

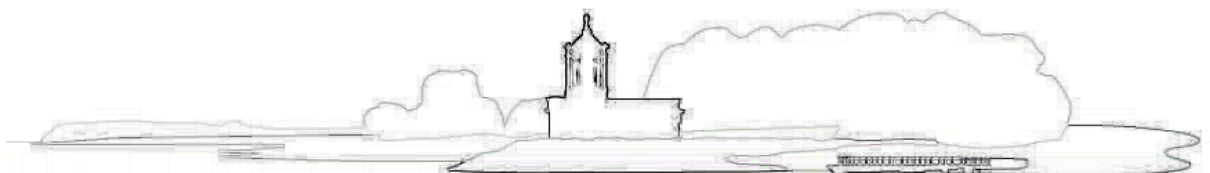


Rutland County Council

REVISED TRAVEL ASSISTANCE FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

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Document summary

This document details the policy regarding assistance with home to school travel for children and young people with special educational needs and/or disabilities (SEND). This document is supplementary to the Home to School Transport Policy, which applies to all pupils and students.

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1.Introduction

This policy explains how Rutland County Council assists with home to school travel arrangements for pupils with qualifying SEN, disabilities or other mobility needs, whether the pupil's school place is in a mainstream school, unit attached to a mainstream school or a special school. It should be read in conjunction with the Home to School Transport Policy, which applies to all pupils.

For ease of use, Rutland County Council has also produced a booklet for parents/carers entitled "Walk your way through Rutland Home to School Transport" which summarises the contents of the transport policy, provides answers to the most frequently asked questions and contains all applications forms and information relevant to the transport process. The booklet is available upon request by calling 01572 772577 or can be accessed online at <http://www.rutland.gov.uk/pdf/School%20Transport%202016%20A5%20Guide.pdf>

Assistance is not usually provided for pupils attending independent or fee paying mainstream schools and colleges. However, some pupils with statements of SEN attending independent & non maintained special schools, including academies, may be eligible for travel assistance.

1. Legal framework

The legal responsibility for ensuring that a child attends school lies with the parent or carer and this includes accompanying a child to school where necessary. In the event that parents are working or otherwise unavailable at the time their child travels to and from school it remains the parents' responsibility to make arrangements to ensure that their child attends school.

If the child's parents are, by reason of disability, unable to ensure that their child attends school, or are unable to make suitable alternative arrangements, eligibility for travel assistance will be considered based on the individual circumstances.

2. Home to school travel assistance

The following section explains when support can be given to children of compulsory school age.

2.1 Eligibility

Free home to school transport will be provided for pupils who meet **all** the following criteria:

- a) Live in Rutland
- b) Are of compulsory school age (5 to 16 years), but extended in Rutland to include 4 year olds
- c) Attend their qualifying primary or secondary school
- d) Live over 2 miles from school if below the age of 8, and over 3 miles from school if aged between 8 and 16

Please see the General Home to School Transport Policy for more details.

Where the authority agrees to provide travel assistance, it will make the most cost effective arrangements. Where possible this will be on a local bus **or train** service, or a bus, coach or minibus arranged by the authority. In certain circumstances, parents may **be offered- have the option** to take their own child to school and a personal travel budget will be provided to meet their expenses. If no other

transport options are available, the authority will arrange for a taxi, which may be shared with other pupils.

The transport provided will take into the account the individual assessed needs of the pupil. ~~Where appropriate, a risk assessment will be carried out.~~ All passenger transport procured by Rutland County Council is subject to a standard risk assessment. Any transport involving passengers with additional needs will also be subject to an enhanced risk assessment tailored to the individual circumstances. This will consider details of the child's needs and control measures, and will consider how they will be kept safe when travelling, including whether they need to be accompanied by a passenger assistant and any medical protocols that may be necessary.

The needs of pupils will be reviewed at least once per year, and transport provision, including the use of passenger assistants, amended accordingly.

Travel assistance is only provided at the normal school start and finish times. However, exceptions will be considered based on the long term medical needs of a child where they are only able to attend school for a reduced number of hours.

3.2 Early years

Children below compulsory school age, attending the nearest suitable special school for assessment purposes, may be entitled to transport assistance where exceptional circumstances can be demonstrated that result in the family being unable to get the child to the placement themselves.

3.3 Pupils aged 4-16

Travel assistance is provided to the child's nearest suitable school. This is the nearest maintained school or academy to the child's home that can meet the child's needs. If, by parental choice, a more distant school is attended, transport will remain the responsibility of the parent. If the child has a statement of special educational needs or an Education, Health and Care (EHC) Plan, this may name the parents' or carers' choice of school but this does not mean that the Council must provide travel assistance if, in the Authority's view, the child's needs could be suitably met at a nearer school.

Travel assistance is provided for children under 8 years with a statement of SEN who attend a special school or unit which has been designated by the Local Authority as the nearest appropriate school that meets the needs of the child and where the distance between home and school is more than 2 miles.

Travel assistance is provided for pupils aged 8-16 years with a statement of SEN who attend a special school or unit which has been designated by the Local Authority as the nearest appropriate school that meets the needs of the child and where the distance between home and school is more than 3 miles.

Where the distance to the appropriate school is less than the distances specified above and / or when a child has no statement of SEN or EHCP, travel assistance will be considered, taking into account the individual circumstances and the travel needs of children with significant sensory, physical, medical or behavioural difficulties that prevent them from getting to school even when accompanied by a parent or carer. In such instances, travel assistance will be considered using supporting written evidence, within the preceding 12 months, from a range of sources that describes the child as having:

- Long term severely restricted independent mobility, due to a physical disability.
- Long term severely restricted mobility due to a medical condition resulting in persistent pain or extreme fatigue.

- A sensory impairment resulting in severely restricted mobility.
- Severe behavioural emotional and / or social difficulties in comparison with other children of their age. This may be linked with cognitive ability or be as a result of a specific development disorder.

2 Transport assistance for Post-16 SEND students

Please refer to the separate Post-16 policy for the eligibility criteria for free and assisted transport for post-16 SEN pupils.

3 Travel assistance and support for pupils

It is for the local authority to decide on the travel arrangements to get pupils between home and school at the beginning and end of the school day. Local authority assistance will be provided in the most cost effective and appropriate way whilst meeting the child's assessed travel needs.

Our usual process is to consider assistance in the following order:

- A pass for use on existing public transport. For pupils who are able, independent travel training may be provided, in order for a pupil to be able to use public transport.
- A pass for use on a contract school bus or minibuss.
- Personal Transport Budgets - parents may be offered **a the option of a** personal transport budget to make their own travel arrangements, if this is more cost-effective than other provision. This is not available to parents who prefer to make their own arrangements to transport their child to their designated school despite other suitable transport being available.

Where none of the above is suitable, then other options such as a taxi will be considered. Vehicles will usually be shared with other pupils attending the same school.

Door to door transport will only be provided where this is necessary to meet the assessed needs of the child. Therefore, pupils (accompanied by parent or carer) may be required to get to a designated pick-up point.

5.1 Independent Travel Training

Independent Travel Training can help support independence by developing personal, social and life skills by looking at the needs and capabilities of a young person. Where a young person is considered sufficiently capable, we will offer independent travel training for them to develop the skills to be able to travel more independently. **The assessment of this would be a joint decision taken by parents & carers / SEN team / school and any other professional bodies applicable. The training will be carried out to an agreed plan and conducted by the Road Safety Officer at Rutland County Council.** Where they attain the necessary confidence and ability, we will expect them to travel independently to and from school. ~~The training will be given by an approved trainer in partnership with schools and parents or carers.~~

5.2 Personal Travel Budgets

A Personal Travel Budget (PTB) provides the opportunity for parents to exercise some choice and control over the way their child gets to and from school. A PTB is offered at the discretion of the Council and where it is a cost-effective way of

arranging for a pupil to get to school. Parents are not obliged to take up a Personal Travel Budget where offered.

The PTB payment can help you to arrange your child's travel to school or college in a way which suits your circumstances and could offer more flexibility, for example, around breakfast and after-school clubs. The payments can be used in creative ways such as:

- Buy a travel pass for an adult to accompany the child to and from school.
- Pay for an escort to walk with the child to school
- Cover the cost of driving or cycling with your child to school
- Share travel arrangements with other parents
- Cover the cost of childcare arrangements for siblings to allow parents to take their child to school.

The amount you receive is based on the distance from your home to your child's nearest suitable school or college and any other relevant factors.

Payments are made from the Council into the parent's bank account on a termly basis, and do not affect any other benefits. The Council can be asked for advice on the PTB, and how the PTB can be changed or cancelled. A month's notice will be required of any intention to end a Personal Travel Budget arrangement, in order the authority to arrange alternative travel assistance.

If a student's punctuality or attendance at school is becoming affected by a PTB, the arrangement will be reviewed by the Council. Non-attendance of more than 10 days in a school year (5%) will result in the family being asked to return the overpayment (this could be done via a reduction in subsequent monthly payments).

5.3 Use of passenger assistants

Passenger assistants are provided on transport only where a child has a severe physical condition, a medical condition requiring immediate treatment, or severe behavioural difficulties meaning that the health and safety of the child, driver or anyone else travelling in the vehicle would be at risk. The use of an assistant will be reviewed regularly, since the need may change as the child grows older.

A passenger assistant's duty is to supervise students on a vehicle and to help with boarding and leaving the vehicle where the pupil has physical, sensory or medical difficulties. They are not able to collect pupils from home or take them into school if that would mean leaving other vulnerable children unattended.

5.4 Respite care

Travel assistance can be amended to take children directly from school to their respite care placement during school term time, if at least 2 weeks' notice is provided.

5.5 Residential schools

Where a child attends a residential school and is entitled to transport assistance, this is provided at the start and end of each half-term or, at the start and end of each week depending on the boarding arrangements. Transport is also provided for official school closures. Transport will not be provided at other times or for parental visits for meetings.

Where a pupil attends a qualifying residential school, transport will be arranged by the local authority as set out in section 3 and in accordance with the placement terms agreed by the LA. Alternatively, a personal travel budget may be offered to

parents to make their own arrangements. This will usually be in one of the following 2 ways:

- Weekly basis – a journey to and from school at the start and end of the school week
- Termly basis – this means a maximum of 6 return journeys will be provided / supported in any one academic year.

6. Review of transport provision for SEND pupils

Travel assistance will be reviewed **annually** with parents and education and care professionals who know the child and are part of the statement or EHC Plan review. The Council may also review eligibility by a scheduled meeting or by telephone contact. Parents will be told of all decisions in writing. We need to ensure that the service provided continues to be appropriate for the student's assessed needs.

In the event that there is a risk to health and safety of staff or pupils and others using the transport from the misbehaviour of a pupil, access to school transport may be suspended and in serious cases permanently withdrawn as set out in the main school transport policy. When considering suspension or withdrawal of provision regard will be given to the extent to which the child's disability has impacted on their behaviour and what steps can be taken to eliminate the effect of that disability on their behaviour.

The process for reviewing walking routes to school can be found in Appendix 2 of the Home to School Travel and Transport Policy.

7. Service standards for hired transport

These can be found in section 6 of the main Home to School Travel and Transport Policy.

Parents must ensure that their child is ready and prepared (including any medication) for the journey to school by the agreed pick-up time. At the end of the school day, parents must ensure that they, or someone they appoint, is at the designated drop-off point in time to meet their child.

Any requests for alterations to the transport or its times must be directed to the County Council's Transport Office.

8. Application process

Requests for travel assistance will be determined by the SEN team at the Council. **The SEN team follow a step by step assessment process and any queries relating to this process or a child's eligibility should be referred to the SEN team at Rutland County Council direct. The transport department do not have any involvement with the need assessment of any passengers.**

9. Appeals and complaints procedure

9.1 Reconsideration of cases and special circumstances

The Council's transport office staff cannot change the policy set out in this document.

1. If you wish to appeal against a decision **regarding the assessment of your child's transport needs** you will need to contact the Special Educational Needs team at Rutland County Council direct.
2. If you wish to appeal against a decision regarding eligibility for transport in-line with the criteria within the home to school transport policy, you should follow the process outlined below:

Stage one: Review by a senior officer

A parent has 20 working days from receipt of the authority's home to school transport decision to make a written request asking for a review of the decision about:

- Transport arrangements offered
- Eligibility of a pupil
- Distance measurement in relation to statutory walking distances
- Safety of a walking route

The request should explain why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be taken into account when the decision is reviewed. Appeals should be sent for the attention of:

Transport Operations Manager
Rutland County Council
Catmose
Oakham
Rutland
LE15 6HP

Within 20 working days of receipt of the parent's written request, a senior officer will review the original decision and provide the parent with a detailed written notification of the outcome of the review, setting out:

- The decision reached
- How the review was conducted
- Details of who else was consulted as part of the process
- What factors were considered
- The rationale for the decision reached
- Information about how the parent can escalate their case to stage two (if necessary)

Stage two: Review by an independent appeal panel

A parent has 20 working days from receipt of the authority's stage one written decision to make a written request to escalate the matter to stage two. Within 40 working days of receipt of the request an independent appeals panel will

consider written and verbal representations from both the parent and officers involved in the case. Written notification of the outcome of the panel will be made within 5 working days, setting out:

- The decision reached
- How the review was conducted
- Details of who else was consulted as part of the process
- What factors were considered
- The rationale for the decision reached
- Information about the parent's right to put the matter to the Local Government Ombudsman

If a parent wishes to appeal, a form can be requested from transport@rutland.gov.uk

The independent appeals panel will comprise 3 members of the Employment and Appeals Committee.

9.2 Compliments, comments and complaints

Compliments, comments and complaints can be submitted through the following:

- A 'Let us Know' form, available on the Council's website
- By email to Letusknow@rutland.gov.uk
- By telephone on 01572 722577
- In writing or in person at Customer Services
- By twitter [@rutlandcouncil](https://twitter.com/rutlandcouncil)

Our Compliments, comments and complaints policy is available at: http://www.rutland.gov.uk/customer_services/compliments_comments_and_comp.aspx

9.3 Ombudsman

If we do not resolve your complaint, you may wish to take your complaint to the Local Government Ombudsman. The Ombudsman is independent of all government bodies and can look into your complaint. They will usually only look into your complaint after you've given us a chance to deal with it.

Telephone: 0300 061 0614

Email: advice@lgo.org.uk

Website: www.lgo.org.uk

**A large print version of this document is
available on request**



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