



**HOME TO SCHOOL TRANSPORT ASSISTANCE**

**ELIGIBILITY POLICY FOR CHILDREN AND YOUNG**

**PEOPLE ATTENDING SCHOOL**

**SEPTEMBER 2022 - August 2023**

## CONTENTS

<b>Introduction</b> .....	3
<b>1. Guidelines for Eligibility/Non Eligibility to Transport</b> .....	3
1.1 Children of Statutory School Age.....	3
1.2 Children of Non-Statutory School Age (including Post 16) .....	12
1.3 Surplus Seat Travel Scheme (SSTS).....	12
1.4 Examples of When Transport Support Would Not Be Provided:.....	16
1.5 Points of Clarification .....	17
<b>2. Transport Arrangements</b> .....	19
2.1 Methods of Transport.....	19
2.2 Journey Times.....	20
2.3 Pickup and Drop off Points.....	20
2.4 Accompanied Children .....	20
2.5 Personal Luggage .....	21
<b>3. Advice on Health, Safety and Behaviour on Vehicles</b> .....	21
3.1 Advice for Parents.....	21
3.2 Advice for Children & Young People.....	22
<b>4. Transport Provision Relating to Reorganisations and Other Admissions Related Protocols</b> .....	22
4.1 School Reorganisations/Catchment Area Changes.....	22
4.2 Children in Care .....	23
4.3 In Year Fair Access .....	23
4.4 Traveller Children & Young People.....	23
4.5 Children with an EHC Plan.....	24
<b>5. Complaints and Appeals Procedures</b> .....	24
5.1 Complaints.....	24
5.2 Transport Appeals.....	24

## **Introduction**

This policy describes how Dorset Council will support parents and carers get their children to school and, where support is required, the type of support that will be considered.

Dorset Council will work with parents and carers to ensure children achieve their potential. Therefore, this policy aligns to the Council's aim of promoting independence to prepare children for adulthood and aims to give parents and carers a range of flexible options for them to make the best decisions for their children.

Furthermore, this policy has been designed to help the Council achieve its vision for children and young people in Dorset with Special Educational Needs and Disabilities (SEND), as set out in the SEND Strategy for 2018 to 2020 <https://www.dorsetforyou.gov.uk/Draft-Dorset-SEND-strategy>.

In particular, the Council will “work together to give children and young people with SEND in Dorset the best chance to succeed, enjoy family life and go to school as close to home as possible” and that “together, we support children and young people with SEND ... prepare well for adulthood”.

Dorset Council has made a commitment to “deliver a seamless pathway to adulthood and independence”; all decisions made by the council will support this commitment. It is each parent's responsibility to ensure their child receives a good education and, as part of that, their child arrives at school ready to learn. If a parent needs help in getting their child to school, subject to meeting certain eligibility criteria, the Council will provide support in a clear order of preference which is linked to its aim of promoting independence and maximising flexibility for parents.

## **1. Guidelines for Eligibility/Non Eligibility to Transport**

### **1.1 Children of Statutory School Age**

The Education & Inspections Act 2006 (Section 508B) requires local authorities to ensure that suitable travel arrangements for “eligible children” in their area are made to facilitate their attendance at “qualifying schools”.

#### **1.1.1. Eligible Children & Young People**

The terms “eligible children” and “qualifying schools” relate to the age of the child, the school which the child attends (including cross border schools) and the distance between the child's home address and the school measured by the shortest available walking route (which may include rights of way). Walking routes are from where the property meets the adopted road to the nearest available entrance to school grounds as measured using the

Dorset Council GIS system. This GIS system measures the distance from home to school according to the shortest available walking routes available. The term “parent” relates to any person responsible for the child. Transport eligibility (free provision) is provided to the end of the respective educational year in the following cases:

- (i) if the child is in Reception Year to Year 4 (aged between 4 & 9) and lives two miles or more from the catchment area or nearest school;
- (ii) if the child is in Year 5 to Year 11 (aged between 9 & 16) and lives three miles or more from the catchment area or nearest school.

**1.1.2. Catchment/nearest school or ‘nearest suitable school with places available considering efficient use of resources’.**

Your postal address will define your catchment school. If another school is the ‘nearest’, this may also qualify for transport eligibility. These schools may be Community, Voluntary Controlled, Voluntary Aided, Foundation/Trust, Academy or a Free School. If you are applying to a school on denominational grounds, you should refer to section 1.1.15 of this policy.

Eligible transport is currently provided to the nearest, nearest catchment or catchment area school where the child meets the qualifying criteria. Whilst these agreed areas remain unaltered, schools will continue to have eligible transport provided by the LA. However, if any school\* (including where this affects a relevant pyramid or network area) chooses to alter their catchment area or admissions policy, they will need to consult on their arrangements with the LA, as the LA is only legally required to provide transport to the nearest appropriate school. If schools change their arrangements, it will be their responsibility to inform parents.

\*This refers to all types of schooling including maintained schools, voluntary controlled (VC), voluntary aided (VA), trusts, academies and free schools (Studio Schools and University Technical Colleges included).

If the catchment and nearest school do not have places available you may be offered transport to the ‘nearest suitable school with places available considering efficient use of resources’ – this will be decided by identifying the transport options, routes and timings (see section 1.6.6). You will need to contact the admissions team to find out which school in the area would qualify under this category.

‘Nearest School’ is assessed on the basis of a straight-line distance between the home address and the school using the Dorset GIS system, using the Eastings and Northings for each location.

Children who are subject to an Education Health & Care Plan (EHCP) will only be eligible for transport if they fulfil criteria in 1.1.1 and 1.1.4 and:

- they are attending their catchment or nearest mainstream school; or

- they are attending the closest appropriate base provision; or
- they are attending their closest appropriate Special School.

The statements in Section I of the EHCP will clearly articulate where the named school differs from that which the Local Authority deems appropriate and there will be clear reference as to whether there is entitlement to transport to the named school based on the criteria laid out above. If the named school does not fit the criteria detailed above, transport will not be allocated.

Please also refer to Section 1.1.12 for further information about eligibility in exceptional circumstances for children with SEND, Disability or Medical Needs.

### **1.1.3. Area Specific Rules**

In the case of Gillingham, Blandford, Verwood and Weymouth, where there are joint primary catchments, eligible transport will only be provided to the nearest catchment school and the child is eligible within the terms of 1.1.1. or 1.1.4

In the case of the Dorset Studio School on the Kingston Maurward Campus, as they moved to a Year 7 point of entry from September 2019, a young person will be eligible to transport if the Studio School is the nearest school providing KS4 provision (year 10 and 11).

In the case of Thomas Hardye School, a young person will be eligible if the school is the nearest or catchment school and you are eligible within terms of 1.1.1 or 1.1.4.

In the case of the Swanage School, the Local Authority will recognise a transport priority area that is consistent with the size of the combined local primary schools' yearly cohort capacity and within the Pupil Admissions Number (PAN) of the Swanage School. The transport priority (catchment area) for determining eligibility for transport (subject to 1.1.1 or 1.1.4) will be the combined catchment areas of the Swanage Primary School, St. Mark's CE VA Primary School (Swanage) and St. Georges Langton Matravers Primary School. Children and young people who are outside of this transport priority area may still be eligible for transport support under nearest school grounds (see 1.1.2), or 'one of the three nearest schools' criteria (see 1.1.4).

In the case of the Purbeck School, a young person will be eligible if the school is the nearest or catchment school and you are eligible within terms of 1.1.1 or 1.1.4.

### **1.1.4. Additional Criteria**

Additional criteria apply to children from low income families. If families are in receipt of *Maximum Working Tax Credit, or the child is eligible to Free School Meals*, transport eligibility will be confirmed;

- in the case of children in Year 5 and 6 (aged 9 – 11) – to their catchment area or nearest school where the distance between home and the school is more than two miles (shortest available walking route),
- in the case of children in Year 7 to Year 11 (aged 11 -16) - to one of their three nearest qualifying schools (which includes schools in neighbouring authorities) with places available at the time of the original application by the parent, where the distance between home and the school is more than two miles (shortest available walking route) and less than six miles (shortest available driven route).

Children who are for any reason being educated outside their normal year group will have their transport eligibility assessed according to the year group which they are in.

Parents and guardians will only be sent a pass when they have confirmed that they wish to accept the transport provision offered. Those parents and guardians who do not take up the offer of a pass at the beginning of the academic year, may still apply, at any time, for a pass if their personal circumstances change. In some instances, the most appropriate transport may be a public bus route for which a season ticket will be provided.

#### **1.1.5. Universal Credit**

There is no statutory duty on Local Authorities to consider receipt of Universal Credit itself in determining eligibility for Extended Rights to Home to School Transport under section 1.1.4.

However, currently, pupils in households that receive any level of Universal Credit are eligible for free school meals and it is this eligibility for free school meals specifically that entitles them to extended rights to free home to school transport under section 1.1.4

A parent who transfers from Maximum Working Tax Credit onto Universal Credit, will retain eligibility for extended rights (subject to distance criteria, etc in section 1.1.1) as they will automatically become eligible to Free School Meals subject to a family registering their eligibility through Dorset Council.

Eligibility under Universal Credit will be reviewed as and when there is further Guidance from the Department for Education.

#### **1.1.6. Parental Preference:**

If a child is attending a school on “parental preference” grounds i.e. the school applied for is not the catchment/nearest school (or one of the three nearest eligible schools in the case of 1.1.4 above) there is no duty for the Local Authority (LA) to provide transport and the families are responsible for their own arrangements.

If a child or young person on an Education Health & Care Plan attends a mainstream school other than their catchment or nearest due to parental preference having that school named on their EHCP, the family will not be eligible for free transport.

#### **1.1.7. Year Group Full Transport:**

If families apply '**on time**' (based on the nationally recognised deadlines for applications) for the Normal Year of Entry to a School for their catchment school (or in the case where there is no catchment school the nearest school) and are refused due to oversubscription (referred to as 'year group full') transport eligibility may be provided to the nearest suitable school with places available considering efficient use of resources subject to the age/distance criteria set out in paragraph 1.1.1. A school would only be considered unsuitable if there was a physical reason that the child could not attend. Reasons for this include a boy attending a girl's school, secondary aged child attending a primary school or a private school to which we do not provide transport.

Where an application in the normal year of entry is late, though the application could have been made on time, and an alternative school has to be provided on year group full grounds, then transport provision will remain the responsibility of the parent.

A child who has attended an alternative school **nominated by the LA** (due to year group full or other such reason) will only be eligible to continued transport support at age of transfer to that pyramid's receiver school if the child's catchment area school does not operate the same age of transfer or they would not have been able to offer a place.

The LA has a duty to offer an alternative school place if unable to offer a preferred/catchment or nearest school. Transport will not be provided to the alternative Dorset school if there is a closer school in a neighbouring authority which is under the qualifying distance. In this case parents will be informed of the space/s available in closer neighbouring school(s).

If one child in a family is eligible for transport to a specific school, other than the catchment/nearest, and remains on roll, transport support will normally be provided for all other children from the same family unit to attend that same school (until the standard age of transfer or a change in circumstance).

#### **1.1.8. Moving House:**

Parents are advised to check availability of school places before moving house, as there are no guarantees places will be available at the new catchment or nearest school. Unless nearer schools do not have places available in the relevant year group, any request for a child to remain at the existing school upon a house move will be considered as parental preference and, therefore, families will be responsible for making their own transport arrangements.

Transport support provided on exceptional grounds will normally cease if a family move to an area served by a school with places available in the relevant year group.

The LA will not provide transport support for children who have been displaced from their home because of family related issues (e.g. family disagreements).

#### **1.1.9. Temporary Housing:**

Occasionally, families have to move involuntarily from their established home address to alternative accommodation on a temporary basis. Transport support to a child's existing school may be considered for a maximum period of two school terms when a family has had to be temporarily re-housed.

Agreement to transport support will depend upon the location of the temporary housing, the age/distance criteria, the basis of the original application (i.e. was the place secured on in-area or parental preference grounds), the cost of transport and satisfactory reasons for the loss of the registered accommodation. Transport support from the temporary address will cease at the end of the two school terms period (unless the cost of providing transport support to an alternative school is greater) or upon a return to the original property or permanent re-housing, whichever comes first.

The Authority will not provide transport support to those families whose main residence is located in another authority's area but who have to move to a Dorset based location on a temporary basis (it is assumed that the 'home' authority will meet transport support needs if proven).

#### **1.1.10. Changing School for other reasons:**

Applications for transport support following a parents' decision to change schools (whether or not the decision is supported/encouraged by the existing or receiving school) will not be approved unless the school they transfer to is the catchment/nearest school and/or all avenues of support at the current school have been pursued and the move is supported by the Alternative Provision Team or the School Attendance Team or other professional where the request for support may be considered.

#### **1.1.11. Year 11**

If a family moves house when a child is in Year 11, transport support may be provided if it is sought to enable the child to remain at the existing school, if the following circumstances apply;

- The existing school is a reasonable and appropriate alternative school to which transport can be offered from the new address.



- Where exceptional circumstances apply, unavoidable reasons for move or the school(s) that serves the area where the new property is located is/are inappropriate.

#### **1.1.12. Special Educational Needs, Disability & Medical Needs**

Children and young people who as a result of their Special Education Need, Disability or Medical need who do not qualify on the distance criteria but, because they are unable to walk to school even if they are accompanied by an adult, may be eligible for travel assistance.

Supporting evidence through a Professional Assessment will always be necessary. Family circumstances will also be taken into account, however an employment commitment is not in itself a reason to approve transport support.

When a child has a need or disability that would prevent them from making the usual type of accompanied journey made by other children of his/her age additional travel assistance may be provided. The conditions that may give rise to such assistance may include:

- Long term severely restricted mobility – for example, circumstances requiring the daily use of significant physical aids such as a wheelchair.
- Long term medical condition resulting in severely restricted mobility due to pain and/or extreme tiredness - for example, juvenile arthritis.
- Long term medical condition resulting in restrictive mobility leading to serious health and safety risks - for example, epilepsy or life threatening heart defects.
- A sensory impairment resulting in severely restricted mobility - for example, where a child is effectively without the use of sight.
- A child has a disability leading to significant social, and / or emotional immaturity in comparison with other children of his / her age. This may mean a child's behaviour leaves them extremely vulnerable in social settings – for example, a child with Asperger's Syndrome who has very little awareness of personal danger
- A child with severe learning difficulties who has an inability to manage the complexity of the process with safety or demonstrates constant challenging behaviour suggesting that this child cannot make an accompanied journey.

All professional assessments have to be in the form of a written statement from a relevant Medical Professional who is treating the young person.

Transport provision in very limited circumstances may operate to suit a reduced timetable and professional advice and evidence would be needed to support this.

If your child has a statement or Education, Health and Care Plan (EHCP), please contact your SEN planning coordinator who will be able to discuss how you can get your child to school and whether any assistance can be given. If your child does not have a statement or EHCP, please apply on an application via <https://www.dorsetforyou.gov.uk/free-transport-entitlement>.

There is no guarantee that siblings of a child with transport provided on these grounds will be eligible to transport. Applications for siblings to travel with the eligible child should be made in the usual way. If the sibling is not eligible but receives a surplus seat place on the same vehicle, please note that this transport will not automatically continue after the transport requirements for the child with the additional needs leaves, or run if this child is ill or excluded from school. If the seat on an available vehicle is required by another eligible child, the surplus seat may be withdrawn at short notice.

#### **1.1.13. Young Carers:**

Children who are registered carers and who receive transport support may be considered for alternative methods of transport if the normal arrangements require the child to be away from home for an unreasonable length of time. (Support from Young Carers Association and health care professionals would be required.)

#### **1.1.14. Exceptional Circumstances:**

There may be exceptions to the general criteria set out above and these are considered on a case by case basis.

If a family has been identified by a Family Partnership Zone as requiring transport support in order to support their needs, it must be confirmed via the Locality Manager to the Dorset Travel team identifying the reasons and any relevant time scale. Where a place could be offered in the catchment or a nearer school and there would be no cost, the alternative transport should only be considered on a temporary basis for a maximum of a year. In all cases there will be at least termly reviews.

The Family Partnership Zone will liaise directly with Dorset Travel to commission transport under exceptional circumstances.

Transport support may be considered where a temporary, part time timetable is agreed due to medical needs or reintegration programme. Evidence and the views of professionals would be required to support such cases.

#### **1.1.15. Transport provided on Religious or Belief Grounds - Secondary Year 7 – Year 11 (Aged 11 – 16)**

Children, whose families are in receipt of Maximum Working Tax Credit/ Universal Credit, or the child is eligible to Free School Meals are eligible to free transport to the nearest denominational secondary school, if the distance is between:

- 2 miles shortest available walking route and 15 miles shortest available driven route.

It is important to note that a parent will need to satisfy the LA of the genuine nature of the religious and or/philosophical belief. Providing evidence of any religion or belief lies with the child's parent/parents.

Examples of acceptable evidence are:

- a. The provision of baptismal certificate
- b. A statement of atheism
- c. A statement of adherence to a particular faith
- d. A letter of support from a priest or equivalent religious leader stating that the child belongs to a particular congregation.

Normally two pieces of evidence will be required. Evidence may be checked with the school.

Parents and guardians will only be sent a denominational pass when they have confirmed that they wish to accept the transport provision offered. Those parents and guardians who do not take up the offer of a pass at the beginning of the academic year, may still apply at any time for a pass, if their personal circumstances change.

#### **1.1.16. Alternative provision and Managed Moves**

Where a child, through the In Year Fair Access process or the Local Inclusion Panel, is referred to a new school including a Managed Move, then consideration will be given to providing transport. As part of the allocation of a place, consideration will be given as to whether this is the next nearest appropriate school, or the only other appropriate school for the child to attend.

If a Managed Move is agreed as a result of parent making an application, then transport eligibility will be determined based on section 1.1.1 and 1.1.4., the previous school always being considered as appropriate.

Where a child is referred to Alternative Provision, including Learning Centres, then transport will be provided to that setting for the duration of their attendance, or until such time as it is deemed appropriate that they remain and the setting is over the minimum statutory distance for their age.

#### **1.1.17. Distribution of Passes**

Once it has been confirmed that a child is eligible for school transport, they will be directed to an online application process where they can confirm that they wish to receive school transport. Dorset Travel will then process the application and passes will be sent to the student's home address by mid-august. Despatch of passes may be arranged by Dorset

Travel or by the bus operator depending on which school the pass is for. Details of the routes and contractors will be available to view on the Dorset website. For children starting or moving school in September, this should be resolved by the end of the previous academic year. **It is important to note that bus passes will not be issued until a family has confirmed that they wish to take up their transport eligibility.**

## 1.2 Children of Non-Statutory School Age (including Post 16)

### 1.2.1 Transport for Children attending Pre-School Settings

Transport is not provided for children attending pre-school settings, nurseries, playgroups etc. It is the responsibility of families to make their own transport arrangements. However, if places are available on school transport vehicles, families can apply for a place through the surplus seat travel scheme.

### 1.2.2 Post 16 Transport Provision

The Education and Skills Act 2008, states that young people are required to stay in education, training or enter employment (up to 20 hours while in a part-time training or education programme) until they are 18.

When making decisions about which course, school or college to attend parents/students must consider:

- the different modes of transport available
- the timings for arrival and departure
- how much it will cost.

**There is no automatic eligibility to free home to school or college transport once a student is over 16** even if free transport has been provided in the past.

Dorset Council is committed to supporting Young People in accessing Post 16 education and training and we advise that Home to School Transport Policy is read in conjunction with the Post 16 Transport Support Policy 2022 – 2023.

Those attending Post 16 education placements can apply for a place under the Surplus Seat travel Scheme – see Section 1.3.

## 1.3 Surplus Seat Travel Scheme (SSTS)

### 1.3.1 Availability

Spare seats that are available on any of the Council's (LA) contract routes (excluding local public services and One School One Operator Routes) can be used by children who are not eligible to free transport. Details of routes are available <https://www.dorsetforyou.gov.uk/surplus-seat-travel-scheme>

Surplus seats are allocated under the following terms and conditions:

The surplus seat travel scheme is only applicable on Dorset Council contract vehicles where spare spaces are available. This scheme does not apply to public service routes or where operators have commissioned additional vehicles to meet the demand.

Where a single operator has been identified for a specific school, families or young people will need to contact that service provider to secure a bus pass on services to that school. Further details of the operators on these **One School One Operator (OSOO)** Routes are available on <https://www.dorsetforyou.gov.uk/school-bus-routes>. The cost of these passes is set by the commercial operator.

### 1.3.2 SSTS Charges - £825

These costs only apply to passes on buses and taxis provided directly by Dorset Council. Schedule of costs on the One School One Operator routes are available through the relevant operator.

An annual charge is levied which will apply to all SSTS users irrespective of whether they have siblings already using a surplus seat. The price for a surplus seat for 2022-2023 will be £825. This is reviewed annually. Payment can be made in instalments.

Where seats are provided by DC directly, the seats may be withdrawn at short notice under the following circumstances:

1. Seats are required for children who are eligible to free transport (proportional refund will be given).
  - If re-tendering or re-planning reduces the number of surplus seats.
  - If payment is not received or parents fail to meet their direct debit payments the pass will be withdrawn and any future passes will only be issued if payment is received in full in advance.
  - If the behaviour of the ticket holder affects the safety of the vehicle and/or its passengers.
  - If the transport policy is changed.
  - If the route ceases to be required for the conveyance of eligible passengers.
  - Where passes are not being used (or are being abused) Dorset Travel reserves the right to withdraw the pass and offer the seat to another SSTS passenger.

2. The bus or taxi may only stop at listed pickups, details of which can be obtained from the Dorset Travel team. Requests for a new stop must be made in writing to Dorset Travel. No diversion of route can be made for a SSTS passenger.
3. Applications will need to be made each year.
4. Existing holders of surplus seats will be contacted to check whether their circumstances have changed and whether a seat is still required for the following academic year.
5. If no eligible pupils require the transport (e.g. staff training days or other school closures), the bus will not run.
6. Students should not attempt to travel unless authorised to do so.
7. The price for a surplus seat under this scheme is £825 per year irrespective of use, as partial use (e.g. one way journeys or irregular attendance during study leave) makes the seat unavailable for others.

### **1.3.3 Priority for the allocation of surplus seats on DCC routes (Not applicable to OSOO routes):**

Applications to purchase a surplus seat must be made online prior to the academic year for which the seat is required. Though DC will endeavour to confirm the allocation of surplus seats as soon as possible, a surplus seat allocation may not be finalised until after the October half term once all eligible children have been placed on routes. The information supplied will be assessed after which, any surplus seats will be allocated in the following priority:

- (i) Children and Young People who are in any of the following categories which significantly impacts on their ability to travel to school independently, but do not qualify for 'transport eligibility':
  - A Child in Care or previously in care,
  - Special Educational Needs (those with a statement or Education, Health and Care Plan);
  - Registered Disability;
  - medical condition (supporting evidence from the school and/or appropriate Medical Officer will always be necessary);
  - Young Carer;
  - Vulnerable or living with a parent registered as disabled
- (ii) Children and Young People who are attending their catchment school or for whom the school is the nearest appropriate school (including 'year group full' placements), but do not qualify for 'transport eligibility'.
- (iii) Children and Young People whose parents applied for the school on parental preference' and are in receipt of Maximum Working Tax Credit, or the child is eligible to Free School Meals and so do not qualify for 'transport eligibility'.
- (iv) Children and Young People whose parents applied for the school on 'parental preference' and so do not qualify for 'transport eligibility'.

If there are insufficient places within any of the above criteria, those who travel the furthest distance will be given priority based on the shortest available walking route.

Applications received during the academic year will be offered a seat if available or placed on the waiting list.

#### **1.3.4 Regulations Affecting Surplus Seats**

Please note, at the time of updating this policy, it is the Government's intention to enforce the Public Service Vehicle Accessibility Regulations (PSVAR) on all routes carrying paying passengers. In the context of school transport, this means surplus seat pass holders.

This will require that all paying passengers must travel on a vehicle that has suitable access for passengers with disabilities – eg low floors or wheelchair lifts. As many vehicles used on school routes, such as older coaches, do not comply with these regulations, this will mean that they cannot be used to carry paying surplus seat pass holders. This will apply to all local authorities in England, not just Dorset Council.

However, it will not affect those pupils who are currently eligible for free school transport or surplus seat holders travelling on low-floor public service buses, PSVAR-compliant coaches or smaller vehicles such as minibuses and taxis.

This is likely to have some impact on school transport operators during the 2022/23 academic year and could potentially limit the future availability of surplus seats as a result. It is unclear at the time of writing this policy what the scale and timing of this impact will be.

#### **1.3.5 Out of School Activities/Work Experience**

The LA will provide transport support to/from the allocated school only at the beginning and end of the normal school day. Families are responsible for meeting the transport needs of children involved in work experience programmes and attending before school activities such as breakfast clubs and after school activities, i.e. sports clubs etc. Only where a child is travelling individually may it be possible to alter the transport times and these would need to be made in advance with the agreement of all parties and at no additional cost. If other students subsequently join the transport, transport times may revert to provide transport for the usual school opening and closing times.

#### **1.3.6 Extended schools**

The LA is not responsible for meeting the transport needs of children attending before school activities such as breakfast clubs and after school activities, i.e. sports clubs etc.

Only where a child is travelling individually may it be possible to alter the transport times and these would need to be made in advance with the agreement of all parties and at no additional cost. The school may be able to arrange with the LA to amend transport times/routes to improve access to before/ after school activities. If other students subsequently join the transport, transport times may revert to provide transport for the usual school opening and closing times.

### **1.3.7 Childcare Arrangements**

The LA would provide transport support to/from the allocated school only at the beginning and end of the normal school day to a nominated stop relevant to the home address. If surplus spaces are available, and a childcare provider is on an established route, children may use school transport to transfer to/from the provider at the beginning/end of the school day by arrangement under the terms of 1.3.2 and 1.3.3 above.

## **1.4 Examples of When Transport Support Would Not Be Provided:**

Notwithstanding exceptional circumstances, the following list contains details of cases not referred to above when mainstream and SEN transport support (defined as transport which is provided, or commissioned by the council, such as taxis and minibuses) would not normally be provided and where families would be expected to make their own arrangements;

- To accommodate breakfast/after school clubs
- Trips and journeys during the school day and /or which are in the curriculum
- To or from a venue that is not your normal home address, for example the address of a childcare provider or a short break placement. (unless there is a legal order in place or a statutory care plan agreed by the local authority)
- If your child is unwell and has to be collected from school during a school day
- If your child is excluded during a school day
- Medical appointments or other approved activities which affect the start or end of and during the school day,
- When a child has missed the contracted transport,
- Transitional/integration placements in schools/colleges,
- Attendance at work experience programmes,
- To/from childcare addresses where they are not on an established route,
- To fall in line with childcare arrangements where they are off recognised transport routes,
- Children withdrawn from school by their family and placed in an alternative education setting,
- Other family members travelling in the same direction,
- To support working arrangements for parents and/or children.



Where parents of children and young people are in receipt of the higher mobility component (HRMC) of the Disability Living Allowance (DLA). This is the gateway to the Motability Scheme that supplies vehicles, adapted or not, in return for the DLA, usually on contract hire terms. If a child is the HRMC recipient and the family obtains a vehicle through the Motability scheme, then the vehicle is expected to be used for the benefit of the disabled child and the Council will offer contributions to petrol wear and tear to allow the family to utilise that vehicle to take their child to and from school. This will be part of a discussion with the parent/carer around travel assistance and will include options for a Personal Travel Budget.

## **1.5 Points of Clarification**

It is ultimately the responsibility of families to seek out information about schools and transport provision/arrangements. Lack of awareness is not a reason to provide transport support, if the case does meet the criteria identified in this policy.

A school place can only be based on one address - the home address (identified by the recipient of Child Benefit). However, where a child has split residency, transport support will be provided from the nominated home address, subject to meeting the criteria for transport support to be provided as identified above. Where this is unclear, disputed, or care is split equally and there is no agreement between the parents, the application considered will be that made by the parent at the address identified on the child's registered General Practitioner (GP) record.

### **1.5.1 Decisions Made in Error**

Where an application for transport support is approved in error, the LA will withdraw the provision as follows;

- Where the child is in Year 11 – on completion of the academic year,
- Where the transport support has not yet commenced immediately on discovery of the error,
- In all other cases, at the end of the half-term in which the error has been found.

Where possible a surplus seat could be offered where available (subject to PSVAR regulations – see section 1.3.4) in such circumstances where free transport is withdrawn.

### **1.5.2 Cost**

This policy regularly makes reference to efficient use of resources. Where a child is eligible for transport support then the Authority will meet those requirements. However, having regard to all other factors, the Authority will offer the most cost effective solution on a case by case basis and will not authorise alternative transport provision should the family of an eligible child reject the type of transport support being offered. Dorset Travel or their contracted operator is responsible for the assessment and provision of transport support

considering best use of resources. The Authority will not contribute the costs of the approved transport provision to a proposed alternative.

Transport support under exceptional circumstances will only be considered if the cost does not exceed £35 per child per day and other factors covered by this policy have also been taken into account (in exceptional circumstances, this amount may need to be exceeded for example where infant class size legislation must be considered). Applicants have the right of appeal against any decision to refuse transport support. This also applies where cost is the only factor which results in a decision to reject transport support.

Where a contract vehicle bus pass is provided but lost there will be a charge levied for the administration of replacement of the pass, of £15 for the first loss of the pass followed by payments of £25 for any loss at any time thereafter, subject to regular review. If the pass is provided directly by the bus company charges may differ.

Where transport is agreed either through School Admissions, SEN, Transport Appeal or on the basis of a Safety Audit, the Local Authority will be liable for the cost from 2 weeks from when the authorisation is confirmed with the parent, the date of the appeal hearing or road safety audit, whichever occurs earliest. Any costs previously incurred by the parent will not be subject to a refund.

Families experiencing financial hardship should refer to the Transport Appeal process.

### **1.5.3 Measurement of Routes**

To ensure consistency all transport is considered using routes measured from the LA Geographical system which are a final result of the measurement. Other measurements from outside systems will not be considered.

The system follows the shortest, safest, practicable walking route. This is assessed using roads, pavements, footpaths, bridleways as appropriate and from an appropriate point from the home to the nearest approved access to the school. The GIS maps follow information provided by Ordnance Survey and represents the position at the beginning of the Annual admission cycle i.e. September in the year prior to admission. Any footpaths or roads added after this time will not be taken into consideration until the following September. A map showing the route measured can be provided on request.

### **1.5.4 Safety of the Route between Home and School**

Applicants may submit a request for an audit on the safety of a route between home and school. The criteria ruling all road safety assessments are taken from national guidance. If a route is deemed unsafe for a child to walk accompanied by an adult, that route will be disregarded. A separate policy and procedure is available on <https://www.dorsetforyou.gov.uk/school-transport>

## **2. Transport Arrangements**

### **2.1 Methods of Transport**

Upon determination of transport eligibility Dorset Travel and the SEN Travel Team will normally decide the most appropriate means of supporting children to travel to and from school. Methods of travel support will be discussed in a clear order, linked to the Council's aim of maintaining flexibility and promoting independence, while ensuring cost efficiency. The order the travel support will be considered is as follows:

- Use of public bus and train networks (supported by independent travel training, if required. Independent travel training gives children and young people the essential skills required to travel independently either on foot or by public)
- Personal Travel Budgets which can be used by parents in any reasonable way to get their child to school. More information about personal travel budgets will be available on Dorset Council Website.
- Contract Bus/Council Fleet
- Mini Bus
- Taxi
- Vehicle used by other Council directorates
- Fuel contribution, if it is shown to be a cost effective solution (Families should be prepared to use their own vehicle where there are no suitable or appropriate alternative arrangements in place). The rate paid to families, is for the shortest available driven route only (45p per mile x return journey/s)

Whilst Dorset Travel endeavour to ensure continuity for the children they cannot guarantee that the same driver will be provided for the vehicle for the duration of a particular child's need for transport.

Passenger Assistants are not normally provided. In exceptional cases a Passenger Assistant may be commissioned should the SEND suggest that unaccompanied travel in a vehicle would put the child, the driver or other road users at risk or there is a specific medical reason that a Passenger Assistant is required to safeguard the child during the journey. All professional assessments have to be in the form of a written statement from a relevant Medical Professional who is treating the young person.

Where a passenger assistant is provided for an individual child on shared transport, that PA will only be responsible for that child. The safe boarding and exiting of the vehicle for other children will be the responsibility of the parent at the pickup/drop-off point.

## **2.2 Journey Times**

The maximum journey times are from 'gate to gate' for travelling to and from school following Government Guidelines are as follows;

- The maximum each way length of journey for a child of primary school age is 45 minutes
- The maximum each way length of journey for a child of secondary school age is 75 minutes

'Gate to gate' represents where the property meets public paths and roads. For those families living on islands in Poole Harbour, this will be an appropriate point on the mainland.

Most schools have staff on duty to receive/hand over children 10-15 minutes before and after the school day and it is expected that school transport will arrive/depart within that time frame. Where this is not possible special arrangements will need to be made. It is recommended that children arrive at their stop 10 minutes before the departure time. If children are being picked up from their home address, they should be ready 10 minutes before the transport is due to arrive.

## **2.3 Pickup and Drop off Points**

Every effort is made for children to be collected and dropped at a point close to their home. However, some pupils may have to walk a reasonable distance to and from their home/school to meet the vehicle. Where this is not possible the LA may arrange transport to and from the pick-up/drop off points if;

- A primary aged (4 – 11) child lives more than 0.75 miles from the nearest point,
- A secondary aged (11 – 16) child lives more than 1 mile from the nearest point.

Parents and children are responsible for being at the pick-up point in good time to access the service.

Parents are responsible for their children's safety in getting to and from the notified pick up/drop off points (including awaiting or leaving transport) or to and from the vehicle, if they are picked up at home. Younger children should be accompanied and parents must ensure that they carry their bus passes (if applicable).

## **2.4 Accompanied Children**

Bus Passes may be made available for adults who wish to accompany their children to and from school on local public bus services. This applies only to primary aged children, i.e. up to the end of Year 6. Bus Passes are not made available for adults who want to accompany secondary age children to school. Transport support is not available for adults if their children (of any age) use LA contract vehicles (Bus/Taxi). Bus passes for parents

accompanying Primary School Children (up to end of Year 6) may be restricted to Home to School return journeys on school days only, term time only.

## 2.5 Personal Luggage

Dependent on the capacity of the vehicle it may not be possible to carry large amounts of personal luggage for individuals. The driver reserves the right to refuse to carry excessive luggage or personal belongings.

## 3. Advice on Health, Safety and Behaviour on Vehicles

### 3.1 Advice for Parents

#### 3.1.1 Safety Belts

If seatbelts are fitted, then they **MUST** be worn. Persistent lack of use in a vehicle that has belts fitted could result in transport being withdrawn.

#### 3.1.2 Behaviour

Schools have a key role in ensuring that pupils behave in an acceptable manner whilst travelling to and from school on transport arranged and organised by the LA. Unacceptable behaviour by pupils whilst travelling should be dealt with initially by the school as part of their discipline policy.

Families and schools are expected to take whatever steps are necessary to ensure appropriate behaviour on LA provided transport and to take necessary action when incidents of unacceptable behaviour are reported and that endangers others will not be tolerated. Parents will be responsible for the cost of any wilful damage to the vehicle or property of other passengers caused by their child.

Schools have a legal right to impose reasonable sanctions if a pupil misbehaves and incidents of serious or persistent indiscipline can lead to transport support being suspended. Parents will be informed in writing of any such incidents by the school outlining any action to be taken. In such cases it will be the responsibility of parents to ensure that their child attends school.

#### 3.1.2 Medication

The LA will not normally be responsible for administering medication to children whilst using LA arranged transport to and from school. However, should a specific medical need arise, guidance would be sought from the Senior Advisor for Physical and Medical Needs.

#### **3.1.4 Passenger Assistants**

Passenger Assistants are not normally provided on transport unless there are exceptional circumstances for doing so. If a child has a significant, disability, medical or special educational need, and cannot travel on their own, a transport request may be submitted. The Local Authority will consider information from the school and the appropriate health professionals and recommend whether or not a passenger assistant should be provided.

If your child has an Education, Health and Care Plan (EHCP), please contact your SEN planning coordinator who will be able to discuss how you can get your child to school and whether any assistance can be given. If your child does not have an EHCP, please apply on an application via <https://www.dorsetforyou.gov.uk/free-transport-entitlement>.

### **3.2 Advice for Children & Young People**

All students should behave in a way that is respectful of other transport users.

Students must not play at the bus stop, go near the bus wheels, go near the bus until it stops, cross the road in front of the bus or eat or drink on the bus. When children are on the bus they should always stay in their seat with the seat belt on (if provided). Students must not distract the driver.

Children must not wilfully damage or abuse the vehicle in any way. If this happens, parents will be sent the bill for the repairs.

Children who misbehave on the bus can be disciplined by the school or reported to the LA and can be banned from using the bus.

Children should adhere to any current regulations or guidelines around protecting themselves and others from COVID. This includes the wearing of masks or face coverings.

## **4. Transport Provision Relating to Reorganisations and Other Admissions Related Protocols**

### **4.1 School Reorganisations/Catchment Area Changes**

Area or individual school reorganisations may involve displacing children from one school or site to another. In such circumstances, transport eligibility for children whose education has been disrupted will be continued or introduced for a period of three years after the date of implementation. In addition, the minimum distance at which transport eligibility will be

confirmed will be determined on a case by case basis by the Director of Children's Services after consultation with the Cabinet Member for Children's Services.

On occasion the LA may decide to change a school's catchment area. As a result families may find that the area in which they live is served by a different school. In such cases children who attend the 'previous' catchment area school and receive transport support will continue to receive that support to that school for a period of up to six years following the date of implementation.

## **4.2 Children in Care**

Admission authorities are required to give Children in Care (CiC) the highest priority and agree which school best meets the child's needs and also act in the best interests of the child. In accordance with the normal admission allocations process, transport eligibility arrangements for CiC will be the same as for all other children.

Transport support for in year applications may be considered in accordance with the following principles;

- Successful applications for catchment/nearest/parental preference schools will reflect the arrangements that apply to all other children,
- Where a school admits on the recommendation of the Child in Care (Looked After Children) Education Manager (subject to the age/distance criteria) irrespective of the location of and space availability at other schools.
- The family or young person is still subject to the stipulations in section 1.1.2.

## **4.3 In Year Fair Access**

Transport support for applications considered under the LA's (In Year) Fair Access protocol will be considered in accordance with the following principles;

- Successful applications for catchment/nearest/parental preference schools will reflect the arrangements that apply to all other children,
- Where a place is allocated by the panel for an alternative (to the applicants preferred/catchment/nearest) school, transport support may be provided (subject to the age/distance criteria) irrespective of the location of and space availability at other schools.

## **4.4 Traveller Children & Young People**

In recognition of the need for greater stability and consistency in the provision of education for traveller children, transport support will be provided in accordance with a separate Traveller Transport Protocol.

## **4.5 Children with an EHC Plan**

Eligibility for children with an EHC Plan will be the same as for all other children as detailed in section 1.1.1, 1.1.2, 1.1.4 and 1.1.12 . Travel assistance is always provided suitable to a child's needs and as such, arrangements are reviewed annually. This could mean that a child's type of travel support may change or that longer term plans are discussed and agreed during a review so that a child can gradually increase their level of independence over the medium to long term.

## **5. Complaints and Appeals Procedures**

### **5.1 Complaints**

The School Admissions Team will provide information relating to queries and complaints about transport eligibility.

Dorset Travel will provide information relating to queries and complaints about the method of transport, vehicles, contractors, drivers, bus passes, costs/charges, behaviour and safety. Both are contactable through Dorset Direct. Operators will provide information about routine operational matters if the school is within the One School One Operator Model.

The SEN Team will provide information relating to queries and complaints about transport eligibility for children who have Education Health & Care Plans or have a Statement of Special Education Need.

### **5.2 Transport Appeals**

Due to exceptional circumstances, it may be necessary to consider a case on its individual circumstance. Applicants who are refused transport assistance have the right of appeal against the decision only under the following grounds:

- i. They are seeking for their child to be considered as an 'eligible' child or dispensation due to special circumstances
- ii. They would have received either an eligible or surplus seat if the application had been processed correctly
- iii. They are appealing on route safety grounds

Stage 1 of the appeal process: Applicants can submit a Transport Appeal form with full supporting evidence. This must be submitted within 20 days of the receipt of the letter from the Local Authority advising the family that they are not eligible to school transport assistance. The evidence will be reviewed by Senior Managers within the Council to confirm:

- i. There are no grounds for exceptional circumstances
- ii. The application for transport has been processed in accordance with the Home to School Transport Policy



- iii. There are no road safety issues that suggests an incorrect decision has been made.

The family or young person will be notified in writing within 20 days of the result of the appeal review. If the family is still not satisfied with the outcome of this review they have 20 days within which to request that their appeal moves to Stage 2 of the appeal process – where the evidence is reviewed by the Children’s and Adult Services Appeal Panel. .

A copy of the Transport Appeal form together with the Local Authority’s statement justifying the reasons for the decision, the original application and other supporting documents will be submitted to the Committee.

If an appeal goes ahead, the applicant can attend to present the case and may be accompanied at the hearing. The Committee’s decisions are binding on all parties (but do not necessarily set precedence) and may only be overturned following a ruling from the Local Government Ombudsman.

Transport appeals will only be heard for Dorset resident pupils. If you live in a neighbouring authority you will need to appeal to your home authority.

Only one transport appeal for the same journey is permitted in each academic year.