

# Home to School & Post 16

## Transport Policy

2022/2023

Our vision:

*All York children and young people travel  
to their place of learning as independently as  
possible*

This policy only applies to Children and Young People who are ordinarily resident in the City of York Council area

# Introduction

1. This document sets out City of York Council's policy for providing appropriate home to school travel support for eligible children and young people living in York.
2. The Council is under statutory duties to ensure that suitable travel arrangements are made, promoting the use of "sustainable travel and transport" and where necessary, to facilitate an eligible child's attendance at school. This policy covers those duties under Section 508A and 508D of the Education Act 1996 and subsequent amendments. An eligible child is one of statutory school age, which is aged 5 to 16.
3. City of York Council's ambition is that every child and young person in the city achieves their full potential by raising expectations and achievement, enabling enriching experiences and supporting them on their journey to independence.
4. The Council would like as many children and young people as possible to be able to travel independently to/from school. Travelling independently develops key life skills and leads to increased educational, social and employment opportunities in adulthood, as well as improving health outcomes and contributing to sustainable travel in the city.
5. This policy supports the Council's priorities to ensure a better start for children and young people, good health and wellbeing and a cleaner and greener city for all.
6. Under Section 509, it is important to note that the law does not treat children with SEN differently from other children in relation to the duties imposed under this legislation.
7. It is the Council's responsibility to provide appropriate and sustainable term-time home to school travel support, as set out in this policy, for eligible children and young people living in York.
8. The Council will take into account all information provided in support of applications for travel support.

9. Parents and carers are responsible for:
- Ensuring their child/children attend school promptly and regularly.
  - Meeting other travel support needs including travel to/from work experience placements, extra-curricular activities or any other arrangements they may enter into with their child's school.
  - Informing the Council promptly of any changes which may affect travel support eligibility or transport arrangements, for example due to temporary illness or change of address (the Council reserves the right to suspend transport provision where it is not informed of any changes to arrangements).
10. Where parents choose to send their child/young person to a school other than their nearest qualifying school or nearest school suitable to meet their needs, they are likely to be responsible for making their own arrangements to home to school travel

11. This policy document is divided into the following parts:

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5. 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.

6. The following points apply to all parts of the policy that follows, unless stated otherwise below.

a. Transport other than home to school

The local authority's duty to provide home to school transport does not extend to other transport requests including:

- Work experience placements
- Ad hoc visits to other schools, colleges or other educational establishments
- To attend school outside of the normal school hours
- Breakfast and after school clubs
- Educational provision planned for weekends or bank holidays
- Collected, or taken to any other address, other than the pupils' place of ordinary residence or designated bus stop.

b. Journey Times

Home to school transport will be arranged to be as quick and non-stressful as possible. Under normal circumstances, the maximum journey time will be no longer than 45 minutes for primary aged pupils and 75 minutes for secondary aged pupils. In some circumstances, it may be necessary to increase this timeframe.

c. Collection and Drop-off Points

Where appropriate, parent/carers will be expected to take their child to/from a pick up/drop off point.

# A. Home to School Transport for Children attending a Mainstream School and those on a low income

## 1 Statement of Intent

The purpose of this policy is to support the attendance at qualifying schools of eligible children who are of statutory school age by the provision of free transport.

## 2 Meanings

### 2.1 Qualifying schools are:

- a. community or voluntary schools;
- b. pupil referral units;
- c. Academies or Free Schools

A qualifying school also includes places other than a school at which a pupil might receive education under section 19(1) of the Education Act 1996.

### 2.2 Eligible children are:

- a. children who cannot reasonably be expected to walk to their catchment area school because of the unsafe nature of the routes;
- b. children who live more than 2 miles (using the shortest, safe walking route) from their catchment area primary school;
- c. children who live more than 3 miles (using the shortest, safe walking route) from their catchment area secondary school;
- d. children entitled to free school meals, or whose parent/carers are in receipt of their maximum level of Working Tax Credit, who are aged 11 to 16 and attend one of their three nearest qualifying schools, which is above 2 miles but less than 6 miles from their ordinary place of residence.

### 2.3 Distance is measured by:

- a. shortest, safe walking route for options (a), (b) and (c) in paragraph 2.2 above (using the GIS mapping tool which shows all known safe walking routes in the City of York area. This is the same system used by the

admissions team to determine home to school distances when allocating school places.

- b. shortest distance by road for option (d) in paragraph 2.2 above (using google maps).

## 2.4 Safe Walking Routes

In assessing the safety of a route, the Council is required to carry out an assessment of the risks a child might encounter along the route and will consider such factors as:

- The age of the child.
- The width of any roads travelled along and the existence of pavements.
- The volume and speed of traffic travelling along any roads
- The existence or otherwise of street lighting.
- Rivers, ditches, speed of traffic and fields of vision for the pedestrian or motorist.
- The condition of the route at different times of the year, at the times of day that a child would be expected to travel to and from school.
- Whether any potential risks might be mitigated if an adult accompanied the child.

If a route is determined to be unsafe, the council will then consider the next available walking route, which might be under the statutory walking distance.

## 2.5 Ordinary place of residence – Home Address

The child's home address will be deemed the residence where they live with their parent/carer. Where there is joint residence, we will only offer transport assistance to the address;

- which you applied for a school place from
- The address at which your child spends most of their school days
- The address that you give your child's doctor, dentist etc.

## 3 Travel arrangements

- 3.1 Travel arrangements are those provisions made by the local authority for children to receive free home to school transport.

- 3.2 The duty to provide free home to school transport will be for the journey at the:
- a. start of the school day; and
  - b. end of the school day.
- 3.3 The school day is deemed the session times as approved by the governing body or academy trust of the qualifying school.
- 3.4 Nothing in the travel arrangements made for any child shall be for any travel between education institutions during the school day. Where a child moves from one establishment to another, in order to receive education that cost will fall to the school to pay.
- 3.5 Travel options, which will be considered by the local authority, include:
- a. cycle allowance and/or assistance with the purchase of a bicycle; or
  - b. a personalised transport budget; or
  - c. a pass to enable travel on a public bus or train service; or
  - d. a seat allocated on a dedicated contracted home to school transport vehicle (bus, taxi, mini-bus).

#### **4 Provision of free travel**

- 4.1 Children who cannot reasonably be expected to walk to school.
- a. Where children live within the statutory walking distance of their catchment area school and it is suspected that there is no available walking route to that school the local authority will undertake a risk assessment of the route.
  - b. Where the outcome of the risk assessment is that the route is not available to the child (accompanied by the parent/carer) free travel will be provided.
- 4.2 Children who live more than 2 miles (using the shortest safe walking route) from their catchment area primary school from their ordinary place of residence.
- 4.3 Children who live more than 3 miles (using the shortest safe walking route) from their catchment area secondary school from their ordinary place of residence.

- 4.4 Children entitled to free school meals, or whose parent/carers are on a low income and are in receipt of their maximum level of Working Tax Credit.
- a. Secondary School  
Where a child has attained the age of 11 years and:
    - i. is attending a secondary school; and
    - ii. that secondary school is one of the three nearest to their ordinary place of residence; and
    - iii. that school is above 2 miles but below 6 miles from their ordinary place of residence;
    - iv. who have been allocated a place at a nearest suitable school preferred on the grounds of religion or belief where their ordinary place of residence is more than 2 miles, but not more than 15 miles from that school; they shall receive free home to school transport.
  - b. Where a child is offered a place at a school because of an independent appeal for admission to that school, the child will be eligible for free home to school transport where the conditions in paragraph 4.4(a) are met.
  - c. For pupils transferring into the school following 1 September paragraphs 4.4(a) and (b) shall apply.
  - d. The date of eligibility for paragraph 4.4(a) shall be 1 September 2022.

## 5 Eligibility

- 5.1 The assessment of a child's eligibility for free home to school transport to secondary school, will in the first instance be the 1 March for pupils transferring from primary to secondary school.
- 5.2 Once eligibility has been determined and confirmed then the pupil will remain eligible for the entirety of the school year for which the assessment is made unless the child's home address changes when a reassessment of eligibility will take place.
- 5.3 In each subsequent year the child's eligibility will be re-assessed



## B. Home to School Transport for Pupils with Special Educational Needs and/or Disabilities requiring Special Arrangements

### 1. Eligibility

1.1 The Council will make travel arrangements for:

- All children of **compulsory school age** who cannot reasonably be expected to walk to school, accompanied by their parent if appropriate, because of their special educational needs or disabilities (SEND).

1.2 Parents have the right to ask for a particular school to be named in their child's EHC plan. Where the parent's preferred school is further away from their home than the nearest school that can meet the child's special educational needs, the local authority can name the nearer school if it considers it appropriate for meeting the child's special educational needs. Alternatively, they may agree to name the preferred school but are able to ask the parent to provide some or all of the transport funding

1.3 The Council has no statutory duty to provide transport for children not of compulsory school age. Parents are expected to accompany under 5's to their Early Years provider. However, travel support may be provided for Foundation Stage 2 pupils (Reception) if they meet the SEND eligibility criteria, at the discretion of the Travel Assessment and Training Team.

1.4 For those attending the nearest appropriate (catchment) mainstream school, special school, enhanced resource provision, pupil referral unit, or where the local authority names a school where the needs of the child with an EHCP can only be met by that school and not by the nearest appropriate school, free home to school transport will be provided for full time pupils:

- From foundation stage to the end of key stage 2 where they live more than 2 miles from the school;
- From key stage 3 to the end of key stage 4 who live more than 3 miles from the school;

- Where the child is entitled to free school meals, or whose parent/carers are in receipt of the maximum level of working tax credit – and where they attend a secondary school which is one of their three nearest schools to their ordinary place of residence and the school is above 2 miles but below 6 miles from that place of residence.

1.5 Where a child does not qualify for free home to school transport under the above, free transport may be provided subject to an assessment by the local authority.

1.6 All applications will be assessed on an individual basis of need and in accordance with this policy and DfE guidance. Please note that having an Education Health and Care Plan (EHC Plan) does not in itself guarantee travel support or the type of support to be provided.

1.7 The local authority will consider the individual circumstances of the child and make a determination as to whether or not the child receives free home to school transport on a permanent or short-term basis. In making judgements about individual cases, the local authority will consider:

- Age and maturity of the child
- Ability and aptitude of the child
- Any special educational needs the child may have
- The distance involved and the safety of the route if accompanied by an adult
- Whether the child's parent/carers are disabled which would prevent them from accompanying their child to and from school
- The most appropriate transport option (please see below)
- Whether the child needs to be accompanied (use of passenger transport assistant)

1.8 Where a parent/carer chooses to send their child to a school that is not the nearest appropriate school, the authority will either:

- not provide assistance with transport in accordance with The Education Act 1996 and paragraph 4.49 of the associated SEND Code of Practice; or
- provide some assistance with transport. However, the level of assistance we will provide may be determined by the difference in the cost of provision of transport between the nearest appropriate school, and the

school of parental choice. This may result in the parent/carer having to make a contribution towards the cost of transport.

## **2. Annual Review**

2.1 Where a child receives free home to school transport it will normally be subject to a review on an annual basis and the local authority will need to make an assessment to determine future transport needs.

2.2 The local authority can determine that the provision of free home to school transport need no longer be provided.

2.3 Where the child subsequently moves address the eligibility for free home to school transport will be re-determined.

## **3 Travel arrangements**

3.1 Travel arrangements are those provisions made by the local authority for children to receive free home to school transport.

3.2 The duty to provide free home to school transport will be:

- a. for children attending a school on a daily basis will be for the journey at the:
  - i. start of the school day; and
  - ii. end of the school day.
- b. weekly residential place:
  - i. one journey at the start of the school week; and
  - ii. one journey at the end of the school week.
- c. termly residential place:
  - i. one journey at the start of each half-term; and
  - ii. one journey at the end of each half term.

3.3 The school day is deemed the session times as approved by the governing body or academy trust of the qualifying school.

3.4 Travel options that will be considered by the local authority include:

- access to the independent travel training programme (York Independent Living and Travel Skills – YILTS)
- personal transport budget
- cycle allowance and/or assistance with the purchase of a bicycle; or
- a pass to enable travel on appropriate bus or train services; or
- a seat allocated on a dedicated contracted home to school transport vehicle (bus, taxi, mini-bus)

#### **4 Provision of Passenger Transport Assistants (PTAs)**

- 4.1 A passenger transport assistant is not routinely provided. Where large numbers of pupils are travelling together or if a child has significant health or behavioural / additional requirements, a passenger transport assistant may be provided for the route or the individual child.
- 4.2 They will only be provided in exceptional circumstances. These include 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.
- 4.3 Any request for an individual passenger transport assistant must be supported by detailed evidence that demonstrates the risk to individuals or others. The evidence provided must include an up-to-date risk assessment and evidence of other strategies that have been previously applied.
- 4.4 If approved the provision of a passenger transport assistant will be subject to a continuous review by the transport team.

## C. Discretionary Home to School Transport

### 1. Exceptional circumstances

1.1 Discretionary transport may be provided in exceptional circumstances such as:

- Where a child is attending a secondary school and they move house and they are in year 10 or 11.
- Where pupils are absent from their normal place of residence for reasons beyond the control of the parent/carers, the local authority may provide transport for up to three months from a temporary address if it is beyond walking distance from the school attended. The local authority in considering the exercise of discretion will consider whether the parent/carers qualify for free school meals.
- Where a parent/carer is unable to accompany a pupil to school due to their own medical condition or disability
  - i. Evidence of a medical condition is provided from the family Doctor, though the local authority reserves the right to seek further evidence
- Where a pupil of compulsory school age lives within walking distance of school, but is unable to walk to school because of a medical condition, free transport will be considered providing:
  - ii. Evidence of a medical condition is provided from the family Doctor, though the local authority reserves the right to seek further evidence and;
  - iii. The parent/carers meet the eligibility criteria for free school meals.

1.2 Discretion is not normally exercised to support pupils who are attending a school that is other than their catchment area school. This is because transport is a parental responsibility for the whole time the child is at the preferred school.

## 2. Transitional arrangements in the event of the re-organization of school provision

- 2.1 In circumstances where the local authority proposes to re-organise school provision which involves the discontinuing of existing schools and the establishing of new schools, transitional arrangements may be made in respect of the provision of home to school transport, which may also include the provision of free transport to pupils who would not ordinarily be eligible.

## D. Removal of Free Travel Arrangements

### 1 Behaviour on SEN Transport

- 1.1 If a child/young person displays behaviour that is considered as a risk to themselves or other people, the Council will work with parents and the school to resolve these issues.
- 1.2 In exceptional cases, the Council may exercise the right to remove a child from transport provision in relation to behaviour issues, taking full account of their special educational needs or disability, as applicable. This would be a last resort; however, under these circumstances it would be the responsibility of parent/carers to ensure that their child attends school.
- 1.3 The withdrawal of home to school transport (either temporary or permanent) on 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.

### 2 Behaviour on Mainstream Transport

- 2.1 The local authority shall withdraw the provision of free home to school transport where it is considered that a child has demonstrated such poor behaviour whilst using that transport as to put at risk:
  - a. the driver of the vehicle; or
  - b. other passengers; or
  - c. used threatening or violent language; or
  - d. damage to the vehicle.
- 2.2 The withdrawal of free home to school transport will be temporary or permanent.
- 2.3 Temporary shall be a specified number of weeks and permanent shall be for the remainder of the school year.

- 2.4 Where a permanent withdrawal is imposed during the Spring and Summer terms the local authority will consider continuing imposing the withdrawal of transport for the equivalent of three school terms.
- 2.5 The withdrawal of home to school transport (either temporary or permanent) on 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.
- 2.6 Nothing in this policy prevents the operator of a commercial service to exclude a child if they demonstrate poor behaviour as set out in paragraph 2.



## E. Post-16 Transport Eligibility

### 1. Eligibility

- 1.1 There is no automatic entitlement to free or subsidised home to school or college transport once a student is over 16 and beyond statutory school age students are now required to be in education, employment or training until their 18<sup>th</sup> birthday which could involve mixing full time work with study, an apprenticeship, continuing full time in school or college, or combining part time training with volunteering. There has not however been any change to the compulsory school age and consequently there is no extension to the entitlement to free transport beyond the end of a secondary education.
- 1.2 All young people carrying on their education post 16 must reapply for travel support. 'Sixth form age' refers to those young people who are over 16 years of age but under 19 or continuing learners who started their programme of learning before their 19th birthday (years 12,13,14). Local authorities also have a duty to encourage, enable and assist young people with learning difficulties / disabilities to participate in education and training, up to the age of 25. This policy uses the term 'Post 16' to include both learners of sixth form age and those with learning difficulties / disabilities up to the age of 25. Education or training refers to learning or training at a school, further education institution, a council maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council, for example, colleges, charities and private learning providers.

## 2. Mainstream

- 2.1 For students over compulsory school age the policy of the local authority to enable a student to qualify for free transport is that they must fulfil the following conditions:
- a. the student must be aged 16 but under 19 on the 31 August 2021; and
  - b. the students' parent/carers must be in receipt of one of the following benefits:
    - i. Income Support or Employment and Support Allowance (Income-related)
    - ii. Income-based not Contribution-based Jobseekers Allowance
    - iii. Child Tax Credit with an annual household income below £16,190 and not receiving Working Tax Credit
    - iv. Support under part VI of the Immigration and Asylum Act 1999
    - v. Guarantee element of State Pension Credit.
    - vi. Universal Credit – where your annual household earnings is less than £7,400 per year
  - c. the educational establishment the student is attending is more than 3 miles using the shortest, safe walking route from their ordinary place of residence; and
  - d. the student is attending a full-time course (more than 16 hours per week) at the nearest publicly funded school, college or educational establishment to offer their course, or they are attending the school serving the catchment area where their home address is located.
- 2.2 Discretionary transport support may be considered in exceptional circumstances. Families will need to support their applications with full details including where appropriate medical documentation.
- 2.3 Assistance is normally restricted to the purchase of a bus pass on behalf of the student; however, in exceptional circumstances, other forms of assistance may be considered. The maximum

amount of assistance in any one academic year will be restricted to £500

- 2.4 For students who are not eligible for assistance under the authority's policy, can occupy seats on a concessionary basis on a vehicle contracted by the local authority for home to school transport work if places are available.
- 2.5 Services are available to Fulford School and Huntington School. Details of these services and concessionary fares can be found on <https://www.yorkpullmanbus.co.uk/school-services/home-to-school-transport-services>
- 2.6 York College and Askham Bryan College provide a transport service for its students, Details of the services available can be found on the following websites:  
<http://www.yorkcollege.ac.uk/contact-us.html>  
<https://www.askham-bryan.ac.uk/students/student-transport>
- 2.7 Information on public transport options, journey planning, and fares, is available on <https://www.itravelyork.info/>
- 2.8 Some educational establishments may offer financial support for post-16 transport provision.  
More information is available at <https://www.gov.uk/1619-bursary-fund>  
Support for young parents under the age of 20 is available via the Care to Learn scheme, more details can be found at <https://www.gov.uk/care-to-learn>
- 3 SEND – Young People with Special Educational Needs and/or Disabilities**
- 3.1 Young People previously in receipt of bespoke transport provision while at school will have their transport arrangements reviewed on transferring into post 16 education regardless of whether the student remains in a school setting or college.

- 3.2 Families will need to apply annually for Post 16 transport provision by means of completing an application form detailing the young person's additional needs. They will also need to prove their family circumstances impact on their own ability to support transport to school or college.
- 3.3 Transport support will only be considered after an assessment has taken place.
- 3.4 It is the Council's intention that subject to their needs, age and ability Young People with SEND will be expected to progress towards travel that is more independent. The Council will provide Independent Travel Training where appropriate.
- 3.5 If a Young Person has to attend a specialist residential school which cannot be accessed by daily travel, help may be available subject to the criteria set out in this policy.
- 3.6 Transport support when agreed will be based upon the most economical options available including provision of a bus pass, Personal Transport Budget or a place in a shared vehicle or a taxi.
- 3.7 City of York Council will not fund additional transport during the day, inter-site transport, work placement transport or induction/enrolment days. Any transport provision made will be limited to one outward journey and one return journey, timed for the start and finish of the school or college day.
- 3.8 Wherever possible the Council expects parents/carers of pupils with SEND to make arrangements for the Young Person to attend school/college in much the same way as for parents/carers of pupils without an Education, Health and Care Plan. This includes using public transport.
- 3.9 All decisions made concerning what assistance will be provided in helping a young person get to school or college will be based on the needs of the young person. The decision to provide help with getting a student to school or college cannot be made to fit in with parents' social or other family or work commitment

## F. Review of Decisions

- 1 Any parent/carer who makes an application for transport support under the provisions set out in the local authority's policy and that application is refused will have the right to have their case reviewed.
  
- 2 The review procedure is set out below.
  - 2.1 Stage 1
    - a. The parent/carer can ask for a review of the decision to decline their requested support for transport.
    - b. The documentation relating to the parent/carer's case will be reviewed by a Senior Officer of the local authority, who will be given the authority to review the original decision.
    - c. Where the Senior Officer upholds the original decision they will inform the parent/carer in writing and offer the right to continue to Stage 2 of the review process.
  - 2.2 Stage 2
    - a. Parent/carers can request a review by 3 elected members who will consider the appeal by means of a meeting of all parties involved including the Local Authority representative and the parent/carers.
    - b. Parent/Carers will submit a review form and any other supporting evidence to request this review.
    - c. A meeting shall be convened within 40 working days to consider the parent/carer's case based on the documentation provided.
  
- 3 The procedure for hearing the appeals shall be as follows.
  - a. Local authority representative to give evidence on the authority's decision.
  - b. Panel to ask questions of the local authority representative.
  - c. Parent/carers to ask questions of the local authority representative.
  - d. Parent/carers to give evidence in support of their appeal.
  - e. Local authority representative to ask questions of parent/carers.
  - f. Panel to ask questions of parent/carers.
  - g. Summing up by local authority representative.

- h. Summing up by Parent/carers.
- i. Local authority representative and parent/carers to retire.
- j. Panel decision.
- k. Decision to be sent in writing to parent/carers.

4 Notification of the decision made at the review will be sent to the parent/carers in writing giving a reason for the decision.

5 Nothing in this review procedure prevents parent/carers making a complaint to the Local Government Ombudsman.

# How to Apply for Transport Support including sending photos

Please follow this link:

[www.york.gov.uk/transporttoschoolorcollege](http://www.york.gov.uk/transporttoschoolorcollege)

For further information please contact us.

## Contact Details

City of York Council

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01904 551554

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