



BARNSLEY

Metropolitan Borough Council

Barnsley Metropolitan Borough Council

Draft Travel Assistance Policy

Date: DD/10/2016

APPENDIX 1

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1. GENERAL

This Policy is prepared in response to the duties of Barnsley Metropolitan Borough Council (BMBC), hereafter known as the Local Authority (LA) (See note 1), under section 508B of the Education Act 1996, (amended by Education and Inspections Act 2006) which deals with the duty of Local Authorities in England to ensure that suitable travel assistance as it considers necessary are made to facilitate attendance at school for eligible children or students. The Council's policy is to provide free school transport (referred to in the Act and in this document as "Travel Assistance") to these categories of eligible children in accordance with its legal obligations, but not otherwise unless there are exceptional circumstances. This travel assistance policy has been designed to compliment the school curriculum in providing the skills to create independence. It will provide support to eligible children to encourage independent travel.

This policy summarises the categories of eligible children set out in the Act who are entitled to travel assistance. It also sets out how parents or carers must apply for travel assistance, how decisions are made and how parents and carers may appeal against decisions that they are unhappy with.

The policy is intended to provide clarity for parents or carers facing a wide range of circumstances, and to ensure that children and young people with particular and significant needs according to the eligibility criteria are appropriately supported. However, it is the legal responsibility of parents or carers of each child or young person to ensure they attend school regularly.

1.1 The primary responsibility for ensuring pupils and students attend school or college is that of the parent or carer (see note 2). However, section 444(3B) provides a parent with a defence if he or she proves that:

- The LA has a duty to make travel arrangements in relation to the child under section 508B and has failed to discharge that duty.

Schedule 35B of the 1996 Act (amended by the Education and Inspections Act 2006) defines "eligible children" as those categories of children in an authority's area for whom travel arrangements will always be required. A condition of each category is that they are of compulsory school age. Under section 508B, these arrangements must be provided free of charge.

1.2 Unless otherwise specified, travel assistance will normally comprise of one of the following options for pupils:

- A Zero Fare Pass (ZFP) Passes are purchased by the LA from South Yorkshire Passenger Transport Executive (SYPTTE). This allows pupils to travel free of charge between the bus stop nearest to their home address, and the school/college or the nearest bus stop to the school/college they attend, on commercial or tendered bus services. A full explanation of the criteria and how to apply is available at www.barnsley.gov.uk and search for ZFP.

The criteria and provision of a ZFP apply to both Mainstream and SEN (Special Educational needs) pupils.

- Personal Budgets – In Particular for pupils having SEN or EHCP, provision of payment through personal budget will be considered as an eligible way of the LA fulfilling its requirement under this policy for the provision of Travel Assistance.
- Mileage Reimbursement – Paid half termly or termly retrospectively, based on the Families choice and correct submission to the Home to School Transport Office of mileage claim forms. Reimbursement is calculated on 2 journeys per day and the actual mileage multiplied by the number of days the pupil has attended. (See Section 14)
- Independent Travel Training – Provision of training as part of a pupils curriculum to encourage independence. This will require plans to encourage independent travel to be put in place by the Travel Training team, school/college and parents/carers working in partnership. Progress should be evidenced at each annual review. There is a specific duty on schools and LAs to begin planning for the transition to adulthood formally from Y9. (See Section 9)
- Travel Assistance - Via a coach, mini-bus, people carrier or taxi/private hire or similar vehicle for pupils identified as having Special Educational Needs (SEN) or for children who are disabled. (See section 9/10) As determined by the LA as appropriate to meet the child's individual needs.

1.3 As part of the LA's corporate strategy to develop people to their full potential aligned with the Key Stages of the educational curriculum Travel Assistance provision will be reviewed to assist in the development of independence for any qualifying pupil who is in receipt of services through this policy.

1.4 The LA is not able to provide free Travel Assistance to pupils who are In transition between schools, or attending 'taster sessions' at new schools. Travel can only be provided to the School where a Pupil/Student is on roll.

1.5 Assessments of Travel Assistance managed through this policy will be awarded on the basis of hierarchy of travel Assistance detailed in 1.2.

2 PUPILS UNDER THE AGE OF 4 YEARS

2.1 Other than for a child with a statement of SEN or Education Health Care Plan (EHCP) who has had transport approved in accordance with Section 9, no assistance with transport shall be given to a nursery aged child.

3 PUPILS AGED 4-7 ATTENDING THEIR CLOSEST SCHOOL

3.1 For pupils less than 8 years of age (on 1 September), free transport will be provided where the distance between their home and allocated school is 2 or more miles, measured by the nearest available walking route (hereafter referred to as statutory qualifying distance – see note 4). Free transport will

normally be facilitated through the provision of a zero fare bus pass for the child.

- 3.2 Pupils living less than the statutory qualifying distance may be eligible for free travel if the LA determines that they qualify under section 7.
- 3.3 Parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop and during the journey if required.

4 PUPILS AGED 8-16 ATTENDING THEIR CLOSEST SCHOOL

- 4.1 For pupils who are aged 8 years or older (on 1 September) and still of compulsory school age, free transport will be provided where the distance between their home and allocated school is 3 or more miles measured by the nearest available walking route (hereafter referred to as the statutory qualifying distance – see note 4). Free transport will normally be facilitated through the provision of a zero fare bus pass.
- 4.2 For pupils who move home within the Barnsley Metropolitan Borough Area whilst in Years 10 or 11, and who wish to remain at the school they have been attending to complete their examination course, free transport will be provided where the distance between their new home and their school is more than the statutory qualifying distance. Free transport will normally be facilitated through the provision of a zero fare bus pass.
- 4.3 For pupils from low income families please refer to section 7.
- 4.4 Parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop and during the journey if required.

5. PUPILS ATTENDING DENOMINATIONAL SCHOOLS

- 5.1 From September 2016, the LA is no longer able to provide transport on denominational grounds. Pupils who were previously entitled to free transport on denominational grounds and who qualified under the low income category (See Section D on previous Home To school Policy) prior to September 2016, will continue to receive a free Zero Fare pass until they reach the end of their particular phase of education, i.e. until the end of primary education in Y6 or until the end of statutory secondary education in Y11.

6 PUPILS NOT ATTENDING THEIR CLOSEST SCHOOL

- 6.1 The LA recognises the rights of parents given under the Education Act, 1996 to express a preference for their choice of school and the duties on the LA under the same Act in respect of those preferences expressed. However, in order to ensure the efficient use of its resources, the LA will normally only provide free travel to pupils meeting the relevant eligibility conditions attending:
- The school designated as the closest school for the area in which the LA has determined the pupil is ordinarily resident for the purposes of

admissions to schools. An exception to this policy is made, and assistance in the form of a ZFP will be offered for pupils in the following circumstances:

- a) Where the parents/carers have chosen for their child not to attend the allocated school and have accepted a place for him/her at an alternative school, which is the statutory qualifying distance appropriate to the age of the pupil from where the pupil is ordinarily resident but is nearer than the allocated school.
 - b) Where the LA is unable to make a place available at the pupil's allocated school, and makes a place available at the next nearest school which is the statutory qualifying distance appropriate to the age of the pupil from where the pupil is ordinarily resident.
 - c) Where the parents/carers have chosen for their child not to attend his/her allocated school and have accepted a place for their child at an alternative school, which is the statutory qualifying distance appropriate to the age of the pupil from where the pupil is ordinarily resident, providing the LA does not incur additional expenditure. A ZFP to enable the pupil to attend the alternative school will be provided equivalent to that which the pupil would have received had s/he attended either the, allocated, school as the case may be.
- 6.2 Where a pupil qualifies for travel assistance under these exceptions, the parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop if required.
- 6.3 The LA is not in a position to guarantee travelling arrangements to any school; such arrangements are entirely in the hands of the providers of bus services and/or SYPTTE.
- 6.4 When selecting alternative schools, parents/carers must do so in the knowledge that, unless they qualify under the above exceptions, free transport, or assistance with transport costs, will not be available, regardless of the distance involved. They should also consider, as a factor in making their decision, the consequences of possible future alterations to bus services.

7 PUPILS FROM LOW INCOME FAMILIES

- 7.1 The Education and Inspections Act 2006 introduced free transport assistance for pupils from low income families. Pupils who qualify under this legislation are pupils in receipt of Free School Meals (FSM) or whose families are in receipt of Maximum Working Tax Credit (MWTTC). Pupils meeting the following criteria will receive transport usually in the form of a zero fare bus pass.

7.2 Primary Pupils

Pupils aged 8 to 10 who are attending their allocated school* and the distance between home and school is more than 2 miles

7.3 Secondary School Pupils

Pupils aged 11 to 16 attending any 1 of their 3 allocated school * where the distance between home and school is more than 2 miles but not more than 6 miles from their home address

7.4 **Pupils attending School on grounds of Religion or Belief**

Pupils up to 16 years of age attending their nearest appropriate denominational school on grounds of religion or belief, where the distance between home and school is more than 2 miles but not more than 15 miles.

7.5 Distances referred to in this section are measured as follows:

- Up to 2 miles – as per the statutory walking distance, along the nearest available walking route.
- The 6 miles upper limit or the 15 miles upper limit – along road routes passable by suitable motorised transport.

*The nearest allocated school is one with places available that provides education appropriate to the age, ability and aptitude of the child.

7.6 Once eligibility has been determined and confirmed, the pupil will remain eligible until the end of the school year for which the assessment has been made. This particular section does not cover the provision of Mi. cards, Student passes or any other concessionary travel passes.

8 POST 16 – SIXTH FORM/FURTHER EDUCATION STUDENTS

8.1 The Council does not provide free transport for Post 16 students entering into further education at Sixth form or College for the first time or undertaking new courses.

9 SPECIAL EDUCATIONAL NEEDS: PUPILS AND STUDENTS (UP TO THE AGE OF 19)

9.1 **General**

Each pupil or student identified by the LA as having (SEN) (under the four overarching types of need: Communication and Interaction, Cognition and Learning, Sensory and/or Physical or Social, Emotional and Mental Health), will have their individual transport needs assessed against set agreed criteria, taking into account their age, mobility and the effect of their special educational needs on their ability to travel. If it is concluded that a pupil or student does not require Transport Assistance under this section, then consideration will be given under the other sections of this policy as appropriate.

9.2 **Pupils and Students with a Statement of Special Educational Needs or Education Health Care Plan**

For pupils and students being considered for an Education Health Care Plan or with an existing statement of SEN, an assessment of travel assistance need will be undertaken at the draft EHCP or amended EHCP or amended

statement of SEN stage. This will be shared with parents/carers who are encouraged to express their views about all aspects of their child's SEN provision, including transport. Travel Assistance is not included in a Statement of SEN but may be included in an EHCP Plan exceptionally, for example if Travel Assistance provision is agreed as part of a Personal Budget. Statements of SEN will cease by April 2018 and children will either have their needs met at the SEN Support Stage or with an EHCP.

9.3 The provision of Travel Assistance to meet a pupil or student's need will be in accordance with the provisions of this section and will be reviewed and, if necessary, reassessed at each annual review of the statement or EHCP. Where it is decided that:

- A Travel Assistance need is now required; or
- A Travel Assistance need previously identified should be modified to encourage independence or
- Travel Assistance is no longer required

9.4 **Independent Travel Training**

Our aim is for all secondary age pupils, and students over compulsory school age, with SEN who have previously been assessed as requiring Travel Assistance under this section, will receive support for independence and mobility training as part of their school/college curriculum with the aim of reducing their reliance on individual transport in preparation for adult life. This will require plans to encourage independent travel to be put in place by the Travel Training team, school/college and parents/carers working in partnership, to mutually agreed targets. Progress should be evidenced at each annual review.

9.5 **Pupils and Students with Special Educational Needs but no Statement**

For pupils and students with SEN but without a statement or EHCP, an assessment of Travel Assistance need will be undertaken by the appropriate Officer(s) at the time a decision on the provision to be made for the pupil or student to meet their need is taken. Where it is determined that the provision of a zero fare bus pass would not be appropriate to meet the needs of the pupil or student, the provision of Travel Assistance will be in accordance with the provisions of this section and will be reviewed and, if necessary, reassessed annually by the appropriate Officer(s).

Schools and parents/carers will encourage their children to take up public/community transport options at the earliest opportunity – this will be regarded as a positive achievement towards the pupil or student's attainment in becoming an independent traveller. Where transport is ceased under this section, pupils and students may be eligible for support under other sections of this policy as appropriate. For more details on the service and its benefits please see www.barnsley.gov.uk and search for the 'Free to go service'.

9.6 Provision of Transport for pupils and students with SEN

The type of transport assistance provided will be the most appropriate, taking into account the child's age, safety and needs as assessed in accordance with the approved assessment criteria. A pupil or student will be expected to share a vehicle with other pupils and/or students. Individual transport will only be provided in exceptional circumstances and where the need for individual transport has been clearly identified from the assessment under the approved assessment criteria.

9.7 Social reasons such as out of hours activities or parents/carers work commitments will not be regarded as valid reasons for determining the type of transport assistance for their child.

9.8 A ZFP will operate from the bus stop nearest to the pupil's home. Parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop if required.

9.9 Pupils and students who are assessed as requiring travel on a coach, mini-bus, taxi/private hire or similar vehicle, will be picked up and dropped off at the most convenient designated point nearest to their home address, having due regard to their needs and safety this may be a designated bus stop. Pupils will only be guaranteed collection and drop-off from outside their home address if their needs exceptionally require this arrangement. It is the responsibility of parents/carers to ensure their child's safety by making appropriate arrangements to accompany their child to and from the designated pick-up point, or see them safely onto and off the vehicle.

9.10 Approval will not be given for ad-hoc or occasional variations to the arrangements determined by the LA. If parents/carers request a variation to the arrangements for example, for their child to be collected from, or dropped off at, a relative/neighbour/child-minder's address, consideration to an amendment to the agreed travel arrangements will only be given where:

- The request is for a permanent change on each school day; and
- No change to the transport provider will be required; and
- No additional cost will be incurred by the LA; and
- The request would not add unreasonable additional travelling time for other pupils in the vehicle.

9.11 Arrangements will be made to transport pupils with SEN as follows:

- | | |
|---|---|
| a) day pupils/students | - at the start and end of each school/college day; |
| b) pupils/students who board for 5 days | - at the start and end of each school/college week; |
| c) pupils/students who board for 7 days | - at the start and end of each school/college term and half term. |

In addition pupils who are in the National Curriculum Year Group 7 or below i.e. who have not yet had their twelfth birthday, and who board for 7 days, will be provided with additional return journeys for two weekends per half-term.

- 9.12 Any special equipment or supervision arrangements required because of the child's needs will normally be arranged by the LA.
- 9.13 No Travel Assistance will be provided under this section where the LA has identified an institution or provider to meet a pupil or student's need but the parents/carers preference is to send their child to a more distant institution, independent school or provider of the same type. For pupils and students with a statement of SEN or EHCP, this will apply irrespective of whether the institution or provider is named in the statement or EHCP, which will make clear there will be no support with transport.

10 SPECIAL EDUCATIONAL NEEDS STUDENTS OVER THE AGE OF 19

- 10.1 Individual Travel Assistance needs will be assessed against set agreed criteria, by the appropriate Officers of the Special Educational Needs (SEN) Transport Panel, for students who are;
- Over the age of 19 and under 25 years of age on 1 September each year; and
 - Ordinarily resident in the LA area; and have, or have had previously, a statement of SEN, an EHCP and a Social Services Assessment of Need which includes, or included, in order to meet the needs of the student, a requirement for transport.
 - Be registered or registerable as disabled under the Chronically Sick and Disabled Persons' Act 1970; and
 - Attending a course funded by the Education Funding Agency, at an FE College which has been agreed as appropriate and that the course is a graduation/progression of a previous subject and that this meets the needs of the student. Unless attendance on a course at another institution has been agreed as more appropriate, to meet a specific educational and/or social need of the student.
 - Progression in learning must be evidenced against outcomes in the EHCP. Lack of progression will mean that Travel Assistance will no longer be approved. Funding will not normally be provided where a student repeats a course or studies at the same academic level as one previously studied.
- 10.2 Assessment may include undertaking a transport assessment with trained travel trainers, and failure to attend this assessment could mean Travel Assistance is not provided. Where assistance with transport is deemed necessary it will be provided in accordance with the provisions of this section until the completion of the course for which it was approved or the end of the academic year in which the student attains the age of 25 years whichever is the earlier. Assistance with transport will, if necessary, be subject to an annual review and/or reassessment.

10.3 Provision of Transport

- 10.4 Students could be offered a ZFP to enable them travel free of charge between the student's place of ordinary residence and the college. Where a college has several sites at which the student is required to attend, free travel will be provided to one designated site only which is agreed between the LA, the student and the college authorities. Any inter site transfer will be the responsibility of the college to provide.
- 10.5 Social reasons such as out of hours activities or parents/carers work commitments will not be regarded as valid reasons for such an arrangement. It is the responsibility of parents/carers to ensure the student's safety by making appropriate arrangements to accompany them to and from the designated pick-up point, or see them safely onto and off the vehicle.
- 10.6 Where the LA has determined that transport using a ZFP is not appropriate, the type of Travel Assistance provided will be the most appropriate taking into account the student's age, safety and needs as assessed in accordance with the approved assessment criteria. A student will normally be expected to share a vehicle with other students. Individual transport will only be provided in exceptional circumstances and where the need for individual transport has been clearly identified from the assessment under the approved assessment criteria. Social reasons such as out of hours activities or parents/carers work commitments will not be regarded as valid reasons for determining the type of transport assistance.
- 10.7 Students who are assessed as requiring travel on a coach, mini-bus, taxi/private hire or similar vehicle, will be picked up and dropped off at the most convenient designated point nearest to their home address, having due regard to their needs and safety this may be a designated bus stop. Students will only be guaranteed collection and drop-off from outside their home address if their needs exceptionally require this arrangement.
- 10.8 Approval will not be given for ad hoc or occasional variations to the arrangements determined by the LA. If the student/parents/ carers request a variation to the arrangements for example, for their child to be collected from, or dropped off at, a relative/neighbour's address, consideration to an amendment to the agreed travel arrangements will only be given where:
- The request is for a permanent change on each college day; and
 - No change to the transport provider will be required; and
 - No additional cost will be incurred by the LA; and
 - The request would not add unreasonable additional travelling time for other students in the vehicle.
- 10.9 Any special equipment or supervision arrangements required because of the student's needs will normally be arranged by the LA.
- 10.10 Arrangements will be made to transport students as follows:
- a) Day students - At the start and end of each college day;

- b) Students who board for 5 days At the start and end of each college week;
- c) Students who board for 7 days At the start and end of each college term and half term.

11 PUPILS AND STUDENTS IN PUBLIC CARE (UP TO THE AGE OF 19)

The LA recognises its duties and responsibilities in respect of pupils and students in Public Care. For the purposes of determining any assistance with Travel Assistance pupils and students in public care will be considered under the appropriate section of this policy.

12 EXCLUDED PUPILS AND STUDENTS

- 12.1 Pupils of Compulsory School Age Attending Schools:
Where a pupil has been excluded from their school and the LA allocates an alternative school which is within the statutory qualifying distance appropriate to the age of the pupil from where the pupil is ordinarily resident, a ZFP will be provided, to enable the pupil to attend the allocated school.
- 12.2 Where the parents/carers of the pupil choose for him/her not to attend the allocated school and accept a place at an alternative school, which is the statutory qualifying distance appropriate to the age of the pupil from where the pupil is ordinarily resident, to the extent that the LA does not incur additional expenditure, a ZFP to enable the pupil to attend the alternative school will be provided equivalent to that the pupil would have received had s/he attended either the allocated, school.
- 12.3 Where a pupil qualifies for assistance with transport under this section, the parents/carers should ensure their child's safety by making appropriate arrangements for their child to be accompanied to and from the nearest bus stop if required.
- 12.4 The LA is not in a position to guarantee travelling arrangements to any school – such arrangements are entirely in the hands of the providers of bus services and/or SYPTE.
- 12.5 When selecting alternative schools, parents/carers do so in the knowledge that, unless they qualify under the above exceptions, free transport, or assistance with transport costs, may not be available, regardless of the distance involved. They should also consider, as a factor in making their decision, the consequences of possible future alterations to bus services.
- 12.6 Pupils of Compulsory School Age attending other Provision:
Where a pupil has been excluded from their school and the LA arranges provision for the pupil at institutions other than a school, assistance with travel will be considered under Section 12.1/12.2 of this policy.

13 REQUESTS FOR MILEAGE REIMBURSEMENTS

13.1 Eligibility

In order to qualify for Mileage Reimbursement a pupil must satisfy the following criteria:

- The pupil must have an EHC Plan or SEN; and
- Must fall into one of the four categories of 'eligible child' (please see Note 7 for definition of 'eligible child').

13.2 Reimbursement of Mileage Expenses

Mileage Reimbursement will be paid termly or half termly calculated on the actual mileage allowance multiplied by the number of days the pupil is expected to attend. Payment is based on 2 journeys per day will be paid by BACS transfer; parents will need to supply bank account details to enable this to take place.

Mileage Reimbursement will be paid at the following rates in accordance with the rates outlined below:

Circumstances		Suggested Rate Per Mile
1	Parents offer to undertake transport but pupil can fit on existing transport at nil cost.	Nil – Request refused
2	Parent offers to transport their own child no other run in place.	23p (taken from AA motoring costs mid-point) NB: Rate based as at August 2016 will need to be reviewed on an annual basis as rates change.
3	Local Authority requests parents to transport own child as LA is unable for whatever reason to provide safe transport (e.g. Health and Safety).	40p This is the current BMBC car mileage rate

The payment will be calculated using the mileage between home and school E.g. 10 miles between home and school. The mileage will be determined by the shortest route using the Council's Geographical Information System.

E.g. 10 miles home to school – 1 journey home to school & 1 journey school to home – 20 miles @ 23p x number of days = £

NB: Please note that this payment is based on the assumption that the pupil will attend school regularly in order for this payment to continue. Any long term absence will result in a corresponding deduction in any future termly payments and/or a request for repayment to the Council, as deemed appropriate in the circumstances.

14 APPEALS

14.1 Parents/carers will have the right to appeal against any decision to refuse requests for assistance with travel made by Officers of the LA under this policy.

This will be a 2-stage process as follows:

14.2 Stage One Review

This Review will be undertaken by a Senior Officer of the Council.

- Parents/carers will have 20 working days from receipt of the local authority's decision to refuse their application to complete and return a Notice of Appeal Form requesting a review of the decision. This form should be completed by the parent/carer and give details of any personal or family circumstances that the parent/carer believes should be taken into account when the decision is reviewed.
- Within 20 days of receipt of this form, the Senior Officer will review the case and send out a letter notifying the parent/carer of the decision.
- The letter should explain how the review was conducted, information about other Departments or Agencies that have been consulted as part of the process, the rationale for the decision reached and information about how the parent can escalate their case to stage 2.

14.3 Stage Two Review

This Review will be undertaken by an independent appeal panel facilitated by the Council Governance Unit

- A parent/carer will have 20 working days from receipt of the Stage 1 decision to make a written request to escalate the matter to Stage 2.
- The Council Governance Unit will be informed that an appeal has been received, they will arrange a date for the Hearing and will send out Agendas and invites to the meeting.
- Within 40 working days of receipt of the parent/carer's request the Council Governance Unit will consider written and verbal representations from both the parent and Officers of the council involved in the case.
- The Council Governance Unit will send out notification of the outcome of the appeal within 5 working days which will set out:
 - The nature of the decision reached.
 - How the review was conducted, information from other agencies or departments consulted, what factors were considered, the rationale for the decision reached and information about the parent's right to put the matter to the Local Government Ombudsman.

- It will be made clear that a referral of a complaint to the Local Government Ombudsman should only be made if the complainant considers that there was a failure to comply with the procedural rules or if they consider that there have been any irregularities in the handling of the appeal.

14.4 All hearings of the Panel will be conducted in accordance with the approved LA protocols.

15 CEASING ASSISTANCE WITH TRANSPORT

15.1 The LA has adopted a Code of Practice for the safety and behaviour of pupils where Travel Assistance is provided. If any pupil persistently endangers their own safety or that of others by not adhering to the Code of Practice, consideration will be given to ceasing their Transport Assistance and parents/carers will then be expected to make alternative arrangements to ensure their child attends school.

15.2 In addition to the Code of Practice the LA has, in conjunction with the other 3 South Yorkshire Authorities and SYPTE, produced a policy for managing criminal and unacceptable behaviour on public transport. Any breach of this policy may result in the withdrawal of the zero fare bus pass and/or further measures being taken as appropriate.

15.3 As part of the provision of services provided by the LA through this policy we would ask that the following points are met with regards to acceptable behaviour of students and families. More information on this can be found in the parents hand book. Failure to adequately meet these criteria could result in the Travel Assistance provision from being removed on a temporary or permanent basis. As follows:

- To behave
- Be polite
- To be timely
- The parents or carer notify the LA if the child is not attending school as soon as possible.
- Do not keep the vehicle waiting – Transport can only wait for a maximum of 5 minutes

15.4 In cases where individual transport is provided by taxi or minibus, parents are requested to cancel transport when not required i.e. in case of holidays or illness. Repeated failure to cancel transport when not required may lead to a recharge of the cost or ultimately cancellation of the transport.

15.5 The LA shall consider withdrawal of the provision of free Travel Assistance, where a child has demonstrated such poor behaviour whilst using that transport as to put at risk themselves or other persons on the vehicle, as follows:

- (a) The driver of the vehicle and/or the Home to School Transport Escort.
- (b) Themselves.
- (c) Other passengers.
- (d) Using threatening, violent and/or abusive language
- (e) Damage caused to the vehicle.

15.6 The withdrawal of free Travel Assistance transport will be:

- (a) Temporary.
- (b) Permanent at the discretion of the LA having regard to the circumstances of the pupil's behaviour where this has been serious or in persistent cases of misbehaviour.

15.7 The LA shall suspend the provision of Travel Assistance in cases of persistent absence or where the pupil/student has been absent for a week or more without good reason until the pupil is able to return to school.

15.8 Each case will be considered on its own merits. Where free travel is withdrawn it will be the responsibility of the parent(s) to pay for travel costs between home and school. 'Temporary' shall be for a specified number of weeks and 'permanent' shall be for the remainder of the school year or longer if justified by the circumstances.

15.9 The withdrawal of Travel Assistance (either temporary or permanent) for a particular child shall not imply that travel arrangements were not necessary and should not be provided. The withdrawal would be because the child's behaviour was such that they could no longer take advantage of it.

15.10 Where a Head teacher or Principal of a school, under the provisions of Section 89(5), considers that a child's conduct whilst using the transport is such that free home to school transport should be withdrawn, the Head teacher or Principal will notify the LA who will consider whether to withdraw transport provision. In these cases the parent shall have the right for a review of the decision in accordance with Part 6 of the Policy

16 Travel for Pupils and Students with Medical Needs

16.1 Pupils with a medical condition are those who require:

- (a) Prescribed medicines;
- (b) May require emergency medical treatment;
- (c) Continuous medical support.

16.2 Administering medicines to pupils

School Escorts are not trained to administer medication or to pupils, be it prescribed or that purchased from a pharmacy without a prescription.

16.3 Emergency medical treatment

In the event of emergency medical treatment being required, the Escort shall contact the emergency medical service by telephoning 999; and inform the Local Authority and the Parents of the child concerned.

- 16.4 Escorts accompanying children with a medical condition or those who require emergency medical treatment shall carry a mobile telephone.
- 16.5 Continuous medical support -Escorts are not trained to, or expected to deliver medical procedures or interventions to pupils whilst travelling on home to school transport. Where the normal travel arrangements provided under the Travel Assistance policy cannot facilitate the travel of the pupil, the Relevant Officer shall convene a case conference.
- 16.6 The case conference shall be chaired by an appropriate Senior Officer of the Service and other relevant professionals shall be invited to attend.

The case conference shall:

- (a) Discuss the issues associated with transporting the pupil to school; and
 (b) Make a recommendation for the future transport arrangements.
- 16.7 General provisions -In any circumstances that should arise which are not provided for in this policy, the Relevant Officer shall, at their discretion, convene a meeting to discuss the travel arrangements of a pupil.
- 16.8 Escorts will not normally transport a pupil's medication from home to school. The parents are responsible for ensuring, where relevant, that the school has a sufficient supply of medication for the child.
- 16.9 In individual cases, subject to the agreement of the parent, Escort and School, a pupil's medication may be transported in the vehicle with the pupil. Where this arrangement is agreed the medication shall be in a sealed envelope or container with the pupil's name clearly displayed. The storage of the envelope/container or the vehicle will be determined in each individual case.

17 Status

- 17.1 This information represents the Travel Assistance Policy of Barnsley Metropolitan Borough Council (BMBC) at the time of publication. However, BMBC reserves the right to amend the policy to reflect either changes in policy or legislation.
- 17.2 Any personal data/information held by the Home to School Transport Team in relation to Travel Assistance, will be securely stored and maintained in line with the Data Protection Act 1998.
- 17.3 Personal data collected will only be processed for the purpose of the education of the young person.

NOTES

1 The LA

References in this policy to the 'LA' are a reference to Barnsley Metropolitan Borough Council (BMBC) and references to the 'LA's area' is to the administrative area of the Borough.

2 Parent/Carer

Reference to parent and/or carer in this policy means any person having parental responsibility for the child (for whom assistance with transport is being sought) within the meaning of the Children Act 1989.

It is the responsibility of those applying for assistance with transport to satisfy the LA that they have parental responsibility for the child for whom assistance is being sought.

3 Ordinarily Resident

Reference in this policy to 'ordinarily resident' means where a pupil or student is habitually and normally resident at their address other than for occasional absences and for a settled purpose, which is not solely to receive education i.e. the residence at which the child resides during the normal school week at the closing date for receiving applications for admission to school during the normal admission round.

Any reference to the pupil or student's 'home', or to where they 'live' or 'reside' shall refer to where they are ordinarily resident.

It is the responsibility of those applying for assistance with transport to provide such information as the LA requires in order to be satisfied as to where the pupil or student is ordinarily resident.

4 Statutory Qualifying Distance

The walking distances are:

- a) For pupils of less than 8 years of age (on 1 September) 2 miles; and
- b) For pupils aged 8 years or older and still of compulsory school age (on 1 September) 3 or more miles.

Each case is measured by the nearest available walking route.

For the purposes of this policy, the walking distance will be measured from the front gate of the address where the LA has accepted the pupil or student is ordinarily resident, to the nearest designated entrance of the school or college to which assistance is being considered under the relevant clause of the policy.

The route measured will be the nearest direct available walking route, having had regard to the age of the child, the walking route, or alternative routes, to the school the pupil could reasonably be expected to take. The LA has established criteria for the assessment of the safety of a walking route to school and will determine the availability or otherwise of a route in accordance with the approved criteria. The assessment of the availability or otherwise of a route will

be based on a child being accompanied by an adult. It will be irrelevant for the purposes of that assessment whether or not the child would or would not be so accompanied when attending the school or college.

In the case of a pupil qualifying for free travel on the grounds of 'low income' i.e. they are in receipt of FSM or their family receives MWTC the distances will be measured as follows:

- Up to 2 miles – as per the statutory walking distance along the nearest available walking route.
- The 6 mile or 15 mile upper limit – along road routes passable by suitable motorised transport.

The route will be measured using a computerised Geographical Information System. The LA considers this as an exact measure and cannot be considered marginal. If the LA considers it necessary a route may be measured by calibrated pedometer.

5 Full-Time Course

References in this policy to a 'full-time course' is a reference to a course of which the student is required to study for at least 12 guided learning hours per week.

6 Closing date for applications for Bus Passes

No refunds will be made for travel expenses incurred as a result of a late application for transport. The closing date for new bus pass applications is 30 June. Whilst we will process bus pass applications at any time we will not guarantee that they will be available at the start of term unless received by the closing date.

7 Definition of Eligible Child

The following are examples of an Eligible Child

- i Children who attend schools beyond the statutory walking distance**
These children are eligible for free school transport, provided that the LA has made no "suitable arrangements" for boarding accommodation or attendance at a nearer school and the children live beyond walking distance and attend their nearest suitable school. The statutory walking distance is 2 miles for children under 8 years old and 3 miles for children of 8 or over.
- ii Children with SEN, disabilities or mobility problems**
These children may live within the statutory walking distance and have special educational needs, a disability or mobility problem which means that they cannot reasonably be expected to walk to their school and no suitable arrangements have been made by the LA to enable them to attend a nearer school.
- iii Children whose route to school is unsafe**
These children may live within the statutory walking distance but they cannot reasonably be expected to walk to their nearest suitable school

because the route they could reasonably be expected to take is not deemed an available walking route, accompanied as necessary.

iv Children from low income families

Secondary school age children who attend schools over 2 and up to 6 miles from their home, even if the school they attend is not their nearest suitable school, providing there are not three or more suitable schools which are nearer to their home, or

Secondary age children from low income families who attend a school over 2 miles but under 15 miles away from home, if their parent has expressed a wish for them to be educated at that particular school based on the parent's religion or belief and, having regard to that religion or belief, there is no nearer suitable school. This applies to parents with a particular religious or philosophical belief, including those with a lack of religion or lack of belief.

Junior age children (aged 8 – 10) from low income families who live more than 2 miles (rather than 3) from their nearest suitable school.