

Home to School Transport Policy for children and young people with special educational needs and disabilities.

2013/14

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1 – Principles

The purpose of this document is to explain Lancashire County Council's policy and provision for Home to School transport for children with statements of special educational needs and disabilities (SEND).

This document should be read in conjunction with the Home to Mainstream School Transport Policy 2013/14 and the Post 16 Transport Policy 2013/14 which outline the general Home to School Transport principles which apply to all children and young people.

2 - Legal Framework

Under section 508 (B) of the Education Act 1996 we must provide free transport to and from school for your child if they are aged 5 to 16 and they live outside the legal walking distance between home and the nearest suitable school.

Free home to school transport assistance will be provided to children of compulsory school age if they attend the nearest suitable school or residential provision and they live:

- more than two miles from home for a child aged under 8 ;
- more than 3 miles from home for a child aged 8 or over

If your child is entitled to free school meals or you receive the maximum amount of Working Tax Credit, you are defined in law as being on a low income.

If you have a low income and your child is at primary school, we must provide free transport to and from school if they have to walk two miles or more to their nearest school.

For children aged between 11 and 16 from a low income family there is an entitlement to transport to their three nearest schools provided they are between 2 and 6 miles from home.

In addition low income families will be entitled to free transport to their nearest school based on religious preference between 2 and 15 miles from home.

The duty applies to home to school travel arrangements at the start of the day, and school to home travel arrangements at the end of the day. It does not relate to travel between educational establishments during the school day, medical appointments, collection from school due to illness, parental attendance due to meetings or extended school clubs.

In respect of young people of sixth form age Section 509 (AA) of the Education Act 1996 (as amended by Section 83 of the Education and Inspections Act 2006) places a duty on local authorities to prepare and publish an annual Transport Policy statement that provides information about the transport support that is available to

enable students of sixth form age to attend places of learning, including those with SEND.

For the purposes of transport support a person receiving education or training at an establishment is of sixth form age if he is over compulsory school age but-

- a) is under the age of 19, or
- b) has begun a particular course of education and training at the establishment before attaining the age of 19 and continues to attend that course.

Whilst there is no specific duty to provide any transport assistance for post 16 learners the legislation recognises that a local response to transport arrangements is important in enabling young people's participation in education and training.

3 - Entitlement

Lancashire County Council will generally consider applications for Home to School Transport when the child is in receipt of a Statement of Special Educational Needs and young people with LDD who have a S139a Learning Difficulty Assessment. The Inclusion and Disability Support Service SEND Integrated Assessment Team will deal with Home to School Transport applications and entitlement decisions as part of the placement process.

Transport assistance will be provided to compulsory age children to the designated or nearest appropriate school mentioned in the statement of special educational needs if the child lives further than the statutory walking distance from the school. Parents are advised to think carefully about how their child is going to get to the school they prefer, unless it is the designated or nearest school.

Parents will be made aware of transport issues as part of the statementing process and particularly during transition review meetings.

Nearest appropriate school

Where a special school or a special unit within a mainstream setting is named by the Local Authority on a child's Statement, that school will be deemed to be the child's nearest appropriate school for the purposes of a request for transport.

Children attending a mainstream school

A child whose Statement of SEN indicates that his or her needs may be met at a mainstream school must meet the same eligibility criteria for transport support that apply to all children attending mainstream schools, unless they are unable (by reason of disability or medical condition) to walk the specified walking distance for their age.

Children unable to walk to school by reason of their special educational need, disability or mobility problem

The Authority must provide transport assistance to children who could not reasonably be expected to walk the statutory walking distance to their nearest suitable school because of their SEN, disability or mobility problem. Cases are

considered on an individual basis and medical evidence is required before transport assistance is agreed.

The decision to provide transport

It is important to bear in mind that the decision to provide transport is based on the pupil's needs. This means that Lancashire County Council are not able to take the following into account when considering home to school transport entitlement;

- Parents' work or other commitments.
- Attendance by siblings at other schools.
- If a parent chooses to send their child to a school that is not the nearest appropriate school to the home address.
- A journey from one educational establishment to another.
- Ad hoc visits to other schools, colleges or other establishments.
- Out of hours clubs (breakfast club, after school activities)

In these instances, transport arrangements will be the sole responsibility of the child's parent or carer.

The provision of transport will be reviewed as part of the annual review of the statement of special educational needs.

4 - What transport support will be put in place?

The Council will seek to set out clear criteria for the provision of transport and passenger assistant services by assessing your child against a transport banding framework as set out at Appendix A.

In making a judgement about which transport band should apply the Local Authority will consider:

- a. age and maturity of the child
- b. ability and aptitude of the child
- c. any special educational needs
- d. the type of vehicle the child is travelling on
- e. the length of the journey
- f. whether the child is physically able to walk the distance from home to school or from home to an agreed pick up point
- g. whether the child needs to be accompanied and whether it is possible for the child to be accompanied.

Suitable transport support to enable eligible children and young people to get to school or college may involve your child receiving a travel pass together with assistance to access the public bus network or could be the provision of a contracted vehicle (such as a taxi or minibus) to and from an agreed pick up and drop off point.

To support the assessment process Inclusion Disability Support Service SEND Integrated Assessment Teams will work in partnership with the school to identify each child's individual transport needs.

We will also provide opportunities for you to tell us about anything important regarding your child's travel arrangements during the annual review so we can try and take account of it when planning what the transport arrangements will be.

Where it is considered that your child cannot travel with other pupils or where a 1:1 passenger assistant is required this will only be provided where there is substantial evidence that demonstrates a child may be at risk, or may pose a risk to others on the same route. Any request for individual travel or an individual passenger assistant must be supported by detailed evidence that demonstrates the risk to themselves and/or others.

All Home to School transport is allocated on an annual basis with a review of the transport banding taking place before the start of a new academic year. Parents and Carers will be involved in a discussion regarding the ongoing suitability of the existing transport arrangements, during the review of the child's statement of educational needs.

The Council will promote, encourage and actively support young people to travel independently where appropriate and may provide support and training through an independent travel training programme.

5 - Travel Times

Home to school transport will be arranged so as to be as non-stressful as possible.

When we are arranging home to school transport, we will try to make sure that your child does not have to travel for more than:

- 45 minutes if they are at primary school: or
- 75 minutes if they are at secondary school or in Post 16 education.

These are one-way journey times.

In some circumstances it may be necessary to increase this timeframe where special schools are concerned, particularly where children are placed outside of Lancashire's borders or where children are placed some distance from their home.

6 - Pick-up and Set-down points.

Parents are responsible for their children's safety in getting to and from the pick-up and set-down point. They are also responsible for their children while they are waiting for transport and when they leave the transport at the end of the day. Parents are advised not to leave their children unattended while waiting for a vehicle in the event that the vehicle does not arrive.

Parents will be advised of the arrangements for the transport provided. The time given is the departure time at any given pick-up point. Children should be ready for collection at their scheduled pick up point at least five minutes before the scheduled departure time to ensure that they do not miss their transport.

7 - What if a child needs to go to a different address?

All home to school transport is arranged on the basis of an agreed pick up and drop off point. If a child needs to go to alternative address in an emergency or there is a permanent change to a pick up or drop off point this can only take place if authorised by the Inclusion Disability Support Service SEND Integrated Assessment Teams and the alternative address has been agreed in advance of the journey taking place.

8 - Reimbursement of Mileage.

Where a child has been assessed as entitled to transport, parents who are willing to drive their children to school themselves may, in exceptional circumstances, opt to receive a mileage allowance instead of transport being provided by the Council

The mileage allowance is based upon the mileage to and from the school and based on a standard rate for one trip each way per day. Parking, subsistence and other costs will not be met.

If a parent chooses this option, the SEND Integrated Assessment Team can advise on the process for claiming. No arrangements are currently in place to pay a mileage rate in lieu of transport where a young person uses his or her own bicycle as transport to and from education.

9 - What happens when my child turns 16?

The Local Authority has a duty to encourage, enable and assist participation of all young people with learning difficulties and/or disabilities up to 25 years of age. However, there is no automatic entitlement to free home to school transport if your child is over 16 at the beginning of the academic year (1 September).

Generally young people who may qualify for transport support will be those young people who continue to hold a statement of special educational need, those who were in receipt of a statement of special educational need during compulsory education and those with a S139a learning difficulty assessment.

Eligibility will be based on the same legal walking distance criteria as eligible children of compulsory school age and be subject to an assessment against the transport banding framework.

Post 16 Education – Students with special educational needs.

Travel assistance will be considered to the nearest school with post 16 provision which offers an appropriate course. An appropriate course is one that enables the young person to meet his or her employment objectives, or is specifically designed to meet the student's special educational needs. The following conditions also apply;

- a. The young person continues to hold a Statement of Special Educational Needs maintained by the local authority.
- b. The young person is under 19 years of age when they start their course.

- c. The distance between the young person's home and the school is more than 3 miles.

Post 16 Education – Young People with LDD who have a S139a Learning Difficulty Assessment attending general FE colleges or 6th form colleges.

Consideration for transport support for this group of young people is provided through Lancashire's Young Peoples Service. Transport will be considered to the nearest college or 6th form offering an appropriate full time course as identified in the S139a Learning Difficulties Assessment. The following conditions also apply;

- The young person is under 19 years of age when they start their course.
- The distance between the young person's home and their sixth form college is more than 3 miles.

Home to School transport assistance will be considered for young people of sixth form age who are attending their nearest suitable school within the statutory walking distance if they could not be reasonably expected to walk there by reason of their SEN, disability or mobility problem. Cases are considered on an individual basis and medical evidence is required before transport assistance is agreed.

Where a young person is able to access and use the public transport network safely they will be expected to do so. Where appropriate, passenger assistant support will be provided, for a period of time, to support a young person develop independent travelling skills.

No assistance will be provided under this policy for a student who is aged 19 or more when he/she begins a course of further education, a student attending a part time course (less than 12 hours) or a student undertaking a higher education course.

Attendance at a school or college outside Lancashire.

If a student chooses to undertake a full-time further education course at a school or college outside the County, travel costs will only be met if the school or college attended is the nearest one providing the course and the journey is three miles or more. If a place is available on a comparable course at a Lancashire school/college, travel costs will be met to whichever establishment is the nearer.

10 - Passenger Assistants

There is no specific duty on the Council to provide passenger assistants for children carried on home to school transport. However, fulfilling a duty of care to passengers and others may involve the provision of a passenger assistant.

A passenger assistant may be provided to accompany a child with significant needs arising from a medical condition or a disability and where there is an exceptional need for care or supervision. The decision on whether to provide a passenger assistant will be made as part of the transport banding assessment taking a number of factors into account. Such factors may include information relating, but not limited, to;

- Medical issues.

- Health and safety related issues, including risk to self or others.
- The child's mobility.
- Any challenging behavior arising from the child's SEN
- Where a passenger has severe learning or physical difficulties, the need for continual care and supervision.
- Age and capability
- Length of journey
- The vehicle type and size.

A 1:1 passenger assistant will only be provided where there is substantial evidence that demonstrates a child may be at risk, or may pose a risk to others on the same route, if they travel without supervision. Any assessment for an individual passenger assistant must be supported by detailed evidence that demonstrates the risk to themselves and/or others.

In exceptional cases and where a child has a severe medical condition that requires support during transportation, professional medical support may be provided. Any assessment for this level of support must be supported by detailed evidence that demonstrates the risk to the individual.

Where a passenger assistant is provided, he or she will:

- Travel with the child from an agreed pick-up point to an agreed drop-off point.
- Assist with entry to and exit from the vehicle,
- Ensure, as far as reasonably practicable, a safe journey for the child and other passengers.
- Provide a caring environment whilst on the vehicle.
- act as an extended communication channel between home, the transport service and school.

A passenger assistant may supervise more than one child on a journey, consistent with providing the appropriate level of service for each individual while they are on the vehicle.

First aid may only be given by a passenger assistant trained to do so. A passenger assistant will only administer any form of medication in an emergency, and only to a child who has a known medical condition and has the appropriate medication or specific instructions with them; and then only when the passenger assistant has been specifically trained to administer the medication or appropriate intervention.

Parents must provide details of all up-to-date information regarding the child's needs. Once transport with a passenger assistant has been arranged, parents must provide full details of any changes in the child's need and circumstances, including any information specific to the journey in writing to the IDSS SEND Integrated Assessment Teams.

11 - Route Reviews

Over a period of time the children and young people travelling to a school changes – some children will leave and new children will join. Sometimes the needs of the children travelling also change.

Our transport teams regularly review transport operators and individual transport routes to make sure that they meet the needs of the children travelling as much as possible, as well as delivering best value for public money.

Consultation with parents will not take place as part of a route review. This is to enable route reviews to be carried out in a timely and efficient manner and to avoid raising parental expectations that preference for a particular form of provision will override the cost-effectiveness or efficiency. However, where a child's special educational needs indicate that he or she is particularly sensitive to change, the impact of any proposed change will be considered. This may involve discussion with the school or the parent.

Parents may receive notification at any time that the type of transport provision for their child's school transport is to be changed as a result of a review. Changes may involve:

- Changes to the contractor employed.
- Changes to Passenger Assistant provision.
- Changes to timings.

Notice will be given of changes wherever possible, but some may need to be made at very short notice, for example as a result of termination of a contract with a vehicle operator or sickness.

12 - Appeals

Parents or students can appeal against a decision not to provide transport or against the detailed arrangements made, if they feel there are exceptional circumstances.

The Student Support Appeals Committee will consider any written information you give them to support your appeal, but they will not allow you to give your information in person. The Student Support Appeals Committee decision is final, unless there is some significant change in your circumstances which means we should reconsider the appeal.

Appeal forms are available from local area education offices or downloadable from the council's website.

Appendix A

Transport Banding Framework

Band	Indicator	Specification
T1	Child/young person can travel independently eg: walk, public transport, parent drop off.	No transport required. No passenger assistant required.
T2	Parent can transport child/young person using own transport in exchange for payment at appropriate mileage rate..	No transport required. No passenger assistant required.
T3	Child/young person is developing independent travel skills.	No transport required. Passenger assistant support required.
T4	Child/young person is able to access dedicated transport at designated pick up/drop off points.	Transport in a suitable vehicle provided. No passenger assistant required.
T5	Child/young person is able to travel with selected other pupils without supervision.	Transport in a suitable vehicle provided. No passenger assistant required.
T6	Child/young person is able to travel with selected other pupils. The level of need may require intervention/supervision from a trained passenger assistant.	Transport in a suitable vehicle provided. Passenger assistant provided.
T7	Child/young person is not able to travel with other children or young people but can travel without supervision. Appropriate evidence must be submitted to support the need for individual travel.	Individual travel in a suitable vehicle provided. No passenger assistant required.
T8	Child/young person is not able to travel with other children or young people. The level of need may require intervention/supervision from a trained passenger assistant. Appropriate evidence must be submitted to support the need for individual travel	Individual travel in a suitable vehicle provided. Passenger assistant provided.
T9	Child/young person has complex medical needs that may require possible specialist intervention in transit. Appropriate evidence must be submitted to support the need for specialist transport.	Specialist transport provided. Appropriately trained passenger assistant/medical support required.