

# **Review of home to school and college travel assistance policies**

Consultation document

## Overview

The Education Act 1996 and the Education and Inspections Act 2006 require the council to provide home-to-school travel to those who are eligible, and also to promote sustainable modes of travel.

Where they meet certain criteria, Central Bedfordshire Council currently provides transport assistance to pupils of school age and those attending post-16 education.

The Home to School/College Travel Assistance policies for Central Bedfordshire are being reviewed. As part of this, the council held a number of listening events for parents, carers and professionals, and the feedback highlighted a number of improvements that could be made to ensure they are clearer and fairer.

The feedback was considered by the council and efforts have been made to create updated draft policies that are consistent and concise, where the eligibility criteria for home to school transport is clear to the reader. In reviewing the policies, the council closely followed DfE guidance and looked at policies from other Local Authorities.

This consultation seeks to understand the public's views on our review of these policies. Responses to the consultation will help to inform the updated policies before they are adopted by the council. Any changes to our policies would come into effect for the September 2022 intake of pupil admissions, hence we are consulting with the public now so that the outcomes are available to relevant parents and carers ahead of the next round of school admissions.

Parents and carers will therefore be in a position to understand the reviewed policies before submitting their Secondary/Upper school admissions applications by 31 October 2021, or Lower/Primary/Middle Transfer applications by 15 January 2022.

## Reasons for updating the policies

During our engagement sessions, parents told us that:

- the eligibility criteria for school transport is unclear
- policy information is too long and does not have enough emphasis on children's needs
- for children with Special Educational Needs and Disabilities (SEND), the policy focuses too much on their Education Health Care Plan (EHCP) rather than the individual's specific needs
- there is no guidance for people over the age of 19 and in education
- if parental mileage is to be considered as an alternative to commissioned transport, there needs to be a simpler process and parents need time to consider their options
- flexibility needs to be considered if a child lives in two homes

We also heard from professionals, who said that the policies were hard to find and that it was difficult to interpret what a child should be entitled to.

In response to the feedback, the council is proposing:

- Updating its policy for children under the age of 16, extending the eligibility criteria to cover more groups of children
- Updating its policy for 16-19 year olds so that it is clearer for parents to understand, with the eligibility criteria remaining the same
- Creating a policy document outlining the eligibility criteria for people over the age of 19

## Travel support for 5-16 year olds

The policy for 5-16 year olds covers the majority of pupils who receive home to school transport support. Based on our feedback, this is where the majority of changes will be made. We are also rewording the eligibility criteria to make it clearer for parents.

### Key changes

We are proposing the following:

- Travel assistance will be offered from two homes for any eligible children who live in a joint custody arrangement with both parents. This should enable children to spend time with both parents without being impacted by transport to school and is in the child's best interests. Limitations will be placed on this so that travel assistance from a second home will only be offered where a route already exists, or where re-routing a current SEND route would not have an additional cost or be detrimental to other children.
- Applications for SEND pupils will be assessed by need, rather than solely on their education, health and care plans (EHCPs)
- The fact that distance criteria will not apply for pupils with SEND will be made clearer
- Passenger Assistants on SEND transport will be trained to administer medication in an emergency and to support children and young people with challenging behaviour
- Emphasis will be put on modes of travel assistance other than bus and taxi, where it is financially beneficial to the council. For example, parents may be offered mileage payments to enable them to transport their children to school.

### How we've reworded the eligibility criteria

In our proposed new policy, the following wording has been used to explain who is eligible for home to school travel support:

- **A child whose journey is further than the statutory walking distance.** This is measured by the shortest available walking distance from the child's home to their nearest suitable qualifying school or catchment school:
  - For a child in Year R to the age of 8 (the end of year 3), the statutory walking distance is 2 miles.
  - For a child aged from 8 to 16 (year 4 to year 11), the statutory walking distance is 3 miles.
  - If the distance between the child's home and nearest suitable qualifying school or catchment school is further than the statutory walking distance, the Council will provide travel assistance.
- **A child who is from a low income family and:**
  - Is aged between 8 and 11 (year 4 to year 6), attends their nearest suitable qualifying school or catchment school and lives more than 2 miles away.
  - Is aged between 11 and 16 (year 7 to year 11), attends one of their three (3) nearest suitable qualifying schools or catchment school where they live between 2 and 6 miles from their school.
  - Is aged between 11 and 16 (year 7 to year 11), attends their nearest suitable school or catchment school preferred on the grounds of religion or belief and lives more than 2 miles and less than 15 miles away.

- The distances above are calculated by the shortest walking route up to 3 miles and the shortest motorised route over 3 miles.
- Children from low income families are defined as those who are entitled to any of the following benefits. Evidence of this will be required on an annual basis:
  - Income Support
  - Income-based Jobseeker's Allowance
  - Income-related Employment and Support Allowance
  - Support under Part VI of the Immigration and Asylum Act 1999
  - The guaranteed element of Pension Credit
  - Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
  - Working Tax Credit run-on - paid for four weeks after you stop qualifying for Working Tax Credit
  - Universal Credit - if you apply on or after 1 April 2018 your household income must be less than £7,400 a year (after tax and not including any benefits you get)
- **Children with an additional need without an EHCP**
  - Where children have a Special Educational Need, disability or mobility problem but do not have an EHCP, it will be necessary for a SEN Transport Needs Assessment to be completed by the child's parent/carer. It should be passed to the SENDCO at the school for endorsement. The views of the SENDCO at the school and other involved professionals will be taken into consideration when assessing the need for travel assistance.
- **A child with SEND will also be provided with travel assistance where it is identified that they are unable to safely walk the journey to and from school accompanied by a parent/carer due to their SEND needs even if distance criteria are not met.**
  - A child undergoing formal assessment for an EHCP will have their transport needs considered as part of that process. A decision will be made based on evidence from a range of sources such as the SENDCO at the child's school, educational psychologist and medical professionals. The following factors will be considered:
    - Long term restricted independent mobility meaning that the child cannot safely walk to school when accompanied by a parent/carer
    - Lack of awareness of common dangers and lack of age appropriate independence skills so the child could be at significant risk when travelling to school accompanied by a parent/carer.
  - The child's needs will be reviewed on at least an annual basis, usually as part of the statutory EHCP review process. Any changes will be implemented from the following term or sooner if mutually agreed. Changes to travel assistance should reflect their increasing progress and maturity.
  - Transport will usually be arranged on a localised pick up point basis, if assessed as appropriate. Where it is assessed that a child cannot walk to a pick up point or wait there safely, the child will be collected and returned to the home address.
  - If the child has a disability which affects their mobility, then the primary mobility aid will be transported. If a risk assessment finds that a child's wheelchair is not safe to travel in, the child may need to travel in specialised seating with their wheelchair transported for use at school.

- **Residential schools**

- Where the Council arranges through an EHCP for a child with a special educational need to attend a residential school as their nearest suitable qualifying school or catchment school, travel assistance will be provided in accordance with the residential arrangements where the usual distance criteria are also met.
- Residential arrangements can be one of the following:
  - Termly residential – travel assistance provided at the beginning and end of each half term
  - 12 day residential – travel assistance will be provided on alternate weekends and at the beginning and end of each half term
  - Weekly residential – travel assistance will be provided to school on Monday and from school on Friday each week
  - 52 week placement – travel assistance will be provided up to a maximum of 3 return journeys each academic year
- Any other additional journeys will be the responsibility of the parent/carer
- The Council encourages the parent/carer to make their own travel arrangements and appropriate costs will be reimbursed (eg mileage costs). Where transport is provided, one parent/carer may choose to be transported with the child to act as a passenger assistant, where it results in the most efficient use of the Council's resources.

- **Unsafe route eligibility**

- Where a child is not eligible for transport to the nearest suitable qualifying school or catchment school because it is under the relevant distance threshold and the parent believes the nature of the route is unsafe for the child to walk (accompanied by an adult), they should contact the CBC Transport Team stating why they believe route to be unsafe. CBC Transport Team will then assess the route.
- Where a safe walking route subsequently becomes available, parents/carers will be notified that travel assistance will be removed from the following term.

- **Children excluded from school:**

- Where a child is permanently excluded from school, they will be provided with travel assistance in line with the above criteria to their new school provided it is the nearest or catchment school – this includes alternative provisions.
- Where a child receives a fixed term exclusion and is required to attend an alternative provision, travel assistance will be provided.

- **Children admitted to school under the Fair Access Protocol**

- Children placed under the Fair Access Protocol will be considered for transport as if the named school was their nearest suitable qualifying school or catchment school.

The purpose of Fair Access Protocols is to ensure that children without a school placement, especially the most vulnerable, are found and offered a place quickly outside of the normal admission process. This ensures that the amount of time any child is out of school is kept to the minimum, and every local authority is required to have a Fair Access Protocol in place, developed in partnership with local schools.

- **Education other than at school**

- Where the Council arranges for a child to receive education other than in school, this provision will be considered the nearest suitable qualifying school. The Council will consider travel assistance where a child meets the usual criteria for travel assistance, has been placed in the setting by the Council and either:
  - Has been permanently excluded or is at risk of permanent exclusion
  - Is unable to attend the designated setting due to exceptional circumstances (evidence required)
  - Is dual registered. This is where a child is enrolled in two places, e.g. because of a Special Educational Need, or to avoid permanent exclusion.
- **Home address**
  - Where two parents have joint custody and a child lives at two addresses, travel assistance will be considered for both addresses, if the following apply:
    - The school must be the nearest qualifying school or catchment school to one of the addresses
    - Both addresses must be within Central Bedfordshire
    - The second address must either be on an existing route or it be possible to reroute an existing route in the case of SEND transport.

## Travel for 16-19 Travel Assistance Policy

We are not making any changes to our existing 16-19 Travel Assistance Policy, but we are rewording it to make it clearer for parents and practitioners.

The policy ensures that those most in need of support receive it and those who are able to pay the cost of their transport do so. This includes those aged 16-18 and those who started their course before their 19<sup>th</sup> birthday.

The Council prioritises the following groups:

- Those on a low income
- Those with SEND
- Those with medical needs
- Looked After Children and Young People

### **The policy states the following eligibility criteria:**

Young people living 3-20 miles from their education placement will be provided with travel assistance at a subsidised rate.

- In determining entitlement to transport assistance, the route used to assess the distance will be the shortest available walking route up to 3 miles. Over 3 miles, the shortest motorised route up to 20 miles will be used to assess entitlement. Measurement will commence at the gate of the student's home to the nearest gate on the school or college site.
- Where the young person is from a low income background the travel assistance will be free of charge. Young people from low income backgrounds are defined as those who receive any of the following benefits. Evidence of this will be required on an annual basis:
  - Income Support
  - Income-based Jobseeker's Allowance
  - Income-related Employment and Support Allowance
  - Support under Part VI of the Immigration and Asylum Act 1999
  - The guaranteed element of Pension Credit

- Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Working Tax Credit run-on - paid for four weeks after you stop qualifying for Working Tax Credit
- Universal Credit - if you apply on or after 1 April 2018 your household income must be less than £7,400 a year (after tax and not including any benefits you get)

Young people and who are Looked After by Central Bedfordshire Council and Care Leavers will receive travel assistance free of charge when they live more than 3 miles by the shortest available walking route from their nearest suitable educational establishment. It is recognised that for this vulnerable group, the most suitable provision may not be the nearest to their home address.

Young people with a medical need may receive travel assistance if they live within 20 miles of their education placement. The following information will be needed:

- Full medical details of the condition, including timescales for recovery;
- Written medical confirmation regarding the child's fitness to return to education
- The likely period for which revised travel assistance arrangements may be needed;
- The type of vehicle needed, where appropriate, for example, where the child is in a full body cast;
- Any manual handling risks.
- The application should be endorsed by the family doctor or in certain circumstances by a medical consultant. The Council reserves the right to require the parent/carer to provide further medical evidence as deemed necessary. Any charges incurred by the parent/carer in providing this evidence will not be paid by the Council. Transport assistance will be arranged in the most cost-effective way and be provided for a maximum of one term at a time.
- This will be at a subsidised rate, or will be free of charge if the young person is from a low income background

## **Additional support for young people with SEND**

Young people with Special Educational Needs and Disabilities will receive travel assistance in addition to that set out above where this is an assessed need regardless of the distance between the young person's home and education placement. This will be at a subsidised rate, or may be free of charge if the young person's family is on a low income.

The policy lists the following eligibility criteria:

- Travel assistance needs for students with special educational needs will be assessed as part of the statutory assessment process, Education Health Care Plan EHCP. Where students have been assessed as requiring transport and are eligible, a subsidised rate will be charged, as set out in the Fees and Charges Policy of the Council and reviewed annually. There will be no cost for travel assistance for young people from a low income background.
- A small number of students, typically with severe or profound and multiple learning difficulties, remain in continuing special school provision and do not reach a point of transition at 16. These students will continue to receive their existing transport arrangements for as long as they remain in that provision.
- Subsidised transport will be provided for a student to the establishment identified through the assessment, where the walking distance between home and the establishment is more than 3 miles. Where the walking distance is less than 3 miles the assessment will include consideration of whether a student could reasonably be expected to walk or cycle to school or college. Where this is not possible subsidised transport will be provided. The most

appropriate mode of travel will be agreed as part of the assessment process. The assessment will consider transport assistance to the nearest suitable school or college. If by parental or student preference a more distant establishment is named, transport will be the responsibility of the parent.

- Where a student attends a residential school or college for children and young people with special educational needs, transport assistance will be provided in accordance with the accommodation arrangements:
  - Termly residential - transport assistance will be provided at the beginning and end of each term and at the beginning and end of the half-term holiday
  - 12 day residential transport assistance will be provided on alternate weekends and at the beginning and end of each term
  - Weekly residential - in most cases transport assistance will be provided on Monday and Friday each week
  - 52 week placement - transport assistance will be provided for three return journeys per year
  - Any additional journeys will be the responsibility of the parent/carer.
  - In the interests of the efficient use of resources the Council will, in all cases, encourage parents/carers to transport students for which mileage reimbursement may be made.
  - Any additional transport requirements to those set out above will remain the responsibility of the parent/carer.

## 19-25 Travel Assistance Policy

The introduction of the 19+ policy ensures that young adults with significant SEND, who would be unable to travel to their education placement independently, get the right support to remain in education, while increasing their independence.

As adults, the majority of learners will be able to make their own transport arrangements. However, in circumstances where a young adult is unable to make the journey, the Council will consider whether transport assistance should be provided.

### **To be eligible for travel assistance as a young adult, the following criteria must be met:**

- They must reside in Central Bedfordshire;
- They have started the first year of their programme of study after their 19<sup>th</sup> Birthday. For programmes of study starting in the autumn term, the academic term starts on 1 September. For the avoidance of doubt, a student who has not already attained the age of 19 on or before starting their course will not be eligible for support under this policy;
- They must either:
  - a. Attend a local authority maintained or assisted further or higher education institutions or institutions within the further education sector; or
  - b. Have an EHC plan and attend an institution where they are receiving education or training outside the further and higher education sectors. For those young people, the Council's duty only applies where the Council has secured the provision of education or training at that institution and the provision of residential accommodation in connection with that education or training.
- They require travel assistance arranged by the Council because due to their special educational needs or disabilities, they are unable to make use of universal transport options e.g., walking, cycling, driving, or using public transport.



### **The following assistance will be provided:**

- Where it is assessed that it is necessary for the Council to arrange travel assistance, the Council will provide this assistance free of charge.
- Once a person is deemed eligible for travel assistance, the Council will provide the most cost-effective option which meets the needs of the young adult. This will take into consideration their mobility and capacity to travel safely and independently. These may include:
  - Independent Travel Training: where a young adult may be able to use universal transport options to travel to their place of education but needs support to learn the route and develop their independence skills, Independent Travel Training will be offered with a view to them developing their skills to enable them to travel independently.
  - Travel Buddy: where a young adult is able to use universal transport options but requires ongoing support to do this beyond Independent Travel Training, a travel buddy may be offered to accompany them on the journey to and from their place of education. The young adult's need for a travel buddy will be reassessed on an annual basis.
  - A seat on a commissioned service: where a commissioned service is already available and would meet the young adult's needs, a seat on this service will be provided.
  - Single/specialised transport: where a commissioned service does not exist or the young adult is unable to access other transport options, single or specialised transport will be provided.
  - Mileage costs: where a young adult has someone in their support network who is willing and able to transport the young adult to their place of education, mileage costs will be considered if this is the cheapest option for the Council. There is no requirement on anyone to accept this option, but it can be requested.

## **Have your say**

We want to hear your views on the changes to our 5-16 policy, and how clear the eligibility criteria is for all three of our home to school travel policies. The consultation is open from 28 January 2021 until 22 April 2021. You can have your say by answering a questionnaire on our website at [https://www.centralbedfordshire.gov.uk/info/27/about\\_your\\_council/188/consultations](https://www.centralbedfordshire.gov.uk/info/27/about_your_council/188/consultations). The consultation feedback will be considered at the Executive Committee meeting on 8 June 2021 before finalising the new policy