

Home to School and College Transport Policy

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1. INTRODUCTION

- 1.1. This policy is to support the attendance at relevant educational establishments of eligible children who are of statutory school age through the provision of travel assistance (which may include free home to school transport).
- 1.2. Secondly, this policy is also to support the attendance of children and young people with special educational needs and disabilities (SEND) from 0 – 25 years, at schools and colleges through the provision of transport.
- 1.3. Thirdly, this policy sets out the support that is available to support the attendance of young people over 16 in their relevant educational establishments through the provision of transport.
- 1.4. Sections 12, 13 and 14 sets out some general arrangements about removal of travel arrangements, appeals and links for further information.
- 1.5. The legal responsibility for ensuring that a child attends school rests with the parent/carer. This means they must take all the action necessary to enable their child to attend school.
- 1.6. The Local Authority is responsible for deciding what travel arrangements to make, provided they are suitable for the needs of the children for which they are made.
- 1.7. This policy document describes how the Council interprets its duty and applies its powers in home to school or college transport. The arrangements apply only to children resident in Hull, or deemed by legislation to be the responsibility of the Council.
- 1.8. This policy is written in line with the Corporate Equalities Plan, which seeks to value diversity and promote equality through practice and procedures. It is also written in line with the current statutory guidance on travel to school for children of compulsory school age.

SECTION 1 – HOME TO SCHOOL TRANSPORT FOR PUPILS OF COMPULSORY SCHOOL AGE

2. THE LEGAL FRAMEWORK

- 2.1. The legislation which places a duty on the Local Authority to provide free home to school transport is contained principally in the Education Act (1996), as amended by later legislation, including the Education Act (2002) and the Education and Inspections Act (2006).
- 2.2. Local Authorities have a duty to provide free home-to-school transport for eligible children of compulsory school age living in the local authority's area or otherwise deemed by legislation as being the responsibility of the council. Whilst there is no strict legal obligation to provide free transport for any particular children who are below or above compulsory school age, the council will consider transportation entitlement for these children and young people on a discretionary basis. This, however, will not cover entitlement to passenger assistance.
- 2.3. Compulsory school age is defined in section 8 of the Education Act (1996) and in associated regulations. Compulsory school age begins on the first day of the term following the child's fifth birthday.
- 2.4. A child reaches the end of compulsory school age on the last Friday in June in the school year in which the child reaches sixteen years of age.
- 2.5. The principal legal reason for the duty to provide home to school transport is to ensure that the local authority can enforce school attendance. Parents are responsible for ensuring that their child attends school regularly. However, Section 444(3B) of the 1996 Act states that the child shall not be taken to have failed to attend regularly at the school if the parent proves that:

“... the local authority has a duty to make travel arrangements in relation to the child under Section 508(1) for the purpose of facilitating a child's attendance at the school and have failed to discharge that duty.”
- 2.6. Section 508B of the 1996 Act sets out the duty to provide free travel arrangements for 'eligible children' to 'qualifying schools'. Where a child is eligible to free transport, no charge can be made in connection with free travel arrangements in any respect.
- 2.7. Home-to-school transport will generally be provided to get the child to and from their registered school for the beginning and end of the standard school day. Only in exceptional circumstances will transport be provided by the local authority outside of the standard start and finish times for schools. For children on a reduced timetable, home-to-school transport entitlement will be made on a discretionary basis; for example, where a child or young person has an EHCP, and the Local Authority SEND Team agree to that part-time timetable.
- 2.8. The following references represent a basis for the legal framework within which travel assistance is provided:
- 2.9. Case law has considered that Section 509 and Section 444 of the Education Act 1996, together define walking distance and entitlement to transport for Children of compulsory school age.
- 2.10. Section 508B of the Education Act 1996 (inserted by Education and Inspections Act 2006) deals with the duty on local authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children.

- 2.11. The provisions set out in this policy include places other than schools where a child is receiving education by virtue of arrangements made under Section 19 (1) of the Education Act 1996 by the Local Authority.

Eligible Children

- 2.12. Schedule 35B of the Act defines eligible children – those categories of children of compulsory school age (5-16) in an authority's area for whom free travel arrangements will be required.

2.12.1. Statutory walking distances eligibility. The Local Authority must:

- provide free transport for all children of compulsory school age (5-16) if their nearest suitable school is:
 - beyond 2 miles (if below the age of 8 years);
 - beyond 3 miles (if aged between 8 and 16 years).

2.13.2. Special Educational Needs and Disability (SEND) or mobility problems eligibility. The Local Authority must:

- make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs or disability even if they were accompanied by their parent.

Eligibility, for such children should be assessed on an individual basis to identify their particular transport requirements. Usual transport requirements (e.g. the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and/or disability.

2.13.3. Unsafe route eligibility. The Local Authority must:

- make transport arrangements for all children who cannot reasonably be expected to walk to nearest suitable school because the nature of the route is deemed unsafe to walk even if they were accompanied by their parent.

2.13.4. Extended rights eligibility. The Local Authority must:

- provide free transport where children are entitled to free school meals or their parents are in receipt of maximum Working Tax Credit if:
 - the nearest suitable school is beyond 2 miles (for children over the age of 8 and under 11 years);
 - the school is between 2 and 6 miles (if aged 11-16 years and attend one of their three nearest suitable schools)
 - the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16 years).

2.13.5. Universal Credit

There is no statutory duty on Local Authorities to consider receipt of Universal Credit itself in determining eligibility for Extended Rights to Home to School Transport under section 2.13.4.

However, currently, pupils in households that receive any level of Universal Credit are eligible for free school meals and it is this eligibility for free school meals

specifically that entitles them to extended rights to free home to school transport under section 2.13.4.

A parent who transfers from Maximum Working Tax Credit onto Universal Credit, will retain eligibility for extended rights (subject to distance criteria, etc in section 2.13.1) as they will automatically become eligible to Free School Meals subject to a family registering their eligibility through Hull City Council.

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

2.14. Distance

- 2.14.1. Distance measurement for the 2- and 3-mile statutory walking distances. The distance measured is the shortest available route from the point at the child's home address (normal place of residence) where the child joins the public road network (for example, the front gate) to the nearest approved entry point to the school site.
- 2.14.2. The distance will be measured on a computerised GIS mapping system using Ordnance Survey information. The courts have defined an 'available route' as one "along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as 'available' because of dangers which would arise if the child were unaccompanied."
- 2.14.3. The guidelines produced by the Local Authority Road Safety Officers Association will be used to determine whether a route is an available home to school walking route. In determining the availability of the route, the Authority will take into account any restrictions on a parent's ability to accompany their child imposed by any disability the parent may have.
- 2.14.4. For children from low-income families who are aged 8, but under 11, the distance measurement will be the same as the statutory walking distance.
- 2.14.5. For children from low-income families, the 6-mile upper limit and the 15-mile upper limit distance measurement shall be determined using a route suitable for a motorised vehicle. Such a route cannot include any part which cannot be accessed by a motorised vehicle.

2.15. Ordinary place of residence

The child's place of residence (home address) will be deemed to be 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. This will be where the child is registered with a GP. Where the child subsequently moves address, the eligibility for free home-to-school transport will be re-determined.

2.16. Qualifying schools are:

- (a) a community, foundation or voluntary school,
- (b) a community or foundation special school,
- (c) a school approved under section 342 (non-maintained special schools),
- (d) a pupil referral unit,
- (e) a maintained nursery school, or

- (f) city technology college, a city college for the technology of the arts or, an Academy school or an alternative provision Academy.
- In relation to a child with special educational needs, an independent school, other than a college or Academy falling within sub-paragraph (f), is also a “qualifying school” if— (1) it is the only school named in the EHC plan maintained for the child, or (2) it is one of two or more schools named in that plan and of those schools it is the nearer or nearest to the child's home.

Qualifying schools are referred to as ‘relevant educational establishments’ in this document to align to government legislation, although in places where ‘schools’ is referred to (e.g. home-to-school transport), school refers to ‘relevant educational establishment’.

2.17. Other definitions

- 2.17.1. ‘Nearest’ is determined in a straight line from the front entrance of the child’s normal place of residence to the main entrance of the relevant educational establishment.
- 2.17.2. ‘Suitable’ means a qualifying school or other place of education recognized by the Council which provides education appropriate to the age and ability of the child and has a place available at the time of allocation.
- 2.17.3. ‘Low Income Family’ is defined where a child is entitled to Free School Meals or where one of the child’s parent/carers is in receipt of their maximum level of Working Tax Credit. Confirmed eligibility in respect of entitlement to free school meals or maximum level of Working Tax Credit will be for the entirety of the academic year for which the assessment has been made.
- 2.17.4. ‘Religion’ is defined for the purposes of these duties as ‘any religion’, a broad definition in line with the freedom of religion guaranteed by Article 9 of the European Convention on Human Rights. It includes those religions widely recognized such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha’is, Zoroastrians, and Jains. Denominations or sects within a religion can also be considered as a religion or religious belief such as Roman Catholics or Protestants within Christianity.
- 2.17.5. ‘Belief’ is defined in line with The Equality Act for the purposes of these duties as any religious or philosophical belief with a certain level of cogency, seriousness, cohesion and importance, and worthy of respect in a democratic society, and not be incompatible with human dignity or the fundamental rights of the child.

2.18 Accompaniment

- 2.18.1 A child will not normally be eligible for free travel to school on the grounds of their Special Educational Needs, Disability (SEND) or mobility problem, or on the grounds that the route is unsafe, if they would be able to walk to school if they were accompanied. Where the local authority determines that a child would be able to walk if they were accompanied, the general expectation is that the parent will accompany them or make other suitable arrangements for their journey to and from school. A child will not normally be eligible solely because their parent’s work

commitments or caring responsibilities mean they are unable to accompany their child themselves, but local authorities must act reasonably in assessing eligibility on this basis.

2.18.2 In most cases, the Local Authority will not need to consider whether a parent would be able to accompany their child, but it will not have a blanket policy that they will never arrange free travel for a child who would be able to walk to school if accompanied.

3. HOME TO SCHOOL TRANSPORT POLICY OVERVIEW

3.1 The table below shows the eligibility for home-to-school travel assistance applied under this policy

	Age / Type of Child (at 1st September each year)	Eligibility	Notes
3.1.1	Children aged under 5 years – see notes	Discretionary basis. There is no entitlement to Passenger Assistance.	Children reach compulsory school age for the school term following their fifth birthday.
3.1.2	Children aged from 5 to 8 years	Free transport to the nearest suitable school if it is more than two miles walking distance from the home address.	
3.1.3	Children aged from 8 up to 16 years	Free transport to the nearest suitable school if it is more than three miles walking distance from the home address.	
3.1.4	Children from low-income families aged 11 up to 16 years	Free transport to one of the three nearest suitable schools if between 2 and 6 miles by the shortest available walking route, or the nearest school preferred by reason of a parent/carer's religion or belief (if more than two miles by the shortest available), or if they received education otherwise than at a school, whether or not there is a nearer suitable school.	
3.1.5	Children living within the statutory walking distance but who are unable to walk in safety to school because of their Special Educational Needs, physical disability or mobility problems even if accompanied.	Free transport to the nearest suitable school as determined by the Council.	This includes temporary medical and physical conditions for the duration of that condition and those supported by an Education, Health, and Care Plan (formerly a Statement of Special Educational Needs).
3.1.6	Children living within the statutory walking distance but who are unable to walk to school in reasonable safety even when accompanied because of the unsafe nature of the route.	Free transport to the nearest suitable school as determined by the Council.	The guidelines produced by the Local Authority Road Safety Officers Association will be used to determine whether a route is an available home to school walking route.

Notes: The Council is not required to provide transport support for primary aged children attending schools preferred by reason of a parent's religion or belief.

Transport assistance will normally be via a free bus pass to be used on either commercial service buses or buses which have been specifically contracted for school journeys.

3.2 Travel Arrangements

3.2.1. The Council will make arrangements to enable a child to travel to school for the beginning of the school day, and to return home at the end of the school day. They are not required to make arrangements:

- for children to travel between relevant educational establishment during the school day;
- to enable children to attend extra-curricular activities and other commitments outside school hours; or
- to enable children to get to and from before and after school childcare, whether formal (for example, a childminder) or informal (for example, a grandparent)
- Only in exceptional circumstances will transport be provided by the local authority outside of the standard start and finish times for schools. For children on a reduced timetable, home-to-school transport entitlement will be made on a discretionary basis; for example, where a child or young person has an EHCP, and the Local Authority SEND Team agree to that part-time timetable.

3.2.2 Where particular classes, year groups or children have a start or finish time that is different from most children at the school, it will not normally be possible for the Local Authority to make separate travel arrangements. Schools may need to make arrangements to accommodate these pupils.

There may be a small number of circumstances in which the Local Authority considers it appropriate to arrange transport at an alternative time of day, for example if a child has a medical condition which means they are not well enough to attend school for the whole day.

3.2.3 In respect of free transport provided for low-income households, the entitlement will be reviewed annually and withdrawn if the household no longer meets the criteria for free transport.

3.3 Other Schools

3.3.1. The Council recognises its obligations under the relevant Education Acts to comply with the parental preferences regarding choice of school.

3.3.2. Owing to the need to maximise the efficient use of resources, however, the Council is only prepared to provide free or subsidised transport, in accordance with the criteria detailed above. The Council considers that any other arrangement would lead to excessive expenditure and would prejudice efficiency in the provision of education and the use of resources.

3.3.3. Accordingly, parents/carers wishing to apply for places in schools other than those detailed above should do so knowing that free or concessionary transport will not be available, regardless of the distance involved.

3.3.4. Although each child's application will be considered individually, in the absence of meeting the detailed criteria or exceptional circumstances relating to such

applications, it is not anticipated that the Council will be under any obligation to assist with the cost of transport involved. The Authority does, however, have an appeals procedure.

- 3.3.5. A child of compulsory school age with an Education, Health and Care Plan (formerly a Statement of Special Educational Needs) may have transport arrangements agreed.
- 3.3.6. Nursery Transport assistance for a child under compulsory school age with an Education, Health and Care Plan (formerly a Statement of Special Educational Needs) will be determined in accordance with Section 2. Other than for a child with an Education, Health and Care Plan, no assistance with transport shall be given to a child under compulsory school age.

4. EXCEPTIONS

4.1. Medical Transport

Children with a medical condition who are fit to attend school but are unable to do so because they are unable to walk or are unable to travel by their normal means of transport may be considered for free transport whilst that condition persists.

Applicants for such assistance are required to complete the exceptional travel assistance application stating the particular reasons for the request which must include written medical evidence (e.g. a letter from GP/Consultant/Hospital).

Parents/carers are advised that all cases of transport assistance granted on medical grounds will be reviewed within the time specified when the award is made due to the exceptional nature of its provision.

4.2. Pupil Referral Units (PRUs) and Off-Site Directions

- 4.2.1 Where a child is directed to a PRU by a school, then it will be the responsibility of the school to arrange for any transport required to enable the child to attend. Where the Local Authority has commissioned a place at a PRU (for example, following a permanent exclusion), then travel assistance can be considered in line with the eligibility set out in table 3.1.
- 4.2.2 For children of secondary school age, it is expected that travel assistance (other than a free travel pass for public transport) will not be provided when the pupil can travel on one direct bus route between the home address and the allocated PRU.

4.3. Special Circumstances

Free travel assistance for other reasons may be agreed for exceptional reasons. Each case will be considered on an individual basis. Applicants for such assistance are required to complete the exceptional travel assistance application stating the particular reasons for the request together with supporting evidence wherever possible) e.g. letter from a social worker or medical professional).

5. ORGANISATION OF TRANSPORT

5.1. Types of Vehicles Used

The School Transport Team shall arrange for the use of buses, coaches, minibuses, Hackney Carriages, licensed private hire cars and private cars to facilitate the provision of home to school transport. The mode of travel selected for each child will be at the sole discretion of the School Transport Team.

5.2. Pick Up Points

Children are expected to walk a reasonable distance to the transport picking up point and a similar distance on their return from school. Children are also expected to walk a reasonable distance from the setting down point to the school entrance and a similar distance on the return journey at the end of the school day. The picking up and setting down points will generally be at marked bus stops. Children will be set down in an afternoon at the point where they were picked up.

5.3. Proof of Entitlement

All children entitled to free travel assistance that travel on contract or service vehicles will be issued with a free travel pass and they must produce this when boarding the transport. A fee is payable for issuing a replacement pass if required.

5.4. Journey Times

Where transport is provided by the Council, the School Transport Team will make all reasonable efforts to ensure children are travelling for the shortest period and, in most cases, arrive at school not more than twenty minutes before the start of the school session time. At the end of the normal school day transport will normally leave ten minutes after the end of the school session time.

Whilst accepting in most cases children will be transported by the most direct route, the local authority has a duty to ensure its resources are used efficiently. Some children, therefore, may have a longer, indirect journey. In any case, no journey shall be expected to be over 45 minutes for a child at primary school and 75 minutes for a child at secondary school.

The exception is where a child has been placed in a school out of the local area, where due to the distance, no journey would fall under the expected minimum travel time.

5.5. Passenger Assistants

Passenger Assistants are not normally provided for children secondary schools, unless identified as an assessed need.

5.6. Transport Granted in Error

If the local authority grants free travel assistance in error this may be withdrawn.

6. MONITORING OF THE PERFORMANCE OF CONTRACTS

- 6.1. The performance of all home to school transport contracts will be closely monitored by the School Transport Team to ensure efficient safe operation and that the Council is receiving value for money.
- 6.2. All complaints will be investigated in line with the Council's complaints procedure.

SECTION 2 –TRANSPORT FOR CHILDREN AND YOUNG PEOPLE WITH SEND

7. INTRODUCTION AND LEGAL FRAMEWORK

- 7.1. The Department for Education (DfE) Special Educational Needs and Disability Code of Practice 0-25 Years provides advice to local authorities, schools and other agencies.

There is a statutory duty to have regard to the code for all agencies to which it applies. The Code advises that where a parent's preferred school is further from the child's home than another appropriate school, it is open to the local authority to name the nearer school, as this is compatible with the efficient use of resources. Equally, it is open to the local authority to name the school preferred by parents provided the parents meet the transport costs.

If it is decided during the assessment process that transport is necessary to meet the child's needs, this should be clarified but will not normally be included in the Education, Health and Care Plan (EHCP). The Code states that it should only be in the EHCP in exceptional circumstances.

A record of the transport arrangements should be made and this should be reviewed at least annually.

- 7.2. **Minimum Level of Transport Provision**

The needs of each individual child are specific to the child and when organising home to school transport for that child the School Transport Team will attempt to meet those needs. In many cases where appropriate it will be expected that children will share transport

In all cases the child or student's needs will be reviewed and if necessary, reassessed at each annual review of the Plan where it is decided that:

- a transport need is now required,
- a transport need previously identified should be modified,
- transport is no longer required.

- 7.3. **Modes of transport can include**

Buses, coaches, minibuses, Hackney Carriages, licensed private hire cars and private cars, as well as bus passes. The nature of provision will depend upon individual needs and the efficient use of resources.

The Passenger Transport team has an ongoing need to balance financial constraints with statutory duties, the needs of the customer and service demands. When procuring routes, the team have to comply with contract procedure rules and therefore cannot guarantee a specific driver, all drivers have to complete the same training and safety checks including enhanced DBS prior to commencing the

Home to School Contract. If a child is not deemed as an independent traveller due to their assessed medical needs a Passenger Assistant will be considered.

7.4. Maximum journey time for children travelling on a daily basis

The School Transport Team will endeavour to arrange journey times of one hour or less but the age and the general health of each individual child should be taken into account. For children attending out of authority residential schools, journey times will be dependent upon attendance at the school deemed to meet their special educational needs and may exceed the expected maximum.

7.5. Passenger Assistant provision

For children with special educational needs (SEND), the provision of a Passenger Assistant will be individually determined. Where it is determined that a child does require a Passenger Assistant that requirement will be reviewed on an annual basis.

7.6. Special Facilities in Vehicle

No special facilities will be included in transport arrangements unless individual special or medical needs determine otherwise. These may include tail lifts or ramps for wheelchairs, a facility to restrain wheelchairs to the floor of the vehicle and for securing wheelchair occupant.

7.7. Passenger Assistants

7.7.1. The School Transport Team shall provide a Passenger Assistant, if required, on home-to-school transport organised for children with special educational needs and disabilities. All Passenger Assistants will have an “enhanced” DBS disclosure and carry an identification badge at all times.

7.7.2. The provision and allocation of Passenger Assistants to individual routes will be reviewed at the beginning of each academic year and at other times when the need arises. In all cases the final decision lies with the School Transport Team.

7.7.3. Passenger Assistants are responsible for the care, supervision and reasonable behaviour of children whilst being transported to and from school in line with the school behaviour policy and should oversee the children’s conduct and safety in such a way that the driver is unhindered in his or her duties. They will not be expected to leave a vehicle to collect a child from the child’s home or leave a child unsupervised in a vehicle. It is the parent/carer’s responsibility to accompany their child to and from the vehicle.

7.7.4. Should a Passenger Assistant find a parent not at home when the child is taken home, the child may be taken to an alternative provision and it will be the responsibility of the parents to collect the child.

7.7.5. Should a parent/carer not be at home to collect a child on more than one occasion, this will be viewed as a serious safeguarding concern and may be escalated further.

- 7.7.6. Guidance and training including emergency aid, shall be provided to Passenger Assistants by the local authority. Passenger Assistant will not normally administer medicines. An ambulance will be called in emergencies.
- 7.7.7. It is the responsibility of the Passenger Assistant to report, immediately, to the School Transport Team any irregularities or changes concerning the operation of the home to school transport route on which they are travelling.

7. 8. The council's commissioned transport will not be provided:

- To access breakfast or after school clubs, including out of school activities.
- To and from work experience placements, taster or open days, or transition visits.
- To any provision off the school site organized by the school.
- To a relatives/parent/carers place of work.
- **To two or more addresses. Transport is provided to the main residence, typically where the child is registered with a GP. This also applies to parents who have joint custody, single parents, parents with work commitments.**
- For transfers between educational establishments during the school day.
- To and from medical, dental, psychiatric, speech therapy or similar appointments.
- Following detention or suspension from school.
- At times to suit the convenience of family arrangements.
- For late arrivals or early departures, for example in the event of the child or pupil becoming ill.
- For those whose level of attendance is a cause of concern and there is no eligibility for transport under the SEN criteria.
- For pupils on exchange visits.
- Where there are outstanding unpaid parental contributions.

8. PERSONAL TRANSPORT BUDGETS

8.1 A Personal Transport Budget is discretionary. In order to qualify for a Personal Transport Budget a pupil must satisfy the following criteria from the date of application:

- The child must have an EHC Plan, or be assessed as requiring additional assistance by the Transport Panel
- There is no suitable transport running in the area so that the daily cost of the budget is less than the cost of transport to the Council.

Personal Transport Budgets will generally be paid monthly based on the rate agreed by the Council. Payments are based on school attendance and are not back dated if applications are received after the start of the term or late.

Where there is more than one pupil resident at the same property requiring travel assistance only one Personal Transport Budget payment will be made. The amount payable is not per pupil but to assist in the cost of transporting all eligible children to school in one journey.

PLEASE NOTE: this payment assumes that the child will attend school regularly in order for this payment to continue. Any long-term absence will result in a corresponding deduction in any future termly payments and/or a request for repayment to the Council, as deemed appropriate in the circumstances. Difficulties in paying the parental contribution should be discussed with the debtors team or, if applicable, the Social Worker.

9. YOUNG PEOPLE WITH SEND.

- 9.1. Children and young people over compulsory school age with an Education, Health and Care Plan attending provision may be provided with transport in line with the authority's policy for Post 16 Transport as set out in Section 8. This includes children over compulsory school age, from 16 to 25 years, and up to 25 years of age in some cases with Special Educational Needs and Disabilities.
- 9.2. If it is decided during the assessment or review process that transport is necessary to meet the young person's needs, this should be clarified but will not normally be included in the Education, Health and Care Plan. The Code states that it should only be in the plan in exceptional circumstances.
- 9.3. In exceptional circumstances, travel assistance to an establishment outside the city may be considered, but only where it is determined that the course studied cannot be offered and meet the medical needs of the student in a local setting.
- 9.4. There is no requirement for the Authority to provide this transport free of charge. An annual charge will be made, at a rate determined by the Council, to contribute towards the cost of providing the transport.
- 9.5. Where a college has several sites at which the student is required to attend, transport will be provided to one designated site agreed between the Council and college. Any inter-site transfer will be the responsibility of the college to provide.
- 9.6. The Post-16 Transport Policy is reviewed annually.

10 FURTHER INFORMATION

10.1. Contacts

The School Transport Team will advise parents of children who are being transported, of the name and telephone number of the contractor (if applicable), the name of the Passenger Assistant (if applicable) and the name and office telephone number of the contact in the School Transport Team organising their child's transport.

- 10.2. **Parental Responsibility** Should a child be unable to walk, it is the parent/carer's responsibility to carry their child or take a wheelchair between their home and the vehicle. If a child is deemed to require a Passenger Assistant on a journey then it is the parent/carers responsibility to ensure that the child is taken to and met from the vehicle.

- 10.3. **Independence Training** As part of a child or young person's independence training for adult life, schools will encourage pupils and students to travel to school independently. Sometimes this will be done with external support. This will be done in consultation with the parents and will be kept under constant review.

Where a child/student does move to independent travel they will be entitled to receive a free bus pass.

10.4. Short Breaks

Some children with special educational needs and disabilities (SEND) for whom transport is being organized are allocated a short break away from home. The necessary transport to and from school from the placement (instead of home) may be arranged by the School Transport Team. It is the responsibility of the child's social worker to make the initial referral so that arrangements for transport can be arranged. Short breaks are considered separately and considered outside of this published policy.

10.5. Home-to-School Transport Contract Length

Home-to-school transport contracts for children with special educational needs will be reviewed regularly, based on the demands on the service. Although it is accepted that continuity of a home to school contractor is good practice; it is very rare that a contract route remains constant for its full period. Changes may need to be made to either the contracted route, or the contractor, or both.

There may be changes to a driver, Passenger Assistant, contractor or vehicle type on occasions, but these will be kept to a minimum.

- 10.6 All drivers and Passenger Assistants are assigned by the transport team based on the demands on the service and specific staff are not available by request from a parent.

SECTION 3 – TRANSPORT FOR YOUNG PEOPLE OVER 16 YEARS OF AGE

11. INTRODUCTION AND LEGAL BASIS

- 11.1. Local authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or otherwise that the authority considers it necessary to make, to facilitate the attendance of all persons of sixth form age receiving education or training.
- 11.2. This duty is set out in Section 509AA of the Education Act 1996, and the intention is twofold:
- ensure that learners of sixth form age are able to access the education and training of their choice,
 - ensure that, if support for access is required, this will be assessed and provided where necessary.
- 11.3. Hull City Council aims to ensure that there are no barriers to accessing education and training opportunities to students of sixth form age resident in Hull (and up to 25 years of age in certain circumstances).
- 11.4. Hull is a geographically small city with a wide range of education and training providers providing adequate access for almost all post-16 learners. There are commercial public service buses available across that will meet the needs of nearly all learners. The bus companies (mainly EYMS and Stagecoach) offer a range of discounted fares. Details will be on the websites.

11.5. Eligible Providers

The authority does not differentiate between providers or institutions in its arrangements. The arrangements provide for learners of sixth form age who are engaged in learning or training at:

- a school or academy
- a further education or sixth form college
- an authority maintained or assisted institution providing higher or further education
- an establishment funded directly by the Education Funding Agency
- a learning provider that is funded by the local authority to deliver accredited programmes of learning which lead to a positive outcome.

11.6 Colleges and sixth form providers can offer support to students including 16-18 bursary funding. This could be in the form of subsidies or travel cards. Learners will need to contact the provider for details of their schemes.

11.7 As it is not a statutory requirement that transport assistance is provided to post-16 students, the authority expects most young people of sixth form age to manage their own transport needs to school, college or provider, including the costs of this. The first place a young person should look to for financial support should be the establishment attended.

11.8 Young people aged over 16 years with special educational needs and disabilities

Support is available to young people who have Education, Health and Care Plans aged 16-19 years (up to 25 in certain circumstances).

It should be noted that there is a charge for this transport, which is reviewed annually.

11.9 Student who begins a continuous course of learning before their 19th birthday can continue to receive transport assistance for the duration of the course where they meet the eligibility criteria. Where a course begins after a student reaches 19 years of age, the student must seek transport assistance through Adult Social Services

11.10 Young People with Exceptional Circumstances

Any young person, particularly a vulnerable young person or one at risk of social exclusion, can apply for assistance with travel using the Exceptional Needs Travel Assistance Request form. All applications for assistance will be considered on their individual circumstances and needs.

It should be noted that there is a charge for this transport, which is annually reviewed.

12 APPEALS

There is no appeal against the charge which is set annually by the Council based on the cost of public transport around the city.

SECTION 4 – ADDITIONAL INFORMATION

13. REMOVAL OF TRAVEL ARRANGEMENTS

- 13.1. The Department for Education (DfE) Guidance for Schools on SCHOOL DISCIPLINE AND BEHAVIOUR POLICIES states that schools have a statutory power to regulate the behaviour of Children when off school premises.
- 13.2. Any incidents on home to school transport must be reported by the operator/Passenger Assistant to the School Transport Team at the earliest opportunity, the School Transport Team will then in turn contact the school.
- 13.3. The local authority may consider immediate withdrawal of the provision of travel assistance where it is considered that a child has demonstrated any of the following:
- use of threatening or violent language
 - damage to the vehicle.
 - Risk of harm to self or others including;
 - Absconding
 - Opening the door while vehicle is moving
 - Inappropriate use of electronic devices
- 13.4. The withdrawal of travel assistance will be either:
- Temporary – this is defined as a specified based on the nature of the incident, or
 - Permanent – specified by the nature of the incident and defined as the remainder of the school year.
- 13.5. The withdrawal of travel assistance (either temporary or permanent) for a particular child shall not imply that travel arrangements were not necessary and should not be provided. The withdrawal would be saying travel arrangements were necessary and had been made, but that the child's behaviour was such that they cannot take advantage of it.
- 13.6. Parents/carers will be informed of any such incident outlining any action to be taken. If a child causes damage on a vehicle this could result in the requirement to pay for any damage caused.
- 13.7. The local authority recognises the obligation of home to school contractors to the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990. However, it feels that on no account should a child be put off a vehicle at a point other than the child's school or normal set down point.
- 13.8. Parents/carers who do not demonstrate respect for staff and other passengers can have the offer of commissioned transport withdrawn.
- 13.9. Nothing in this policy prevents the operator of a commercial service excluding a child if they demonstrate poor behaviour as set out above.

14. APPEALS

- 14.1. Any parent/carer who makes an application for free travel assistance under the provisions set out in the Council's Policies and that application is refused will have the right to appeal the decision.
- 14.2. The appeal procedure is set out below.
- 14.3. The parent/carer will be requested to submit a Stage 1 letter of appeal within 20 working days together with supporting evidence if applicable outlining the grounds for appeal. The appeal should be on the basis of:
 - Entitlement
 - Distance measurement
 - Route safety
 - Consideration of exceptional circumstances (Section 4)
- 14.4. Upon receipt of a written letter of appeal explaining the exceptional circumstances as to why the Authority should consider providing assistance with transport outside of policy (together with any supporting evidence), the matter will be presented to a more senior officer not involved with the original decision.
- 14.5. The senior officer will review the decision and respond to the parent/carer within 20 working days of receipt of the appeal. If the appeal is rejected at this stage the response will be provided explaining the reasons for the rejection.
- 14.6. If the applicant remains unsatisfied, there can be a Stage 2 appeal to an independent panel to determine whether support will be provided. This appeal must be submitted within 20 working days of receipt of the Stage 1 rejection letter.
- 14.7. The documentation including the reasons for the original refusal and any further information will be presented to an independent panel that will consist of Councillors who have had no involvement in the decision making so far. This review will take place within 40 days of the Stage 2 appeal being submitted.
- 14.8. The decision will be either to uphold the original decision and not to provide free travel assistance, or to reverse the original decision and provide free travel assistance will be sent within 5 working days of the panel's consideration.
- 14.9. Parents will be advised of the possible escalation to the Local Government Ombudsman or Department for Education in relevant circumstances.

15. USEFUL CONTACTS

SEN Transport Coordinators Hull City Council	Festival House 98 Jameson Street, Hull, HU1 3JJ Tel (01482) 615108 Website: www.hull.mylocaloffer.org
School Admissions Team Hull City Council	The Guildhall, Alfred Gelder Street, Hull HU1 2AA. Tel (01482) 613857 Website: www.hull.gov.uk
Hull City Council	Tel: (01482) 300300 for general enquiries

15.1. Post-16 learning provider contact details for Hull and the East Riding can be found on at www.logonmoveon.co.uk/

16. POLICY HISTORY

Implementation:

Updated: January 2025

The information in this document can be made available in other formats (large print, audio, digitally and Braille as appropriate) and different languages. Please telephone 01482 300 300. Textphone users please telephone 01482 300 349.