

Home to School Transport Policy for 4-16 year olds 2014/15

1. Introduction

- 1.1 The legal responsibility for ensuring a child's attendance at school rests with the child's parent. Generally, parents are expected to make their own arrangements for ensuring that their child travels to and from school.
- 1.2 A local authority is only under a statutory duty to provide transport if the nearest qualifying school is not within statutory walking distance of the child's home by the nearest available route (section 444(5) of the Education Act) or to certain children whose families are on a low income (Schedule 35B to the 1996 Education Act). Otherwise the provision of transport is at the local authority's discretion.
- 1.3 Only where children meet the criteria in this policy will they be entitled to free transport between their home and school.
- 1.4 This policy does not apply to children with statements of special educational needs or to children who are over compulsory school age and who are in sixth form or college. Separate policies apply in these cases.

2. Eligibility

- 2.1 Children must be resident in Surrey County Council in order to qualify for free transport.
- 2.2 Children who are between the ages of 8 and 11 years (Year 4 to Year 6) and who are entitled to free school meals, or those whose families are in receipt of their maximum level of Working Tax Credit, will qualify for assistance with travel to their nearest qualifying school (see paragraph 2.5 for more details on nearest qualifying school), if the walking distance between their home and the school is more than two miles. Assistance under this criterion will be reviewed annually.
- 2.3 Children who are of compulsory school age who are aged 11 or over (Year 7 to Year 11) and who are entitled to free school meals, or those whose families are in receipt of their maximum level of Working Tax Credit, will qualify for assistance with travel to one of their three nearest qualifying schools (see paragraph 2.5 for more details on nearest qualifying school), where they live between two miles (measured by the shortest walking distance) and six miles (measured by the shortest road route) from the school (*with exception to schools attended based on religion or belief, please see Section 3*). Assistance under this criterion will be reviewed annually.
- 2.4 Assistance with travel can also be granted, if:
 - A child is aged between 4 and 16 and attending reception up to Year 11; **and**

- the school they attend/are due to attend is their nearest qualifying school (see paragraph 2.5 for more details on nearest qualifying school), with exception to schools attended based on religion or belief (see Section 3); **and**
 - the shortest walking distance between their home and the school is more than two miles for a child under 8 years of age, or more than three miles for a child aged 8 years and over.
- 2.5 The nearest qualifying school will be one that has a vacancy and that provides education appropriate to the age, ability and aptitude of the child, regardless of whether or not it is within the County of Surrey. In the case of the junior stage of education the nearest qualifying school will either be a junior school or an all through primary school with a separate published admissions number at 7+. The point at which a school will be determined as having a vacancy will be the point at which places are allocated. Qualifying schools under this policy are:
- Community, Foundation, Trust, Voluntary-Aided and Voluntary Controlled schools
 - City Technology Colleges, City Colleges for the Technology of the Arts and Academies
- 2.6 If on the date places were allocated, a place would have been available at a nearer school, then free transport will not be given to a school which is further away. This is the case whether or not the nearer school was named as a preference on the application form.
- 2.7 The walking distance between the home and the school is measured as the shortest available walking route. A route will be available if it is a route that a child, accompanied as necessary, can walk with reasonable safety to school (see Section 4 for more details on safety of route).
- 2.8 Distances will be measured using the Admissions & Transport Team's Geographical Information System from the address point of the pupil's house, as set by Ordnance Survey, to the nearest school gate available for pupils to use. In some instances there may be a school closer to the home address if measured by a straight line (as used in the admission criteria for Surrey Community and Voluntary Controlled). In this situation the authority will provide transport assistance to either school so long as the other criteria are met.
- 2.9 Assistance with travel will not normally be agreed if a house-move results in the prescribed distance being breached and if the school being attended is still the nearest school or if there are other nearer schools with an available place (but see enforced council moves in paragraphs 2.10 and 2.11). However, assistance may be agreed if the school being attended is not the nearest school and if the child is in years 6, 10 or 11 at the time of the move, if there are exceptional reasons for a move at that time. Where parents wish their case to be considered as an exceptional case they should provide details along with independent evidence of their case.
- 2.10 Assistance with travel may be agreed if the prescribed distance is breached as a result of an enforced permanent council move and if the school being attended is still the nearest school. Evidence of an enforced permanent council move must be provided.

- 2.11 Assistance with travel may also be agreed if the prescribed distance is breached as a result of an enforced temporary council move that is anticipated to last less than 6 months. Evidence of an enforced temporary council move must be provided.
- 2.12 Assistance with travel will not be agreed if a parent takes a child out of a local school and voluntarily places them at a school over the prescribed distance.
- 2.13 If a child has been offered travel assistance and they have a sibling, that child must also meet the terms of this policy in order to qualify for travel assistance in their own right.
- 2.14 Eligibility to transport is not linked to the admission criteria of a school. Some schools give priority to children who are attending a feeder school, but attending a feeder school does not confer an automatic right to transport to a linked school.
- 2.15 Patterns of admission change and as such parents should not presume that their child will be eligible to home to school transport on the basis that other children have been entitled in the past. Applications are considered on a case by case basis according to the home address of each applicant and the availability of other schools for that cohort.
- 2.16 Surrey County Council makes no provision for assistance with travel to children attending independent schools.

3. Children attending schools on grounds of religion or belief

- 3.1 Children who are of compulsory school age who are 11 or over (Year 7 to Year 11) and who are entitled to free school meals, or those whose families are in receipt of their maximum level of Working Tax Credit, will qualify for assistance with travel to their nearest faith school preferred on grounds of religion or belief, where they live more than two miles (measured by the shortest walking distance), but not more than 15 miles (measured by the shortest road route) from that school.
- 3.2 When considering whether a faith school is preferred on the grounds of religion or belief, the County Council will take into account the nature of other schools that may have been named as higher preferences on the application form. For an application for travel assistance to be agreed under this section, the expectation will be that the school that is preferred on the grounds of religion or belief will be named above any non-faith schools that have been named on the application form.
- 3.3 Parents must provide supporting evidence regarding their genuine adherence to their religion or belief and this will normally be confirmed by asking their minister of religion to sign the application form.

4. Safety of route

- 4.1 Any queries regarding the safety of a route are assessed by a Community Travel Advisor from the Safer Travel Team in line with Surrey County Council's Risk Assessment Procedure at Highway Sites.

- 4.2 Factors to be taken into consideration include the age of the child, the width of the roads, the existence of pavements, visibility, the speed and volume of traffic, the existence or otherwise of lighting and the condition of the route at different times of the year. Each case will be considered on its own merits on consideration of all the risks and the existence on any one negative factor will not automatically deem the route to be unsafe.
- 4.3 If a walking route under the statutory walking distance is deemed to be unsafe then transport will be agreed only if the school was the nearest qualifying school.
- 4.4 If measures are subsequently introduced which make a route safe, which was previously assessed as unsafe, then transport may be withdrawn.

5. Children and parents with medical conditions and/or disabilities

- 5.1 If, due to a medical condition or disability, a child has to attend a particular school that is not the nearest qualifying school but is over the statutory walking distance, then transport will be agreed to the allocated school. Medical evidence must be provided that demonstrates why the child needs to attend that school. In these cases the Admissions and Transport team reserve the right to seek the view of Surrey County Council's designated medical officer.
- 5.2 If, due to a medical condition or disability, a child is unable to walk to a qualifying school which is within the statutory walking distance and no arrangements can be made for them to attend a school nearer to their home, then transport will be agreed for them to attend their existing school. Medical evidence must be provided that demonstrates why the child is unable to walk to school. In these cases the Admissions and Transport team reserve the right to seek the view of Surrey County Council's designated medical officer.
- 5.3 If a route is only deemed to be safe when accompanied by a parent and if a single parent has a disability or both parents have a disability which would prevent them from accompanying the child, then the child would be eligible for home to school travel assistance even if the prescribed distance was not breached. In such cases medical evidence must be provided to confirm the nature of the parent's disability and how it would impact them in accompanying their child to school. In such cases assistance might take the form of a walking escort. Travel assistance agreed under this provision will be subject to periodic review.

6. Children in Public Care

- 6.1 When a child/young person is accommodated in a social services residential unit or in foster care on a long term basis and requires full-time education for longer than twelve months it will be expected that the child will transfer to a local school within one term. During the period that attendance at their existing school is maintained, any transport costs will be shared equally between social services and the education department.
- 6.2 If a local school placement is not achieved within one term because nearer schools are full and the child/young person continues to attend their previous school, then

the education department will provide travel assistance to the school until an appropriate vacancy occurs at a nearer school.

- 6.3 If the child/young person has less than twelve months to attend school then they will, if appropriate, continue with their existing school placement and the cost of the any transport will be met by education and social services equally.
- 6.4 In all cases travel assistance will only be agreed if the distance to the existing school breaches the maximum statutory walking distance appropriate to the age of the child.
- 6.5 Other travel assistance may be available to children in public care directly from social services.

7. Assistance Available

- 7.1 Parents cannot choose the type of transport they will receive for their child. Wherever possible, children will be expected to travel by the cheapest form of public transport so the County Council can provide the most cost-effective service.
- 7.2 A journey to school will be considered as suitable if it allows the child to reach the school without undue stress, strain or difficulty that they would then be prevented from benefiting from the education. To this end the following maximum journey times are considered to be reasonable for a journey to school:
 - 45 minutes for primary aged pupils
 - 75 minutes for secondary aged pupils
- 7.3 Subject to meeting the eligibility criteria of this policy, the following assistance will be considered:
 - A free bus or train pass
 - A seat on a school coach
 - Where a Surrey pass is not appropriate, such as where a child is travelling to an out of County school, parents can claim for reimbursement of the cost for their child to travel to school. Parents will be asked to submit a claim form at the end of each term and evidence of the cost of the tickets purchased must be submitted. The refund will be for the lowest equivalent public transport rate between the pupil's home and the school.
 - Where no public transport service is available and parents take their child to school by car they may claim a petrol allowance for the journeys undertaken with the child on board. The mileage rate to be used will be Surrey County Council's approved mileage rate. The mileage to be used will be the shortest road route from the home address to the school. For car users taking more than one child, only a single application will be considered per family.
- 7.4 Taxis will not be provided unless there is no alternative mode of transport available that will get the child to school within the Government's guidelines of 45 minutes for a primary aged child and 75 minutes for a secondary aged child or if a child's medical condition and/or disability means that he/she is unable to travel using the alternative modes of transport that are available.

- 7.5 No tickets will be issued for part journeys of one mile or less unless that route has been deemed to be an unsafe walking route.
- 7.6 Provision will be reviewed periodically and if a more economical mode of transport becomes available then the parent will be given notice of a change to the mode of transport.
- 7.7 Assistance agreed under paragraphs 2.2, 2.3 and 3.1 of this policy will be reviewed annually.
- 7.8 Travel assistance is only available towards travel from home to school at the start and end of the day. Costs towards day release or school events will not be considered under this policy. In these circumstances parents should contact the school directly.
- 7.9 When children are given tickets on buses or trains it is the parent's responsibility to find out about the relevant timetables.
- 7.10 Parents will be issued with a policy on how their children are expected to behave on any transport provided, along with advice on procedural and safety issues. Failure of a child to conform to this policy might lead to a child being removed from the transport.
- 7.11 Assistance will be withdrawn if at any time it is discovered that a child lives within the prescribed distance.
- 7.12 Transport that has been agreed in error or as a result of incorrect, misleading or fraudulent information will be withdrawn. Surrey County Council will seek reimbursement of any costs that have been obtained fraudulently and reserve the right to take legal action against any person who has made a fraudulent application for free home to school transport.

8. How to apply

Starting school and transfer to junior and secondary school

- 8.1 Surrey children who are due to start primary school in reception or to transfer to year 3 at junior school or year 7 at secondary school in September will be automatically assessed for school transport eligibility. As such parents need not make an application. The Admissions and Transport team will tell parents if their child meets the criteria for free transport, usually by the end of June. (However, see paragraphs 8.3 for details of transport applications according to paragraphs 2.2, 2.3 and 3.1 of this policy).
- 8.2 If they are eligible, parents will be sent a slip to return to the Transport Coordination Centre (TCC) to confirm that they wish to take up the offer of transport. On receipt of that confirmation the TCC will make the arrangements for transport and they will write to the parent to confirm once those are in place.
- 8.3 Parents who are entitled to free school meals or those whose families are in receipt of their maximum level of Working Tax Credit and who believe they will qualify for

free transport under the provisions in paragraphs 2.2, 2.3 and 3.1 of this policy should obtain an application form from Surrey Schools and Childcare Services on 0300 200 1004 or download a form from Surrey County Council's website at www.surreycc.gov.uk. Evidence of free school meals or Working tax Credit eligibility must be provided with the application form.

- 8.4 The Admissions and Transport team will share details of all eligible pupils with the Transport Coordination centre (TCC), which is based at County Hall in Kingston. The TCC are responsible for arranging the most appropriate transport for each child. They will advise parents of the transport arrangements that have been made, as appropriate, and will arrange for any bus or rail passes to be sent.

Late applications for starting school and transfer to junior and secondary school, in year admissions and changes in address

- 8.5 Parents who apply late for starting school and transfer to junior and secondary school, children who change school in year and those that have moved will need to make an application for school transport. Application forms are available from the Surrey Schools and Childcare Service - Telephone: 0300 200 1004 or to download on Surrey County Council's website at www.surreycc.gov.uk.

9. Special consideration and appeals

- 9.1 Parents of children who do not satisfy the conditions of this policy but who wish their case to be given exceptional consideration and those who believe that a decision to refuse transport is incorrect may apply for their case to be considered at transport case review.
- 9.2 Parents must complete a transport case review form on which they must indicate whether they believe the original decision to be wrong or whether they wish their case to be considered as an exception to the policy. The form must be returned with a personal letter giving details of their case within 20 working days from receipt of the decision.
- 9.3 Applications for special consideration must be accompanied by independent supporting evidence such as from a GP or consultant, a social worker, the police, other local authority officers, copies of relevant court orders etc.
- 9.4 With the exception of paragraphs 2.2, 2.3 and 3.1, qualification for travel assistance is not means-tested, and family income will not be given special consideration under the terms of this policy.
- 9.5 Transport case reviews will be carried out by a panel of at least three senior officers within 20 working days of receipt of the transport case review form.
- 9.6 If the parent remains unhappy with the decision at transport case review, they can request, within 20 working days, to have their application reviewed by a panel of three County Council Members.
- 9.7 The County Member review panel will aim to review the application within 40 working days of receipt of the parent's request.

10. Changes in circumstances

- 10.1 Any change in circumstances, at any time, that might affect eligibility for assistance with the cost of travel, such as a change of address/school or the child leaving school, must be notified immediately in writing to the Admissions and Transport team who will need to reassess the child's eligibility to free transport.
- 10.2 If a child moves out of the administrative area of Surrey County Council the parent must surrender any travel pass with immediate effect. Responsibility for travel will rest with the local authority in whose area the child has moved to.
- 10.3 If the child is no longer eligible for free travel, the travelcard/train pass must be returned immediately to the Transport Co-ordination Centre at County Hall, so that they can obtain a refund from the operator. Failure to do so will result in the parent/guardian being financially liable for the proportionate cost of the unused card.

11. Concessionary seats

- 11.1 If the child is not eligible for free transport and the school that they go to is served by a contract vehicle, they may be offered spare seats at a concessionary rate. More details of the scheme and the current concessionary rates are available from TCC at Transport Co-ordination Centre, Room 311, County Hall, Kingston on Thames, KT1 2DY.
- 11.2 Parents must make an application for a concessionary seat and are recommended to do so before the end of July in order to be considered in the initial allocation of concessionary seats. Pupils who had a concessionary seat in the previous academic year will not need to reapply but their application will be considered afresh each year, alongside any new applications that have been received. In this way there is no guarantee that a child will receive a concessionary seat for two consecutive years.
- 11.3 Where possible, spare seats on coaches will be offered in August. There may also be some spare seats available on taxis and minibuses. However these will not be offered until October half term in order to make sure that all entitled pupils have been allocated seats. As such if you are not offered a spare seat on a coach you should make your own arrangements for travel for the start of term.
- 11.4 Concessionary seats on contract vehicles are limited, so if an entitled child needs that seat in the future, a child may have their seat withdrawn at short notice.
- 11.5 If more families want concessionary seats than there are seats available, priority will be given to Surrey applicants before out of County applicants and within each category, statutory school age children will be considered ahead of post 16 students. Applicants will then be prioritised according to the following criteria, in order:
- 1) Children with a brother or sister who already travel on the vehicle
 - 2) Children for whom there is no other public transport available to travel to school

- 3) Children based on straight line distance from their home address to the school, with priority being given to those who live furthest from the school
- 11.6 When it is not possible to offer a seat on the coach, parents will be notified that their child's name is on a waiting list.
- 11.7 Where there is no waiting list, late applications will be considered on a first come first serve basis.

12. Attendance at alternative provision

- 12.1 Responsibility for transport to alternative provision rests with the Area Lead for Pupil Support. Full details of the policy is set out in the document 'Transport for children attending alternative provision'.
- 12.2 Pupils who meet the eligibility criteria below will have a statutory entitlement to transport to their alternative provision.
- a. Pupils who are dual registered at a mainstream school and alternative provision will qualify for transport if:**
- They qualified for home to school transport to their on roll mainstream school; and
 - The shortest walking distance between their home and the alternative provision is more than two miles for a child under 8 years of age or more than three miles for a child aged 8 years and over; and
 - They only attend the alternative provision e.g. they do not split their attendance between the alternative provision and the mainstream school
- b. Pupils who are registered at an alternative provision as sole provider will qualify for transport if:**
- The shortest walking distance between their home and the alternative provision is more than two miles for a child under 8 years of age or more than three miles for a child aged 8 years and over
- 12.3 Children who are between the ages of 8 and 11 years (Year 4 to Year 6) and who are entitled to free school meals, or those whose families are in receipt of their maximum level of Working Tax Credit, will qualify for assistance with travel under the above criteria, if the walking distance between their home and the alternative provision is more than two miles.
- 12.4 For other pupils who do not meet the criteria above, the school will generally be responsible for paying transport costs. However discretionary transport support may be agreed for pupils who continue to be on roll of a mainstream school where alternative provision has been implemented to prevent exclusion from a Surrey school or where it links to a placement made under Surrey's Fair Access Protocol.
- 12.5 Children on the roll of a Surrey school will be considered for transport to alternative provision regardless of residency, however if the pupil is not resident in Surrey transport will only be considered from the on roll school to the alternative provision.

- 12.6 The Area Lead for Pupil Support will make arrangements to assess and determine eligibility for transport in line with this policy and in consultation with appropriate professionals at the time of agreeing the placement/provision. This will include liaison with the Head of the alternative provision, where appropriate.
- 12.7 Where alternative provision is made for children who are entitled to home to school transport, it is the responsibility of the school to notify the Admissions and Transport team that the child's provision has changed so that the child's eligibility might be reassessed according to the child's new provision and, where appropriate, amend the arrangements for transport.

13. Children with statements of special educational needs

- 13.1 Children do not automatically qualify for free travel because they have a statement of special educational needs. There is a separate transport statement for children with statements of special educational needs.

14. Further Education

- 14.1 Please see Surrey County Council's separate policy for students of sixth form age.

15. Further advice on home to school transport

- 15.1 Parents can get more help or advice from the Surrey Schools and Childcare Service on 0300 200 1004 (calls are charged at the local rate) or visit Surrey's website at: www.surreycc.gov.uk/learning/schools/school-transport/free-home-to-school-transport.