



Directorate of  
Children & Families

# Home to School Travel Policy 2023/24

## Document Control

### Ownership & Review

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# **Section 1 – Home to School Travel Policy**

## **1.1 Introduction**

### **1.1.1 Legal Background**

The duty for the Council to provide transport to and from school is imposed by the Education Act 1996 (hereafter referred to as ‘the Act’). In the case of an ‘eligible child’, Section 508B of the Act states that the Council must make such travel arrangements as they consider necessary for facilitating the child’s attendance at school. Schedule 35B of the Act defines an ‘eligible child’. The Council must exercise this duty in a manner which is legal, rational and procedurally proper.

This home to school travel policy (hereafter referred to as ‘the policy’) has been developed with regard to statutory guidance on the provision of home to school travel. The guidance covers the Council’s duties under Section 508A of the Act to promote sustainable travel and transport as well as covering arrangements for the provision of school travel for children and young people.

### **1.1.2 Policy Outcomes**

The policy ensures that young learners within Redcar & Cleveland have access to educational settings during the day as a means of promoting learning, social inclusion, choice and diversity of learning provision.

### **1.1.3 Policy Aims**

The policy supports a number of local priorities and contributes to the Council’s aim of promoting social inclusion and parental choice by removing potential barriers to learning. The policy will continue to be reviewed with this in mind.

### **1.1.4 Scope of Policy**

The policy sets out the Council’s arrangements for fulfilling its statutory duties and the exercise of the Council’s discretionary powers for home to school travel. This will apply to travel arrangements made at the start and end of the school day but does not relate to travel between institutions during the school day. The policy covers provision for primary and secondary schools and applies to residents whose home address is within the Borough of Redcar & Cleveland. Pupils who are not yet statutory school age (e.g., children allocated a Reception place in the Primary admission round) are included in the scope of this policy if they meet other eligibility criteria.

## **1.2 Eligibility for Assistance with Home to School Travel**

### **1.2.1 Terms of Reference**

For the purpose of this policy the term 'nearest suitable school' will be used to mean the nearest school with places available that provides education appropriate to the age, ability and aptitude of the child, and any identified special educational needs that the child has. The nearest suitable school for a child with special educational needs may be different than for other children. The nearest school is determined by distance measured using Google Maps. When considering eligibility for transport, a school must have places available to be considered 'suitable'. In all cases the Council will determine what is the nearest suitable school.

The general expectation is that it is a parent/carers responsibility to ensure their child attends school and that a child will be accompanied to school by a parent/carer where necessary unless there is a good reason why it is unreasonable to expect a parent/carer to do so.

For children who divide their time between parents who are separated and have two addresses the Council will assess eligibility for transport based on the parent living nearest the school attended. In reaching a decision on providing support with transport it will use the eligibility criteria within this Policy. The Council will not provide transport when the child resides with the parent furthest from school, other than in exceptional circumstances. The Council reserves the right to determine any assistance at its own discretion.

A child may be an 'eligible child' according to Schedule 35B of the Act and therefore qualify for assistance with travel if they meet one or more of the following categories:

### **1.2.2 Distance**

The Council will provide free school travel for children of compulsory school age if their nearest suitable school is:

- beyond 2 miles (if below the age of 8 years).
- beyond 3 miles (if aged between 8 and 16 years).

Free travel will not be provided if there are places available in a suitable school closer to home. The Council will determine what is considered to be the nearest suitable school.

Free school travel applies to travel arrangements at the start and end of the school day. It does not relate to travel between educational establishments during the school day.

### **1.2.3 Low Income**

Low income eligibility criteria are intended to secure access to schools for children for whom a lack of affordable transport could otherwise be a barrier to choice.

Children will meet low-income eligibility criteria if entitled to free school meals on grounds of low income, or if parents are in receipt of the maximum level of Working Tax Credit (the level of entitlement to Working Tax Credit is shown on the notice issued by H.M. Revenue and Customs) and if:

- The nearest suitable school is beyond 2 miles (for children from age 8 and under 11 years).
- The school is between 2 and 6 miles (if aged 11-16 years and there are not three or more suitable nearer schools).
- The school is between 2 and 15 miles and is the nearest school preferred on grounds of \*religion or belief (aged 11-16 years).

\*A certificate of baptism is required to confirm eligibility on grounds of religion and free travel will not be provided if places are available in another suitable faith school closer to home. There is no discretionary entitlement for a pupil to travel for free to a parent's choice of faith school on grounds of religion alone. The Council will determine what is considered to be the nearest suitable school.

Eligibility for free travel does not guarantee a place at a school, or vice-versa. Parents must still satisfy the admissions criteria for the school they are applying for.

The 2-mile distance limit for low-income eligibility is measured in the same way as statutory walking distances. However, the 6 mile and 15-mile upper limits are not walking routes and are measured along road routes using a recognised system (currently Google Maps).

In all cases it will be for the Council to determine what constitutes a safe route. If there are any disputes about the suitability of the route identified, the Council may carry out a risk assessment to help determine decisions on eligibility.

### **1.2.4 Special Educational Needs**

Notwithstanding eligibility for distance, low income or other criteria covered within this policy, the Council will make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability. Eligibility, for such children will be assessed on an individual basis to identify their transport requirements. Usual transport requirements (e.g., the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and/or disability.

Transport assistance may not be provided to a setting if there is a nearer suitable school.

In determining whether a child cannot reasonably be expected to walk for the purposes of SEN eligibility, the Council will consider whether the child could reasonably be expected to walk if accompanied and if so, whether the child's parent/carer can reasonably be expected to accompany the child. A range of factors may be taken into account such as the age of the child and whether one would ordinarily expect a child of that age to be accompanied.

### **1.2.5 Homeless Households Accommodated by the Council in Emergency Temporary Accommodation**

Homeless households have limited/no choice over where they are accommodated in emergency temporary accommodation. For those families with school-age children who are required to move into temporary accommodation (under relevant housing/homelessness legislation) free transport may be offered for the duration of the accommodation, where:

- children aged under 8 years are accommodated more than 2 miles from their existing school.
- children aged 8 years and above are accommodated more than 3 miles from their existing school.

This arrangement is made in order to ensure that the impact of homelessness and temporary relocation has minimal disruption upon school-age children and their families.

### **1.2.6 Children in Our Care**

Corporate parenting is one of the Council's statutory responsibilities and the Government's expectation of the Council as a corporate parent includes the expectation that it will *'provide care, a home and access to health and education and other public services to which all children are entitled according to their needs'*.

In order to fulfil the Council's corporate parenting role, the Council will provide free transport from home to school for a Child in Our Care in certain circumstances. A child will be deemed a Child in Our Care if their circumstances meet the relevant criteria specified in current legislation and statutory guidance.

- Where a Child in Our Care moves care placement and it is deemed in the child's best interest to remain at their current school which is two or more miles (for children aged under 8 years) or three or more miles (for children aged 8 years and above) from the care placement, transport may be provided.

- If a Child in Our Care is accessing short breaks or respite, the child's placement may be treated as their home for the relevant period and transport assistance to and from the child's current school may be provided accordingly.
- In exceptional circumstances, where a Child in Our Care is particularly vulnerable or at risk and where this is recorded as a part of the child's care plan, the distance from the home to the school may be irrelevant in respect of the provision of transport.
- Foster carers are expected to provide transport to school in accordance with their fostering agreement.
- Children who are in foster care who meet the eligibility criteria would be entitled to free home to school transport.

### **1.2.7 Other Entitlement**

#### **1.2.7.1 Disabled Parents**

The Equality Act 2010 places a duty to promote equality of opportunity for disabled people and to eliminate discrimination. The Council is therefore under a duty to review all policies, practices, procedures and services so as not to discriminate against disabled people and to ensure that the needs of disabled people are anticipated during service planning.

If a parent would need to accompany their child on a walking route for it to be considered safe, but the parent's disability prevents them from doing so, the Council may consider providing free home to school travel for the children of the disabled parent.

The Council has a duty to manage its limited resources and reserves the right to challenge any claims of parents that they are unable to support their children's attendance at school. Evidence from an appropriate health professional may be required to support a claim of disability.

#### **1.2.7.2 Children with temporary mobility problems**

Children with a mobility problem caused, for example, by a temporary medical condition may require assistance in order to facilitate their attendance at school. Where the school is unable to make suitable alternative arrangements for the child's education, at its discretion the Council may choose to provide transport assistance. Parents / carers will need to demonstrate that they are unable to assist the child to get to school. The request for assistance will need to be supported by written evidence provided by a specialist involved with the child.

#### **1.2.7.3 Children unable to walk in safety to school**

The Council is under a duty to make travel arrangements where the nature of the route is such that a child cannot reasonably be expected to walk (accompanied as

necessary) in reasonable safety. Therefore, free home to school travel may be provided for children who live within the statutory walking distance of their nearest suitable school where the nature of the route is such that a child cannot reasonably be expected to walk to school (accompanied as necessary) because of the unsafe nature of the route.

In determining whether a child cannot reasonably be expected to walk for the purposes of unsafe route eligibility, the Council will consider whether the child could reasonably be expected to walk if accompanied and if so, whether the child's parent can reasonably be expected to accompany the child. A range of factors may be taken into account such as the age of the child and whether one would ordinarily expect a child of that age to be accompanied.

When determining eligibility, a range of factors will be taken into consideration including:

- the age of the child
- whether potential risks might be mitigated if the child were accompanied by an adult
- the width of any roads travelled along and the existence of pavements
- the volume and speed of traffic travelling along any roads
- the presence of street lighting
- the condition of the route at different times of the year, at the times of day that a child would be expected to travel to and from school

In reaching decisions on suitable safe routes, the Council will not override a parent's legal responsibility to ensure their child attends school regularly and punctually. The fact that parents may face other pressures at this time, such as the need to go to work, is not in itself sufficient reason for the Council to provide travel support. This would apply in cases where the route may be deemed unsafe for young children travelling unaccompanied, but which would be regarded as safe should their parents fulfil their legal responsibilities. In all cases it will be at the Council's discretion to determine whether or not a route is safe and whether or not it is reasonable for parents to accompany their children on the school journey.

#### **1.2.7.4 Travel in Years 10 and 11**

If a child moves house in the final two years of their statutory education (years 10 or 11) and if the new address and the child's school are both in the borough of Redcar & Cleveland, assistance with travel may be available to allow the child to continue to attend the same school. Parents/carers' ability to support the child to get to school will be assessed as part of the decision making. This provision is designed to optimise the child's potential educational achievement. This provision is subject to a maximum distance limit of 15 miles between home and school. Any costs over and above this limit would need to be met by parents. Options could include paying a



mileage or cycling allowance, or contribution towards public transport costs. Taxi fares will not usually be paid.

#### **1.2.7.5 In-Year Fair Access Protocol Placements**

The School Admissions Code places a statutory duty on local authorities to operate an In-Year Fair Access Protocol. Children who move from outside the borough into a Redcar & Cleveland address without a school place may be placed at a school under the In-Year Fair Access Protocol. Children who re-enter mainstream provision following a period on roll at a Pupil Referral Unit, or after a period of home schooling may also be placed under the In-Year Fair Access Protocol. Travel assistance for a child in these circumstances will be assessed taking into account distance, income, the child's age and parents / carers ability to support the child.

#### **1.2.7.6 Managed Moves**

In certain circumstances, children may be placed at a school as a managed move as an alternative to permanent exclusion. A managed move does not automatically qualify for travel assistance. Travel assistance for a pupil in these circumstances will be assessed taking into account distance, income and the child's age. Travel assistance will not be allocated to a child placed as a managed move if the school has been chosen by parental preference unless statutory eligibility criteria apply.

#### **1.2.7.7 Commissioned Alternative Provision**

Eligibility for children of statutory school age under this policy relates specifically to journeys between home and school. If a school chooses to commission alternative provision for a child on their roll, the child's parents / carers should consent to the decision and should be expected to make and fund any transport arrangements necessary to secure their child's attendance. If parents / carers are unable to do so, the commissioning school may choose to make and fund any such transport arrangements. The Council should not be expected to fund transport for children to alternative provision commissioned by schools (although the Council will use reasonable discretion).

Transport to Archway (Pupil Referral Unit) for permanently excluded children only may be supported by the Council on a discretionary case-by-case basis, where such a placement is deemed necessary for a child's education. Archway will be expected to work in partnership with the Council to minimise additional transport costs (e.g., arising from modified timetables). The Council will not support transport to Archway for children who are placed there as alternative provision and who remain on the roll of a mainstream school.

## **1.3 Measurement of Routes**

### **1.3.1 Statutory Walking Distance**

The measurement of the statutory walking distances is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, may walk safely. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads. This will be measured using a recognised system – currently Google Maps.

### **1.3.2 Limit for Extended Rights**

The 2-mile limit for low-income eligibility will be measured in the same way as the statutory walking distances. However, the 6-mile upper limit to a choice of schools, and the 15-mile upper limit to a school preferred on grounds of religion or belief are not walking routes and should therefore be measured along routes that are passable using a suitable motorised vehicle. In short, the upper limits should be measured along road routes using a recognised system – currently Google Maps.

## **1.4 Transport Options**

### **1.4.1 Getting to School**

The Council is under a duty to promote sustainable travel to schools. This will bring health benefits to children through increased activity, for example through walking or cycling. There will also be benefits for the community through improved road safety, reduced traffic congestion and associated noise, air pollution and carbon emissions.

The 'school run' coincides with a busy time for road traffic. The number of children travelling to school by car has increased greatly over recent years while the proportion of children walking to school has reduced. Parents/carers are encouraged to allow their children to walk, cycle, or use public transport instead of using a car for the school journey. If parents/carers choose to drive, they are encouraged to car-share and are urged to drive and park safely.

### **1.4.2 School Travel Plans**

Many schools in Redcar & Cleveland have developed school travel plans to encourage children and parents/carers to use sustainable transport alternatives when travelling to and from school. This policy supports the implementation of individual school travel plans by encouraging parents to make sustainable choices for the school journey. Parents/carers are encouraged to contact their local schools to find out about their school travel plan.

### **1.4.3 Passenger Assistants**

Passenger assistants are employed to supervise and assist children in their care en route to and from school as a part of their travel package. Passenger assistants may be provided where this requirement has been identified as a part of the assessed needs of the individual child. This will form a part of the transport assessment which identifies individual travel requirements, including those support services offered through passenger assistants. Where a risk assessment indicates that a passenger assistant is necessary to support an individual child then the primary function of that passenger assistant is to attend to the wellbeing of their allocated child.

## **1.5 Service Standards**

### **1.5.1 Safeguarding Vulnerable Groups**

Proper and effective safeguarding of children is of paramount importance. It is the Council's responsibility to ensure the suitability of its employees and any contractors or their employees by undertaking the required safeguarding checks on those whose work or other involvement will bring them into contact with children, or more widely, vulnerable adults. This includes bus drivers, taxi drivers and passenger assistants, as necessary. Checks will be carried out with the Disclosure and Barring Service (DBS).

### **1.5.2 Code of Conduct for Drivers and Passenger Assistants**

Drivers and passenger assistants on coaches, minibuses and taxis provided by the Council for the purposes of home to school travel are subject to a Disclosure & Barring Service check. All such drivers will follow a code of conduct covering customer service skills, equality and diversity, safeguarding and child protection awareness. In addition, passenger assistants will follow a dedicated training schedule appropriate to their role. Additional specialist training to meet specific individual needs will be made available to passenger assistants as soon as practicable. Passenger assistants will not be deployed until they have received training appropriate to their specific role.

Drivers will make dynamic risk assessments of situations on transport as they arise. Should the driver assess that action is necessary, including removal of the child from transport or making alternative arrangements for the child to travel, they must seek authorisation for that action from the Transport Manager before proceeding.

### **1.5.3 Code of Conduct for Children**

Parents/carers and children themselves are responsible for their behaviour on the school journey. Parents/carers are advised to familiarise themselves with the Council's Behaviour on Transport Protocol which is available to view on the Redcar and Cleveland Borough Council website at <http://www.redcar-cleveland.gov.uk>.

Inappropriate behaviour will not be tolerated on school transport. The service operators and the Council reserve the right to withdraw travel support or permits for anyone who persistently behaves inappropriately on the school journey. If this happens the Council will not make any other arrangements to support the attendance of the child concerned at school. Such responsibility, as always, rests with the parent/carer.

The school's disciplinary policy can be reasonably extended to cover the journey to and from school. Head teachers are encouraged to promote high standards of pupil behaviour on the school journey. Disciplinary sanctions may be used for those displaying poor behaviour on the walk, cycle, or journey to school.

#### **1.5.4 Journey duration**

The Council recognises that it is good practice for the maximum journey duration for a child of primary age to be 45 minutes each way and for a child of secondary age, 75 minutes each way. A child's special educational needs or disability may require a shorter maximum journey time.

#### **1.5.5 Changes to Transport Arrangements**

The Council will endeavour to minimise changes to transport arrangements, but sometimes operational factors will mean that changes have to be made to vehicles, drivers or passenger assistants. The Council will notify parents when changes have to be made.

### **1.6 Information, Complaints and Appeals**

#### **1.6.1 Publication Strategy**

The Council's aim is to develop a clear and unambiguous policy framework which is promoted through accessible information. A summary of travel eligibility will be contained within the annual parents / carer's guide for admission to schools. The full policy is available on the Council's website:

[www.redcar-cleveland.gov.uk](http://www.redcar-cleveland.gov.uk)

#### **1.6.2 Complaints**

The Council's aim is to always provide the best possible services. If a complaint is received, the Council will investigate and take corrective action, if necessary. Any complaint about the service provided through the home to school travel policy will be investigated in line with the Council's corporate complaints procedure. This is with the exception of complaints which involve the welfare of a Child in Our Care which will be managed under the Council's procedures for Children's Social Care.

#### **1.6.3 Appeals**

There is a two-stage appeal process for parents/carers who wish to challenge a decision about:

- the transport arrangements offered.
- their child's eligibility.
- the distance measurement in relation to statutory walking distances; and
- the safety of the route.

### **Stage One: Review by a Senior Officer**

- A parent/carer has 20 working days from receipt of the Council's home to school transport decision to make a written request asking for review of the decision.
- The written request should detail why the parent/carer believes the decision should be reviewed and give details of any personal and/or family circumstances the parent/carer believes should be considered when the decision is reviewed.
- Within 20 working days of receipt of the parent/carers written request a senior officer reviews the original decision and sends the parent/carer a detailed written notification of the outcome of the review, setting out:
  - the nature of the decision reached.
  - how the review was conducted.
  - information about other departments or agencies consulted.
  - what factors were considered and the rationale for the decision.
  - how the parent/carer can escalate their case to stage two, if desired.

### **Stage Two: Review by an Independent Appeal Panel**

- A parent/carer has 20 working days from receipt of the Council's stage one written decision notification to make a written request to escalate the matter to stage two.
- Within 40 working days of receipt of the parent/carers request, an independent appeal panel considers written and verbal representations from the parent/carer and from officers involved in the case. The panel gives a detailed written notification of the outcome (the parent/carer will be informed of their right to put the matter to the Local Government Ombudsman, if appropriate).
- The independent appeal panel members should be independent of the process to date and be suitably experienced, to ensure a balance between meeting the needs of the parents and the Council, that road safety requirements are complied with and that no child is placed at unnecessary risk.

Please note: A Transport Appeal will be dealt with through the Transport Appeal procedure. A complaint will be investigated through the relevant Complaints Procedure.

## **Section 2 - Procedure for Applications and Travel Assessments**

### **2.1 How to Apply for Assistance with Travel**

#### **2.1.1 Application procedure**

Applications for assistance with travel will be considered by the Transport Service in line with the policy. In all circumstances a transport assessment will be made by the Council's Transport Service in order to determine eligibility and to make a suitable offer of transport.

#### **2.1.2 Application on grounds of distance, low income or unsafe walking route**

Parents / carers must complete form H2S1 (available on the Council's website) when making an application for assistance on grounds of distance, low income or unsafe walking route. Appropriate documentary evidence, for example, an award notice issued by H.M.R.C, must be provided to confirm eligibility on grounds of low income.

Applications for assistance with travel can be made at any time but it is anticipated that the vast majority of applications will coincide with the normal school admissions round. Parents should complete form H2S1 upon acceptance of a school offer.

Parents/carers will need to apply each year for assistance with travel and eligibility may change depending on changes in personal circumstances. The Council's Transport Service will also review travel arrangements across the year and the Council reserves the right to withdraw support as appropriate.

#### **2.1.3 Other Applications**

For applications on all other grounds including SEN, permanent exclusion, managed move and Children in Our Care, form ATN1 must be completed by the lead professional and agreed by designated managers as a part of the commissioning process.

#### **2.1.4 Applications for Passenger Assistants**

Requests for passenger assistants must be completed and submitted by the lead professional using form ATN1B.

## **2.2 Types of Assistance with Travel**

Assistance with travel may be through the provision of a travel permit or allocation of a place on a bus, minibus or taxi.

The Council may also offer alternative support which could include:

- payment of a mileage allowance to the parent/carer driving an eligible child to school in lieu of the provision of a travel permit, taxi or minibus.
- payment of a cycling allowance where the parent/carer agreed for an eligible child to cycle to and from school instead of catching a bus.
- appointment of a passenger assistant to supervise the child on the walk or bus journey to school.

The provision of a passenger assistant does not remove from parent/carers any legal responsibility to ensure their child attends school regularly. In all cases it will remain the decision of the Council to determine whether or not it is reasonable for parent/carers to accompany their child on the school journey.

### **Contact Details**

For further information and advice please contact:

Redcar & Cleveland Borough Council  
Children & Families  
Transport Section  
Phone: 01642 444973  
[www.redcar-cleveland.gov.uk](http://www.redcar-cleveland.gov.uk)