

# Public Document Pack



## Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP.  
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Ladies and Gentlemen,

A meeting of the **PLACES SCRUTINY PANEL** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Thursday, 15th September, 2016** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs  
**Chief Executive**

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### **A G E N D A**

#### **APOLOGIES**

##### **1) RECORD OF MEETING**

To confirm the record of the meeting of the Places Scrutiny Panel on 7 July 2016 (previously circulated)

##### **2) DECLARATIONS OF INTEREST**

In accordance with the Regulations, Members are invited to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

##### **3) PETITIONS, DEPUTATIONS AND QUESTIONS**

To receive any petitions, deputations and questions received from Members of the Public in accordance with the provisions of Procedure Rule 217.

The total time allowed for this item shall be 30 minutes. Petitions, declarations and questions shall be dealt with in the order in which they are received. Question may also be submitted at short notice by giving a written copy to the

Committee Administrator 15 minutes before the start of the meeting.

The total time allowed for questions at short notice is 15 minutes out of the total time of 30 minutes. Any petitions, deputations and questions that have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions that are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

**4) QUESTIONS WITH NOTICE FROM MEMBERS**

To consider any questions with notice from Members received in accordance with the provisions of Procedure Rule No. 219 and No. 219A.

**5) NOTICES OF MOTION FROM MEMBERS**

To consider any Notices of Motion from Members submitted in accordance with the provisions of Procedure Rule No. 220.

**6) CONSIDERATION OF ANY MATTER REFERRED TO THE PANEL FOR A DECISION IN RELATION TO CALL IN OF A DECISION**

To consider any matter referred to the Panel for a decision in relation to call in of a decision which relates to this Scrutiny Panel's remit and items on this Agenda.

**SCRUTINY**

Scrutiny provides the appropriate mechanism and forum for members to ask any questions which relate to this Scrutiny Panel's remit and items on this Agenda.

**7) QUARTER 1 FINANCIAL MANAGEMENT REPORT**

To receive Report No. 133/2016 from the Director for Resources  
*(previously circulated under separate cover)*

**8) QUARTER 1 PERFORMANCE MANAGEMENT REPORT**

To receive Report No. 150/2016 from the Chief Executive  
*(Previously circulated under separate cover)*

**9) HOME TO SCHOOL TRANSPORT POLICY CONSULTATION**

To receive Report No. 156/2016 from the Director for Places  
(Pages 5 - 44)

**10) NEIGHBOURHOOD PLANS WORKING GROUP**

To consider the draft Terms of Reference for the Neighbourhood Plans Working Group.  
(Pages 45 - 46)

**11) SCRUTINY PROGRAMME 2016/17 & REVIEW OF FORWARD PLAN**

To consider Scrutiny issues to review.

*Copies of the Forward Plan will be available at the meeting.*

**12) ANY OTHER URGENT BUSINESS**

To receive any other items of urgent business which have been previously notified to the person presiding.

**13) DATE AND PREVIEW OF NEXT MEETING**

Thursday 24 November 2016, 7.00pm

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**DISTRIBUTION**

**MEMBERS OF THE PLACES SCRUTINY PANEL:**

Mr J Lammie (Chairman)	
Mr E Baines	Mr N Begy
Mr O Bird	Mr W Cross
Mr J Dale	Mr A Mann
Mr M Oxley	Mr A Stewart
Mr K Thomas	

**OTHER MEMBERS FOR INFORMATION**

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## PLACES SCRUTINY PANEL

15<sup>th</sup> September 2016

### HOME TO SCHOOL TRANSPORT POLICY CONSULTATION

#### Report of the Director for Places (Environment, Planning & Transport)

Strategic Aim:	<ul style="list-style-type: none"> <li>• Meeting the health and wellbeing needs of the community.</li> <li>• Creating a brighter future for all.</li> </ul>	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr T Mathias, Deputy Leader and Portfolio Holder for Places (Highways, Environment, Transport and Community Safety) and Market Towns	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning & Transport)	Tel: 01572 758461 <a href="mailto:dbrown@rutland.gov.uk">dbrown@rutland.gov.uk</a>
	Emma Odabas, Transport Operations Manager	Tel: 01572 720923 <a href="mailto:eodabas@rutland.gov.uk">eodabas@rutland.gov.uk</a>
Ward Councillors	All	

#### DECISION RECOMMENDATIONS

That the Panel:

1. Recommends to Cabinet the approval of the home to school transport policy contained in Appendix 1 of this report (156/2016) for implementation from September 2017.
2. Recommends to Cabinet the approval of the special educational needs and disabilities (SEND) transport policy contained in Appendix 2 of this report (156/2016) for implementation from September 2017.

#### 1. PURPOSE OF THE REPORT

- 1.1. To inform the panel of the responses received during the public consultation exercise on home to school and SEND transport policies and to seek the views of the Places Scrutiny Panel prior to consideration by Cabinet.

## **2. HOME TO SCHOOL TRANSPORT POLICY PROPOSED AMENDMENTS**

- 2.1. The existing policy was split down to into the following 3 elements:
- a) Home to school travel and transport (general policy for mainstream pupils);
  - b) Travel Assistance for children with special educational needs or disabilities (additional policy for parents/carers of SEN students to be used in conjunction with the general policy); and
  - c) Post 16 transport (which will be considered separately at a later date and is not part of this report).
- 2.2. A summary of the proposed changes to the policies is contained in Appendix 4.
- 2.3. The policies were put out to public consultation between 6<sup>th</sup> June and 4<sup>th</sup> July 2016. The consultation was publicised via the following methods:
- Corporate press release circulated to the local media
  - RCC website – main page and transport page
  - RCC Twitter page
  - Email to all Rutland schools to request publication via “Parentmail” and/or school websites. All Rutland schools had the opportunity to respond.
  - Hard copies sent to any school requesting copies for parents not registered with “Parentmail”.
  - Consultation packs sent via post to all parents/carers of SEN children currently receiving free transport via RCC.
  - Email to RCC ward members.
  - Email to all town & parish councils within Rutland.
- 2.4. Local bus & taxi operators were not directly consulted as they are not affected by the transport policy other than clauses relating to how RCC deals with behavioural issues. These clauses remain unchanged.

## **3. CONSULTATION**

- 3.1. The total responses received during the consultation period amount to:
- 2 Telephone calls
  - 3 Emails
- 3.2. Both telephone calls received were from parents of students due to move into the post-16 phase of their education in September 2016. Although the calls were initiated by the publicised consultation process, both sets of parents were simply seeking confirmation that the draft policies would not affect the current post-16 eligibility criteria.
- 3.3. The 3 emails received contained a variety of comments and suggestions relating to the policy documents but also contained personal opinions relating to issues such as seatbelt law, school admission ages and SEND case assessment which are issues that can be referred to within the home to school policy documents but cannot be amended/addressed/resolved . The points raised within the email responses are contained within appendix 3. They were submitted by:

- 1 Rutland County Council Ward member
- 1 Parent of mainstream primary students/s
- 1 Parent of SEND year 11 student

3.4. Amendments have been made to the draft policies to address any valid points raised during the consultation process and also include amended text to cover issues raised at previous meetings. Revised policies are attached as appendices 1 & 2 with amended text highlighted in yellow.

#### **4. ALTERNATIVE OPTIONS**

4.1. The home to school transport policy is a statutory requirement and regular reviews of the policy are advisable to ensure that it remains current. However, the Council could choose to only update terminology and not revise the policy content.

#### **5. FINANCIAL IMPLICATIONS**

5.1. The proposed modifications are unlikely to have a significant financial impact. There may be some minor savings.

#### **6. LEGAL AND GOVERNANCE CONSIDERATIONS**

6.1. Rutland County Council has a statutory duty under section 508B Education Act 1996 to make provision of travel arrangements for eligible children. Section 508C Education Act 1996 provides that a local authority has discretionary powers to go beyond their statutory duties and provide transport for children who are not entitled to free transport.

#### **7. EQUALITY IMPACT ASSESSMENT**

7.1. Equality impact assessment screening has been completed. No adverse or other significant issues were found and a full equality impact assessment is not required.

#### **8. COMMUNITY SAFETY IMPLICATIONS**

8.1. None

#### **9. HEALTH AND WELLBEING IMPLICATIONS**

9.1. The draft policy requires that any transport provided will take into account the individual assessed needs of the pupil, including any medical protocols that may be necessary.

#### **10. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

10.1. The draft policies have now been through the required consultation process and proposed policies revised to address any valid issues raised.

## **11. BACKGROUND PAPERS**

11.1. None

## **12. APPENDICES**

12.1. Appendix 1 – Revised Home to School Travel and Transport Policy.

12.2. Appendix 2 – Revised Travel Assistance for Children With Special Educational Needs.

12.3. Appendix 3 – Consultation responses and summary of action taken in respect of points raised.

12.4. Appendix 4 – Summary of policy changes

**A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.**



## Revised Home to School Travel and Transport Policy

### Document summary

This document sets out Rutland County Council's home to school transport policy for students who live in the county.

The policy may be subject to change at any time. Therefore, there is no guarantee that any service currently offered will continue to be offered in the future.

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>

### Contents

#### 1. Introduction

#### 2. Qualifying criteria for home to school transport

- 2.1. Eligibility
- 2.2. Compulsory School Age
- 2.3. Qualifying School
- 2.4. Statutory walking distance
- 2.5. Route safety
- 2.6. Guide to eligibility
- 2.7. Transport assistance

#### 3. Other circumstances

- 3.1. Pupils who are unable to attend their qualifying school due to over-subscription
- 3.2. Pupils with medical conditions
- 3.3. Extended rights for low income families
- 3.4. Looked after children
- 3.5. Transport assistance for pupils on a managed move
- 3.6. Permanently excluded pupils
- 3.7. Bullying at school
- 3.8. Split families and transport to alternative addresses
- 3.9. Pupils with dual residency
- 3.10. Pupils who move address permanently during their final year at school
- 3.11. Exceptional circumstances

#### 4. Fare paying places

#### 5. Service standards for hired transport

- 5.1. Seatbelts

- 5.2. Travel by taxi
- 5.3. Journey time
- 5.4. Disclosure and Barring Service (DBS)
- 5.5. Monitoring operator performance

## **6. Poor behaviour and withdrawal of transport**

## **7. Review of transport provision**

## **8. Applications for transport assistance**

## **9. Appeals and complaints procedure**

- 9.1. Reconsideration of cases and special circumstances
- 9.2. Compliments, comments and complaints
- 9.3. Ombudsman

## **10. Appendices**

**Appendix A** – Current charges for fare paying transport

**Appendix B** – Hazardous Routes to School, Guidance and Assessment Criteria

**Appendix C** – Safe school transport – Top tips

**Appendix D** – Code of conduct for using school transport

**Appendix E** – Flow chart setting out eligibility for free home to school transport

### **1. Introduction**

Parents and carers have a legal responsibility to ensure that their children attend school regularly. This includes arranging travel to and from school, meeting the costs of this and accompanying their child as necessary.

In some cases, the Council has a legal obligation to provide suitable free school transport. Transport will be provided in the most cost-effective and appropriate way for children's needs. This policy summarises the categories of eligible children, the provision offered, circumstances when assistance is not provided and how to appeal against a decision.

A separate document sets out additional provision made for children and young people with Special Educational Needs and Disabilities (SEND) who need to attend a special unit or school.

An additional document sets out the Council's provision for post-16 transport. Insert link: [Post 16 Transport Policy](#)

### **2. Qualifying criteria for 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

## 2.2. Compulsory School Age

This is the age when a child must attend. It is defined from the term immediately following a child's 5<sup>th</sup> birthday up until the last Friday in June of the year the child is 16. In Rutland, this is extended to include pupils of 4+ years who are attending primary school.

## 2.3. Qualifying school

In Rutland, the qualifying school is taken to be either the nearest or designated catchment school for the home address, with places available, that provides education appropriate to the age, ability and aptitude of the child. Details of the catchment areas of Rutland schools can be found at:

[http://www.rutland.gov.uk/education\\_and\\_learning/admissions\\_information/catchment\\_areas.aspx](http://www.rutland.gov.uk/education_and_learning/admissions_information/catchment_areas.aspx)

If there is more than one school, this is the nearest school to the home which is suitable for the child and at which a place is available.

For schools that do not have a designated catchment area, then eligibility will be based on nearest school only.

## 2.4. Statutory walking distance

Free transport will be provided for pupils living more than 2 miles (below the age of 8) or 3 miles (for 8-16 years) from, and attending, their qualifying school.

For distances below those described above, transport will not be provided, as the route is considered to be within the statutory walking distance. These distances are measured by the shortest available walking route (from home address to nearest school gate) using our Geographical Information System, taking account of public footpaths, along which a child, accompanied as necessary, can walk reasonably safely.

## 2.5. Route safety

Where a walking route to school is considered to be unsuitable, the Transport Operations team will conduct a physical assessment of the route on a school day, both morning and afternoon, and report on its safety against nationally set standards. These assume that the child is accompanied by a responsible adult. If alternative safe walking routes are available within the statutory walking distance, then no transport support can be given. Where no alternative safe walking route is available to the nearest or designated school, then free transport will be provided. Appendix B gives the guidelines used to assess routes. A link to the national guidelines for the assessment of the safety of the walking routes to

school can be found here: <..\..\Transport Operations\Safe Routes\Safe Walking Guidelines.doc>

## 2.6. Guide to eligibility

Appendix A has a flow chart that provides a quick guide to whether a child is eligible for free school transport.

## 2.7. Transport assistance

Where the authority provides transport, this will usually be in the form of a bus pass to use a local bus service or to travel on a dedicated contract bus, coach or minibus. Where no other transport is available, parents may be offered a mileage allowance to convey their own child(ren) to school, or in some instances, a taxi or train pass may be provided if it is the most cost-effective way of providing the required transport.

The Council provides transport for one return journey from home to the school at the official beginning and end of the school day. Transport is not provided to meet a pupil's individual timetable, including breakfast or after-school clubs or extra-curricular activities. Transport is not provided for work experience placements, work-based learning or travel between establishments (school to school).

Transport is not usually provided from door-to-door. Children may be required to walk (accompanied by an appropriate adult as necessary) to and from designated pick-up or set-down points. The distance to such a point will not normally exceed 1 mile for a primary-aged pupil and 1.5 miles for a secondary-aged pupil.

Generally, the driver of school transport vehicles will be the only adult present during journeys. Parents must ensure their children are instructed about good behaviour when travelling and to use seat belts at all times where fitted. A passenger assistant will only be provided where a risk assessment specifically for a particular service suggests that this is necessary.

## 3. Other circumstances

In certain other instances, there may be circumstances that mean pupils may be provided with transport. These are described below.

To apply for transport under any of the special circumstances listed, complete the form that can be downloaded from

[www.rutland.gov.uk/pdf/School%20Transport%202015%20A5%20Guide%20\(2\).pdf](http://www.rutland.gov.uk/pdf/School%20Transport%202015%20A5%20Guide%20(2).pdf)

### 3.1. Pupils who are unable to attend their qualifying school due to over subscription

Where a pupil is unable to obtain a place at their qualifying school because it is over subscribed, free travel will be provided to the next nearest school that has an available place, provided that it is more than the statutory walking distance from the home address.

## **3.2. Pupils with medical conditions**

Some children may be unable to walk to school, even if it is only a short distance. In some cases, travel assistance may be considered if all other possible solutions (such as making arrangements with another parent) have already been explored.

To qualify for help, the child must be attending their qualifying school. Medical evidence from a consultant or GP will need to be presented to confirm the child's medical condition means that they cannot walk the necessary distance to school. The medical practitioner may charge for this, which it will be the responsibility of the parent to meet.

Regular reviews of the child's situation will be undertaken to ensure that assistance is still required.

## **3.3. Extended rights for low income families**

For low income families where children are entitled to free school meals or parents are in receipt of one of the qualifying benefits, free travel will be provided for:

- Primary children aged between 8 and 11 who live more than 2 miles from school
- Secondary age students (11-16) to any of their 3 nearest qualifying schools that are more than 2 miles and less than 6 miles from their home
- Secondary age students (11-16) attending their nearest suitable school preferred on grounds of religion or belief, that is over 2 miles and under 15 miles from home. Documentary evidence of faith or belief will be required.

Once entitlement under the extended rights has been confirmed, then this will remain for the year. Entitlement will be reassessed annually.

## **3.4. Looked after children**

Children under the care of Rutland County Council will have their transport requirements assessed by their Social Inclusion Development Officer in line with this policy.

## **3.5. Transport assistance for pupils on a Managed Move**

Transport assistance will only be provided under the Authority's discretion outside the normal eligibility rules stated in this policy, according to the Fair Access Protocol, and as follows:

- Only at the start and end of each school day
- Subject to the distance from home to the new school exceeding statutory walking distances
- For a maximum of 10 weeks

## **3.6. Permanently excluded pupils**

Where a pupil has been permanently excluded from school and admitted to an alternative school, that will be identified as the qualifying school for the purposes of determining travel assistance. In general, the pupil should be placed in the next nearest available school to the home address. If the parent elects to send their child to a different school then that school will be treated as a preferred school and ineligible for transport assistance.

## **3.7. Bullying at school**

Where a parent wishes their child to move to another school, due to bullying, and the current school acknowledges that it cannot deal satisfactorily with the problem, the Social Inclusion Development Officer may decide that the new school will be considered as the qualifying school for transport assistance purposes, provided that it is the next nearest available school.

If the pupil was originally in a preferred school, then the follow-on school will also be designated as preferred, unless it is the qualifying school for the home address.

## **3.8. Split families and transport to alternative addresses**

Transport will only be provided from and to the main home address of the child (i.e. the address where the child lives permanently or most often). It will not be provided to alternative addresses, such as child minders.

In the case of split families where a child spends more than 50% of their time during the school week at one or other of their parents' addresses, then that address will be the one used to determine eligibility for transport, irrespective of whether they would qualify from the address where they spend less time.

Where parents live at separate addresses and the child spends an equal amount of time during the school week at both addresses (and both addresses would qualify for free transport), then transport will only be provided from one address. Parents will be able to decide which address they wish to use.

Where parents live at separate addresses and the child spends an equal amount of time during the school week at both addresses (and only one address would qualify for free transport), then transport will only be provided from that one address.

Parents may be asked to provide documentary evidence of residency.

## **3.9. Pupils with dual residency**

Where pupils have official dual residency recognised by the courts, and both addresses meet the eligibility criteria, transport will be provided from both. If only one address qualifies, then transport will only be provided from that one

## 3.10. Pupils who move address permanently during their final year at school

If a pupil in their final academic year of secondary school moves to a new address, then to facilitate continued attendance at the same school the authority may provide free transport if all the following apply:

- The move is due to reasons beyond the control of the parent(s)
- They have attended that school for more than one year
- The new address is in Rutland
- The distance to school is more than statutory walking distance
- The journey is a reasonable one in the view of the authority

## 3.11. Exceptional circumstances

In exceptional circumstances, where it may be very difficult for a parent to get their child to school, an application can be made for short-term transport assistance. Each case will be considered on its merits, and may require documentary evidence to be submitted in support.

## 4. Fare paying places

Parents of pupils who are not entitled to transport assistance may apply for a fare paying place on a Council-provided school bus where there are spare seats available. A flat rate charge is made for this (current charges are shown on the Council's website).

Places for fare paying pupils are entirely discretionary and offered on a first come, first served basis. Priority will be given to the needs of entitled pupils, and so there is no guarantee that fare-paying seats will be available throughout the time a pupil is at that school. The situation will be reviewed each term.

## 5. Service standards for hired transport

### 5.1. Seatbelts

For children aged 14 and over, it is a legal requirement that seat belts, where fitted in a bus or coach, must be used. It is not the driver's legal responsibility to ensure that seat belts are used.

For pupils aged 3-13 inclusive there is no legal requirement that seat belts, where fitted in a bus or coach, are used. The wearing of seatbelts cannot legally be enforced by drivers or others. Schools may wish to include a section on seatbelt wearing on parental consent forms. Forcing a seatbelt on to a child is not appropriate. If a member of staff, or other adult, is assisting a child to put on a seatbelt, in accordance with the parent's and child's wishes, physical contact with the child must be minimal and only such as is necessary to put on the seatbelt. **Staff are advised to undertake such actions in the presence of other adults.**

### 5.2. Travel by taxi

Children travelling to and from school in taxis arranged by the authority will be required to use restraints (car seat, booster seat or seatbelts) appropriate to their age, height and weight.

## **5.3. Journey time**

There are no set limits for what is a reasonable journey time. This will depend on the age and individual needs of pupils. However, we aim to make sure that no child will have a journey of more than 75 minutes (secondary school age) or 45 minutes (primary school age), with the exception of school placements outside of the county.

## **5.4. Disclosure and Barring Service (DBS)**

Drivers and passenger assistants of taxis, minibuses and hired coaches arranged by the County Council are required to undertake a DBS check. This does not apply to those driving buses on services available to the public.

## **5.5. Monitoring operator performance**

The County Council undertakes annual checks on transport operators to ensure that they comply with statutory and legal requirements. These checks include vehicle and public liability insurance cover, vehicle MOT and DBS clearance. Similar checks are undertaken on operators who are awarded a new contract service.

County Council staff undertake spot checks on services throughout the year to ensure that operators are complying with their contracts.

## **6. Poor behaviour and withdrawal of transport**

In the interests of safety for everyone using school transport, it is important that pupils behave well while travelling.

Head teachers are empowered to take action to address unacceptable behaviour even when this takes place outside of the school premises, when it is reasonable to do so. This includes addressing any behavioural issues on school transport.

The County Council has a duty of care to ensure all children travel in reasonable safety and comfort. Any behaviour affecting other passengers, the public or the driver that endangers (whether intentionally or unintentionally) themselves or others may lead to the entitlement to travel being withdrawn, either temporarily or permanently. In such circumstances, the parent will need to arrange and pay for their own transport in order to meet their duty to ensure that their child continues to attend school.

## **7. Review of transport provision**

Due to changing circumstances and numbers of entitled pupils, transport arrangements are reviewed at least annually and may, therefore, be subject to change. Consequently, pupils may experience different routes, timings and vehicles as they progress through their period at a school.

In making arrangements, the Council will seek to ensure the most cost-effective provision, as well as looking to its suitability for the pupils being carried.

## **8. Applications for transport assistance**

Parents of pupils who are likely to be entitled to free transport will receive a form (X78). This must be completed and returned to the Council's Transport Office by the date indicated, in order for passes to be arranged. If, as a result of a late



application, a pass is not issued until after the start of term, parents will be liable for any travel costs incurred.

## 9. Appeals and complaints procedure

### 9.1.Reconsideration of cases and special circumstances

Staff in the Council's Transport Office are not able to change the policy set out in this document.

1. If you wish to appeal against a decision relating to the assessment of a child's needs, **please contact the SEN team at Rutland County Council direct.**
2. If you wish to appeal against a decision regarding eligibility for transport detailed within this 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](mailto: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](mailto:Letusknow@rutland.gov.uk)
- By telephone on 01572 722577
- In writing or in person at Customer Services
- By twitter @rutlandcouncil

Our Compliments, comments and complaints policy is available at:

[http://www.rutland.gov.uk/customer\\_services/compliments\\_comments\\_and\\_comp.aspx](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](mailto:advice@lgo.org.uk)

Website: [www.lgo.org.uk](http://www.lgo.org.uk)

# Appendix 1

## 10. Appendices

**Appendix A** – Current charges for fare paying transport

**Appendix B** – Hazardous Routes to School, Guidance and Assessment Criteria

**Appendix C** – Safe school transport – Top tips

**Appendix D** – Code of conduct for using school transport

**Appendix E** – Flow chart setting out eligibility for free home to school transport.

### APPENDIX A

#### HOME TO SCHOOL AND DENOMINATIONAL TRANSPORT CHARGES

The following charges and exemption criteria will apply with effect from September 2016:

Cat		Charges	Exemptions
A	<b>Students living in Rutland and attending their qualifying school</b> but who live within the 2 mile primary or 3 mile secondary distance criteria.	£97 per year	Yes See note (1)
B	<b>Students living in Rutland who do not attend their qualifying school</b>	£258 per year	Yes See note (1)
C	<b>Students resident outside Rutland</b>	£483 per year	None
D	<b>Denominational transport</b>  Transport will be provided for eligible <b>primary</b> school pupils to the nearest school of the appropriate denomination providing that the pupil lives more than 2 miles if under 8 years old or over 3 miles if over the age of eight and:  a) the school is within Rutland  b) the school is outside Rutland  Students attending the nearest <b>denominational secondary or post 16 school/college</b> to their home address receiving assisted transport.	Free of Charge  £450 per year  £450 per year	Not Applicable  See note (2)  Yes See notes (1) & (2)
E	<b>Post 16 Transport</b>  Students meeting the full eligibility criteria are eligible for assisted transport.	£339 per year	None

Notes:

- (1) Only pupils entitled to Free School Meals (FSM) or whose families are in receipt of maximum level of Working Tax Credit (WTC) with no deductions will be exempt from any charges.
- (2) Families with more than two children receiving transport to denominational schools will have the charge capped so that they only pay for the first two children.

Following the financial year 2008/09, the level of charges will be reviewed annually and amended in line with the previous year's percentage change in Council tax.

## APPENDIX B

### GUIDELINES FOR ASSESSING HAZARDOUS ROUTES TO SCHOOL

#### THE RUTLAND CRITERIA

##### **Each case to be considered on its merits.**

The child may be assumed to be accompanied by a caring parent or other reasonable person.

##### **The factors to be considered**

The Authority has to determine whether the route is one along which a child, accompanied as necessary, can walk with reasonable safety to school.

Consideration will be given to the following factors to determine whether a route is safe for an accompanied child. (definitions of these factors will be taken from the Guidelines for the Assessment of the Safety of Walking Routes to School)

##### **The Child**

1. The age of the child. (Secondary aged pupils are, broadly speaking, as competent as adults are when considered as pedestrians and only rarely will routes be unsuitable for them).
2. Any disabilities the child may have.

##### **The Route**

1. If there is a footway of adequate width the whole length of the route, then the route is safe. (some judgement will need to be exercised taking into consideration the speed and volume of traffic).

# Appendix 1

2. When there is a need to cross the road to use the footways, the appropriate crossing point might be advised, to minimise risk, or the "road crossing assessment guidelines" used.
3. "Traffic Interrupters" are any feature that creates gaps in an otherwise constant traffic flow.
4. On some country lanes the footway might not be continuous. In such cases a judgement is made on the safety of traversing the "nip" point (the point at which one footway ends and another begins).
5. Where on more lightly trafficked roads a verge exists that can be stepped on to when vehicles are passing, it can normally be assumed to provide safety for that part of the journey. (see guidelines for lightly trafficked roads)
6. When there is a need to use step off points, consideration should be given where there is evidence of vehicles travelling over these points. (i.e. Tyre tracks on a grass verge)
7. The absence of a verge that can be walked on or stepped on does not automatically mean that the route is unsafe. The behaviour of a prudent pedestrian should be assumed. Issues to be considered in such cases are:
  - The volume, speed and type of traffic.
  - The degree of visibility.
  - Accident record of the road at the time of day children would use it.
8. Where a road with a speed limit in excess of 40 miles per hour needs to be crossed, the crossing facilities need to be considered.

The following factors would not be considered in their own right as dangerous for an accompanied child.

- Lonely routes.
- Moral danger.
- Routes alongside or crossing over rivers, ditches, canals, ponds.
- Unmanned level crossings.
- No street lighting.

## Assessment

- Entitlement Officers in the council will use the above factors to assess whether a route is safe. (Safe Routes to Schools)
- There will normally need to be a combination of factors present for the route to be unavailable for an accompanied child.

A route will not normally be considered unsafe because a short length of it is difficult. It is reasonable to expect special care in particular places.

## APPENDIX C

### TOP TIPS FOR SAFE, SCHOOL/COLLEGE TRANSPORT

#### **IN THE MORNING**

- Please be at the stop at least 5 minutes before the scheduled time, wait for the bus sensibly, and at a safe place
- If the bus is late, please wait a reasonable time before going home (up to 30 minutes on a fine day). Please be sure you have somewhere to go if you don't catch the bus
- **Do not** catch any other coach as this may dangerously overload the vehicle
- **Do not** jostle and push to get on the bus; **wait until it has stopped** before moving towards it

#### **ON THE BUS**

- Always wear the seatbelt provided and store it properly at the end of the journey
- Make the most of the journey, catch up on the latest news with your friends
- Stay in your seat throughout the journey. **Do not** stand up.
- **Do not** distract the driver
- **Do not** eat or drink on the bus
- Respect the driver, the vehicle and each other
- **Do not** litter the bus, it may be used to transport other people after you

#### **IN THE AFTERNOON**

- **Do** go straight to your correct bus
- **Do not** catch any other coach as this may dangerously overload the vehicle
- If you miss your bus, contact the teacher on duty, or go back into school so you can arrange transport home

### **IMPORTANT**

**Do have a valid pass available for inspection at all times. If you lose your pass you must obtain a replacement from the School Transport Office on the contact details below.**

**Do not** take friends home on your bus.

**Do not** swap coaches for any reason

If you see students bullying other passengers or causing damage to the vehicle please inform someone from the school as soon as possible.

All passes are renewed every year, please ensure yours is valid. If this pass is not required please return to the School Transport Office at the address overleaf, this could release space for another student requiring a pass.

# Appendix 1

## **OTHER SCHOLAR TRAVELLERS**

If your travel pass is for use on a Local Service Bus you will have to show the pass in order to travel. Failure to do so will mean you will have to pay a fare. Every student must adhere to the passenger charter – which can be obtained through the contact details below.

TO ENSURE THE SAFETY OF ALL PUPILS **CCTV** MAY BE IN OPERATION  
DURING THE JOURNEY

Student misbehaviour is not acceptable, and may lead to a travel pass being suspended, and in serious cases permanently withdrawn.

It is our aim to provide each student with a standard of transport that is safe. This can only be achieved with the co-operation of the students themselves by following our advice above and reporting any incidents to us immediately. To contact the school transport office, telephone 01572 722577. Email: [Transport@rutland.gov.uk](mailto:Transport@rutland.gov.uk) or the Rutland County Council website [www.rutland.gov.uk](http://www.rutland.gov.uk) All calls will be dealt with in the strictest confidence.

APPENDIX D



**Passenger Code of Conduct**

Where transport is provided by the Council, there is an expectation that all passengers and staff should have the right to travel without undue stress, strain or difficulty. In addition, passengers and staff should be able to travel safely and in a comfortable environment. In view of these principals, all passengers will be expected to conform to the standards of behaviour set out in this code of conduct.

Breaches of this code of conduct will be dealt with in accordance to their seriousness and in line with this, the Council have identified four separate categories of misbehaviour. To promote fairness and consistency, sanctions will be applied depending on the category of misbehaviour which is identified.

24

<b>Category 1 – Nuisance or offensive behaviour</b>	
This includes irritating and unpleasant behaviour which, whilst not necessarily a threat to safety, may significantly impair the comfort of others including:	
<ul style="list-style-type: none"> <li>i) Failing to respond appropriately to the driver or other staff.</li> <li>ii) Eating or drinking on the vehicle.</li> <li>iii) Smoking</li> <li>iv) Spitting.</li> <li>v) Using foul or abusive language.</li> <li>vi) Making excessive noise.</li> <li>vii) Putting feet up on seats.</li> </ul>	<p><b>First incident:</b> Driver reports to supervisor. Supervisor to discuss with Service Provider. <b>Verbal warning</b> given to client.</p> <p><b>Second incident:</b> as above except client receives <b>written warning</b>.</p> <p><b>Third incident:</b> client to receive a fixed period <b>ban of one or two weeks</b> (this will be agreed with Service Provider).</p> <p><b>Subsequent incidents: Extended ban</b> of up to one month.</p>



<b>Category 2 – Dangerous behaviour</b>	
This includes behaviour which may present some potential or actual threat to the physical safety of others and includes:	
25 i) Standing on the vehicle whilst vehicle is in motion. ii) Leaning out of the window or door. iii) Harrassing or verbally abusing the driver or other passengers. iv) Bullying. v) Running around vehicle or climbing on the seats.	<b>First incident:</b> Driver reports to supervisor. Supervisor to discuss with Service Provider. <b>Written warning</b> given to client.  <b>Second incident:</b> as above except client receives <b>final warning</b> .  <b>Third incident:</b> client to receive a fixed period <b>ban of up to two weeks</b> (this will be agreed with Service Provider).  <b>Subsequent incidents:</b> <b>Extended ban</b> with length to be agreed with Service Provider.

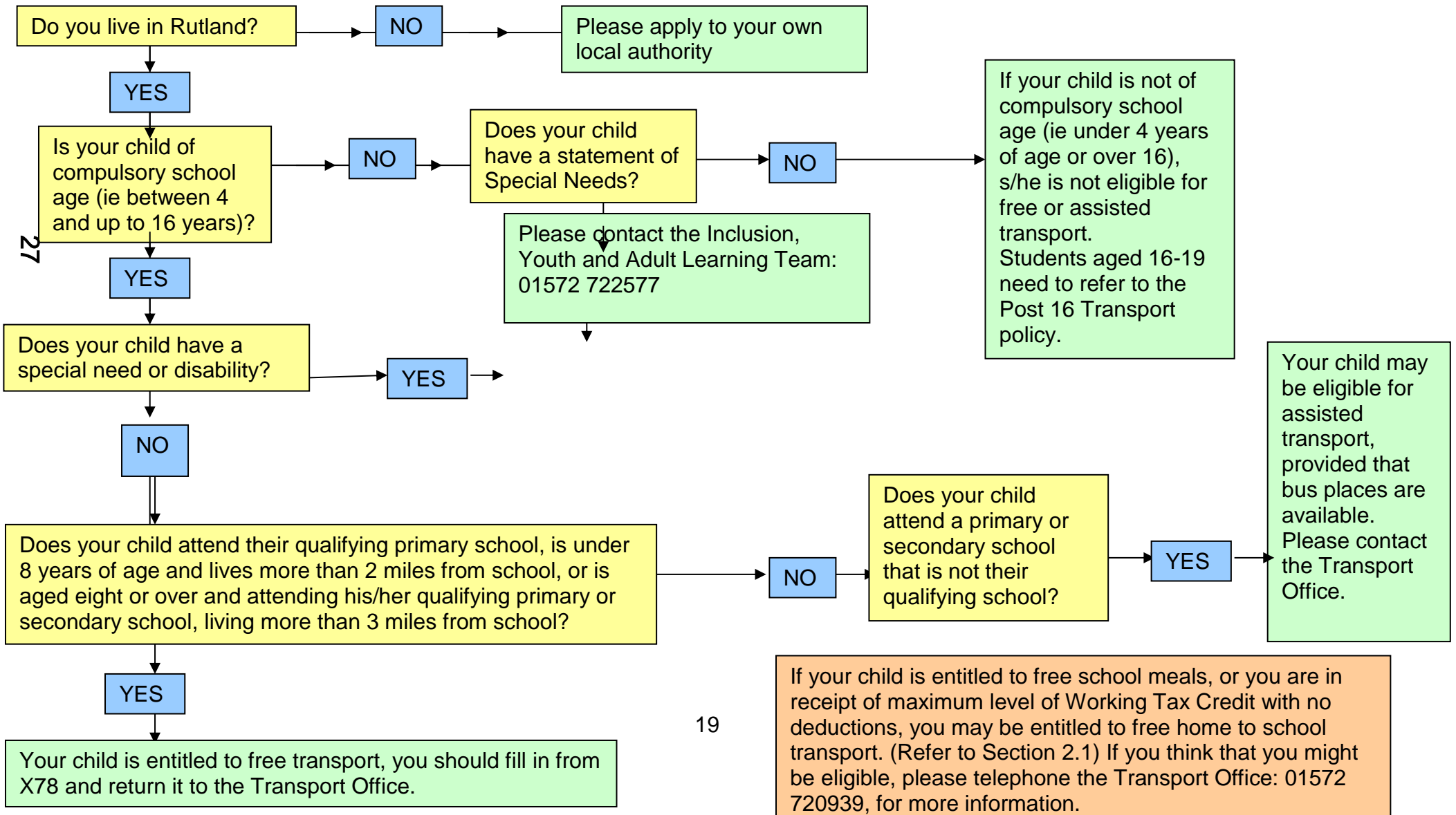
<b>Category 3 – Destructive or very dangerous behaviour</b>	
This category includes behaviour which causes or has the potential to cause physical injury to others or damage to the vehicle, such as:	
i) Fighting. ii) Threatening physical violence to other passengers or the driver. iii) Throwing objects around or out of the vehicle. iv) Breaking windows. v) Interfering with the operation of the doors or emergency exit. vi) Graffiti, including etching glass. vii) Spraying aerosols.	<b>First incident:</b> Driver reports to supervisor or Group Manager. Supervisor/Group manager to notify Service Provider. <b>Immediate suspension of transport</b> pending investigation. <b>Written warning with extension of ban</b> if it is agreed as appropriate.  <b>Second incident: Final written warning with Extended or Permanent ban</b> as agreed with Service Provider.  <b>Third incident: Permanent ban</b>

viii) Damage to seats, seatbelts or other equipment.	
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<b>Category 4 – Highly dangerous or life-threatening behaviour</b>	
This category includes behaviour which is likely to cause serious injury to others and includes:	
i) Physical assault on the driver or other passengers. ii) Lighting fires including lighting aerosols. iii) Threatening physical violence with a dangerous weapon. iv) Interfering with the vehicle controls.	<b>First incident:</b> Driver reports to Group Manager. Group Manager to notify Service Provider. <b>Immediate suspension of transport</b> pending investigation. <b>Final written warning with extension of ban</b> as appropriate.  <b>Second incident: Permanent ban</b>

APPENDIX E

**IS YOUR CHILD ELIGIBLE FOR FREE OR ASSISTED HOME TO SCHOOL TRANSPORT ?**



### **Revised Travel assistance for children with special educational needs and disabilities**

#### **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.

#### **Contents**

- 1. Introduction**
- 2. Legal Framework**
- 3. Home to school travel assistance**
  - 3.1 Eligibility
  - 3.2 Early years
  - 3.3 Pupils aged 4-16
- 4. Transport assistance for Post-16 SEND students**
- 5. Travel assistance and support for pupils**
  - 5.1 Independent Travel Training
  - 5.2 Personal Travel Budgets
  - 5.3 Use of passenger assistants
- 6. Review of transport for SEND pupils**
- 7. Service standards for hired transport**
- 8. Application process**
- 9. Appeals and complaints procedure**
  - 9.2 Reconsideration of cases and special circumstances
  - 9.2 Complements, comments and complaints
  - 9.3 Ombudsman

### 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 minibus.

- 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 them 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 for 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](mailto: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](mailto:Letusknow@rutland.gov.uk)
- By telephone on 01572 722577
- In writing or in person at Customer Services
- By twitter @rutlandcouncil

Our Compliments, comments and complaints policy is available at: [http://www.rutland.gov.uk/customer\\_services/compliments\\_comments\\_and\\_comp.aspx](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](mailto:advice@lgo.org.uk)

Website: [www.lgo.org.uk](http://www.lgo.org.uk)

APPENDIX 3

Response	Issue Raised	Action
Email 1	Do not agree with seatbelt law ages 3-13 no legal requirement to wear seatbelts	This is national legislation. No action required
	Checking seatbelts at the start of every journey and during if necessary	This is not a contractual requirement at present. To amend contracts to allocate seatbelt responsibility to the drivers would need to be investigated at length with local bus operators involved in discussions. No action required at this time.
	Passenger assistants on all primary buses required	The issue of passenger assistants on buses has previously been discussed and rejected.
	Policy not suitable for children aged 4 years old.	The policy relates to all school aged children in line with the national age of school admission
	Daily travel register	A daily log of all students travelling should be taken on every school bus by the drivers. Currently this happens on 1 primary school run only to resolve numerous complaints. No issues have been raised by any other parents. No action required as insufficient case to include a register as part of contract conditions.
Email 2	More detailed explanation of the safe route assessment process	A brief summary already included in the policy with a link to the national guidelines and forms utilised
	There is a need for routes to be inspected on-site and not from an office environment.	All routes are inspected by staff on-site currently. Text has been added to the policy to explain this.
	Consult with head teachers with regard to route inspections.	Route inspection information can be provided jointly by the highways team, the road safety officer and the transport inspector combined. Opinions of school staff may be requested in individual cases where additional information may be required. No reference is required to this

		within the policy as standard procedure.
	Encourage usage of seatbelts with young children	The policy already states that training will be provided where necessary but that it is the parent's responsibility to encourage their children to put on their seatbelts. No action required.
	Assessment of SEN transport needs and annual review required	This issue is one which is already mentioned within the policy although additional reference to this has now been added. For any queries relating to the processes that the SEN follow and the annual review procedure for assessment, parents/carers should contact the SEN team direct for information.
Email 3	Assessment of SEN transport needs and annual review required	As above
	Meeting needs of students should be more of a priority than opting for the cheapest solution.	No action required. This concept does not feature within the policy documents.
	Independent Travel Training	More detail needed as to who carries out the training and how it is implemented jointly. Additional text has been added to this section to explain who conducts the training and how it would be implemented.
Cabinet	Post-16 policy - If the 2 proposed draft policies are introduced, where would the post-16 information be.	The current transport policy has been reduced to contain information relevant to post-16 transport only to form a 3 <sup>rd</sup> policy
Informal Cabinet	No mention of train travel	Added to transport options considered in both policies.
	More user-friendly language	The home to school transport booklet was produced for this very reason and is designed in a really user-friendly way in order for everyone to be able to make sense of the transport policy and process. Text and link to the booklet included in both policies.

### Rutland Home to School Transport Policy – proposed amendments

The current policy dates back to 2007, with some amendments made in 2014 when. As part of the Total Transport review, the policy has been revisited to consider potential amendments. These essentially aim to provide more clarity to what the Council is and isn't responsible for and to ensure parents are aware of their responsibilities.

Reference	Proposed amendment	Purpose
General	Policies for mainstream, SEN and post-16 transport split into separate documents. Mainstream and SEN policies have been rewritten. The post-16 transport statement will continue in the same form as in previous years, highlighting what provision is made for students in further education in line with DfE guidance.	Easier to find those policies that are relevant to individual circumstances. The majority of parents only need to know about the mainstream policies. Parents of SEN pupils will need to refer to the general and SEN policy documents
Introduction	Explanation about legislation removed. New introduction section sets out legal responsibilities of parents and refers to the separate policy documents.	Improves clarity of document and makes clear what the position is in Rutland. Provided that Rutland County Council meets the requirements of legislation there is no need to detail what that is. New introductory section makes clear what parents' responsibilities are.
Definitions	Definitions and glossary of terms included in an appendix. Key definitions such as qualifying school remain included in the main body of the document.	To help make the document more concise and clear.
Eligibility	Eligibility criteria more clearly and concisely stated.	To improve clarity of document.
Extended rights	Extended rights for low income families moved to a separate section under 'Other circumstances'.	Extended rights given more prominence as a separate section.
Compulsory school age	New separate section, also highlighting that Rutland includes 4 year olds attending their qualifying school.	Improves clarity of the document.
Qualifying school	New separate section highlighting that Rutland includes catchment as well as nearest school in its entitlement.	Clarifies position regarding qualifying school with details of catchment areas.
Statutory	New separate section setting out walking distances.	Improves clarity of the document. Makes clear that routes

## APPENDIX 4

walking distance		are assessed based on the principle that children will be accompanied as necessary.
Route safety	New separate section detailing how routes will be assessed for safety and, if necessary, transport provided for pupils who live within statutory walking distances.	Provides more detail about the assessment of routes, and again makes clear that the assessment is undertaken on the basis of children being accompanied by an adult.
Accessibility to pick-up points	Section replaced by a paragraph within a new 'Transport assistance' section, with more precise definitions of circumstances for arrangements for pick-ups.	Provides greater definition about what is expected, in that pupils may be required to walk up to 1 mile (primary) or 1.5 miles (secondary) to reach a designated pick-up point for transport. This is to remind parents that there is no obligation on the authority to provide door to door transport and avoids any ambiguity.
Transport assistance	New section setting out what parents can expect from transport arrangements. Sets out that usually the driver will be the only adult on provided transport; passenger assistants will only be provided where a risk assessment of an individual route / service indicates that they should be provided for a specific reason.	Emphasises what the authority will provide and that generally this will be shared transport. Clarifies existing position regarding the provision of passenger assistants.
House move	Amended to only being applicable where the house move is due to circumstances beyond the parent's control. Such provision is restricted to year 11 and removed for years 6 and 10. Assistance will only be provided where the journey is considered to be reasonable. Additional conditions in place for considering the case of year 11 pupils.	Tighter eligibility criteria and restricted to key exam year only, in line with other authorities. Makes clear that under other circumstances it will be the parent's responsibility to make travel arrangements. Written evidence of house move circumstances may be required.
Dual residency	Makes clear that this is in circumstances recognised by the Courts. A separate section covers split families.	Improves clarity of the document.
Split families	New section detailing arrangements for pupils from split families. Includes possible requirement for documentary evidence.	Greater clarity; provides more definition about what will be provided under what circumstances, removing cause for ambiguity or misunderstanding.



## APPENDIX 4

Medical needs	New section under 'Other circumstances'. Only considered for pupils attending their qualifying school. Reference to termly reviews replaced by regular reviews.	Covers temporary and long term medical conditions and provides tighter definition of what will be provided and that the child must be attending their qualifying school. Reviews of circumstances may be undertaken at anytime, dependent on circumstances.
Secondary admissions	Section removed as eligibility already defined earlier on.	Improves clarity of document.
Assisted transport	Replaced by new section entitled 'Fare paying places.' Makes clear that places are allocated on first come, first served basis and that there is no guarantee of on-going provision beyond a term at a time (currently a year with one month's notice).	Improves clarity of document. Moving to termly arrangement will avoid having to give notice and arranging refunds to parents. Parents will only need to pay for a term at a time instead of for a whole year.
Preference on grounds of religion or belief	Remove section on the basis that assistance on these grounds was previously withdrawn (2014-15), apart from eligibility under the extended rights provision that is already covered in a separate section.	Improves clarity of document.
Train travel	Section removed, as the document already makes clear what types of transport will be provided, and that it will be whatever is most cost-effective for the authority.	Removes duplication.
Pick-up points	Section removed, as already included elsewhere.	Removes duplication.
Exchange visits	Section removed, as clear from the criteria that exchange students would not be eligible.	Unnecessary section.
Sustainable Modes of Travel	Section removed, as doesn't form part of the Home to School Transport Policy. It is a separate strategy for encouraging sustainable travel behaviour.	Improves clarity of document.
Safe travel	Section removed as information covered in new 'Service standards' section.	More concise document.
Service standards	New section that sets out standards of provision, covering seatbelts, journey times and driver vetting.	Improves clarity of document.

## APPENDIX 4

Hazardous routes	Detail of guidelines moved to appendix.	Improves clarity of document.
Behaviour	Replaced by new section on 'Poor behaviour', including sanction to withdraw transport in certain circumstances.	Gives greater clarity about what will be done in certain circumstances, including withdrawal of transport and requirement for parent to make own transport arrangements.
Smoking	Remove section as legal requirement anyway on transport services and covered by behaviour section.	More concise document.
Passes	Section removed, as operational matter rather than policy.	More concise document.
Parental mileage	Section removed, as mentioned elsewhere and operational matter rather than policy.	More concise document.
Fare-paying	Section removed, as covered elsewhere.	More concise document.
Appeals	Replaced by new section, detailing a more thorough 2-stage appeals process. Makes clear that the appeals process is for decisions regarding eligibility and entitlement for school transport, not for challenging the type of provision deemed appropriate by the authority. Same appeals process for mainstream and SEN transport eligibility.	More formal appeals process, with details of timescales and who is involved, offering more clarity for parents and improved decision making.
Special educational needs and disabilities	Dealt with in new separate policy document.	Clearer definition of eligibility and circumstances where transport will be provided. No change in actual policy, but will be clearer for its application.
Over 16	Section removed, as covered in separate post-16 transport policy.	Improves clarity of document.
Looked after children	Section removed as covered by mainstream policy. Scenarios are not about policy, but funding within the local authority.	Improves clarity of document.
Pre-school	Replaced by section entitled 'Early years.' No change in policy.	Improves clarity of document.
Escorts	Replaced by new section on passenger assistants,	Provides clarity that a passenger assistant is only provided

## APPENDIX 4

	which indicates that these will only be provided where there is an assessed need.	where assessed as necessary, and may be taken away in the future following a reassessment.
Inclusion	Section removed.	Covered by other eligibility policies, provided that school attending is defined as the qualifying school on the days of attendance.
Parents	Section removed, as not a home to school transport policy issue, but an area of discretionary provision.	Can be dealt with as special circumstance.
Travel assistance and support	New section which clearly sets out that transport provided will generally be shared and will be the most cost-effective to the County Council. Also, makes clear that transport will not usually be door to door. Introduces the concept of Personal Travel Budgets.	Clearly sets out the types of assistance that parents can expect, and that the County Council will seek to provide transport in the most cost-effective way. Seeks to manage parents' expectations of what will be provided.
Independent Travel Training	New section setting out that where appropriate the authority will provide travel training to pupils, with the aim that all or part of their journey from home to school could be achieved independently (e.g. using public transport or mainstream school transport). Also, provides useful life skills for young people.	Makes it clear to parents that where appropriate young people will be trained to use transport independently.
Personal Travel Budgets	New section on personal travel budgets, offering choice to parents to make their own travel arrangements, where this would be more cost-effective to the County Council than other transport methods.	Another option for assistance to be adopted, whereby parents may be given a budget to arrange their own transport.
Use of passenger assistants	New section that sets out the circumstances when assistants will be provided, and what the responsibilities of assistants are.	Highlights that it is not the norm for assistants to be provided, and that they are only provided where assessed needs show a requirement. Also, reminds parents that the need for an assistant will be reviewed regularly and could be removed if deemed no longer necessary.
Review of transport	New section highlighting that regular reviews of needs will be undertaken and transport arrangements amended accordingly.	Clarifies the authority's position and reinforces current policy protocols. As individual circumstances can change, then so transport arrangements may need to change.

## APPENDIX 4

Service standards	New section reminding parents of their responsibilities and that any requests for changes to transport should be made via the Transport Team.	Reminder to parents of their responsibilities.
Post-16	Dealt with in separate policy document.	Improves clarity of document.

## Neighbourhood Plan Scrutiny Task and Finish Group Terms of Reference

### 1.0 Objectives

- 1.1 Develop a policy in support of the Council's role to provide advice and guidance for designated Neighbourhood Plans within Rutland.

### 2.0 Scope

- 2.1 The development of the Policy will require:
- 2.1.1 A review of the existing practice to date in providing advice and guidance to designated Neighbourhood Plans, taking account of the Council's responsibilities under Government Regulations;
  - 2.1.2 Consultation with Parish Councils and Neighbourhood Plan bodies; and
  - 2.1.3 A review of good practice from around the country.
- 2.2 The review of advice and guidance will include but will not be limited to:
- 2.2.1 Requirement in relation to Neighbourhood Plans meeting "basic conditions";
  - 2.2.2 Requirements in relation to the governance and working arrangements of Neighbourhood Plans;
  - 2.2.3 Requirements in relation to consultation on Neighbourhood Plans;
  - 2.2.4 Opportunities to provide training and development to Neighbourhood Plan bodies
  - 2.2.5 Complement the Council's existing development management policies without unnecessary duplication and to identify and address any important gaps these.
  - 2.2.6 Help parishes produce a lasting document which has the potential to sit well with emerging Rutland and national policy, with a clear timetable for review.

### 3.0 Roles and Responsibilities

- 3.1 The membership of the Task and Finish Group will be Cllrs Oxley, Lammie, Bird, Mann and Stewart.
- 3.2 The Planning Policy Manager will support the Group by coordinating all requests for information held by the Council.

### 4.0 Key Milestones

Activity	45	Provisional Dates
Information gathering		Sep 2016 to Nov 2016
Consultation		Oct 2016 to Feb 2017

## Appendix 1

Reviewing good practice	Dec 2016 to Feb 2017
Policy development	Feb 2017 to May 2017
Report to Scrutiny	May 2017