.
- A parent/carer has 20 working days from the date of the Stage 1 outcome decision letter to make a written request to escalate the matter to Stage 2.

### **10.4 Stage 2: Review by an independent appeal panel**

- Within 40 working days of receipt of the request to escalate to Stage 2, an independent appeal panel will consider written representations from the parent/carer and the officers involved in the case.
- Independent appeal panel members are independent of the original decision-making process, but not independent of the Council. They are suitably experienced, to ensure a balance is achieved between meeting the needs of the child and the Council.
- Within 10 working days, parents/carers will be notified, by email, of the outcome of the review, including information about parents'/carers' rights to make an official complaint to the Council and, if they are still unhappy, how to refer the matter to the Local Government Ombudsman.

10.5 The full appeals process can be found on the Home to School Travel Service pages of the Council's website.

## **11.0 Exceptional Circumstances**

11.1 All applications will be assessed on a case-by-case basis. The travel assistance offer for an eligible child will consider their individual needs and ensure the offer meet those needs. In most cases, the offer will be a bus pass, ITT or a mileage allowance.

- 11.2 Exceptional circumstances will be considered, in line with policy and based on any evidence provided by the parent/carer to support the application (e.g., medical evidence, information contained in a child's EHCP). The travel assistance offer for an eligible child will be at the discretion of the Council.
- 11.3 The Council will consider the following as exceptional circumstances, and a seat in a taxi or minibus may be offered: -
- An eligible child has complex medical needs that require trained staff to accompany the child to school, where there is a need for medical or other interventions during the journeys to and from school, e.g.,
    - A child requiring oxygen.
    - A child requiring suction.
    - A child with epilepsy.
    - A child with multiple complex needs requiring support/intervention.
  - An eligible child is not physically able to walk to school, due to their SEND; public transport is not a suitable option and there is no vehicle available, for the parent/carer to be offered a mileage allowance; there is no other way for the parent/carer to get their child to school.
  - An eligible child is placed at an out of area setting; the distance means that travel by public transport is not feasible; there is no vehicle available, for the family to be offered a mileage allowance, to get their child to school.
  - The parent/carer of an eligible child has a medical/health condition, which prevents them from being able to accompany their child to school. It would be unreasonable to expect the child to walk to school or travel on public transport unaccompanied. Current medical evidence must be provided.
- 11.4 The Council does not consider the following to be exceptional circumstances:-
- The parent of an eligible child is employed and needs to get to work (this includes parents/carers who work from home).
  - The parent/carer of an eligible child has another child(ren) who need(s) to get to a different school(s).
  - The decision to provide free travel assistance cannot be made to fit in with parents'/carers' other social, family, or caring commitments.
  - The home to school travel assistance offer will be a bus pass, ITT, or a mileage allowance for eligible children for whom there is no evidence of exceptional circumstances.

### **Discretionary powers for non-eligible children**

- 11.5 The Council has discretionary power to provide home to school travel assistance for non-eligible children resident within Derby city, for whom there are exceptional circumstances.
- 11.6 The Council will consider the following as exceptional circumstances for non-eligible children: -
- A child has been forced into temporary accommodation or a refuge where travel assistance would enable them to continue attending their current school.



- A child's parent/carer is unable to take their child to school because they are suffering from a serious illness.
- The Home to School Travel Service will consider evidenced safeguarding risks to identify the safest way for children to travel to and from the school.

11.7 The Council does not consider the following, on their own, to be exceptional circumstances for non-eligible children: -

- A family's financial circumstances
- Single parent families
- Temporarily fragmentation of the family
- Families in receipt of state benefit, or rehoused families
- Families moving to a new house, who wish for their child to remain at their existing school

## 12.0 Errors and Fraudulent Applications

12.1 Travel assistance that has been agreed in error because of incorrect, misleading, or fraudulent information, or because of an assessment error, will be withdrawn. The Council will seek reimbursement of any costs that have been obtained fraudulently and reserve the right to take legal action against any person who has made fraudulent application for free home to school travel assistance.

## 13.0 Behaviour Standards

13.1 All children and their parents/carers are expected to behave in a respectful manner to all drivers, passenger assistants, and other passengers whether this be on public transport or in a minibus/taxi. Poor or disrespectful behaviour will be reported by the transport operator to the Council, who will investigate.

13.2 All children with a seat in a minibus or taxi are expected to be ready and waiting for their transport to arrive at the agreed time. Drivers will only wait 5 minutes before leaving the property. If the transport departs after 5 minutes waiting time, it becomes the responsibility of the parent/carer to make alternative arrangements for their child to get to school that day.

13.3 All children travelling on public transport are expected to be at the relevant bus stop in plenty of time to catch their bus. If the bus is late, then the child must wait and keep parents/carers up to date. It is parental/carer responsibility to notify the school if the child is going to be late due to any late/cancelled buses.

13.4 Continued poor or disrespectful behaviour may result in a change to the child's free travel assistance offer, e.g., a seat in a taxi or minibus may be removed and a mileage allowance or bus pass offered instead.

13.5 The withdrawal of travel assistance will be either:  
**Temporary** – this is defined as a specified number of weeks; or  
**Permanent** – this is defined as the remainder of the school year.

- 13.6 The withdrawal of travel assistance (either temporary or permanent) for a particular child shall not imply that travel arrangements were not necessary and should not be provided. Rather, the withdrawal would be saying travel arrangements were necessary and had been made, but that the child's behaviour was such that they could not take advantage of it.
- 13.7 Parents/carers will be informed in writing of any such incident outlining any action to be taken. If a child causes damage on a vehicle this could result in the requirement for a parent/carer to pay for any damage caused.
- 13.8 Parents/carers can ask for a review of the decision where such action has been taken. The review will be chaired by the Head of School Organisation and Provision, or a Senior Officer within the same team. To request a review, please contact: Home to School Travel Service, Derby City Council, Corporation Street, Derby. DE1 2FS.  
Email: [schooltravel@derby.gov.uk](mailto:schooltravel@derby.gov.uk) Tel:01332 642716; Minicom:01332 640666.

#### **14.0 Safeguarding**

- 14.1 Safeguarding of all children, young people, drivers, and passenger assistants is paramount.
- 14.2 Dedicated home to school travel services are classed as 'regulated activity' meaning that some people are barred from doing it.
- 14.3 For children and young people who are offered a seat in a minibus or taxi, the Council insists that all vehicle drivers and passenger assistants must have an 'Enhanced Child and Adult Workforce Disclosure Barring Service (DBS) check and are signed up to the DBS update service. They must also hold an up-to-date Derby City Council safeguarding certificate. Safeguarding training must be updated every three years.

## **Appendix A: Definitions to help understand our policy**

### **Parent(s):**

In this policy, means any adult (parent or carer) who is responsible for the care of a child, according to the Education Act 1996.

### **Eligible Children:**

In this policy, means a child or young person who is of compulsory school age (5 -16 years old).

### **Compulsory School Age:**

The term after the child's fifth birthday and before the end of Year 11.

### **Sustainable and Active:**

In this policy, means travel which involves walking and using public transport.

### **School Preference:**

Parents/carers 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/carers apply for home to school travel assistance.

### **Catchment School:**

The school which will take most of its pupils from a defined geographical area made up of the streets around the school.

### **Infant School**

An infant school is the term used for the education of children between the ages of 4 and 7 years.

### **Junior School**

A junior school is the term used for the education of children between the ages of 8 and 11 years.

### **Primary School**

A primary school is the term used for the education of children between the ages of 4 and 11 years.

### **Preferred School**

Parents/carers 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/carers apply for home to school travel assistance.

### **Nearest Suitable School**

The nearest suitable school may not be the catchment area school, but the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and meets any Special Educational Needs or Disabilities that the child may have.

## Qualifying Schools

- **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 of voluntary aided school 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 school 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 who go to community schools and academies.
- **Trust schools** - the Council maintains these schools, but the school 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/carers have made a preference for this type of education. The Council arranges the admissions to all special schools on behalf of the parent/carer.
- **Pupil Referral Units** - accommodate pupils and students with emotional and behavioral difficulties. The Council controls admissions.