



*Knowsl@y Council*

# KNOWSLEY LOCAL AUTHORITY

## Directorate of Children and Family Services

### Home to School Transport Policy

2011 / 12  
Academic Year

# **KNOWSLEY METROPOLITAN BOROUGH COUNCIL**

## **Directorate of Children and Family Services**

### **HOME TO SCHOOL TRANSPORT POLICY FOR COMPULSORY SCHOOL AGE PUPILS 2011 / 12**

#### **1. INTRODUCTION**

The Education and Inspections Act 2006 ('the EIA 2006') inserted the following new sections into the Education Act 1996 ('the Act'): 508A, 508B, 508C, 508D, 508E, 509AD and Schedule 35B.

Sections 508B of the Act deals with the general duties placed upon local authorities to ensure that suitable travel arrangements for "eligible children" in their area are made where necessary to facilitate their attendance at "qualifying schools" or other relevant institution where the child is receiving education.

Section 508C of the Act is concerned with travel arrangements for other children.

This Policy sets out the way in which Knowsley Local Authority Directorate of Children and Family Services will exercise its duties and powers under the legislation.

#### **2. ELIGIBLE CHILDREN**

Knowsley resident pupils of compulsory school age who meet one or more of the criteria in paragraphs 2.1 to 2.4, and who are attending their nearest qualifying Knowsley school, or pupils from low income families (as defined in paragraph 5.1) who meet the criteria in paragraphs 5.2 or 5.3 will be classed as eligible children as defined in Schedule 35B of the Act.

##### **2.1 Statutory walking distance**

Children of compulsory school age, attending their nearest qualifying school in Knowsley, who live beyond "statutory walking distance" are classed as eligible children.

The statutory walking distance is two miles for children aged under eight, and three miles for children aged eight and over. Walking distances are measured using the shortest available route. The measurement is made from the nearest entrance to the pupil's home e.g. the front gate, to the nearest entrance to the school. Private driveways to homes and in schools are not included. The Local Authority will take into account the nature of the route, the personal circumstances of the child and any parental preference for a denominational school.

## **2.2 Safety of the route**

Where children live within the statutory walking distance of their nearest qualifying Knowsley school but the nature of the route is such that a child cannot realistically be expected to walk (accompanied as necessary) in reasonable safety, the authority may be under a duty to make travel arrangements to school. In such cases the authority may undertake a risk assessment of the route. The risk assessment will take into account the age of the child, whether any potential risks might be mitigated if the child were accompanied, existence of pavements and street lighting, and traffic volume and flow, as well as any other relevant factors.

The Local Authority is under a duty to consider transport support in situations where the parent of a child is disabled and where the nature of the walking route is such that the child would need to be accompanied for the route to be considered safe.

## **2.3 Children with Special Educational Needs, disability or mobility problems**

Children with Special Educational Needs, a disability or mobility problem who, by reason of the special educational needs or disability are unable to walk even a short distance to school may be eligible for transport support.

Children with Special Educational Needs who undergo a formal assessment of needs will also undergo an assessment of transport needs as part of the process. Transport may then be considered for those pupils who:-

- have a physical disability which affects their ability to walk
- have behavioural problems, which are such that even if accompanied there may be a risk to the child or to others
- have a severe hearing or visual impairment which may affect their ability to walk safely even when accompanied

2.3.1 Pupils with statements who do not fall into these categories will be assessed for their entitlement to transport under the same criteria used for mainstream pupils.

2.3.2 A pupil with Special Educational Needs who attends a mainstream school other than a local school where the Local Authority feels that the more distant school is more appropriate would also be eligible for assistance with travel.

2.3.3 Transport provision will be reviewed as part of the annual review process.

2.3.4 Pupils who attend out of borough residential schools will be entitled to transport at the beginning and end of terms and half terms. Where a parent would be otherwise be unable to attend, transport will be provided to attend Annual Reviews.

2.3.5 Pupils who at statutory school leaving age were protected by a statement which included the need for assistance with travel may continue to be eligible for support if they transfer to a college place funded by the Young People's Learning Agency. This generally refers to pupils who continue their further education at Springfield or The Elms special schools; it does not include students who transfer from year 11 to a further education college, for example from Altridge School to Knowsley Community College.

## **2.4 Temporary medical problems**

Where a Knowsley resident child who attends a qualifying school within the statutory walking distance suffers from a temporary medical problem, and no suitable arrangements have been made by the Local Authority for enabling the child to become a registered pupil at a qualifying school nearer to their home, he/she will be an eligible child. This means that the Local Authority will make suitable travel arrangements for children with temporary medical conditions if the child could not be expected to walk to the school. Evidence of the temporary medical problem must be submitted.

## **3. DISCRETIONARY POWERS**

Section 508C of the Act provides local authorities with discretionary powers to make arrangements for those children not covered by Section 508B. In particular Knowsley will consider exercising such discretionary powers to provide free transport support to pupils of compulsory school age who fulfil any of the following criteria, but in doing so it will not necessarily provide the requested support.

### **3.1 Miscellaneous**

3.1.1 Primary age pupils who live more than two miles from their nearest qualifying school.

3.1.2 Pupils in year 10 or 11 (or who are within two years of sitting public examinations) who previously lived out of borough and who are attending an out of borough school or who live within Knowsley and who are attending a Knowsley school, and who move to a new home in the Knowsley borough that is more than 3 miles from the current qualifying school. The support will finish at the end of year 11.

3.1.3 Pupils in year 6 who previously lived out of borough and who are attending an out of borough school or who live within Knowsley and who are attending a Knowsley school, and who move to a new home in the Knowsley borough that is more than 2 miles from the current qualifying school will be eligible for support for the remainder of year 6, but not upon transfer to secondary school.

3.1.4 Where, following permanent exclusion, a pupil is placed in a school over three miles from home at the Authority's request.

## **3.2 Looked after Children**

- 3.2.1 Pupils in year 7 to 9 who are placed by the Council in a placement which results in the school being more than 3 miles away from their placement. Should the placement be considered permanent (a plan of permanence should be developed within 4 months of a child becoming looked after) consideration should be given to a change of school to one that is closer to the placement which would promote their social and educational development. This will apply to all schools – in and out of borough.
- 3.2.2 Pupils who are looked after in year 10 or 11 (or who are within two years of sitting public examinations) who live over 3 miles from the school they are attending.
- 3.2.3 In exceptional circumstances and informed by an assessment of need where it is deemed that a school over 3 miles from the placement will best meet a Looked After child's needs although this may not be the closest school.

Where it cannot be demonstrated through the care planning process that the school identified is the most appropriate to meet the child's needs the child will not qualify for assistance with school transport.

## **4. EXCEPTIONAL CIRCUMSTANCES**

Pupils who do not fulfil any of the criteria but who have extenuating circumstances may have an application considered on its individual merits by a senior officer of the Directorate of Children and Family Services.

## **5. LOW INCOME FAMILIES**

In addition to the eligibility criteria stated in paragraphs 2 and 3, Schedule 35B of the Act includes an extension of rights to free travel for children from low income groups.

### **5.1 Definition of Low Income**

The Act defines children from low income groups as those who are entitled to free school meals, or those whose families are in receipt of their maximum level of Working Tax Credit.

### **5.2 Primary age pupils**

Children between the ages of 8 - 11 from low income families are entitled to free transport where they live more than 2 miles from their nearest qualifying school. The distance is measured in the same way as the "statutory walking distance".

### **5.3 Secondary age pupils**

- 5.3.1 Children aged 11 - 16 from low income families are entitled to free travel to one of their nearest three qualifying schools where they live more than 2 miles, but less than 6 miles from that school.
- 5.3.2 Children from low income families who attend the nearest suitable school preferred on grounds of religion or belief are entitled to free transport where they live more than 2 miles, but not more than 15 miles from that school.

## **6. QUALIFYING SCHOOLS**

Qualifying schools are community, foundation or voluntary schools, including special schools and other categories of school such as non-maintained special schools, pupil referral units and maintained nursery schools. References to qualifying school within this policy also includes places other than a school at which a child may receive education under section 19 (1) of the Act.

### **6.1 Suitability of a “qualifying school”**

References to the “nearest qualifying school” are to be taken to mean the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child.

### **6.2 Knowsley schools**

All of Knowsley’s schools are qualifying schools for the purposes of school travel.

### **6.3 Parental choice of school**

Whilst parents/carers have the right to express a preference for a child to attend a secondary school of their choice, any travelling arrangements or expenses may be their responsibility, particularly if there is a nearer suitable school. It is the parents’ or carers’ responsibility to get their child to school and parents should consider the practicalities of choosing a school that is not within the statutory walking distance.

This means that a pupil who attends a Knowsley school which is further away than the nearest Knowsley school, or a pupil who attends a school outside of the borough, will not be entitled to transport support even if the distance from home to school is more than the statutory walking distance.

Exceptions to this are as follows:

- Where a secondary age pupil of compulsory school age is from a low income group and attends one of their three nearest qualifying schools, where they live between 2 – 6 miles from that school, (see paragraph 5.3.1), or where a secondary age pupil of compulsory school age is from a low income group and attends the nearest school preferred by

reason of a parent's religion or belief where they live between 2-15 miles from that school (see paragraph 5.3.2)

- Where a pupil is entitled to free transport to attend the nearest Knowsley school, but the parent has chosen another Knowsley school which is further away, the local authority may exercise discretion to award support to the further Knowsley school.

## **7. TYPES OF TRANSPORT PROVIDED**

Assistance with travel will be provided in the following ways:-

- 7.1 By pre-paid Merseytravel SOLO zone ticket for use on public bus services. The zone ticket will cover the areas within the Merseytravel area required for transport from home to school. If this involves more than one zone or mode of transport (e.g. bus and train) a TRIO ticket will be issued. If a parent requests a TRIO ticket but the Local Authority has not determined that this is a requirement for home to school travel, a charge of £55\* will be made to the parent.
- 7.2 If the Local Authority considers that a bus pass is inappropriate for a child, transport will be by taxi, minibus, coach or other adapted vehicle contracted by the Local Authority;
- 7.3 Where the Local Authority determines that a child is entitled to taxi transport but there are exceptional circumstances which prevent this, parents may make their own travel arrangements for their child between home and school if there is a health and safety risk and the parent can offer specialist support which would otherwise not be available. In these circumstances financial assistance at a standard rate per mile (as appropriate) and commensurate with Knowsley Council's casual car user allowance will be paid. The mileage allowance will not be offered as an option instead of existing provision.
- 7.4 If a pupil is awarded assistance with school transport, but wishes to use another form of transport not covered by a Merseytravel zone ticket, e.g. a dedicated school bus, it may be possible for the parent to be reimbursed the cost of travel subject to a maximum limit equivalent to the cost of a Merseytravel zone ticket (currently £224). Included within this provision is a cycling allowance in lieu of a zone ticket.
- 7.5 During 2011/12 academic year Knowsley will be piloting a "Bikes for Bus Passes" scheme for year 10 and 11 pupils attending a Knowsley Centre for Learning. Pupils who apply for a bicycle under the scheme must undertake Level 3 Cyclist Training and parents must agree to the terms and conditions in the Parent's Contract, including:
  - Parents must take out relevant insurance cover.

- Parents must commit to the scheme for the full academic year. It will not be possible to trade in the bike for a bus pass once the bike has been purchased.
- Pupils are responsible for the security of the bike and accessories.
- Pupils agree to wear head protection and to use the lights and cycle lock provided.
- Pupils will maintain their own bicycle.
- Pupils and parents map out an individual cycle route, and agree to keep to the route.
- Parents are responsible for the security of the bike and equipment when stored in their home.

## **8. APPEALS**

Where parents or students wish to appeal against a decision not to provide free transport, they may do so via the Council's agreed appeals procedures. All applications will be considered on their individual merits and the Appeals Committee will take into consideration the age of the pupil and the route along which the pupil could reasonably be expected to walk, together with any other relevant information.

## **9. GENERAL CONDITIONS**

- 9.1 Assessments regarding the safety of particular routes assume in each case that children are accompanied and where necessary parents must make arrangements for their child to be accompanied to and from school by a responsible person, if they themselves cannot be available.
- 9.2 Pupils who do not have a statement of Special Educational Needs but whose parent / carer states that the child pupil cannot walk any distance to school as a result of a medical condition will be required to submit medical evidence confirming the facts of the case. The parent will be required to pay any charges to the GP in connection with obtaining evidence. The charge will not be reimbursed by the Council.
- 9.3 The Local Authority may withdraw transport facilities from any pupil whose behaviour during the journey to and from school is not of an acceptable standard.
- 9.4 Where, for any reason, transport facilities are approved in error, the Local Authority reserves the right to withdraw that provision at any time.
- 9.5 Parents must notify the Directorate of Children and Family Services if there is a change of address or a change of school as this may affect entitlement to free transport. Eligibility will be reassessed taking into account the new circumstances.
- 9.6 Pupils who are entitled to free travel based on the low income criterion, and whose family circumstances change during the year, will continue to receive a bus pass until the end of the academic year.

- 9.7 In cases where an appeal is granted part way through the academic year, the parent may request a refund of bus fares from the date the initial application was date stamped by the Directorate of Children and Family Services to the date the bus pass was issued. Reimbursement of travel expenses will be paid at the daily rate equivalent to the cost to the Local Authority of the daily rate of a Merseytravel bus pass.

The payment will be subject to confirmation of the pupil's daily attendance at school and the Local Authority will contact the pupil's school to confirm actual attendance details.

- 9.8 Parents must submit any evidence requested by the Local Authority in connection with the application. This may include proof of residence in Knowsley, evidence of income from low income families or information about exceptional circumstances.

- 9.9 In cases where a duplicate bus pass is required, an administration charge of £10 will be levied. Theft of a bus pass must be reported to the police, where appropriate, by the parent / carer. The Local Authority reserves the right to request further information regarding the loss or theft of a bus pass from other bodies, such as Merseytravel or the police.

- 9.10 Local authorities will have regard to the wishes of a parent for their child to be provided with education at a particular school on the grounds of parent's religion or philosophical belief. This duty is in addition to the new duty on local authorities to make travel arrangements for children from low income families who attend the nearest suitable school preferred on grounds of religion or belief, where they live more than 2 miles, but not more than 15 miles from that school as per paragraph 5.3.2. The definition of "religion or belief" follows that of the Equality Act 2006.

- 9.11 Knowsley has previously used a geographical mapping system called Routefinder to measure the distance from home to school. The measuring system will change with effect from 1 July 2011 to Google using the walking distance facility. This is due to the integration of home to school transport with the Council's One Stop Shop and Contact Centre. In exceptional circumstances officers from the Directorate of Children and Family Services may walk the route using a standard industrial pedometer in order to determine the distance. The Local Authority reserves the right to change the geographical measuring system at any time.

\* paragraph 7.1- charge of £55 is correct at time of printing