

# **BARNSELEY METROPOLITAN BOROUGH COUNCIL**

**This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan.**

**Report of the Executive Director of Place to  
Cabinet on 10.01.2018.**

## **Home to School Travel Assistance Policy 2018 - 2020**

### **1. Purpose of report**

- 1.1 The purpose of this report is to seek support for the implementation of the updated Travel Assistance Policy 2018 – 2020.

### **2. Recommendations**

- 2.1 That Cabinet is minded to accept the consultations and its findings.
- 2.2 That Cabinet supports the strategic drive of alternative transport provisions such as travel training, the use of personal budgets and mileage payments, where appropriate, to be used as a way of developing independence in children, providing them with life skills and preparing them for further education, apprenticeships or further employment.
- 2.3 That Cabinet supports the continued engagement with parents, carers and key professional stakeholders to produce operational guidelines to support the Travel Assistance Policy.
- 2.4 That Cabinet supports the recommendation that full Council approves the Home to School/College Travel Assistance Policy 2018 – 2020.

### **3. Introduction**

- 3.1 As part of Future Council, transportation for eligible children, young people and adults have been brought together under BU 6 Environment & Transport, within the Place Directorate. The current Travel Policy expired at the end of 2016. A 'One Council' joint task & finish group from different business units have worked together to update the policy in line with our corporate strategy; that is to support eligible children and adults with the provision of statutorily required services that encourage and support independence.
- 3.2 As part of this group's work it built upon the review of transport services undertaken in 2014. This work benchmarked our services against many other local authorities in the region.
- 3.3 The updated policy has been developed around the following key aims:
- To provide travel assistance service that offers a more bespoke arrangement that compliments the development of independence in children.
  - To meet our corporate strategy to create and support independence;
  - To provide a more sustainable, efficient and effective service offer;

- To update our policy in line with best practices recommended by Department for Education;
- To align our updated policy more closely with our adjacent south Yorkshire authorities and those services that South Yorkshire Passenger Transport support; and
- To support and compliment the Barnsley SEND Strategy 2016-18.

#### **4. Report**

4.1 BMBC has a statutory duty under section 508A and 508D of the Education Act 1996 (amended by the Education and Inspections Act 2006) to ensure that travel assistance as it considers necessary are made to facilitate attendance at school for eligible children or students. The Council's Home to School Transport Policy sets out BMBC's arrangement for facilitating this statutory duty. The current Home to School transport policy expired at the end of 2016. This report proposes an updated replacement for the expired policy entitled Home to School / College Travel Assistance Policy 2018 – 2020, a copy of which is attached at appendix A.

#### **4.2 The proposed revised policy contains the following amendments;**

- a) For children and students with Special Educational Needs and Disabilities (SEND) the following menu of travel options are now included in the new policy; Independent travel training, mileage reimbursement, personal travel budgets, school minibus or taxi and zero fare pass.
- b) Transport for SEND children in transition.
- c) Children with SEN (without a statement or EHCP) disabilities or mobility problems
- d) Travel assistance for Post-16 mainstream students where there is no suitable public transport option.
- e) Simplified appeal process.

Details about these amendments are provided in section 6.

#### **5.0 Consultation / engagement**

5.1 Statutory guidance states that Local Authorities should consult widely on any proposed changes to their local policies on school travel arrangements with all

interested parties. Consultations should last at least 28 working days during term time. The period should be extended to take account of any school holidays that may occur during the period of consultation. In line with this statutory guidance BMBC carried out a consultation phase and followed that with a further engagement process.

## **5.2 Consultation – phase 1.**

- 5.3 A 9-week consultation period took place between December 2016 and February 2017. This consisted of a survey questionnaire that was placed online which was open to members of the public, service users and those involved with the service from a professional perspective. In terms of direct correspondence, we wrote to c500 service users twice making them aware of the consultation process.
- 5.4 Of 97 online responses received in the Public Consultation 83 (80%) were from parents, carers or guardians with a stake in the proposals. 7 respondents (7%) were from either a school governor or teacher and a further 8 respondents were from consultees who were responding on behalf of an organisation with an interest in the proposals. These included the Barnsley Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS).
- 5.5 In conclusion, the consultation found that there were understandably levels of concern and anxiety from parents and carers in respect of potential change. To address these concerns a number of parent/carers meetings were held in the Spring and Summer of 2017. The outcome of which were that parents /carers felt that the spirit of Co-production had not been embraced by the Council.
- 5.6 Whilst parent/carers are not able to co-produce Council policy especially where we are complying with statutory guidelines. It was acknowledged that there were areas, particularly around operational aspects that would benefit from further engagement because parent/carers are best placed to know what would and would not work. It was therefore agreed to hold a further engagement process.
- ## **5.7 Consultation phase 2 – further engagement.**
- 5.8 A 3-week engagement exercise took place in November 2017. This consisted of placing a copy of the draft policy on line for parent/carers to read and a short survey asking for comments on the policy.
- 5.9 To address criticism that the request for comments in the previous round of consultation was not wide enough School SEN Coordinators (SENCOS) were asked to distribute a letter on our behalf. This ensured that parent/carers of all SEND children whether they had a statement or Education, Health & Care Plan (EHCP) or not, would receive information about the policy and the engagement process. Additionally, SENDIASS and Family Information Service (FIS) also sent the letter around their contacts and finally everyone on the Council's transport database were sent a letter.
- 5.10 Three drop in sessions for people who do not have access to the internet to be able to take part in the engagement process and /or directly put questions to Officers were held. Attendance at these sessions was low.
- 5.11 Finally, a further parent/carers meeting was held once the engagement process was closed to give feedback on comments received and gain opinion on the engagement process. Attendance at this was also low.
- 5.12 A table of comments (appendix B) was placed onto the Council's School transport page, together with a copy of the draft policy highlighting where amendments have been made as a result of comments received during the engagement process. These two documents remained on the website until the

8<sup>th</sup> December giving parents/carers chance to comment on any of the proposed changes. Finally, a final draft version incorporating all changes was placed on the website from the 11<sup>th</sup> - 17<sup>th</sup> December 2017 to give parent/carers opportunity to view the policy before it was put before Cabinet for approval.

- 5.13 As can be seen in the table at appendix B, the majority of comments received were included in the policy (79%). Some comments were more operational in nature (16 %) and will be detailed in the Parents & Carers guidance documents that will be drawn up once the policy is adopted. Two comments (4%) was not included in the policy because it is a discretionary element that would place a further pressure on the budget. This is the transport of children from school enrichment classes and after school clubs.
- 5.14 Many schools offer after school enrichment classes and whilst attendance is voluntary parent/carers state that pressure is placed on both themselves and the child to attend, citing that their grades will improve as a result. Additionally, many schools also offer after school clubs and parent/carers feel discriminated against because their children are unable to attend due to needing to get the transport home. In order to facilitate this request additional transport would have to be provided.
- 5.15 The priority is to ensure that we provide mandatory travel assistance services to all those that require it. Investing in discretionary areas of service would increase the risk of the authority being unable to meet this obligation. The aim of the Home to School Travel Assistance Policy is to facilitate attendance at school and the inclusion of attendance at enrichment classes or after school clubs would be a discretionary element. It is therefore recommended that we do not provide this transport option. Further information is provided in the Equality Impact Assessment appendix C and under section 9 of the report.

## **6.0 Home to School / College Travel Assistance Policy 2018-2020**

- 6.1 The Main change from the original policy is the introduction of independent travel training and personal transport budget (PTB) as part of a menu of travel options. The title has also changed from Home to School/College Transport Policy to Home to School/travel Assistance Policy to reflect the fact that the policy contains a range of travel options and not simply taxi and bus transport.
- 6.2 **Independent travel training** – the updated policy will consider this as an option. The benefits of travel training are proven to show greater access to education and employment opportunities. In addition, the outcomes from this included greater accessibility, road safety awareness, improved health and a reduction of dependency of social services and fits in with the LA's corporate strategy to develop people to their full potential aligned with the Key Stages of the educational curriculum. This will place a resource demand in the Communities Directorate Travel Training team. Following concerns from the SEND community, it has been made very clear in the policy that independent travel training will only be offered where appropriate in consultation with parent/carers and school.
- 6.3 **Personal Travel Budgets (PTB)** – The advantage of the introduction of PTB's is that it provides the opportunity for parents/carers to exercise some choice and control over the way their child gets to and from school. This could be particularly useful if they wish to enrol their child in after school clubs. A PTB is offered at the

discretion of the Council and where it is a cost effective way of arranging for a pupil to get to school. Parents are not obliged to take up a PTB where offered.

- 6.4 **Transport for SEND children in transition** – A comment received on the engagement survey was that the whole SEND code of practice is around transitioning yet the school transport policy does not support this. Whilst providing transport for a very short period is not always practical, we will in exceptional circumstances seek to provide travel assistance if required and the policy has been amended accordingly.
- 6.5 **Children with SEND but without a statement or EHCP** – Statutory guidance clearly states that children with disabilities living within the statutory qualifying walking distance that prevent them from walking to school should be provided with transport. Many Local Authorities have chosen not to provide this causing recent lobbying to Government by Contact (charity for families with disabled children) for this to be strengthened in the statutory guidance. The previous BMBC policy was not sufficiently clear with regard to this area and it was difficult for officers to make an informed assessment on whether transport should be provided. In the new policy the process has been clarified with a request for supporting written documentation from health and education professionals over the previous 12 months to be supplied with the application.
- 6.6 **Travel assistance for post 16 mainstream pupils**  
The Department for Education (DfE) has recently issued statutory guidance for local authorities on Post 16 transport to education and training (October 2017). Post 16 transport is currently a discretionary element and many Local Authorities, including BMBC, took the decision a few years ago to not provide transport for post 16 mainstream students. A number have also taken the decision either not to provide, or to introduce a contribution towards the cost for SEND post 16 students. BMBC still provides free transport assistance for this cohort of pupils and there is no proposal to change this at the present time.
- 6.7 The DfE statutory guidance reaffirms that LA's do not have to provide free or subsidised transport for post 16 students. However, it reminds LA's that the age of participation has increased to 18 and we have a duty to ensure that everyone is able to access education or training and should not be barred because there is no suitable transport, or they are not able to afford the journey.
- 6.8 The post 16 mainstream section has therefore been amended to ensure that in exceptional cases, for pupils living in rural areas without access to public transport, travel assistance will be provided. This may consist of charging for an available vacant seat on school buses operated by BMBC for the same cost as the 16 – 18 travel pass which the majority of post 16 students will purchase.
- 6.9 **Simplify the appeals process** – The present appeals process was not in keeping with the best practice advised by the DfE. This has been amended and the Council's complaint process has also been included.
- 6.10 **Other general changes** – a number of smaller changes have been made to the policy following comment from the parent/carers in the two consultation rounds. These include, but are not restricted to; splitting out mainstream and SEND; linking to the Local Offer; inclusion of an eligibility flow chart; clarifying the transport of medication; training of school escorts; travel times; and behaviour whilst on transport

## **7 Proposal and Justification**

- 7.1 In summary, every effort was made to engage with residents of Barnsley and in particular with the wider SEND community. The resultant policy reflects many of the comments received.
- 7.2 In implementing this policy it is clear from the consultation that we need to develop a strategy to manage anxieties through the implementation of this policy, for example around the ratio of escorts on a minibus and dealing with challenging behaviour. Engaging and working with parents/carers to produce parent/carers guides will help to address these concerns.

## **8 Consideration of alternative approaches**

- 8.1 Do nothing – The current Home to School transport policy could be renewed in its current form with no changes made. This would prevent the LA from being able to offer alternative travel options to pupils designed to increase independence, create flexibility for parent/ carers and provide a more efficient, cost effective streamlined service. In the current financial climate the do nothing option is not really viable.
- 8.2 Completely remove all discretionary services – The provision of home to school travel assistance is a statutory duty for pupils that meet the eligibility criteria. The eligibility criteria (qualifying distance from home to school and extended rights for low income families) is set out in the statutory guidance and the LA is required to comply with this. Albeit, the LA can choose whether to provide discretionary elements. Currently BMBC provide the discretionary element of free travel assistance for post 16 SEND pupils. The removal of this discretionary element would save circa £20k per annum. Officers within both People and Place directorates are working to improve relationships with SEND community and the removal of this discretionary element seen as important to many families is not recommended.

## **9.0 Implications for local people and service users**

- 9.1 An Equality Impact Assessment has been prepared attached (appendix C). It highlights the key inequality issue that remains unresolved is the lack of transport to enrichment classes and after school clubs. A number of parents/carers have commented that because their child or children use school transport due to their disabilities, they are unable to access these clubs like mainstream children. This is particularly concerning when schools advise that attendance at enrichment classes may help to improve their child's grades. The provision of transport for these activities would be a discretionary element. The priority is to ensure that we provide mandatory travel assistance service to all those that require it. Investing in discretion services would increase the risk of the authority being able to meet this obligation.
- 9.2 The introduction of PTB's and an improved mileage reimbursement offer in BMBC's Travel Assistance Policy 2018 – 2020 does offer parent/carers flexibility with the transport, for example they could choose to accept mileage reimbursement which would enable them to build in after school club times into the daily journey.

## **10     Financial Implications**

- 10.1    **The Travel Assistance function continues to face significant financial pressures. Whilst the additional cost as a result of the increase in users of the service has been recently recognised within the Council Medium Term Financial Strategy, the service still shows a forecast overspend as reported in the recent Quarterly Monitoring Report.**
- 10.2    **Future delivery of a balance budget for the service is heavily predicated on the adoption, strict control and adherence of this new policy. This will be monitored carefully from 1<sup>st</sup> April 2018 with any variations reported through the normal financial performance monitoring route.**

## **11     Employee implications**

- 11.1    In the present and foreseeable future demand is expected to rise for children who are or will be eligible for Travel Assistance. This will mean that additional resources will need to be provided to support service users. It is anticipated that this additional resourcing will be focused around managing the service; the provision of drivers and escorts; and in the travel training service.

## **12     Communications implications**

- 12.1    A set of policy guidelines covering contractor responsibilities, driver and escort responsibilities, school responsibilities, parent /carer responsibilities and Home to School team responsibilities will need to be produced to back up the operation of this policy. These will need to be drawn up in consultation with parent/carers, health and educational professionals and where applicable the service users i.e. children and young persons.

## **13     Consultations**

- 13.1    Appendix B provides an analysis of the comments received from the recent engagement process.

## **14     List of Appendices**

- 14.1    Draft Home to School /College Travel Assistance Policy 2018 – 2020 Appendix A
- 14.2    Table of comments received from the engagement process Appendix B
- 14.3    Equality Impact Assessment Appendix C

## **15     Background Papers**

- 15.1    Home to School Transport Policy 2015-16

**Officer Contact Sally Killips Tele No01226 772057 Date 6th December 2017**

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# **BARNSLEY**

**Metropolitan Borough Council**

## **Barnsley Metropolitan Borough Council**

### **Home to School/College Travel Assistance Policy.**

**2018- 2020**

**Date: DD/MM/2018**

# **CONTENTS**

	Page
<b>Section 1</b>	
General	5-7
Notes	7-8
Status	9
<b>Section 2</b>	
<u>Travel Assistance for Mainstream Pupils</u>	11
Qualifying criteria	12
Zero fare pass	13
Pupils Under the Age of 4 Years	13
Pupils Aged 4 to 7 Years	13
Pupils Aged 8 to 16 Years	14
Split families and transport to alternative addresses	14
Travel assistance for pupils who move addresses	14
Pupils attending Denominational Schools	14
Pupils not attending nearest available School	15
Post 16 – Sixth Form/Further Education Students	15
Extended Rights for Low Income Families	16
Pupils and students in public care	16
Excluded Pupils and Students	16
Travel assistance for pupils on a managed move	17
Exceptional circumstances	17
Ceasing assistance with transport	17-18
Application process	18
School transport appeal procedure	18-19
Complaints	20
<b>Section 3</b>	
<u>Travel Assistance for Special Educational Needs and Disabled (SEND) Pupils.</u>	21
Transport assistance eligibility	23

	<b>Children with SEN (without a statement or EHCP) disabilities or Mobility problems</b>	<b>24</b>
	<b>Residential schools</b>	<b>24</b>
	<b>Exceptional circumstances</b>	<b>24-25</b>
	<b>Individual Travel Training</b>	<b>25</b>
	<b>Mileage reimbursements</b>	<b>25-26</b>
	<b>Personal Travel budgets</b>	<b>26</b>
	<b>School bus/minibus</b>	<b>27</b>
	<b>Zero fare pass</b>	<b>28</b>
	<b>Travel times</b>	<b>28</b>
	<b>School transport escort</b>	<b>28</b>
	<b>Travel for pupils with medical needs</b>	<b>28-29</b>
	<b>Disclosure and barring service</b>	<b>29</b>
	<b>Monitoring operator performance</b>	<b>29</b>
	<b>Review of transport provision for SEND pupils</b>	<b>29-30</b>
	<b>Application process</b>	<b>30</b>
	<b>Appeal process</b>	<b>31-32</b>
	<b>Complaints</b>	<b>32</b>
	<b>Local Offer</b>	<b>33</b>
<b>Section 4</b>	<b><u>Post 16 travel Assistance for Special Educational Needs and Disabled (SEND) Pupils.</u></b>	<b>35</b>
	<b>Eligibility</b>	<b>36</b>
	<b>Provision of travel assistance</b>	<b>37</b>
	<b>Application process</b>	<b>38</b>
	<b>Appeal process</b>	<b>39</b>
	<b>Complaints</b>	<b>39</b>
<b>Appendices</b>	<b>Appendix A Flow chart setting out eligibility for travel assistance</b>	

**Information can be made available in other languages, or other formats such as Braille or Audio tape, upon request. Please contact The Home to School Transport team on (01226 773584)**

# Section 1

General

- 1.0 The LA has a duty to make arrangements to facilitate attendance at schools and colleges by providing free travel assistance in certain circumstances.
- 1.1 This Policy is prepared in response to the duties of Barnsley Metropolitan Borough Council (BMBC), hereafter known as the Local Authority (LA) (See paragraph 1.10), 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.
- 1.2 This travel assistance policy has been designed to complement the school curriculum in providing the skills to create greater personal independence. It will also provide support to eligible children to encourage independent travel.
- 1.3 This policy summarises the categories of eligible children set out in the Special educational needs and disability code of practice (SEND): 0 to 25 years 2015, 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.
- 1.4 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.
- 1.5 The primary responsibility for ensuring pupils and students attend school or college is that of the parent or carer (see paragraph 1.11). 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.
- 1.6 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 which 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.
- 1.7 Local offer
- 1.8 The arrangements as set out in this policy are publicised in the "Local Offer" as per section 30 (2) (d) of the Children and Families Act 2014.
- 1.9 In addition to the above Education Act 1996 and Education and Inspections Act 2006, the following legislation has been referred to in preparation of this policy;
- Equality Act 2010
  - School admission code
  - European Convention on Human Rights
  - Public Service Vehicles (Carrying capacity) Regulations 1984
  - Children and Families Act 2014.

## Notes

#### 1.10 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.

#### 1.11 Parent/Carer

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

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

#### 1.12 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 travel to provide such information as the LA requires in order to be satisfied as to where the pupil or student is ordinarily resident.

#### 1.13 Qualifying School

These are defined as:

- maintained (publicly funded) schools,
- non maintained special schools,
- pupil referral units (educational setting)
- maintained nursery schools,
- city technology colleges and academies
- in the case of a child with a statement of special educational needs, an independent school if this is the only school or the nearest school named in Part 4 of the statement. (Para 15(3) Sched.35B)

#### 1.14 Definition of Eligible Child

The following are examples of an Eligible Child

#### 1.15 Children who attend schools beyond the statutory walking distance

These children are eligible for travel assistance, 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 8 or over.

#### 1.16 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.

#### 1.17 Children whose route is unsafe

The Statutory walking distance is measured by the shortest safe walking route to school. Children living within the statutory walking distance, and cannot be reasonably expected to walk to their nearest suitable school, because the route is deemed to be unsafe.

#### 1.18 Children from low income families

Please see eligibility criteria on page 15

#### 1.19 Equality considerations

The Equality Act 2010 places a duty on Local Authorities to promote equality of opportunity for disabled people and to eliminate discrimination and this applies to the exercise of its policies, practices and procedures and provision of services so that they do not discriminate against disabled people or those associated with them.

Reasonable adjustments under the Equality Act as applicable will be considered in relation to travel assistance eligibility and the type of travel assistance provided. For example when parents' disability prevents them from accompanying their child along a walking route then a reasonable adjustment could be for the LA to consider travel assistance for the child depending on the circumstances. The LA might consider this if the effects of the parents' disability on their ability to escort their child to school cannot be eliminated, for example the parent making arrangements for a suitable other adult to accompany their child to school if necessary.

#### 1.20 **Status**

1.21 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.

1.22 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.

1.23 Personal data collected will only be processed for the purpose of the education of the young person.



# Section 2

## Travel Assistance for Mainstream Pupils

## **2.0 Introduction**

2.1 Parents and Carers have a legal responsibility to ensure that their children attend school regularly. This includes arranging travel to and from school, meeting the costs of this and accompanying their child as necessary.

2.2 In some cases, the Council has a legal obligation to provide suitable free school travel. Where this applies travel assistance will be provided in the most cost effective and appropriate way for children's needs. This policy summarises the categories of eligible children, the provision offered, circumstances when assistance is not provided and how to appeal against a decision.

## **2.3 Qualifying criteria for home to school travel assistance**

2.4 Travel assistance will be provided for pupils who meet all of the following criteria;

- a) Live in the Barnsley Metropolitan Borough Area
- b) Are of compulsory school age
- c) Attend their qualifying primary or secondary school
- d) Live over 2 miles from school if below the age of 8 (on 1st September) and over 3 miles if aged between 8 and 16.

## **2.5 Compulsory school age**

2.6 Compulsory school age is the age when a child must be in school i.e. the term immediately following their 5<sup>th</sup> birthday up to 16 years old i.e. the last Friday in June of the year the child turns 16. (Education Act 1997 Sec 52). In Barnsley "primary" aged children range from 4+ to 10+ and "secondary" aged children range from 11+ to 16.

## **2.7 Qualifying distance**

2.8 The walking distance will be measured from the front gate of the address where the pupil is ordinary resident, to the nearest designated entrance of the school or college where the LA has awarded a place

2.9 The walking distances are; (hereafter known as the statutory qualifying distance)

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

2.10 The route measured will be the nearest direct available walking route (having had regard to the age of the child), the pupil could be reasonably 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 the 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 accompanied by an adult.

2.11 The route will be measured using a computerised information system. The LA considers this an exact measure and cannot be considered marginal. If the LA considers it necessary a route may be measured by calibrated pedometer.

2.12 For pupils from low income families please refer to paragraph 2.45 on page 15.

### 2.13 **Zero fare pass (ZFP)**

2.14 A zero fare pass entitles a child to travel free on public transport to school and back.

2.15 It is valid at certain times in the day Monday to Friday during term time only for school children up to the end of year 11 and allows pupils to travel free of charge between the bus stop nearest their home address and the school, or the nearest bus stop to the school they attend.

### 2.16 **Is your child eligible?**

2.17 Appendix A has a flow chart that provides a quick guide to whether a child is eligible for travel assistance.

### 2.18 **Pupils under the age of 4 years.**

2.19 Other than for a child with a statement of SEN or Education Health Care Plan (EHP) who has had travel assistance approved in accordance with Section 3 no assistance with transport shall be given to a nursery aged child.

### 2.20 **Pupils aged 4 – 7 attending their nearest available school**

2.21 For pupils less than 8 years of age (on 1 September) travel assistance will be provided where the distance between their home and nearest available school is 2 or more miles, measured by the nearest available walking route (hereafter referred to as statutory qualifying distance see paragraph 2.7 page 12) Travel will normally be facilitated through the provision of a zero fare bus pass for the child. However if there is no suitable bus route, the LA will either offer mileage reimbursement or provide a bus or taxi to get your child to school.

2.22 Pupils living less than the statutory qualifying distance may be eligible for free travel if the LA determines that they qualify under extended rights for low income families see page 15.

2.23 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.

### 2.24 **Pupils aged 8 – 16 attending their nearest available school**

2.25 For pupils who are aged 8 years or older (on 1 September) and still of compulsory school age, travel assistance will be provided where the distance between their home and nearest available school is 3 or more miles measured by the nearest available walking route (hereafter referred to as the statutory qualifying distance – see paragraph 2.7 page 12). Travel assistance will normally be facilitated through the provision of a zero fare bus pass. However if there is no suitable bus route, the LA will either offer mileage reimbursement or provide a bus or taxi to get your child to school.

- 2.26 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.

## **2.27 Split families and travel assistance to alternate addresses**

- 2.28 Home to school travel assistance is provided from/to the main home address of the child i.e. the address where the child lives permanently or most often. Travel assistance will not be provided to alternative addresses e.g. childminders

- 2.29 In the case of split families where a child spends more than 50% of their time during the school week at one or other of their parent's addresses then that is the only address which will be used to determine eligibility for and provision of school travel assistance irrespective if they would qualify from the address where they spend the lesser amount of time.

- 2.30 For children whose parents live at separate addresses where the child spends an equal amount of time during the school week at both addresses and the child would qualify for assisted travel to school from both addresses, the LA will provide assistance from one address only and this will be the address where child benefit is paid to.

- 2.31 The LA may ask parents/carers to provide documentary proof of residency.

## **2.32 Travel assistance for pupils who move addresses**

- 2.33 For pupils who move home within the Barnsley Metropolitan Borough Area whilst in years 10 and 11, and who wish to remain at the school they have been attending to complete their examination course, travel assistance will be provided where the distance between their new home and their school is more than the statutory qualifying distance. Travel assistance will normally be facilitated through the provision of a zero fare bus pass (ZFP)

## **2.34 Pupils attending denominational schools**

- 2.35 From September 2016, the LA is no longer able to provide travel assistance on denominational grounds. Pupils who were previously entitled to free travel on denominational grounds will continue to receive a free ZFP 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.

## **2.36 Pupils attending independent schools**

- 2.37 The LA is not able to provide free Travel Assistance for pupils who are attending private or fee paying schools.

## **2.38 Pupils not attending their nearest available school**

- 2.39 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 a free ZFP to pupils meeting the relevant eligibility conditions attending:

- 2.40 The school designated as the nearest available school for the area in which the LA has determined the pupil is ordinarily resident for the purposes of admissions to schools.
- 2.41 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 public bus services and/or SYPT.
- 2.42 When selecting alternative schools, parents/carers must do so in the knowledge that, unless they qualify for travel assistance it 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.

#### 2.43 **Post 16 – sixth form/further education students**

- 2.44 Under the Raising the Participation Age agenda, from September 2014 students have been required to be in education, employment or training until their 18<sup>th</sup> birthday. This could involve mixing full time work with study, following an apprenticeship, continuing full time in school or college or combining part time training with volunteering.
- 2.45 Students in further education or apprenticeship are able to obtain a 16 – 18 travel pass which provides discounted travel across the region. Passes will be valid for two years and will have the expiry date of the 31<sup>st</sup> July of the second year in further education, apprenticeship or traineeship.
- 2.46 In exceptional cases where no suitable public transport exists and the distance to the nearest school/college is over 3 miles travel assistance will be considered.
- 2.47 Students from low income families may be eligible for the 16 – 19 Bursary Fund towards the cost of the travel pass. Students need to speak to their school or college for further information. Failing that they may be eligible for extended rights for low income families, see details below.

#### 2.48 **Extended Rights for low income families**

- 2.49 The Education and Inspections Act 2006 introduced extended rights for free travel 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 (MWTCT). Pupils meeting the following criteria will receive travel assistance usually in the form of a zero fare bus pass (ZFB).
- Primary school age children (aged 8 – 11) from low income families who live more than 2 miles (rather than 3) from their nearest suitable school become eligible for travel assistance from the LA.
  - Secondary school age children (11 from September 1st-16) from low income families who attend schools over 2 and up to 6 miles from their home will be eligible for travel assistance 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. (Note; schools below 2 miles are included). This also includes children who are receiving education elsewhere than in school e.g. children who are excluded from school.

- Secondary age children (11-16) in accordance with Schedule 35B to the 1996 Act( inserted by the Education and Inspections Act 2006) the Council will provide travel assistance to the nearest suitable school preferred by reason of a parent's religion or belief, that is over 2 miles and under 15 miles from the home address. The Council will normally seek documentary evidence of faith or belief e.g. a minister's letter.

2.50 Parents/guardians are required to apply for travel assistance under the extended rights rules on an annual basis. This should be done at least one month in advance of children starting school. Travel assistance may be withdrawn in subsequent years if a child ceases to qualify under low income extended rights.

## 2.51 **Pupils and students in public care**

2.52 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 pupils will be considered under the appropriate section of this policy.

## 2.53 **Excluded pupils and students**

### 2.54 **Pupils of Compulsory School Age Attending Schools:**

2.55 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.

2.56 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 the allocated school.

2.57 Where a pupil qualifies for assistance with travel 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. The LA is not in a position to guarantee travelling arrangements to any school. ZFP's are for use on public Transport. There is no provision for dedicated School Buses – such arrangements are entirely in the hands of the providers of bus services and/or SYPTE.

### 2.58 **Pupils of Compulsory School Age attending alternate Provision:**

2.59 Where a pupil has been excluded from their school and the LA arranges provision for the pupil at an institution other than a school, assistance with travel will be considered.

## 2.60 **Travel assistance for pupils on a managed move**

2.61 Transport assistance will only be provided under the Authorities discretion outside the normal eligibility rules stated in this policy, according to the Fair Access Protocol and

- Is only at the start and end of each school day and

- Is subject to the distance from home to the new school exceeding statutory walking distances and
- Is for a maximum of 12 weeks.

## 2.62 **Exceptional Circumstances**

2.63 In exceptional circumstances and for a short period, consideration may be given to individual exceptional requests for travel assistance. Each case is considered on its merits. Examples (this list is not exhaustive) could be;

- Where a pupil is subject to a child protection plan
- A recent bereavement in the immediate family

2.64 Exceptional travel assistance requests should be made in writing and supported with appropriate professional documentation to the address shown at the bottom of this policy.

## 2.65 **Ceasing assistance with travel.**

2.66 The government expects each school to promote appropriate standards of behaviour by pupils on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The Education and Inspections Act 2006 empowers head teachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school, but when it is reasonable to do so. In the government's view, this would include behaviour on buses or otherwise on the route to and from school, whether or not the pupils are in school uniform.

2.67 The LA has a duty to ensure all children travel in reasonable safety and comfort and has therefore adopted a Code of Practice for the safety and behaviour of pupils. Any behaviour affecting other passengers, the public or the driver that endangers (whether intentionally or unintentionally) themselves or others may lead to travel assistance being withdrawn from a child, either temporarily or permanently. In these circumstances, the arrangement and cost of travel will fall to the parent and it will remain the duty of the parent to ensure their children continue to attend school.

2.68 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.

2.69 More information with regards to acceptable behaviour of pupils on transport can be found in the parent's handbook.

## 2.70 **Application process**

2.71 If you think that your child is eligible for travel assistance please visit the BMBC website and complete the application form for a ZFP. This will then be processed by our school transport team and if eligible the travel pass will be posted direct to you from South Yorkshire Passenger Transport Executive (SYPTE). A full explanation of the criteria and how to apply is available at [www.barnsley.gov.uk](http://www.barnsley.gov.uk) and search for ZFP.

2.72 The closing date for ZFP applications is 30<sup>th</sup> June. Whilst we will process ZFP applications at any time we will not guarantee that they will be available at the start of term unless received by the closing date. No refunds will be made for travel expenses incurred as a result of a late application for travel.

### 2.73 **School transport appeal procedure**

2.74 Parents/Carers have the right of appeal should they be dissatisfied with the service or are in disagreement about the eligibility of their child for home to school travel assistance. Parents may challenge a decision about;

- Their child's eligibility
- The transport arrangements offered
- The distance measurement in relation to statutory walking distances
- The distance measurement by road in relation to nearest school
- The safety of the walking route

### 2.75 **Stage One Review**

2.76 This review will be undertaken by a Senior Officer of the Council and the Transport Planning Coordinator.

- Parents/carers will have 20 school 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 school 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.

### 2.77 **Stage Two Review**

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

- A parent/carer will have 20 school 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 school 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 school 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.

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

2.80 The powers of the Independent Review Panel will be limited solely to an examination of the correct application of the Travel Assistance Policy taking account of when the application was made.

## 2.81 **Complaints**

2.82 The above appeal process is specifically for parents/carers to be able to challenge the decision regarding the eligibility of their child to receive travel assistance. If however a parent/carer wishes to complain, about the service delivery e.g. the standard of transport or the behaviour of staff/children please;

Email us at; [schooltransport@barnsley.gov.uk](mailto:schooltransport@barnsley.gov.uk)

Or call us on 01226 773584.

Alternatively you can write to us at

Home to School Transport Team,  
Environment and Transport,  
Place Directorate,  
Barnsley MBC,  
Po Box 634 9GG.

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# Section 3

Travel Assistance for

Special Educational  
Needs and Disabled  
(SEND) Pupils

## 3.0 Introduction

- 3.1 The LA has a duty to make arrangements to facilitate attendance at schools and colleges by providing travel assistance in certain circumstances. The legislation underpinning this is outlined in section 1 of this policy.
- 3.2 This section is for pupils with Special Educational Needs (SEN), disabilities and mobility needs and explains how the LA assists with home to school travel arrangements for these pupils, whether the pupil's school place is in a mainstream school, educational setting attached to a mainstream school or a special school and whether it is within the statutory walking distance or further away from home.
- 3.3 It should be noted that travel assistance is not included as part of a statement of SEN. Travel assistance may occasionally be included in an Education Health Care Plan (EHCP), if for example travel provision is agreed as part of an individual travel budget. Each child therefore identified by the LA having SEN will have their individual travel needs assessed, via the SEN travel assistance panel, taking into account their age, mobility and the effect of their SEN on their ability to travel to school. These travel needs will be reassessed at key transition stages such as the move from primary to secondary school.
- 3.4 The assistance provided by the LA will be provided in the most cost effective and appropriate way whilst meeting the child's assessed travel needs. It may be provided in a number of ways, including local bus, or bus coach or minibus arranged by the LA. In certain circumstances parents may have the option to take their child to school and claim mileage expenses. Or a personal travel budget will be provided to meet their expenses. Independent travel training may also be provided. If no other travel options are available, the authority will arrange for a taxi, which may be shared with other children. All eligibility and travel assistance arrangements will be reviewed annually and also at times of transition e.g. moving from primary to secondary education; to ensure that the basis for entitlement continues and the method of travel assistance remains appropriate.
- 3.5 Travel assistance is provided to the child's nearest suitable school. Where parental preference is for the child to attend an establishment further away than that recommended in the statement or EHCP, the Authority must weigh the relative costs and reasons for the parental preference and reach a decision which is proportionate and compatible with the efficient use of resources.
- 3.6 Transition –In exceptional cases when a child is making a transition between one school and another the LA will consider providing transport to manage the transition depending on the needs of the child, subject to the child being eligible for transport to that school.
- 3.7 Travel assistance is only provided at the normal school / college start and finish time. However, exceptions will be considered based on the long term medical /health needs of a child where they can only attend school on a reduced time basis.
- 3.8 Where a child is educated off site, the school or college is responsible for making travel arrangements.
- 3.9 Where travel assistance has been agreed it will **not** be provided for
- Extra-curricular activities or journeys between institutions within the school day (for journeys of this nature the organising school or institution will be responsible for travel arrangements)

- Induction days, taster days, open days or interviews
- Assessment days (except when required by the SEN assessment service)
- Work experience
- School trips
- Dental, medical or hospital appointments, or other non-educational appointments
- Children taken ill during the day
- Children that are excluded during the day
- Examination timetables – travel assistance will not be tailored to examination timetables, it will only be provided at the standard school start and finish times
- When off site provision is made by the school, travel assistance is the responsibility of the school
- Before and after school activities – where a family wish a child to attend activities before and after school, then parents /carers, or the school are responsible for making travel arrangements.

### 3.10 **Travel Assistance eligibility**

- 3.11 Appendix A has a flow chart that provides a quick guide to whether a child is eligible for travel assistance.

### 3.12 **Pupils under the age of 4 years**

- 3.13 Children below compulsory school age, attending the nearest suitable special school or educational setting for assessment purposes, may be entitled to travel assistance where exceptional circumstances can be demonstrated that result in the parent/carers being unable to get the child to the placement themselves.

### 3.14 **Pupils aged 4 to 7 years**

- 3.15 Travel assistance is provided for children under 8 years with a statement of SEN or EHCP who attend a special school or educational setting which has been designated by the LA that meets the needs of the child and where the distance is more than 2 miles (see section 2 for details of distance measurement)

### 3.16 **Pupils aged 8 to 16 years**

- 3.17 Travel assistance is provided for pupils between 8 to 16 years with a statement of SEN or EHCP who attend a special school or educational setting which has been designated by the LA as the nearest appropriate school that meets the needs of the child and where the distance between home to school is more than 3 miles (see section 2 for details of distance measurement).

### 3.18 **Children with SEN (without a statement or EHCP), disabilities or mobility problems**

- 3.19 Where the distance to the appropriate school is less than the distances specified in section 2 and / or when a child has no statement of SEN or EHCP, travel assistance will be considered, taking into account the individual circumstances and the travel needs of children with significant sensory, physical, medical or behavioural difficulties that prevent them from getting to school even when accompanied by a parent/carers. In such instances travel assistance will be considered using supporting written evidence, within the preceding 12 months, from a range of sources for example, Education or Health professionals, parents and school SENCO, that describes the child as having;

- Long term severely restricted independent mobility, due to physical disability
- Long term severely restricted mobility due to a medical condition resulting in persistent pain or extreme fatigue
- A sensory impairment resulting in severely restricted mobility
- Severe behavioural emotional and/ or social difficulties in comparison with other children their age. This may be linked with cognitive ability or be as a result of a specific disorder.

3.20 This is not an exhaustive list and requests will be considered on a case by case basis. This information needs to be supplied at time of application.

### 3.21 **Residential Schools**

3.22 Where a pupil attends a qualifying residential school, travel assistance will be arranged by the LA in accordance with placement terms agreed by the LA as follows;

- a) pupils who board for 5 days - at the start and end of each school week
- b) pupils who board for 7 days - at the start and end of each school term and half term.

3.23 In addition pupils who are in the National Curriculum Year Group 7 or below i.e. who have not yet had their 12th birthday, and who board for 7 days will be provided with additional return journeys for two weekends per half term.

### 3.24 **Post 16 students**

3.25 Please refer to section 4 of this policy for the eligibility criteria for travel assistance for post 16 SEND students.

### 3.26 **Exceptional circumstances**

3.27 The LA will consider applications from parents whose children are not otherwise eligible for travel assistance on the basis that assistance should be offered if exceptional circumstances apply.

3.28 Although not an exhaustive list of exceptional circumstances, dependent on the facts of the case the following examples could amount to an exceptional circumstance;

- Circumstances beyond the control of the child or family that prevents the parent from ensuring their child attends school;
- Where the welfare of the child is at risk if the travel assistance were not provided, for example, as part of the protection plan.

### 3.29 **Travel assistance**

3.30 If travel assistance is approved by the SEN transport panel it is for the LA to decide on the travel arrangements to get your child between home and school at the beginning and end of the school day. LA assistance will be provided in the most cost effective and appropriate way whilst meeting the child's assessed travel needs.

3.31 Travel assistance may be provided in a number of ways including independent travel training, zero fare pass, personal travel budget, mileage reimbursement or contract school minibus or taxi. More detail about these options are provided below. The most appropriate one for the child will be selected after careful consideration of the child's

needs by the transport panel. The child's needs will be assessed from information supplied from a variety of sources such as parents/guardians, education, health and social care professionals.

### 3.32 Independent Travel Training

- 3.33 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 personal independence for any qualifying pupil who is in receipt of services through this policy. Independent travel training can help support independence by developing personal social and life skills by looking at the needs and capabilities of a young person.
- 3.34 Independent Travel training will be undertaken only if appropriate with the agreement of parents/carers, school and any other applicable professional body.
- 3.35 Pupils who successfully complete their travel training and begin to travel independently will be given a zero fare bus pass, if required.
- 3.36 Once training has been completed successfully pupils will be expected to travel independently.

### 3.37 Mileage reimbursements

- 3.38 Mileage reimbursements will be paid termly or half termly calculated on the actual mileage allowance multiplied by the number of days the pupils attends. Payment is based on home to school and back (if the parent / carer is returning back home after dropping the child off in the morning and starting from home in the afternoon.). If parent/carers is not returning back home after dropping the child at school then the mileage will only be paid for the journey between home and school. Equally if the parent /carer is coming from a different location to pick the child up from school then mileage will only be paid from school to home. The mileage will be determined by the shortest route using the Council's Geographical Information System (GIS)
- 3.39 Mileage Reimbursement to Parents/Carers will be paid 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.	45p - Rate correct as at April 2017. This 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).	45p - This is the current BMBC car mileage rate

E.g. 10 miles home to school = journey home to school and back in the morning and home to school and back in the afternoon (assuming parent / carer is starting and ending at the child's home) = 40 miles @ 45p per mile x 190 (total number of school days) = £3,420

NB Please note that payment is made by LA after parents/carers submit an attendance form signed off as correct by the school their child attends.

### 3.40 **Personal Travel budgets**

- 3.41 A personal travel budget (PTB) provides the opportunity for parents to exercise some choice and control over the way their child gets to and from school. A PTB is offered at the discretion of the Council and where it is a cost effective way of arranging for a pupil to get to school. Parents are not obliged to take up a personal travel budget where offered. A PTB is completely separate to the money a school receives for an SEND child.
- 3.42 The PTB can help you to arrange your child's travel to school or college in a way which suits your circumstances and could offer more flexibility, for example around breakfast and after school clubs. The payments can be used in creative ways such as
- Buy a travel pass for an adult to accompany the child to and from school
  - Pay for an escort to walk with the child to school
  - Cover the cost of driving with your child to school
  - Share travel arrangements with other parents
  - Cover the cost of child care arrangements for siblings to allow parents / carers to take their child to school.
- 3.43 The amount you receive is based on the distance from your home to your child's nearest suitable school or college and any other relevant factors. A month's notice will be required of any intention to end a PTB arrangement, in order for the authority to arrange alternative travel assistance.
- 3.44 If a student's punctuality or attendance at school is becoming affected by a PTB the arrangement will be reviewed by the Council. Non- attendance of more than 10 days in a school year (5%) will result in the family being asked to return the overpayment (this could be done via a reduction in subsequent monthly payments)

### 3.45 **School bus / minibuss or taxi**

- 3.46 Pupils who are assessed as requiring travel on mini-bus, taxi/private hire or similar vehicle, will be picked up and dropped off at their home address. In exceptional circumstances, if the mini bus or taxi is unable to access the home address the pick-up and drop off point will be the most convenient, designated point nearest their home address. Having due regard to their needs and safety this may be a designated bus stop. 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. 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.
- 3.47 Travel assistance is only provided at normal school start and finish times. However we will where possible be prepared to work with parent/carer to facilitate attendance at community clubs by for example altering the drop off times round if it is practicable to do so. Exceptions to the normal start and finish time of the school day will be considered based on the long term medical needs of a child where they are only able to attend school for a reduced number of hours.
- 3.48 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.

3.49 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. Failure to cancel transport more than three times when not required may lead to a recharge of the cost or ultimately cancellation of the transport. Parents/carers will receive a written warning prior to any action taken.

### 3.50 **Zero fare bus pass**

3.51 Zero fare passes operate from the bus stop nearest to the child'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.

### 3.52 **Additional Information**

#### 3.53 **TRAVEL TIMES**

3.54 The suitability of travel arrangements must enable the child to reach school without stress, strain or difficulty that would prevent them from benefitting from the education provided. Best practice guidance suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes and the LA will make every effort to stay within these times. However for children with SEN and /or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible. Distance to out of borough provision may increase the recommended times.

#### 3.55 **SCHOOL TRANSPORT ESCORT**

3.56 School transport escorts are provided only where a child has a severe physical condition or severe behavioural difficulties meaning that the health and safety of the child, driver or anyone else travelling on the vehicle would be at risk. The use of a school transport escort will be reviewed regularly, since the need may change as the child grows older.

3.57 School transport escorts are PATS (Passenger Transport Assistant training) qualified and hold up to date first aid certificates and are subject to an enhanced Disclosure and Barring Service (DBS) check. Where required School Escorts are trained in the delivery of Epilepsy Rescue Medication.

3.58 Any special equipment or supervision arrangements required because of the child's needs will normally be arranged by the LA in accordance with the assessed need.

#### 3.59 **TRAVEL FOR PUPILS WITH MEDICAL NEEDS**

3.60 Pupils with a medical condition are those that require;

- (a) Prescribed medicines;
- (b) May require emergency medical treatment on route to school. Or;

(c) Continuous medical support.

**3.61 Administering medicines to pupils**

3.62 With the exception of Epilepsy Rescue Medication, school transport escorts are not trained to, or expected to deliver medical procedures or interventions to pupils whilst travelling on home to school transport. Nor be expected to transport a pupil's medication from home to school. Parents are responsible for ensuring, where relevant, that the school has a sufficient supply of medication for the child. 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 and given to the school escort for handing to the school.

3.63 Where the travel arrangements provided under this policy cannot facilitate the travel needs of the pupil, the Relevant Officer shall convene a case conference. The case conference shall be chaired by an appropriate Senior Officer of the Service and other relevant professionals shall be invited.

3.64 The case conference shall;

- a) Discuss the issues associating with transporting the pupil to school and
- b) Make a recommendation for the future transport arrangements.

**3.65 Emergency medical treatment**

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

**3.67 DISCLOSURE AND BARRING SERVICE (DBS)**

3.68 Private Contractors and BMBC School Transport Escorts on taxis, minibuses and hired coaches arranged by the LA are required to undertake an enhanced DBS check. This does not apply to those driving buses on services available to the public.

**3.69 MONITORING OPERATOR PERFORMANCE**

3.70 Minibuses used to take pupils to school are public service vehicles and as such are subject to specific legislation on safety standards.

3.71 Children travelling to and from the school in a taxi or minibus arranged by the authority will be required to use restraints (car seat, booster seat or seatbelts) appropriate to their age, height and weight.

3.72 As part of the LA's procurement, process checks are carried out on transport operators to ensure they comply with statutory and legal requirements. These checks include vehicle and public liability insurance cover and vehicle MOT. LA employees undertake spot checks on services throughout the year to ensure the contractors are complying with their contracts and that their vehicles are roadworthy.

**3.73 Review of travel assistance provision for SEND pupils**

3.74 Travel assistance will be reviewed at key stage changes with parents, education and healthcare professionals who know the child and are part of the statement or EHCP

review. Parents will be told of all decisions in writing. We need to ensure that the service provided continues to be appropriate for the student's assessed needs.

- 3.75 The LA will do everything reasonably practicable to ensure all children can travel in safety and comfort. In circumstances where behaviour compromises safety of passengers or driver the LA in discussion with parent/carer and the school will take steps to ensure alternative and appropriate means are in place to address this issue such as an additional school escort or a change of transport.
- 3.76 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.
- 3.77 In cases where individual transport is provided by taxi or minibus parents/carers are requested to cancel transport when not required i.e. in cases of holidays or illness. Failure to cancel transport 3 times in a term may lead to a recharge of the cost or ultimately cancellation of the transport. Parent/carers will always be provided with a written warning before action is taken.

### 3.78 **Application Process**

- 3.79 An application for travel assistance under this policy must be completed. Application forms are available from the website [www.barnsley.gov.uk](http://www.barnsley.gov.uk) and search SEN transport. Alternatively contact the LA and one will be sent out by post.
- 3.80 The decision on whether your child is eligible to receive travel assistance will be made at the transport panel. The decision will be communicated to you either by telephone or letter to confirm the outcome of the assessment. If travel assistance is approved we will send out a Transport Information Form (TIF) which will need to be completed and returned to school transport. Please note that no assessment or transport arrangements will commence until a completed TIF is received.
- 3.81 A TIF form will need to be completed annually by parents/carers as the needs and requirements of the pupil can change and it is important that this information is kept up to date.
- 3.82 Requests for travel assistance in relation to paragraph 3.17 (disability grounds) must be made on the application form found at [www.barnsley.gov.uk](http://www.barnsley.gov.uk) under the section children with special educational needs and must be supported by appropriate professional documentation as outlined in paragraph 3.17.
- 3.83 Applications that do not have the appropriate evidence in support, for example, evidence from health or education professionals, study timetables, or are otherwise incomplete will not be processed but returned to the applicant for the application to be completed and resubmitted.
- 3.84 Parents/carers are reminded that it is their legal duty to ensure their child's attendance at school. That duty is not affected pending the outcome of an application or review procedure.

### 3.85 **School Transport appeal process**

- 3.86 Parents/Carers have the right of appeal should they be in disagreement about the eligibility of their child for home to school travel assistance. Parents may challenge a decision about;

- Their child's eligibility
- The transport arrangements offered
- The distance measurement in relation to statutory walking distances
- The distance measurement by road in relation to nearest school
- The safety of the walking route

3.87 This will be a 2-stage process as follows:

**3.88 Stage One Review**

3.89 Parents/Carers may request that a review of the original SEN Transport panel decision to refuse Travel assistance be reviewed.

3.90 This review will be undertaken by a Senior Officer of the Council and the Transport Planning Coordinator.

- Parents/carers will have 20 school 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 school 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.

**3.91 Stage Two Review**

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

- A parent/carer will have 20 school 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 school 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 school 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.

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

- 3.93 The powers of the Independent Review Panel will be limited solely to an examination of the correct application of the Transport Policy taking account of when the application was made.

3.94 **Complaints**

- 3.95 The above appeal process is specifically for parents/carers to be able to challenge the decision regarding the eligibility of their child to receive travel assistance. If however a parent/carer wishes to complain about the service delivery e.g. the standard of transport or the behaviour of staff/children please;

Email us at; [schooltransport@barnsley.gov.uk](mailto:schooltransport@barnsley.gov.uk)

Or call us on 01226 773584.

Alternatively you can write to us at

Home to School Transport Team,

Environment and Transport,

Place Directorate,

Barnsley MBC,

PO Box 634,

S70 9GG.

3.96 **Local Offer**

- 3.97 Information on this policy is set out in the “Local Offer” together with information on organisations who can give further advice on the application, appeal or complaint process for travel assistance.

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# Section 4

Travel Assistance for

Post 16 Special  
Educational Needs  
and Disabled (SEND)  
Pupils.

## 4.0 Introduction

- 4.1 There is no automatic entitlement for travel assistance for home to school or college once a student is over 16 years. The LA currently provides travel assistance for post 16 SEND pupils.
- 4.2 This document sets out the support available to the young people of Barnsley with special educational needs and disabilities (SEND) entering or continuing with Post 16 education. It explains the support available to encourage participation and prevent travel being a barrier to young learners
- 4.3 The post 16 education and training landscape is very diverse. It encompasses school sixth forms (both mainstream and special schools), sixth form colleges, general further education (FE) colleges, 16 – 19 academies, special post 16 institutions and vocational learning and training providers. The range of available study programmes is broad and includes AS/A – levels, vocational qualifications at all levels, apprenticeships, traineeships, supported internships and bespoke packages of learning.

## 4.4 Eligibility

- 4.5 An assessment of the Travel Assistance need will be undertaken by the appropriate Officer(s) of the SEN Transport Panel using information contained in the SEN statement or EHCP, together with information supplied by the school/college/ and parent/carer, and health care professionals taking into account their age, mobility and the effect of their SEND on their ability to travel to school or college, for students who are;
- aged 16 years or older on 1<sup>st</sup> September
  - Over the age of 19 and under 25 years of age on 1 September; and
  - Ordinarily resident in the LA area; and have, or have had previously, a statement of SEN, an EHCP which includes, or included, in order to meet the needs of the student, a requirement for transport.
  - Are registered 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.
  - Travel assistance will be provided where the distance between their home and college or training establishment is 3 or more miles measured by the nearest available walking route
  - Where the distance to the appropriate school is less than the distances specified above and / or when a student has no statement of SEN or EHCP, travel assistance will be considered, taking into account the individual circumstances and the travel needs of children with significant sensory, physical, medical or behavioural difficulties that prevent them from getting to school / college even when accompanied by a parent/carer. In such instances travel assistance will be considered using supporting written evidence, within the preceding 12 months,



from a range of sources for example, Education or Health professionals, parents and school SENCO, that describes the young person as having;

- Long term severely restricted independent mobility, due to physical disability
- Long term severely restricted mobility due to a medical condition resulting in persistent pain or extreme fatigue
- A sensory impairment resulting in severely restricted mobility
- Severe behavioural emotional and/ or social difficulties in comparison with other children their age. This may be linked with cognitive ability or be as a result of a specific disorder.

This is not an exhaustive list and requests will be considered on a case by case basis. This information needs to be supplied at time of application.

- For students over 19 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.

#### 4.6 **Provision of travel assistance**

4.7 If travel assistance is approved it is for the LA to decide on the travel arrangements to get pupils between home and their place of learning. LA assistance will be provided in the most cost effective and appropriate way for the student.

4.8 Travel assistance may be provided in a number of ways including independent travel training, personal travel budget, mileage reimbursement or contract school minibus or taxi. More detail about these options is provided below. The most appropriate one for the child will be selected after careful consideration of the child's needs by the transport panel.

4.9 **Independent travel training-** All post 16 SEND students will be assessed for their suitability in conjunction with parent/carers and school/college, to receive independent travel training. If travel training BMBC is committed to ensuring that every child and young person can fulfil their potential. The aim of independent travel training is that all children and young people with a Statement of special educational needs (SEN) or Education Health Care Plan (EHCP), or have a learning disability and / or disability should lead lives that are as independent and as free from restriction as possible and that each child or young person is supported to achieve independent travel wherever possible.

4.10 **Mileage reimbursement** – Mileage reimbursement will be paid termly or half termly calculated on the actual mileage allowance multiplied by the number of days the student attends. This is not available to parents/carers if other suitable transport is available. For further details on mileage reimbursements please refer to section 3 of this policy document "Travel Assistance for SEND up to the age of 16"

4.11 **Personal travel budgets** – A parent/carers may be offered the option of a personal travel budget to make their own travel arrangements. This is not available to parents/carers if other suitable transport is available. For further details on personal travel budgets please refer to section 3 of this policy document "Travel Assistance for SEND up to the age of 16"

4.12 **School bus/minibus or taxi-** Students who are assessed as requiring travel on minibus, 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 regards 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. A student will normally be expected to share a vehicle with other students.

4.13 **During what times during the day can learners use their travel pass or obtain concessionary fares?**

4.14 The majority of students will have passes which can be used on public services. These can be used at any time of the day, during college term time, when services are available.

4.15 Students who have transport provided via contract buses or taxis will only be able to access transport at the beginning and end of the college day. However, exceptions will be considered based on the long term medical needs of the young person where they are only able to attend college for a set reduced number of hours.

#### 4.16 **Application process**

4.17 If a student is continuing in their same school provision and already in receipt of travel assistance there is no need to reapply. However a Transport Information form (TIF) will need to be completed and returned to provide up to date information on the student's needs and requirements. School transport team will automatically send out a form.

4.18 For new students an application for transport assistance under this policy must be completed. Application forms are available from the website [www.barnsley.gov.uk](http://www.barnsley.gov.uk) and search SEN transport. Alternatively contact the LA and one will be sent out by post.

4.19 The decision on whether your child is eligible to receive travel assistance will be made at the transport panel. The decision will be communicated to you either by telephone or letter to confirm the outcome of the assessment. If travel assistance is approved we will send out a Transport Information Form (TIF) which will need to be completed and returned to school transport. Please note that no assessment or transport arrangements will commence until a completed TIF is received.

4.20 A TIF form will need to be completed annually by parents/carers as the needs and requirements of the pupil can change and it is important that this information is kept up to date.

#### 4.21 **Appeal Process**

4.22 Parents/Carers have the right of appeal should they be in disagreement about the eligibility of their child for home to school travel assistance. Parents may challenge a decision about;

- Their child's eligibility
- The transport arrangements offered
- The distance measurement in relation to statutory walking distances
- The distance measurement by road in relation to nearest school
- The safety of the walking route

4.23 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.

4.24 For details of the appeal process and timescale please see the end of section 3

#### 4.25 **Complaints**

4.26 The above appeal process is specifically for parents/carers to be able to challenge the decision regarding the eligibility of their child to receive travel assistance. If however a parent/carer wishes to complain about the service delivery e.g. the standard of transport or the behaviour of staff/children please;

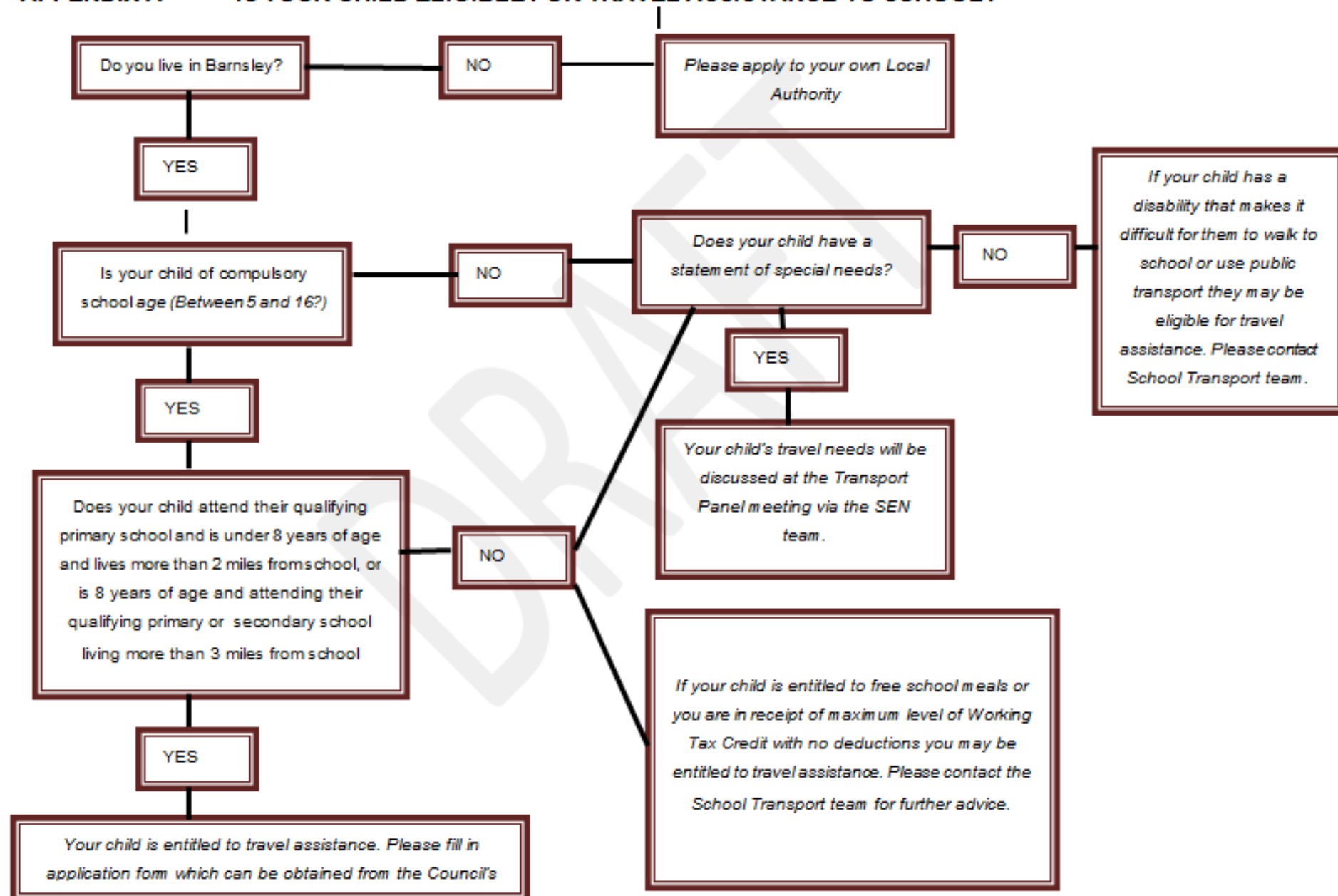
Email us at; [schooltransport@barnsley.gov.uk](mailto:schooltransport@barnsley.gov.uk)

Or call us on 01226 773584.

Alternatively you can write to us at  
Home to School Transport Team,  
Environment and Transport,  
Place Directorate,  
Barnsley MBC,  
PO Box 634,  
S70 9GG.



## APPENDIX A IS YOUR CHILD ELIGIBLE FOR TRAVEL ASSISTANCE TO SCHOOL?



## APPENDIX B

**Table of comments from parent/carers engagement**

<b>Comment</b>	<b>LA response</b>	<b>Policy to be amended / not amended</b>
<p>Comprehensive plan.</p> <p>Do escorts receive training to meet SEN needs?</p> <p>Is there any safety device used to stop seat belts being undone?</p>	<p>Issue covered in para 3.57 - School escorts are PATS (passenger assistant trained) first aid and enhanced DBS and epilepsy medication training.</p> <p>In certain cases where appropriate harnesses are used.</p>	<p><b>Information already in policy</b></p> <p>Operational issue rather than policy issue. <b>Information to be placed in policy guideline document. This is to be drawn up in consultation with parent/carers and schools once policy has been approved.</b></p>
<p>Strongly believe that children with special needs in mainstream schools should be entitled to free transport</p>	<p>Para 3.3 states that each child identified by the LA as having SEN will have their individual transport needs assessed.</p> <p>Para 3.18 states that children without SEN but with mobility problems can apply for travel assistance</p>	<p>Children and pupils in mainstream schools that have proven difficulty getting to school due to their disabilities will be eligible for travel assistance. <b>Information already in the policy.</b></p>
<p>School distance criteria should be judged on child's needs and choice suitable for child.</p> <p>LA to better work with parents' e.g. meet driver /escort beforehand.</p> <p>More escorts required</p>	<p>School distance criteria is derived from the statutory walking distance eligibility set by DfE.</p> <p>The LA now instructs all escorts to meet with parents/carers before start of route. Drivers are asked to meet also.</p> <p>Parents / carers could become escorts. LA to provide cost of enhanced DBS check. If child is assessed as requiring an escort the parent/carer will also be paid.</p>	<p>Distance criteria is judged on the child's nearest LA recommended suitable school. <b>Statutory criteria in policy and cannot be changed.</b></p> <p>This is an operational issue and policy need not be amended. <b>Information to be placed into a policy guideline document.</b></p> <p>Para 3.55 states that school escorts are provided where child has severe physical condition or severe behavioural difficulties. <b>Information already contained in policy.</b></p>
<p>Pick up and drop off points should only be used if home address is inaccessible by vehicle. Otherwise difficult for parent/carers</p> <p>Extra -curricular activities are a part of a child's overall education.</p>	<p>Comment accepted</p> <p>The aim of the policy is to enable children to attend school.</p>	<p>Para 3.46 has been altered accordingly. <b>Policy amended.</b></p> <p>The inclusion of personal travel budgets and mileage</p>

<p>To deny a child this opportunity to do better in exams is discriminatory</p>	<p>However we will look to work with schools to find out if they can help make enrichment classes more inclusive.</p>	<p>reimbursement into the policy is designed to give parents/carers the flexibility of fine tuning transport to suit their child's specific requirements. <b>Policy not amended.</b></p>
<p>I have tried to cancel transport but struggle to get through. Who decides what is an unreasonable amount of no "shows" before transport is removed.</p>	<p>Comment accepted. We have extended the hours that someone is in the office from 6am – 5.30pm. We are also installing an answerphone. All we ask for is a quick email, text to escort or a phone call. In the instance of an emergency when child is taken very ill just contact us as soon as you are able.</p>	<p>Para 3.49 has been amended to state that three no shows without contact in a term may lead to a cancellation of transport but parents/carers will receive a written warning before any action is taken <b>Policy amended</b></p>
<p>Post 16 – concerned about the part that implies if not enough progress is made transport will be stopped. How can this be done if compulsory to be in education or training to 18?</p>	<p>Commented accepted</p>	<p>Para 4.5 final bullet point has been amended to make clear that this refers to students over the age of 19. <b>Policy amended</b></p>
<p>UK legislation stipulates that travel assistance will be provided to eligible children regardless of the type of setting attended.</p>	<p>Comment accepted</p>	<p>Paras 3.13,15 and 17 amended to include "educational setting" <b>Policy amended</b></p>
<p>Escorts not transporting medication puts SEND parents at an unfair disadvantage because SEND children are more likely to require medication.</p>	<p>Comment accepted however we do state that we will transport medication but parent/carer need to discuss it with us first.</p>	<p>Para 3.62 amended to make the transport of medication procedure clearer <b>Policy amended</b></p>
<p>Needs to be clarification as to what DBS checks are undertaken</p>	<p>Comment accepted.</p>	<p>Para 3.68 to be amended to read "enhanced DBS check" <b>Policy amended</b></p>
<p>Needs to be clarification as to what agencies will be taken into account when assessing the ability for a post 16 student to travel by any other means than a funded minibus or taxi. This must not be a single agency decision.</p>	<p>Comment accepted</p>	<p>Para 4.5 altered to state that an assessment of travel assistance will be undertaken using information contained in the EHCP and information supplied by parent/carer and school/college and health care professionals. <b>Policy amended.</b></p>
<p>The whole SEN code of practice is around transitioning, yet where does the school transport policy actually support this.</p>	<p>Comment accepted</p>	<p>A paragraph has been inserted at 3.6. <b>Policy amended</b></p>
<p>Out of school clubs. A child without SEND would be able to attend out of school clubs as they often attend a local school. Children with SEND don't get the same opportunities as they often live some distance away.</p>	<p>The policy is to facilitate attendance at school and whilst we fully understand the point here it is not the remit of this policy to facilitate. However we do try to be as flexible as we can and will if possible be prepared to alter drop off times round to</p>	<p>Para 3.47 amended to reflect this flexibility <b>Policy amended</b></p>

	enable children to attend local community clubs.	
It would be useful if you could clarify what the changes are and we currently qualify for transport. I assume this will be unaffected by the new policy.	We have not changed the eligibility criteria. Any child eligible under the existing policy will still be eligible under the new policy. The main changes are in the menu of travel options available including the introduction of independent travel training and PTB's. The removal of the section "ceasing transport for bad behaviour" for SEN children. We have also split the policy into sections to make it a clearer read for all.	<b>This was a question and not a request for a policy change.</b>
I am worried that there does not appear to be any strategy regarding challenging behaviour. I am worried that without proper legislation he is not protected from being told that he can no longer access transport to school	The new policy has removed the text that states that a child will be removed from transport for poor behaviour. Instead there is a process by which alternative options and techniques are considered in conjunction with parents and school to help reduce bad behaviour. This provides a more positive way of dealing with the issue.	Policy has already been amended to reflect concern from previous consultation that children are going to be removed from transport for bad behaviour.  Following further comments at a drop in session para 3.75 has been further amended to include the process for dealing with challenging behaviour and the sort of alternative options we would consider. <b>Policy amended</b>
No mention of a ratio of escort to children on minibuses. Cannot see how one escort can fully care for up to 12 children with complex needs.	School escorts are provided based on the needs of the child. All children are assessed for whether they require an escort and those with complex needs are usually provided with one.	The numbers of school escorts on a bus is determined by the risk assessment. <b>Information on risk assessments to be placed in guidance notes</b>
What about transport for post 16. It is ok saying that independent training is available but it is too vague.	Independent travel training is one of a menu of travel options. If Independent travel training was appropriate for the young person it would be in discussion with the parent/carer and school/college.	Para 4.9 has been altered to emphasise that a decision is made in conjunction with parent/carer and school/college. <b>Policy amended</b>
Travel assistance is provided to child's nearest school. If only one school named in EHCP then it is unlawful to refuse transport on grounds of nearest school	Comment accepted	Paragraph 3.5 has been amended. <b>Policy amended</b>
Travel times – the example of distance is reasonable to go outside travel times but not because more children are fitted	This paragraph was put into the policy following comment made in the original consultation that nothing was mentioned on travel	Travel time guidelines are already in the policy. <b>More information will be placed in the guidance document</b>



<p>onto the bus.</p> <p>Post 16 policy states travel will be for the normal start and finish of the school/college day but no mention is made of exception for students who are not medically able to stay the whole day.</p>	<p>times. The Council monitors distance times and has already cut a route into two to reduce the travel times. We will continue to monitor this closely and stick wherever possible to the policy guidelines.</p> <p>Comment accepted.</p>	<p>Para 4.15 changed. <b>Policy amended</b></p>
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Please check that the summary details of the project plan/proposal outlined in the Initial EIA are still correct and up to date.

## Details

<b>Service</b>	<b>Lead Officer</b>	<b>Date</b>
Transport Operations	Sally Killips	24th November 2017
<b>Business Unit</b>	<b>Email</b>	<b>Telephone</b>
BU6 Environment & Transport	<a href="mailto:sallykillips@barnsley.gov.uk">sallykillips@barnsley.gov.uk</a>	01226 774191

## Summary

<b>Outline of project proposal</b>
This EIA covers the review of the Home to School Transport policy which will form the basis for any future service changes.
<b>Summary of project objectives</b>
The revision of the Home to School Transport policy seeks to introduce: a) A clear range of options for travel assistance, b) Screening for independent travel training at Year 6 c) Clarity about the legal criteria for travel assistance eligibility.
<b>Reference</b>

**Step 1****What are the key equality and diversity questions you would like to ask?**

- eg *Do some diverse groups experience poorer outcomes or barriers to access?*  
*Do some diverse groups experience greater need for services?*  
*How can the project the help improve outcomes for diverse groups?*  
*How can the project help to promote equal access / take-up of services for all sections of the community?*

Numbers of children currently benefitting from statutory and discretionary home to school transport assistance and the associated cost.

Are we confident that we are not creating any inequalities by providing a menu of supported travel options?

Distances children and young people travel who are in receipt of assisted travel to school/college. Are there areas of inequality?

What policy changes are proposed, and what are the implications? Are there any elements of the new policy which could potentially create or entrench inequalities?

## Step 2

### How will you find out the answers to these questions?

eg *Ask staff and other stakeholders what they know.*

*Discuss the issue with service users.*

*Meet with a relevant community group or forum.*

*Analyse service performance data and compare it with local demographic data.*

	Who	When
Analyse data about service users - numbers, age profile, routes, transport methods.	<i>Sally Killips / Jules Horsler</i>	<i>November 2017</i>
Consult with current service users and other stakeholders to add depth to our understanding of the effectiveness of the service. Analyse consultation findings to identify any implications for the content or operation of the new policy.	<i>Sally Killips / Jules Horsler</i>	<i>November 2017</i>
Where possible, model any service or policy revision to seek to predict the impact this will have on future pattern of transport support provided and how this might affect the groups identified above. Use performance indicators about travel options being used currently.	<i>Sally Killips / Jules Horsler</i>	<i>November 2017 and ongoing</i>

### Step 3

#### What have you learnt about how this project could promote equality and inclusion?

- eg *The investment could help to promote services to BME communities who currently do not know it exists or how to access it.*  
*Some disabled people may not be able to access the service on-line and need an alternative.*  
*Men may have worse health outcomes because they do not visit the doctor regularly - the investment will help to address this.*  
*The investment may enable the service to be more flexible and to meet individual needs (eg culturally appropriate to some faith groups).*

Latest data about the service user profile is as follows (Nov 2017):

534 children in total

11 looked after children

13 children with physical disabilities, who do not have a statement or EHCP (it is anticipated that this will increase, due to guidance about eligibility being clarified in the new policy)

182 primary school children and 266 secondary school children

These children are transported to school on a total of 130 different routes (using a mixture of 8, 12 and 17 minibuses, and taxis)

There are 62 routes that go out of Barnsley borough to special schools

38 single occupancy taxis are used

In addition, 542 zero fare passes have been issued to mainstream children

Consultation was carried out with service users during December 2016 to February 2017. Although mainly targeted at families using these services, the consultation was open to all Barnsley's residents should they wish to participate. In addition further consultation was carried out with the wider SEND community via a series of meetings. In November 2017, a further period of consultation and engagement was undertaken, on the revised policy document. This consisted of an online survey and a number of 'drop in' sessions.

Many of the comments received during the consultation related to minor changes to wording, which did not materially change the nature of the policy - these were incorporated into the revised policy. The remaining key issues arising from this period of consultation were:

1. Access to transport home for children who want to participate in extra-curricular activities after normal school hours - the usual transport home pick-ups depart before any after-school social activities, which affects whether some children can attend these activities, if they will then be unable to travel home at a later time. This situation creates a potential inequality for these children, compared to their peers. The policy and service provision have a responsibility to enable access to education, but do not cover social activities. Providing additional transport would have cost implications for the service, and would also be difficult to predict and plan for, as the numbers and frequency would fluctuate.

This is potentially the key equality issue remaining unresolved.

Discussions have taken place with schools, who remain unwilling to contribute towards transport costs for this purpose; in addition, although parents have the option of a personal travel budget for their children, which would enable them to buy in transport services home from after-school social activities, this would also mean the onus would be on parents to arrange all of their home-to-school transport, when in most cases they are satisfied with current arrangements.

Senior managers and Members are asked to consider this issue and a potential way forward.

2. Many respondents to the consultation were not in favour of designated pick-up and drop-off points, and prefer door-to-door transport. This proposal is therefore being taken out of the policy.

3. Some respondents raised the issue of whether there should be set ratios of escorts to children. At present, each child travelling by bus will have an individual escort, but the minibus services may only have one escort (who is also the driver). This has been covered by risk assessments, and current arrangements are considered suitable, as once the children are safely seated within the minibus, which does not stop off anywhere en route to school, the risks during the journey are not such that an additional escort would be needed.

4. SEN code of practice for children who are in transition between schools - at present, specific transport arrangements are not made for children who are 'trying out' new schools in preparation for moving up. A number of parents made comments about preferring their children to start using the transport routes / methods for their new school as soon as possible, as part of the transition process. The policy will therefore be amended to contain a reference to accommodating children on transport for their new school, as far as possible.

The whole ethos of Home to School Transport is to provide access to education for all. It therefore very much promotes and assists in providing equality and inclusion amongst school children, suited to their situation. This is reflected in the change of approach from a hierarchical decision-making process about which transport service is received by an individual child, to a 'menu' approach, from which children and parents / guardians can select the service which best suits their circumstances, preferences, confidence, abilities and needs.

#### Step 4

#### What equality objectives, actions and measures will be (or have been) incorporated into your project plan/proposal?

eg *Develop action plan to meet minimum access standards*

*To increase awareness of service and how to access it amongst under-represented groups.*

*To improve how service meets the needs of LGBT community.*

*Analyse service performance data and compare it with local demographic data.*

	Who	When
Independent Travel Training - to monitor service performance data around how many children have been travel trained, how many children have gone onto travel independently to school as a result of the training.	<i>Transport Operations Manager</i>	<i>annually</i>
To monitor how many families have opted to take up other home-to-school transport options, such as mileage reimbursement and personal travel budget options.	<i>Transport Operations Manager</i>	<i>annually</i>
To monitor the impact of these trends on demand for the service, and the impact on service budgets.	<i>Transport Operations Manager</i>	<i>annually</i>

**Step 5****When and how will you review whether these equality objectives have been achieved?**

eg *As part of service review in 2 years time.*

*Incorporate equality performance measures into performance framework.*

*Provide feedback on progress to relevant community / service user group.*

*Provide regular progress reports to a project board.*

	<i>Who</i>	<i>When</i>
Annual service review to evaluate the impact and effectiveness of the new policy.	<i>Transport Operations Manager</i>	<i>annually</i>
Home to School Transport Working Group to receive regular updates about service user numbers, and take-up of different transport options.	<i>Transport Operations Manager</i>	<i>monthly</i>
Continue to hold service user forums with parents / carers of children using the home to school transport service	<i>Transport Operations Manager</i>	<i>ongoing</i>



**Step 6****How will you make sure relevant decision-makers are able to fully consider the outcomes of this EIA?**

*Include EIA as appendix to relevant Cabinet report.*

*Brief Cabinet Spokesperson / Service Director on outcomes of EIA.*

*Publish outcome of EIA on website.*

*Provide feedback to stakeholders on outcome of EIA process.*

	<i>Who</i>	<i>When</i>
Brief Cabinet spokesperson / Service Director on outcomes of EIA. Include EIA as an appendix to Cabinet report.	<i>Sally Killips</i>	<i>December 2017</i>
Highlight recommendations to SMT and Cabinet in order to resolve outstanding issues which may cause potential inequality.	<i>Sally Killips</i>	<i>December 2017</i>
Provide feedback to service users and respondents to the consultation exercises, to set out how the service has responded to issues raised and reflected them in the new policy.	<i>Sally Killips</i>	<i>December 2017</i>
Liaise with People Directorate as appropriate re. the establishment of a SEND parent-carer forum.	<i>Sally Killips</i>	<i>Ongoing</i>

## MONITORING - Which groups may experience a differential impact in this service area before the project?

Review and update below the potential inequalities you identified when undertaking the initial EIA - are these the same or has your assessment now changed?

Protected characteristic	Details of group	Degree of inequality	+ve or -ve inequality
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group currently experience a differential impact and why. Eg "BME people, especially new arrivals to the borough, are under-represented amongst current service users".	Please select the level of inequality experienced by the group (high, medium, low or none).	Is the inequality positive or negative for the group?
Disabled people	Disabled children who do not have a SEN or EHCP and live within the statutory distance criteria currently fall outside the eligibility criteria for travel assistance	Low	Negative
Disabled people	Children with SEN or EHCP in place have their travel assistance eligibility assessed by the Transport Panel. The rate of referral to this panel fluctuates but is currently around 10 - 15 per month. Presently the average success rate of referrals is 90 - 95%.	Low	Negative

## Which groups may experience a differential impact in this service area after the project?

Review and update below the potential inequalities you identified when undertaking the initial EIA - are these the same or has your assessment now changed?

Protected characteristic	Details of group	Degree of inequality	Predicted improvement?
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group will be affected and why. Eg "Disabled people with communication disabilities such as people with sensory impairments and people with learning difficulties because they may find using online services more difficult."	Please select the level of inequality likely to be experienced by the group after the project (high, medium, low or none).	Is the situation for this group likely to improve or become more unequal as a result of this project?
Disabled people	The policy now contains a methodology by which children who have difficulties walking to school and live within the statutory qualifying distance (i.e not eligible for automatic travel assistance) can obtain travel assistance providing written evidence is provided from education and health care officials.	Low	Improve
Disabled people	Better control of the budget will be achieved by applying a fair and consistent application and assessment process of eligibility at the Transport Panel as set out in the transport policy. This may run the risk that more children are refused at the transport panel stage. However, by implementing a menu of travel options rather than a strict hierarchy, choice has been enhanced for children and their parents / carers, increasing flexibility of services available suited to individual families' particular needs and preferences.	Low	Improve

Step 7b

### Consultation, Advice and Support

E+I Team Consulted	E+I Business Partner (Name / email)	Date of most recent contact
Yes	Sue Smith	23rd November 2017

Step 8

**Please email your completed EIA to:**

[equalityanddiversity@barnsley.gov.uk](mailto:equalityanddiversity@barnsley.gov.uk)