

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.

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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 5th 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

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 assess the route 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 C 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 may be provided.

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 or receiving the maximum level of Working Tax Credit, 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. If you wish to appeal against a decision about eligibility for transport, 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 Manager
Rutland County Council
Catmose
Oakham
Rutland
LE15 6HP

APPENDIX 2

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

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

10. Appendices

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Appendix B – Current charges for fare paying transport

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