

# Home to School Transport Policy

## 1. Introduction

Parents are encouraged to allow their children to walk, cycle, use public transport or car-share if that is possible.

Local authorities are under a duty to promote sustainable travel to schools. There are health benefits for children who walk or cycle to school. Local communities also benefit through improved road safety, reduced traffic congestion and associated noise and air pollution.

Where home to school transport is necessary Northumberland County Council takes into account the principles behind sustainable transport provision.

It is the responsibility of parents to ensure the attendance of a child of school age at a school. The local authority has a duty to support a child's attendance at school by providing transport for those families that live beyond statutory walking distance from the nearest appropriate school.

This policy outlines the way in which the local authority fulfils its statutory duty and allocates transport to entitled pupils. It also seeks to explain how parents, pupils and schools have a joint responsibility to ensure that children travel safely to school.

## 2. Entitlement to free transport

This policy covers Home to School Transport Arrangements for Children of Compulsory School Age who attend a state maintained school. A separate policy is applied for students aged over 16. Transport is not normally provided for children aged 2, 3 or 4, whether in a school or in a Private, Voluntary or Independent setting, although it does apply to children aged 4 who attend a reception class on a full time basis.

Northumberland County Council will only consider making arrangements for the provision of transport, free or otherwise, to residents of Northumberland.

### Qualifying school

Free transport is limited to those children of compulsory school age who live beyond statutory walking distance from a qualifying school. The County Council cannot meet the cost of transport to other schools..

References to qualifying schools are taken to mean the nearest qualifying school with places available at the time an application should have been made that provides education appropriate to the age of the child, and any SEN that the child may have,

In Northumberland, the qualifying school is normally the catchment area school but can also be the nearest school to the home address.

The nearest school is determined by measuring the shortest available route by road from the main entrance to the property that opens onto a road or street that is maintained at public expense to the main school entrance.

The measurement of the shortest available route by road is undertaken by the County Council's approved GIS system which currently is QGIS 2.12.0

For the purposes of school transport the home address is deemed to be the child's main residence, i.e. where they live most of the time Monday to Friday. Transport will not be provided to a grandparents address, a childminders address or to more than one address, in the case of separated parents.

The duty to provide transport only applies to school travel arrangements at the start of the day and school to home transport arrangements at the end of the day. The school day is deemed to be the session times, as approved, by the governing body of the qualifying school.

Travel arrangements will not be made for a child who travels between education institutions during the school day. Where a child moves from one establishment to another, in order to receive education that cost will fall to the school to pay

**Statutory Walking Distances** The statutory walking distances are two miles (3.2km) for children under 8 years of age and three miles (4.8km) for children aged 8 years and over. The measurement of statutory walking distances is the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. Northumberland has chosen to extend the use of the two mile distance for all children up to the end of Year 4.

*The walking distance is measured using the County Council's approved GIS system, the current version which is in use is QGIS 2.12.0. Distance measures between home and school will be strictly applied. This means that in some cases pupils living in the same street or even adjoining properties may not all be eligible for free home to school transport.*

Routes are measured from the main entrance to the property that opens onto a road or street that is maintained at public expense to the main school entrance. Private driveways or roads not owned or maintained by Northumberland County Council are not included in the measurements.

Decisions about the safety of walked routes follow the guidelines on the Assessment of Walking Routes issued by the Road Safety Officers Association (ROSA).

Such assessments of walking routes address issues from a road safety perspective. They do not consider matters of personal security which is deemed to be the responsibility of parents.

Where the Local Authority considers that the walking route is not safe to walk, accompanied as necessary, transport may be provided for pupils living under the qualifying distance. If the Local Authority assesses that a route is safe for a child to walk, accompanied as necessary, then you are responsible for deciding how your child will travel to school, for making any necessary arrangements (e.g. to take account of work commitments etc) and for any costs. This may be in any way that you feel is appropriate for your child, e.g. walking, cycling or using a local bus service.

Routes from home to school are regularly reviewed by the Local Authority. If a route from home to school is measured and found to be under the qualifying distance, free home to school transport will be withdrawn with a full terms notice.

### **3. 3. Eligibility under 'extended rights to transport'**

The assessment of a child's eligibility for free home to school transport, when the application is based on low-income,, should be made on receipt of a completed application form.

Children deemed to be from low income families are those who are entitled to free school meals or whose parents are entitled to the maximum level of Working Tax Credit. The level of entitlement to Working Tax Credit is identified on the notice issued by HM Revenues and Customs.

A child may be eligible under this scheme if he/she is

- aged 8 years of age but under 11 years and who lives more than two miles from the catchment or qualifying school
- aged between 11 and 16 years of age in order to support their attendance at a choice of up to three qualifying middle/high/secondary schools within a distance of between two and six miles from their home.
- aged between 11 and 16 years of age in order to support their attendance at the nearest school preferred by reason of the parents religion or belief over two miles up to a maximum distance of 15 miles.

For the greater distances it will be the shortest distance by road that will be measured rather than the shortest walking route. In all cases distance measurements will be undertaken with the use of the Council's approved GIS measuring tool, the current version which is in use is QGIS 2.12.0

In the case of a claim under the extended rights for low income families application forms can be obtained from the school transport team (see contact details at Section 16). Proof of entitlement by means of the Working Tax Credit notice issued by HM Revenues and Customs should be submitted in its entirety with the application form.

Children granted transport on the grounds of low income will remain eligible for the entirety of the academic year for which the assessment is made. In each subsequent year the child's eligibility will be re-assessed at the beginning of June.

#### **4. Children below compulsory school age**

Children entitled to 2, 3 and 4 year old early education are not entitled by law to free transport, and Northumberland County Council will not normally provide free transport for a child attending a nursery class in a school or a PVI setting, irrespective of the distance from home. However, a child aged 4 and over admitted on a full time basis to a reception class will be eligible to receive free transport in accordance with the provisions of this policy.

#### **5 Home to school transport on the grounds of religion or belief**

Northumberland County Council may provide free transport for children attending a school out of the catchment area when the parent has expressed a preference for their child to be educated at a school with a particular ethos because they adhere to a particular faith, or belief. In Northumberland transport will only be provided to the nearest faith school to home provided that it is the faith, or belief, to which the parent adheres and that such religious education is not available within the catchment school. Only journeys considered to be reasonable by the County Council will be considered.

6 Parental preference for a school The general policy of the Council towards parents who

express a preference for a place at a school other than their child's catchment area school is that the parent, in exercising such a preference, becomes wholly responsible for making home-school transport arrangements, unless the preferred school is closest to the home address as measured by the County Council's approved GIS system. Parents should be aware that transport will only be provided to a preferred school if that school is the nearest school to where they live and is beyond the statutory walking distance.

### **7 Disabilities and/or Special Educational Needs.**

Transport requests for pupils with special educational needs will be considered in accordance with the Home – School Transport Policy for Children with Disabilities and/or Special Educational Needs, details of which are available from the contacts, detailed in Section 17.

### **8. Pupils not educated in a mainstream school**

Transport requests for state funded pupils who are not educated in mainstream schools have the same entitlement to home to school transport as any other pupil within the education system. Transport needs will be met according to the merit of each individual case.

### **9. Post-16**

Transport for Post 16 students is provided according to a separate policy. The Post 16 transport policy can be found on the Northumberland County Council webpage at <http://www.northumberland.gov.uk/Default.aspx?page=457> Students should familiarise themselves with the policy prior to enrolling on courses as they may not be eligible for free transport.

### **10. Exceptional arrangements**

In exceptional circumstances transport may be provided for other reasons. Each individual request for transport assistance policy will be considered on its own merit and Northumberland County Council may, at its sole discretion, provide transport, without charge, for children falling outside the general policy.

Any requests for transport within this category must be made in writing either by email or letter to the Passenger Transport Manager, Local Services, County Hall, Morpeth. NE61 2EF

Children granted transport on the grounds of exceptional circumstance will have their entitlement reviewed as appropriate, e.g., short term medical needs will be reviewed on a regular basis.

### **11. Concessionary travel**

Spare seats may be available for purchase in return for a concessionary fare on contracted home to school transport vehicles. Parents are advised that there are not always spare seats available and that they can be withdrawn should that seat be needed for an entitled child. A child can also be displaced if it becomes necessary to reorganise a route or hire a smaller vehicle. In cases when a place needs to be withdrawn refunds will be made on a pro rata basis.

The purchase of spare seats in return for a concessionary fare are subject to places remaining after all free and Post 16 applications have been processed. Parents cannot be advised as to

whether their child has a place until late-September, at the earliest It would be wise to make contingency arrangements for the beginning of the school year and never be solely reliant on the availability of a seat for the reasons outlined above.

## **12. Transport provision**

The County Council will determine the most appropriate means of transport between home and school. Transport may be by way of public transport, e.g. local bus services or contracted services.

Home to school transport is only provided on the basis of a child travelling between the family home and the qualifying school.

In exceptional circumstances, where an entitlement to transport exists and no transport is available, parents who are willing to convey their own children to school may have their reasonable and agreed expenses reimbursed.

## **13. Responsibility of parents / guardians**

Pupils are collected as close to their home as is reasonably possible. Where this is not possible some pupils may have to walk a reasonable distance to a pick up point. The pickup/setting down point will not exceed a mile from the pupil's home. If it does feeder transport will be provided. Please note, private driveways or roads not owned or maintained by Northumberland County Council are not included in such measurements. Parents must arrange for their children to travel in safety between the home and the transport picking-up and setting-down points. They are also responsible for their children while they are waiting for transport and when they leave the transport at the end of the day. The County Council will make every effort to ensure that a child's home to school journey to an appropriate school is not too long. In general, the following maximum journey times apply:

- 90 minutes per day for first, middle and primary school age pupils (4-13)
- 150 minutes per day for high and secondary school age pupils (11-16)

These times may be extended in some exceptional circumstances but the County Council will make every reasonable effort to arrange transport within these times..

Children should be at pickup points in the morning at least 5 minutes before pickup times.

Every effort is made to ensure that waiting times on school premises are kept to the minimum. Waiting times should normally be no longer than 15 minutes.

## **14. Behaviour on school transport**

Parents and children themselves are responsible for their behaviour on transport.

It is expected that each school will promote appropriate standards of behaviour by children on their journey to and from school.. Legislation empowers head teachers to take action to address unacceptable behaviour even though it takes place outside the school premises.

Exclusion from school transport is sanctioned under these regulations.

A leaflet outlining how pupils are expected to behave on home to school transport is issued to

parents before places on transport are allocated. Where a safety issue has been brought to the attention of the school, then the school must, in law, deal with it. Failure to do this would be negligent. For example, if a parent informed a school that children were regularly fighting on the journey and distracting the driver from his important task of driving safely and that this was happening once the vehicle left the school, the school must then take some action to try and prevent this from happening or, in some cases, they must warn parents of the problem. 15.

### Withdrawal of school transport

Children who misbehave on school transport may have their entitlement/pass removed from them. The withdrawal of the pass may be either temporary or permanent.

Temporary withdrawal of transport will be for a specified number of weeks whilst permanent withdrawal will mean exclusion for the remainder of the period that the child is in attendance at the school.

The withdrawal of transport, either temporary or permanent, shall not imply that travel arrangements were not necessary and should not be provided, but rather that the arrangements were necessary and had been made, but the child's behaviour was such that they cannot take advantage of it.

In such circumstances, no alternative arrangements to support the attendance of the child concerned at school will be made. The responsibility to get a child to school will rest with the parent.

## **16. Appeals**

### **Review procedure**

If you are refused transport you will be sent a letter advising you of the reason for the refusal. You have the right to ask for a review of this decision. The review process is a two stage procedure.

If you have been informed that you are not entitled to transport assistance under the Council's Pre-16 (mainstream) school transport policy you can apply for a review under Stage One. You must set out clearly, in writing, why you believe that the County Council should reconsider the refusal to grant you transport assistance, enclosing any relevant information that may support your case. You may only request a review based upon your child's or your family's personal circumstances or the application of the Pre-16 mainstream school transport policy but not about the policy itself.

A review of your case will not be triggered or undertaken over the phone, it must be submitted either by letter or email. You should write (or email) setting out your reasons to the Passenger Transport Manager, County Hall, Morpeth NE61 2EF within 20 working days of the date on the letter advising you that you have been refused support. Email:

[schooltransport@northumberland.gov.uk](mailto:schooltransport@northumberland.gov.uk) You will be advised of the outcome of the review in writing within 21 working days of the receipt of your correspondence.

If your Stage One appeal is unsuccessful you can only seek a Stage Two appeal if you have information that has not previously been considered in Stage One. Details of how this process will work will be enclosed with the decision letter if your Stage One appeal confirms the original decision. You should only seek a Stage Two appeal if you have additional information that has not previously been considered in Stage One. Your case will be put before a panel for their consideration. They will not consider your application without the submission of relevant supporting information.

You should submit your appeal form within 20 working days of receipt of the Stage One written decision notification. You will receive correspondence confirming that your appeal form has been received and advising you of the appeal date (which will be within 40 working days of receipt of a written request for a Stage Two appeal). You do not attend the hearing. A letter providing you with the outcome of the Panel's decision will be sent to you within 5 working days of the appeal.

If you win your review you will be allocated transport from a week following the date of the panel hearing, you will not be entitled to claim a refund on transport costs incurred before the date when your request for a panel review was received. If you lose your review you will not be able to appeal again. If there have been significant and material changes in your circumstances that require a new decision you may make a separate application to the Council.

[The following link provides information and guidance in relation to the Council's school transport appeals process](#)

### **Complaints Procedure**

A pre-16 (mainstream) school transport complaint is a complaint about how the local authority has carried out (or failed to carry out) its transport responsibilities in relation to children of statutory school age. It can be made by a parent/carer of a child who is, or will be, 4-16 at the relevant time. Any such complaints should be submitted to the Council under our Complaints Procedure which can be accessed via [Make a Complaint](#). However, any complaint solely about the outcome of the review will not be considered under this procedure, i.e. you can only complain about how the appeal was handled.

Complaints and appeals must first be taken up with the local authority and their appeals process and/or complaints process must be fully exhausted before you consider contacting either the Local Government Ombudsmen (LGO) or complaining to the Secretary of State for Education. The LGO is an independent organisation that looks into complaints against councils.

Further information can be found at [Local Government Ombudsman: Home](#). To complain to the Secretary of State, the contact form on Gov.Uk [Contact the Department for Education](#) should be used. Any complaint should outline the case, set out the decision taken by the local authority and include any other relevant documentation, for example any advice or decisions from the LGO where appropriate.

17. Further information If you would like further information, staff at the following will be pleased to help:

- Call centre contact number – 0345 600 6400
- or visit <http://www.northumberland.gov.uk/Default.aspx?page=3467>

## 18. Glossary

### ***Available route:***

A route will be “available” if it is a route along which a child, accompanied as necessary, can walk with reasonable safety to school. A route will be “available” even if the child would need to be accompanied along it by his or her parent or carer, as long as such accompaniment is reasonably practicable.

### ***Compulsory school age:***

A child becomes of compulsory school age at the beginning of the term following the term in which their fifth birthday falls. For the purposes of this definition, the Autumn Term is defined as 1 September to 31 December inclusive, the Spring Term as 1 January to 31 March inclusive and the Summer Term as 1 April to 31 August inclusive. Compulsory school age ceases on the last Friday in June in the school year in which the child reaches the age of 16.

### ***Catchment area:***

May be referred to as the designated area, means the geographical area from which a school will expect to take children. All Northumberland schools, except RC Schools have a catchment area. Children attending a school outside their catchment area will not normally receive free transport. If there is a difference between a school’s or academy’s version of a catchment area and the Council’s version, then for the purposes of this policy the Council’s version shall be applied.

### ***Defined walking distance:***

Either two miles (if the child is under 8 years old), or three miles (if the child is 8 years old or older). This is measured by the “nearest available route”. The route is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, may walk with reasonable safety.

### ***Definition of age 8:***

A child will be considered to be aged 8 or over in the academic year following that in which they actually attain the age of 8 (at the end of Year 3).

### ***Religion or belief:***

The definition of “religion” includes those religions widely recognised in this country such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha'is, Zoroastrians and Jains.

Denominations or sects within a religion can be considered as a religion or religious belief, such as Catholicism or Protestantism within Christianity. The main limitation on what constitutes a "religion" is that it must have a clear structure and belief system.

For a "belief" to be worthy of protection, it must be worthy of respect in a democratic society; and not be incompatible with human dignity or the fundamental rights of the child. Examples of beliefs that are protected are Humanism and Atheism.

Travel arrangements may be allocated for the attendance at a school on non-denominational grounds where the catchment school is a voluntary aided faith school.

### **School**

*These are community, foundation voluntary aided or controlled schools; pupil referral units; academies, free schools (source: Home to School travel & Transport Guidance para 104 published by DCSF 2007)*

### **Low Income eligibility assessment:**

HM Revenue and Customs issue a "tax credits award notice" detailing the breakdown and amount of the award. Part two of the award notice gives details of "How we work out your tax credits" including details of the full WTC elements. This is the maximum amount a customer can receive in WTC in any year. It then lists "any reduction due to your income" and shows the net amount payable. Free transport under the extended provisions will be allocated according to this figure.

You will need to be able to prove that you are eligible for either free school meals or working tax credit by submitting the relevant documentation.