

Home to School Travel Policy for Children of Compulsory School Age (2024-2025).

Document control

Version Control	v1.2
Date	May 2024
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	Education Act 1996 (Sec.508B)
	Department for Education Statutory Guidance
	Legal: Corporate Governance Procurement
	& Property
Lead Directorate	People Services – Commissioning & Delivery
Implementation date	01 April 2024
Review Date	01 April 2025

Home to School Travel Policy for Children of Compulsory School Age (2024-2025).

This policy supersedes all previous Derby City Council (The Council) Home to School Travel Policies.

Policy Purpose

Inform **parents** about the ways in which eligible children may be supported to access their education setting for the 2024-25 academic year.

Ensure The Council meets its statutory duty to provide home to school travel as for all **eligible children** of **compulsory school age**. (Reception up to the end of Year 11).

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

Provide parents 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 is assessed.
- how to appeal against a decision made by the Home to School Travel Service or how to make a complaint.

Support parents 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 <u>Travel to school for children of compulsory school age (publishing.service.gov.uk)</u> produced by the Department for Education.

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 or by telephone: 01332 642716; Minicom 01332 640666

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1 Introduction

Note: Parents are advised to consider all the information provided in this policy before making an application for home to school travel assistance.

- 1.1 Parents have a legal responsibility for ensuring their child's attendance at school. The expectation is that children will be accompanied by their parent when travelling to and from school unless it is not reasonable to expect the parent to do so. Where parents are unable to accompany their child to and from school, they must arrange for a suitable adult to provide this support.
- 1.2 When considering a school place for a child, parents must consider how their child will travel to school. Parents should note that the nearest suitable school may not be the local area (catchment) school.
- 1.3 If parents choose to send their child to a school further away than one of the three nearest suitable schools with available places, the child will not be entitled to travel assistance.
- 1.4 Where a child has an Education Health and Care Plan (EHCP) and the parent's school preference is further than the Council's named nearest suitable school, the Council may name both schools in the EHCP, on the condition that parents pay the cost of the transport to the preferred school.
- 1.5 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 independent or accompanied travel on public transport should be considered.
- 1.5 The Council offers different types of travel assistance to facilitate the attendance of an eligible child to their nearest suitable school. All decisions about the type of travel assistance offered will be based on the child's individual circumstances.

2 Equalities, Diversity & Inclusion

2.1 This policy gives due consideration to the nine protected characteristics detailed in the Equality Act 2010. Reasonable adjustments can and will be made in relation to protected characteristics to ensure parents and their children have equal access to the application process and that suitable travel assistance or council organised transport is made for all eligible children of compulsory school age.

- 3 Understanding the policy and who is entitled to support.
- 3.1 For information regarding young people aged 16-19 (sixth form learners) and 19-25 (adult learners) with an EHCP, please refer to the Post-16 Travel Policy Statement 2024-25.
- 3.2 This policy applies to all eligible children of compulsory school age who live at an address within Derby city and are attending their nearest suitable school.
- 3.3 A child will not normally be eligible for free travel to school on the grounds of their special educational needs, disability or mobility problem, if they would be able to walk to school if they were accompanied.
- 3.4 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.
- 3.5 Not every eligible child, or child with an EHCP, will automatically be offered home to school travel assistance or council organised transport.
- 3.6 The Council does not provide travel assistance or council organised transport for children of pre-school age.
- 3.7 A child may be temporarily eligible for free home to school travel assistance or council organised transport because of a mobility impairment or at times of ill health, or for medical reasons that may affect their ability to travel to school.
- 3.8 The Council is only required to provide home to school travel assistance or council organised transport to enable an eligible child to travel to and from school at the beginning and end of their school's normal day.
- 3.9 Travel assistance will not be provided for the following: -
 - Travel offsite during the school day.
 - Extra-curricular activities and other commitments outside of school hours, e.g., breakfast clubs, after school clubs.
 - Children attending alternative provision placements.
 - · 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, taster days, interview visits.
 - Parent attendance at school.
 - Journeys to/from alternative residential addresses other than the address recorded on the application.
 - Exams travel assistance will only be provided for the start and end of

each school day.

- 3.10 Parents, or the school, are responsible for arranging and funding any travel assistance outside of that described in section 3.9 of this policy.
- 3.11 The Council will provide travel assistance between school and Council approved respite centres for overnight stays for children on council organised transport. If respite does not include an overnight stay, or occurs on a Friday, parents are responsible for collecting their child from the respite centre. Travel assistance to and from respite centres will not be provided during school holidays, on bank holidays or school inset days.
- 3.12 If an eligible child lives at more than one address, the Council will provide travel assistance to and from the address that the child is registered with a GP.
- 3.13 Siblings of eligible children are not entitled to free home to school travel assistance. It is the responsibility of the parents to make travel arrangements for non-eligible siblings.

4 Eligibility criteria

- 4.1 The Council has a statutory duty to make suitable home to school travel assistance for all eligible children of compulsory school age.
- 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 (see sections 4.4 and 4.5).
 - 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, including temporary mobility impairment.

Statutory Walking Distance

- 4.3 A child under the age of eight is eligible for home to school travel assistance to their nearest suitable school if it is more than two miles from their home.
- 4.4 A child aged eight years or over is eligible for home to school travel assistance to their nearest suitable school if it is more than three miles from their home.
- 4.5 Parents can request a review of the decision the Council has made about walking distances. To do so, contact the Home to School Travel Service:
 - [E] schooltravel@derby.gov.uk
 - [T] 01332 642716 Minicom 01332 640666.

Extended rights category

- 4.7 If a child is eligible for free school meals, or if a parent with whom they live receives maximum Working Tax Credit, or equivalent under Universal Credit, (and evidence can be provided of this), the Council may provide free home to school travel assistance to the nearest suitable school if:
 - the child is over eight and under 11, and the distance between home and school is more than two miles.
 - the child is of secondary school age and parent has applied to the three nearest suitable schools and the child remains on the waiting lists.
 - the child is of secondary school age (11yrs-16yrs) and the distance between home and school is between two and six miles and there are not three or more nearer suitable schools.
 - the child is of secondary school age and the school is between two 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. Please note: Saint Benedict Catholic Voluntary Academy is currently the only designated faith secondary school in the city.
- 4.8 If during a school year a pupil stops being eligible for free school meals, or a parent stops receiving maximum Working Tax Credit (or equivalent), the Council will continue to provide free home to school travel assistance to the nearest suitable school for the remainder of that school year.
- 4.9 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.
- 4.10 The Council is unable to make any exceptions or apply any discretion for families receiving other benefit payments.

Please note: Evidence of free school meals or maximum Working Tax Credit must be provided annually.

Special Educational Needs, Disability (SEND), or mobility impairment.

- 4.11 The Council will consider whether a child with SEND could reasonably be expected to walk to school or use public transport, if accompanied by a parent; also, whether the child's parent can reasonably be expected to accompany their child to school.
- 4.12 A child with SEND may be eligible for home to school travel assistance 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.
- 4.13 The Council will assess eligibility for a child with SEND or a mobility impairment, on a case-by-case basis. Needs will be assessed using the information detailed in the application, the child's EHCP, if they have one, plus any accompanying medical or other supporting documentation included with the application.

5 Applications

- 5.1 An application for home to school travel assistance must be submitted via the online application portal, between 01 April and 31 May. Applications received after this date will be assessed, however, the Council cannot guarantee that approved travel assistance will be in place for the beginning of the autumn term.
- 5.2 Parents are advised to provide as much information as possible on the online application form and to upload all supporting documentation that they wish to be considered. For SEND applications, this must include Section I of the EHCP.
- 5.3 A parent will need to complete a new online application if: -
 - applying for home to school travel assistance for the first time
 - the child is starting a new school in September 2024
 - the child is moving from year 2 to year 3 (please note this applies to children in the following schools only.
 - Alvaston Infant School
 - Carlyle Infant School
 - Cavendish Close Infant School
 - Chellaston Infant School
 - Oakwood Infant School
 - Pear Tree Infant School
 - Portway Infant School
 - Ravensdale Infant School
 - Ridgeway Infant School
 - Rosehill Infant School
 - St Chad's Infant School
 - St James Infant School
 - Shelton Infant School
 - 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
 - a change in extended rights status
- 5.4 Parents who do not have access to the Internet, can use free computer and Internet access, available at the Council House and at all Derby City Council library sites, to submit an online application.
- 5.5 If parents are unable to use the Internet, they must ask a family member or friend to support them. If parents have exhausted all support and are still unable to use the Internet, please contact the Home to School Travel Service on 01332 642716.

6 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 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 weekends.
- 6.3 If the Council's offer of travel assistance is a free bus pass, parents will need to apply annually, via the online application portal, between 01 April and 31 May and provide evidence of continued eligibility.
- 6.4 Children who are assessed as eligible for a free bus pass to Saint Benedict CVA will be issued with a Notts and Derby Saint Benedict CVA bus pass. Parent will need to add a photograph of the child to the pass. Please note: This pass can only be used at the start and end of each school day and is only valid for travel on the designated Saint Benedict CVA school bus.

Independent Travel Training (ITT)

- 6.5 The Council's enriched ITT service is delivered by Transition 2 who are experts in supporting young people with SEND. ITT is a great way for young people to gain essential organisational and independence skills within their circles of support. The service will be fully embedded with opportunities to develop functional skills in ways that make literacy, numeracy, and ICT meaningful and useful.
- 6.6 ITT can provide long term benefits to young people 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 which focus on four key outcomes: employment/education; independent living; community participation; and good adult health.
- 6.7 ITT is available for eligible young people from Year 7 onwards.
- 6.8 Transition 2 will discuss the benefits of ITT with parents and provide assurances that the young person will continue with their current travel assistance offer until they are confident, independent travellers. Once a young person can travel independently, they will be provided with a free bus pass for each subsequent year they remain in full time education and continue to meet eligibility criteria. An application to renew the bus pass will need to be made each year.

6.9 If a child has already been approved for travel assistance and would like to be considered for ITT, please complete the ITT Referral Form by following the link: Independent Travel Training Referral - myAccount (derby.gov.uk)

Please note: an application for travel assistance must be approved before an ITT Referral Form can be completed.

Mileage Allowance

6.10 If a bus pass is not a suitable travel assistance offer, parents of an eligible child, with access to a vehicle, (including a Motability vehicle for a child) can be offered a mileage allowance. Some families may prefer to take their child to school, and the Council will provide financial support through reimbursement of fuel costs at the standard Council mileage allowance rates, as detailed in the table below.

Derby City Council mileage allowance rates			
Total distance per day based on a	Amount payable per mile (£)		
maximum of two return journeys			
Up to 50 miles	£0.45		
51-100 miles	£0.35		
101-200 miles	£0.25		
200 miles +	£0.15		

- 6.11 The mileage allowance is calculated by multiplying the total distance of the two return journeys by the number of days that the child attends school. The Council uses Google Maps to measure the shortest driving route.
- 6.12 Advance payments are made at the beginning of each school term. The autumn term payment will be made in full. For subsequent spring and summer term payments, these will be made once attendance data has been received. For any non-attendance days in the previous term, this amount will be deducted from next term's payment.
- 6.13 If overpayments have been made due to low or non-attendance, the Council will seek reimbursement of any overpayment and reserve the right to take legal action, where required.
- 6.14 If an application for a mileage allowance is approved, a parent must complete and return the acceptance form and BACS form. The Council cannot make any payments until both forms have been returned. In year applications will be considered and, if eligible, payment will be backdated to the date the application was received.
- 6.15 Where two or more eligible children from the same family attend the same education setting, a mileage allowance will be approved for one child, because

the eligible children are expected to travel together.

6.16 Where two or more eligible children from the same family qualify for travel assistance and they attend different schools, the 'round trip' mileage will be calculated, and the mileage allowance will be paid on this basis. The autumn term payment will be made in full. For subsequent spring and summer term payments, these will be made once attendance data for both children has been received. For any non-attendance days in the previous term, this amount will be deducted from next term's payment.

Other types of travel assistance

- 6.17 Where possible and appropriate, the Council will always seek to provide free home to school travel assistance in the form of a bus pass, or a mileage allowance.
- 6.18 If it is agreed that a free bus pass, or a mileage allowance is not a suitable offer, Council organised transport may be provided. (i.e., a seat in a taxi or minibus).

7 Other considerations

Looked After Children (LAC)

- 7.1 We encourage all children to walk or use public transport to get to their nearest suitable school, independently or accompanied, if they are able to. If this is not possible, other types of travel assistance may be considered to ensure their attendance at school. Travel assistance for LAC can only be considered if the child is placed at residential address within Derby city.
- 7.2 If the child's residential placement is moved outside of the local authority, travel assistance will cease, and a new application will need to be submitted to the local authority where the child is placed (even if they remain in a Derby City school).

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

7.3 Regardless of whether an out of area residential placement is 38 or 52 weeks in duration, the Council will fund up to 12 return journeys each year to and from the child's named provision. This includes one return journey each year to allow parent to attend the annual review of the child's EHCP.

Children who are permanently excluded from school

7.4 The Council will identify a suitable school for all 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 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)

7.5 Any school named by the IYFA scheme will be classed as the nearest suitable school. Applications will be assessed using the same eligibility criteria as all other children. The offer for eligible children will usually be a free bus pass.

Pupil Referral Units (PRUs)

7.6 If a child is attending a PRU, this will be classed as the nearest suitable school. Applications will be assessed using the same eligibility criteria as all other children. The offer for eligible children will usually be a free bus pass.

8 What can I do if my application for travel assistance is refused?

8.1 If an application for travel assistance is refused, or a parent does not agree with the offer, information on how to appeal is outlined below.

8.2 Stage 1: Review by a Senior Officer

- A parent has 20 working days, from the date of the decision letter, to make a formal request for an officer review of the decision. Parents must complete a Stage 1 Appeal Form Appeal our decision - Derby City Council
- The Stage 1 Appeal Form should include the reasons for appealing the decision and provide details and evidence of any additional circumstances they would like to be considered.
- Within 20 working days of receiving the Stage 1 Appeal Form, a senior officer will review the original decision. The review decision will be communicated by email and will include information about taking the appeal to Stage 2, if appropriate.

Please note: If completing forms is a barrier, a parent should ask for support from the school or elsewhere to complete the request.

8.3 Stage 2: Review by an independent appeal panel

- A parent has 20 working days, from the date of the Stage 1 outcome decision letter, to make a written request for a Stage 2 appeal. Parents must complete a Stage 2 Appeal Form <u>Appeal our decision - Derby City Council</u>
- Within 40 working days of receipt of the Stage 2 appeal request, a parent will be invited to attend a Stage 2 appeal hearing, in person, at the Council House. An independent appeal panel will consider written and verbal representations from the parent and the officers involved in the case.
- Appeal panel members are independent of the original decision-making process, but not independent of the Council.
- Within five working days of the appeal hearing, parents will be notified, by email, of the outcome of the appeal, including information about the right to make an official complaint to the Council. Information will also be provided about how to

refer the matter to the Local Government Ombudsman.

Please note: Following a Stage 2 appeal that has been upheld by an independent appeal panel, a parent should only make a new application if there is a significant change in circumstances.

9 Exceptional Circumstances

- 9.1 All applications will be assessed on a case-by-case basis. The travel assistance offer for an eligible child will consider all the child's individual needs, and the family circumstances, to ensure the offer is appropriate. In most cases, the offer will be a bus pass or a mileage allowance.
- 9.2 The Council does not ordinarily consider parents' work commitments, number of other children to look after, household income, single parent families, lack of access to a vehicle or being unable to drive as being exceptional factors in their own right. However, a family with a number of these circumstances could be classed as exceptional and council organised transport may be considered.

10 Discretionary powers for non-eligible children

- 10.1 Local authorities have discretionary power to provide home to school travel assistance for non-eligible children living in Derby city, where there is evidenced need.
- 10.2 Temporary or long-term travel assistance may be arranged for non-eligible children when two or more service areas or agencies are in agreement that council organised travel assistance is necessary to support the safeguarding of a child and their family.
- 10.3 Parents are advised to provide as much information as possible on the online application form and to upload all additional documentation and evidence they wish to be considered.

11 Errors and Fraudulent Applications

11.1 Travel assistance that has been agreed in error, due to 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 a fraudulent application for free home to school travel assistance.

12 Behaviour Standards

12.1 All children and their parents 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.
- 12.2 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 are contracted to wait for 5 minutes only before leaving the property. After this time, the transport will leave, and it becomes the responsibility of the parent to make alternative arrangements for their child to get to school that day.
- 12.3 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 their parent updated. It is the responsibility of the parent to notify the school if the child is going to be late due to any late/cancelled buses.
- 12.4 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.
- 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.
- 12.6 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.
- 12.7 Parent will be informed in writing of any such incident outlining any action to be taken. If a child causes damage to a vehicle this could result in the requirement for a parent to pay for any damage caused.
- 12.8 Parent 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. [E]: schooltravel@derby.gov.uk [T]: 01332 642716; Minicom: 01332 640666.

13 Safeguarding

- 13.1 Safeguarding of all children, young people, drivers, and passenger assistants is paramount.
- 13.2 Dedicated home to school travel services are classed as 'regulated activity' meaning that some people are barred from doing it.
- 13.3 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 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.

14 Complaints

14.1 Any parent wishing to complain about the service provided by The Council should use the local authority's complaints procedure Customer complaints - Derby City Council

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:

Reception up to the end of Year 11.

Sustainable and Active:

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

School Preference:

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 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 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 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 have made a preference for this type of education. The Council arranges the admissions to all special schools on behalf of the parents.
- Pupil Referral Units accommodate pupils and students with emotional and behavioral difficulties. The Council controls admissions.