

Cabinet

25 January 2018

Home to School Transport

Recommendations

1. That Cabinet endorses the following revisions to the Home to School Transport policy.
 - That from 1st September 2019 the definition of “nearest qualifying school” is altered to include only the school closest to the pupil’s home by the shortest route with a pupil place available, in line with statutory requirements.
 - That from 1st September 2019 pupils with special educational needs and / or disabilities living within statutory walking distance receive transport assistance only if attending the nearest suitable school with a place available, and assessed as being unable to make the journey without transport assistance, even if accompanied.
 - That from 1st September 2018 free transport is no longer provided on medical grounds for students aged 16-19.
 - That from 1st September 2018 passenger assistants are provided only on vehicles carrying pupils with an Education Health and Care Plan, or in other very exceptional circumstances.
 - That the Independent Travel Training Scheme is included in the revised policy.
 - That from 1st September 2018 free transport is provided where necessary for learners aged 19-25 with special educational needs and / or disabilities in line with requirements of the Children and Families Act 2014.

2. That Cabinet endorses the following approach regarding safe walking routes.
 - That before routes are re-classified as ‘safe to walk’ any necessary measures indicated by the assessment have been put in place to ensure the safety of pupils.

- That for such re-classified routes, transport assistance is provided until a pupil changes school or there is a change in circumstances, such a change of address.

1. Context

- 1.1 Councils have a duty to publish a Home to School Transport Policy under Part IX, Chapter 2 of the Education Act 1996. This must set out arrangements that the Council considers necessary to enable the attendance of all eligible persons receiving education or training. The policy must also set out arrangements considered necessary for young people aged 19-25 with learning difficulties and / or disabilities. The policy also sets out discretionary transport arrangements made by the Council under the powers set out in the Education Act 1996.

2. Background

- 2.1 There is no universal entitlement to free travel for every learner to and from any educational establishment. Parents have a legal duty to make necessary arrangements to ensure that pupils of compulsory school age receive full time education and, if registered at a school, that they attend regularly.
- 2.2 The Council is required to provide travel assistance for eligible pupils. The criteria for eligibility are contained at Appendix A.
- 2.3 Support from the Council for travel to and from education is usually through provision of vehicle transport, but may be through other means. It may, for example, be through the provision of 'Independent Travel Training' or through covering parental travel expenses.
- 2.4 Warwickshire currently has a Transport Policy for mainstream home to school transport and a separate Transport Policy for young people with special educational needs and / or disabilities.
- 2.5 Under these policies, the Council currently provides support for eligible pupils:
- to the nearest 'qualifying school' defined as being the priority school or the child's nearest school with places available);
 - where the walking route has been judged to be unsafe for an accompanied pupil;
 - with special educational needs and / or disabilities regardless of the distance to education;
 - with medical needs from age 4 to 19, and
 - by providing Passenger Assistants on all vehicles transporting primary school age children.
- 2.6 Warwickshire is proposing to change its Home to School Transport Policy in order to:

- bring all home to school transport provision into one policy for young people up to age 25;
- update the policy in line with recent changes in legislation;
- revise non-statutory duties;
- ensure consistency across the county, and
- manage the spend on home to school transport.

2.7 Proposed changes to the Home to School Transport policy are shown in the table below.

Policy Theme	Current situation	Proposed changes
The nearest qualifying school	The priority school or the nearest school with places available	The closest school to home with a place available for the pupil, by the shortest available route
Pupils with special educational needs and / or disabilities	No distance criteria to qualify for free transport	Free transport provided within walking distance only if pupil is assessed unable to make the journey
Transport for pupils on medical grounds	Free transport is provided on medical grounds for pupils aged 4-19	Free transport provided for pupils aged 4-16
Passenger assistants	Assistants provided on all vehicles carrying pupils of primary school age	Assistants provided only on vehicles carrying pupils with an Education, Health Care Plan, or in other very exceptional circumstances
Independent Travel Training	No previous scheme	To enable some pupils who previously required individualised transport to travel independently
Post-19 learners with an Education Health Care Plan or statement of special educational needs	All post-19 learners with an Education Health Care Plan pay for transport	Learners provided with transport assistant free of charge if this is assessed as being 'necessary'.

3.0 The consultation process

3.1 A public consultation exercise ran between 7th September 2017 and 2nd November 2017. Along with the consultation document (Appendix B), the Council also made available Frequently Asked Questions (Appendix C) and Scenarios (Appendix D).

- 3.2 The statutory guidance required a wide consultation with interested parties over a period of at least 28 working days during term time. The Council completed a consultation period of 37 working days (excluding the school half term holiday). A timeline of consultation dates and venues is included at Appendix E.
- 3.3 The following stakeholders were consulted:
- parents;
 - neighbouring Councils;
 - governing bodies of education institutions and the further education sector;
 - proprietors of 16-19 Academies;
 - children and young people who could be affected when the arrangements take effect, and
 - the Secretary of State for Education.

4.0 Outcomes of the consultation

- 4.1 There were 920 respondents to the questionnaire, with all but three responding online. In addition to responses to the questionnaire, the Council received correspondence by e-mail and letter regarding specific aspects of the consultation. A report on the responses to the consultation has been produced by the Council's Insight Service. This full report has been published as a background paper and can be found on the County Council's website. A summary of that report is attached at appendix F to this report.
- 4.2 The number of responses to the questionnaire varied across the districts of the county. 30% of respondents were resident in Stratford-on-Avon, while only 3.8% were from Nuneaton and Bedworth despite additional engagement work carried out there.
- 4.3 49% of respondents were aged 30-44, with 76% of all respondents being female. 95% reported being a parent or carer, with 66% stating that they would be directly affected by one or more of the proposals. The consultation did not require respondents to state which proposal affected them.
- 4.4 In terms of responses to the specific proposals, respondents were requested to state their level of approval or disapproval for each proposal. The headline outcomes are listed below.
- 4.5 **In response to proposal regarding the qualifying school**, 61% of respondents disagreed or strongly disagreed with the proposal. 24% agreed or strongly agreed.
- 4.6 The most common theme from narrative comments (from 24% of respondents) was in relation to safety, stating it was unacceptable to expect children to walk to and from school due to safety concerns. This proposal does not relate to any reduction in transport provision, rather that transport

should be provided free of charge only to the nearest qualifying school. The second most common theme (24% of respondents) focussed on the potential for the most appropriate school for a pupil not being the nearest. This was largely in regard to children with special educational needs and / or disabilities, for whom there are additional criteria for transport assistance and in determining what is the child's nearest suitable school. The school named in Section I of a child's Education, Health and Care Plan will, unless stated otherwise, be regarded as being the child's qualifying school.

- 4.7 **In response to the proposal regarding special needs criteria**, 43% of respondents either disagreed or strongly disagreed with the proposal. 32% either agreed or strongly agreed.
- 4.8 29% of narrative responses related to the nearest school not necessarily being the most suited to an individual's needs but, as stated above, in determining what is the child's nearest suitable school, the school named in Section I of a child's Education, Health and Care Plan will, unless stated otherwise, be regarded as being the child's qualifying school. Linked to this, 18% of respondents stated that an independent assessment should be undertaken related to individual needs. The proposed change commits to an individual assessment being undertaken before a decision is made regarding the provision of transport assistance.
- 4.9 **In response to the proposal regarding post-16 medical needs**, 46% of respondents either disagreed or strongly disagreed with the proposal. 26% either agreed or strongly agreed.
- 4.10 34% of comments received stated that post-16 education is not optional, and that the proposed change was unfair and / or discriminatory. It is important to clarify that the proposal is not to remove the provision of transport, rather to charge for the transport as is the case for all others in receipt of 16-19 transport.
- 4.11 **In response to the proposal regarding passenger assistants**, 57% of respondents either disagreed or strongly disagreed with the proposal. 21% either agreed or strongly agreed. The key concern (raised by 77% of respondents) related to safety, in particular for children with special educational needs and / or disabilities. Under the proposal, assistance would continue to be provided on any vehicle carrying a pupil with an Education, Health and Care Plan, or in other very exceptional circumstances. The proposed policy change to a non-statutory provision would bring Warwickshire into line with common practice in other Councils.
- 4.12 **In response to the proposal regarding Independent Travel Training**, 31% of respondents disagreed or strongly disagreed with the proposal. 41% either agreed or strongly agreed. 41% of comments stated that individual skills and training needs should be assessed in advance of providing any Independent Travel Training. This is a central and required component of the programme.

- 4.13 **In response to the proposal regarding post-19 special needs transport,** 19% of respondents disagreed or strongly disagreed with the proposal. 43% either agreed or strongly agreed.
- 4.14 20% of comments disagreed with the proposal on the basis that it is discriminatory and that all post-19 students should receive free transport. A further 17% stated that they needed more information in order to make a judgement. Currently all post-19 students are required to pay for their transport. The proposed policy change, bringing Warwickshire in line with legislation, would mean that not all students would be required to pay for their transport and would therefore gain from the change, although where transport is not assessed as being necessary then transport assistance would not be provided.

5.0 The recommended policy changes

- 5.1 There are six proposed changes to the Home to School Transport policy. These are outlined below.
- 5.2 **Definition of ‘the nearest qualifying school’.** Currently a pupil’s qualifying school is defined as their priority school or the school closest to the child’s home address with places available. It is proposed to change the definition of the nearest qualifying school to mean solely the closest school to home with a place available for the pupil, by the shortest available route. This will be a driving route if the journey is over the statutory walking distance or a walking route if the journey is less than the statutory walking distance.
- 5.3 This current proposal is to bring consistency in all applications for transport assistance to the nearest qualifying school across the county. It is also to address the issue that many schools have very wide priority areas, and some (both academies and maintained schools) are removing their priority areas completely.
- 5.4 The proposal will bring Warwickshire into line with neighbouring authorities.
- 5.5 If a pupil is not eligible for transport assistance under the proposed criteria, they may be able to purchase a seat on a vehicle under the Council’s Vacant Seats Scheme.
- 5.6 The definition of the nearest qualifying school would continue to take into account any special educational needs and / or disabilities that a pupil may have, and of the school named in the child’s Education, Health and Care Plan, if applicable. For pupils who have achieved the relevant entry criteria for a selective school, that school would only be considered as the nearest qualifying school for transport purposes, if there are no nearer non-selective schools. This maintains the current position on both of these areas.
- 5.7 **This change would be effective for new applicants for transport from 1st September 2019.** If a pupil’s situation changes (e.g. a change of address)

and an application is made after 1st September 2019, the application would be considered under the new criteria.

- 5.8 **All new applicants from September 2019 would be assessed under the new classification system.** Existing travellers who have a change in circumstances requiring a new application would also be assessed in the same way.
- 5.9 **Criteria for pupils with special educational needs and / or disabilities.** For pupils with special educational needs and / or disabilities, all pupils attending the nearest special school are provided with free transport. It is proposed to change the policy so that transport would be provided under this criteria only if they have mobility or health and safety issues relating to their special educational needs and/or disability which means that they would not be able to make the journey to their nearest suitable school without transport assistance, even if accompanied.
- 5.10 Under the revised policy transport assistance to the nearest qualifying school would still be provided for pupils with special educational needs and / or disabilities who live outside the statutory walking distance.
- 5.11 An individual assessment based on a pupil's needs and how it affects their journey to school would be used to make a final decision as to whether transport assistance is necessary as a result of a child's mobility or health and safety issues.
- 5.12 **This would take effect from September 2019 for new applicants.** If a pupil's circumstances change, for example a change of address, the application would be assessed under the new criteria.
- 5.13 **Medical transport.** The Council currently provides free transport on medical grounds for pupils aged 4-19. It is proposed to remove the provision for free transport on medical grounds for those aged 16-19. This is currently being provided under the Council's discretionary powers.
- 5.14 Post-16 students with medical needs would still be able to access transport assistance through the 16-19 transport scheme, the only difference to current arrangements being that a charge will apply, which brings those to whom this applies in line with transport assistance for all others of this age group, including those with special educational needs and disabilities. Transport assistance may also be available under the 19-25 transport scheme if they have an Education Health and Care Plan, a learning difficulty, or a disability.
- 5.15 **This change would take effect for new applicants from September 2018.** Those who already travel under the scheme would do so until the end of their course.
- 5.16 **Passenger assistant provision.** Passenger assistants are currently provided on all vehicles transporting primary school age children. It is proposed that assistants would be provided only on vehicles carrying pupils

with an Education Health and Care Plan, or in other very exceptional circumstances.

- 5.17 Changes under this proposal would bring Warwickshire into line with statutory requirements, and with operating procedure in neighbouring Councils..
- 5.18 **This change would take effect from September 2018.**
- 5.19 ***Independent travel training.*** The Council has introduced a scheme to enable some pupils to travel independently where they were previously unable to do so.
- 5.20 Independent travel training aims to give pupils the skills they need to improve their ability to travel independently. This will enable some pupils who previously required highly individualised transport to school or college to take public transport, school buses, or potentially even to walk. As well as providing greater independence in travel to and from education, this is an important life skill that will have future benefits for the pupils involved.
- 5.21 The Council already provides independent travel training. The proposal is to guarantee this scheme by making it a component of the Home to School Transport Policy.
- 5.22 **Independent travel training is being implemented now, during the 2017/18 academic year.**
- 5.23 ***Post-19 transport for learners with special educational needs and / or disabilities.*** The Council currently provides transport assistance for learners aged 19-25 with an Education and Health Care Plan and for those with learning difficulties or disabilities. All these students have to pay for their transport.
- 5.24 To bring the Council into line with current legislation set out in the Education Act 1996 and the Children and Families Act 2014, some learners would be eligible for free transport if they meet a set of criteria which determined that it is necessary for the Council to provide transport assistance. The criteria are included at Appendix G.
- 5.25 The Council currently provides transport assistance for 138 students aged 19-25, at an average cost of approximately £5,100 per year per student. While not all of these students may qualify for free transport, it is difficult to quantify spend until those aged 19 in 2014 have completed their courses. The cost to the Council may rise above an initial estimate of approximately £300,000, but it should be noted that transport assistance will not be provided unless assessed as being necessary for the young person in question.
- 5.26 **This change would take effect for new applicants from September 2018.**
- 5.27 In addition to the above policy changes, it is proposed that the Council re-assesses routes that have been re-classified as being safe to walk.

- 5.28 Following agreement by Cabinet on 8th October 2015 walking routes have been re-assessed using national / ROSPA guidelines. As a result of this some routes that were previously designated as unsafe have been classified as being safe to walk.
- 5.29 It is proposed that all routes that have been re-classified under this system as being safe to walk are re-evaluated by the Council to ensure that all appropriate measures are in place to ensure the safety of pupils, and that a report is subsequently reported to Cabinet..
- 5.30 It is proposed that, when a route is re-classified as being safe to walk, transport assistance is provided until a pupil changes school or there are other changes in circumstances (such as a change of address), rather than withdrawing transport at the end of the academic year in which the re-classification takes place.

6.0 Equality Impact Assessment

- 6.1 A full equality impact assessment has been completed and is included at Appendix H.
- 6.2 The assessment concludes that the proposed changes to provision of transport to those with special educational needs and disabilities will have an impact on those with the protected characteristic of 'disability' as set out in the Equality Act 2010. It is however concluded that this impact is mitigated by transport assistance still being provided for those of compulsory school age when mobility or health & safety issues mean that they cannot travel without transport assistance, or when the child lives more than statutory walking distance away from the school, and there should therefore be no negative impact on those who actually require such support.
- 6.3 The possibility of transport assistance no longer being available for those aged 19 to 25 where an assessment considers that it is not necessary means a potential negative impact on those aged 19 to 25 with a disability. It is however concluded that to make such a change amounts to a proportionate means of achieving a legitimate aim of promoting independence and reducing costs to a manageable level, so long as transport assistance remains available when assessed as being necessary.
- 6.4 As some of those in receipt of medical transport may be classified as having a disability, removal of this provision is also likely to have a negative impact on those with disabilities who receive this benefit, but it will bring a small group of young people in line with all others who have a disability, and the move is therefore considered to be a proportionate means of achieving a legitimate aim.
- 6.5 Children and young people of different ages do have different entitlements under both the current and proposed policies. This is however justified by

different statutory obligations placed upon the Council for those of a different age.

7.0 Conclusion

- 7.1 It is recommended that Cabinet endorses these proposals to take effect from the dates above, and that a revised Home to School Transport Policy be written to support these proposals. The draft proposed policy is attached at Appendix J.
- 7.2 Implementation of these proposals could deliver a saving of up to £500,000 per year from September 2019. The additional cost of transport assistance for post-19 learners with special educational needs and / or disabilities would need to be taken into account against these savings. On the basis of the initial estimate in paragraph 5.26, this would result in a net saving of up to approximately £200,000 per year.

Background papers

None

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Appendices

- Appendix A – Eligibility criteria for transport assistance
- Appendix B – Document for public consultation
- Appendix C – Frequently Asked Questions
- Appendix D – Scenarios
- Appendix E – Timetable of consultation meetings
- Appendix F – Summary report of consultation responses
- Appendix G – Post-19 special educational needs and / or disabilities eligibility criteria
- Appendix H – Equality Impact Assessment
- Appendix J – Draft revised transport policy

This report was circulated to the following members prior to publication.

Councillors Dahmash, Hayfield, C.Davies, Morgan, Roodhouse and Williams

Appendix A

Eligibility for travel assistance

To qualify for free home to school transport the pupil must meet all of the criteria listed below;

A	The pupil must be resident in Warwickshire
B	The pupil must be attending their nearest qualifying school (see section 2.3) (exceptions to this rule are in section 3.3)
C	The pupil must be of compulsory school age. This includes all pupils from the start of the academic year in which they turn 5 until the end of the academic year in which they turn 16. Transport assistance is not provided to Nursery settings (exceptions to this rule are in section 3.6)
AND either D or E	
D	The pupil must live more than the statutory walking distance from their qualifying school (see section 2.4) OR have a route to school which is less than the statutory walking distance but deemed unsafe to walk (see section 3.4)
E	The pupil must be unable to walk the statutory walking distance to their qualifying school because of their special educational need, disability or mobility difficulties (subject to an assessment of their needs)

1.1 A **qualifying school** falls within one of the categories set out below:

- (a) a community, controlled, foundation or voluntary aided school
- (b) a community or foundation special school
- (c) a non-maintained special school
- (d) a PRU (pupil referral unit)
- (e) a free school
- (f) a maintained nursery school
- (g) a City Technology College (CTC), College, Career & Technology Academy (CCTA) or Academy
- (h) an independent school if named in a child's Statement of Special Educational Needs or Education, Health and Care Plan

1.2 The **nearest qualifying school** is the closest qualifying school (see 2.2) to the pupil's home address, with places available, that provides education appropriate to the age, ability, and aptitude of the pupil and takes into account any special educational needs that pupil may have.

This may not necessarily be a school in whose priority area the pupil resides.

Initially a calculation on nearest qualifying school is undertaken on the basis of what school is closest to home by the shortest available walking route with

spaces available in the pupil's year group. If there is no such school within statutory walking distance (see 2.4 for definition) then a new calculation will take place on the basis of the shortest motorised route to calculate the nearest qualifying school.

The calculation of nearest qualifying school for a pupil who has gained a place at a selective school will include non-selective comprehensive schools which provide schooling for those of all ability levels. As such transport to selective schools will only be provided if it is the nearest qualifying school to the child's home, taking into account all relevant secondary schools.

Similarly, the calculation of nearest qualifying school for a pupil who has gained a place at a faith school will include non-faith schools which provide schooling for those of all faiths. As such transport to faith schools will only be provided if it is the nearest qualifying school to the child's home, taking into account all relevant schools. The exception to this will be when the pupil is of secondary school age and qualifies under the extended eligibility criteria (see section 3.3).

The nearest qualifying school for a pupil attending a special school or specialist unit will be the nearest appropriate special school or unit that can meet their needs. Parents who choose a different school or unit will not qualify for transport assistance.

Where a special school or unit is named in the pupil's statement or EHCP because of parental preference, free transport will not normally be provided if it is not deemed to be the nearest school able to meet the pupil's needs.

- 1.3 The **statutory walking distance** is:
- (a) two miles for pupils under eight.
 - (b) two miles for pupils aged 8-16 from a low-income family (see 2.6).
 - (c) three miles for other pupils aged 8-16.

The measurement of the Walking Distance is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, may walk in reasonable safety. As such, the route measured may include footpaths, bridleways and other pathways, as well as recognised roads.

Walking Distance will be measured from the home boundary to the nearest school gate. This may not be main school gate, but may be the closest access point.

- 1.4 **Motorised Routes** are those passable by using a suitable motorised vehicle. Paths and roads not passable by motorised transport will not therefore be considered. Measurements will be made by the Local Authority's Education Transport Office using Google Maps or other appropriate measurement system used by the Local Authority at that time.

Motorised routes will be used to calculate the nearest school when there is no qualifying school within statutory walking distance of the child's home.

- 1.5 **Low-income families;** pupils shall be considered to be from a low-income family if they are entitled to free school meals, or if a parent with whom they are ordinarily resident are in receipt of their maximum level of Working Tax Credit. Proof will be required.

For pupils granted free transport on the grounds of entitlement to free school meals, or their parent's receipt of the maximum level of Working Tax Credit, eligibility will need to be confirmed during each academic year.

Where pupils are granted free school meals on a non-statutory basis, or if parents are unable to prove they are in receipt of their maximum level of Working Tax Credit, the pupils shall not be considered to be from a low-income family for transport purposes.

2 **ELIGIBLE PUPILS.**

2.1 **Background.**

Under Section 508B Education Act 1996, the Local Authority must provide certain categories of pupils with free home to school transport. This sections sets out the groups of pupils who are currently eligible for free transport.

Unless eligible under section 3.3 of this policy, pupils should be attending the nearest qualifying school to qualify for free transport (see section 2.3). Section 3 applies only to children of compulsory school age, and does not provide any entitlement to those aged under 5 or those who are 16 or over and are no longer of compulsory school age.

2.2 **Pupils living outside Walking Distance**

Statutory walking distance is a threshold which determines whether the responsibility for travel sits with the Local Authority or with the child's parent. It does not mean that pupils must walk the distance. It is the responsibility of parents who live under the qualifying distance to decide how to get their children to and from school.

Free home to school transport assistance will be available to pupils attending their nearest qualifying school, where the distance from home to school by the shortest available walking route exceeds:

- (i) Two miles for pupils under the age of 8 years
- (ii) Three miles for pupils aged 8 – 16

Where a pupil qualifies for home to school transport under the age of 8 due to the distance being more than 2 miles but less than 3 miles, transport assistance will continue until the end of the academic year in which they turn 8 years old.

2.3 **Pupils from low-income families:**

Where a pupil is considered to be from a low-income family free home to school transport assistance will be provided:

- (a) To pupils aged 8-11, attending the nearest qualifying school, if more than two miles from their home by the shortest available walking route.
- (b) To pupils aged 11-16, attending one of their three nearest qualifying schools, provided it is more than two miles (by the shortest available walking route), but not more than six miles (by motorised route) from their home.
- (c) To pupils aged 11-16, attending the nearest qualifying school which accords with the parents' religion or belief, provided it is more than two miles (by the shortest available walking route), but not more than fifteen miles (by motorised route) from their home.

Where an application for transport is made on grounds of religion or belief, the Local Authority will require written evidence to support that application. It is the applicant's responsibility to provide this information. This may include written confirmation from third parties supporting the religion or belief claimed. Providing such evidence is no guarantee of free transport, as the final decision as to whether the application meets the criteria for being based on grounds of religion or belief will sit with the Local Authority.

2.4 Pupils unable to walk in safety to school because of the nature of the route.

Where pupils live within the statutory walking distance of the nearest qualifying school, and the pupil attends that school, the Local Authority may, in certain circumstances, be under a duty to make travel arrangements.

These include where the nature of the route is such that a pupil cannot reasonably be expected to walk, accompanied as necessary, in reasonable safety (advice concerning 'accompaniment' in Appendix B), and no alternative suitable route of under statutory walking distance exists.

The Local Authority has a detailed policy for carrying out route assessments. Further information is provided in Appendix A.

Where a parent believes that the route from home to school is not safe they can request that the route is assessed. The route will then be assessed by the Local Authority if either it has not been assessed in the last 3 years or if the parent provides evidence that circumstances on the route have changed since the last assessment. Parents will need to complete the request form which can be obtained from the Education Transport department directly, using the contact details in section 12.

2.5 Pupils with a Statement of Special Educational Needs or an Education Health & Care Plan (EHCP)

Entitlement to free school transport assistance for a pupil with special educational needs and/or a disability who has a Statement of Special Educational Needs or an EHCP is based on the following:

- **The pupil is a Warwickshire resident**

- **The pupil holds a statement of special educational needs, an Education Health & Care Plan (EHCP) or is accessing a placement for continuous assessment such as;**
 - A designated speech and language unit
 - A specialist nursery

- **The pupil is attending the nearest qualifying school**

The **nearest qualifying school** is a qualifying school that provides education appropriate to the age, ability, and aptitude of the pupil, and taking into account the child's special educational needs. For most children this is still likely to be their nearest mainstream school.

In the case of a pupil whose needs cannot be met in mainstream but which can be met in a generic Warwickshire special school, this is likely to be the school which serves that area of the County. Further details are available in Appendix C (this will be updated annually or as and when required). It could also be another school if closer to home by the shortest available route.

If the child's needs cannot be met in either mainstream or in a generic special school, the nearest qualifying school would depend on the specific requirements of the pupil. This could be a specialist special school, satellite provision or resourced provision within mainstream schools (please see Appendix C for full details), or provision made through the Flexible Learning Team as written into the child's EHCP.

Where a parent chooses to send their pupil to a more distant school or specialist provider, even though the nearest qualifying school is able to meet the pupil's needs, they assume responsibility for the provision of transport and any associated costs. Such circumstances will be noted on the Statement of Special Educational Needs or EHCP.

- **The pupil lives over the Statutory Walking Distance from the School**

Statutory walking distances will apply (see section 2.4), unless the pupil's needs are such that they would not be able to complete the journey from home to school, accompanied as necessary, without home-to-school transport assistance.

Where a pupil's journey does not exceed the statutory walking distance, a full assessment will be carried out to determine whether transport assistance is necessary to facilitate access to school. The pupil's individual needs will be taken into consideration as well as the nature of the route to/from school. The pupil's EHCP may be used to obtain information about their specific needs.

Please see Appendix D for a list of the assessment criteria and the supplementary information that may be required to support the application. All applications will be considered on an individual basis, in line with any relevant law or legislation.

The type of transport assistance offered may vary depending on the pupil's individual needs. Independent Travel Training will be considered an appropriate

form of assistance where the pupil has been assessed as being suitable (see section 5.1/5.3). Refusal to engage in the training may result in no further transport assistance being offered.

2.6 Pupils with special educational needs attending a specialist Nursery

Free transport will be provided to children in early years where:

- They are resident in Warwickshire;
- The pupil is attending the nearest appropriate specialist nursery provision and has a place confirmed by IDS (Integrated Disability Service); and
- The pupil is aged 3 or 4 years old

2.7 Children Looked After

Arrangements for children who have been placed with foster carers may differ slightly, as the school attended by the child may be set by the Local Authority, which would make that school the nearest qualifying school, but the Local Authority is clear that this policy applies to all Looked After Children. Foster carers should approach their allocated social worker to discuss eligibility and to apply for any additional assistance.

2.8 Managed Moves

Pupils placed by the Local Authority into a school as a managed move may qualify for transport assistance. This would normally be funded by the Area Behaviour Partnership (ABP) and will depend on the circumstances of the case.

2.9 Fair Access Protocol (FAP)

Where a pupil has been placed at a school by the Local Authority under the FAP, they may receive transport to facilitate their attendance, should it be considered necessary to do so.

2.10 Pupils unable to walk to school by reason of their disability or medical needs

Where a pupil (up to 16 years of age) has a disability, mobility issues or short or long-term medical needs, which prevent them from walking to school, transport assistance will be considered.

A pupil of compulsory school age will be eligible for free home to school transport, if they attend their nearest qualifying school and if they cannot reasonably be expected to walk to that school because of their disability or mobility problems.

Evidence of any conditions or difficulties will be required from relevant professionals. Applications under this criterion must evidence that the pupil's disability prevents him or her from walking the statutory walking distance to school, even if accompanied by a responsible adult.

Eligibility will be assessed using the information provided on the application form. Parents / carers will be responsible for providing supporting evidence and it may be necessary to seek guidance from relevant professional agencies. Evidence may be a letter from a paediatrician or a consultant psychologist, for example.

Should transport assistance be agreed, it will normally be on a time-limited basis. Transport assistance for those with short term medical problems will be agreed for up to 8 weeks, subject to review at the end of the period if necessary. Long term medical conditions will normally be agreed for the academic year, with a new application required for the following academic year.

Parents should apply using the 'Transport Assistance for Pupils on Medical Grounds' application form. This can be found at <http://www.warwickshire.gov.uk/educationmedicaltransport> or requested from Education Transport by using the contact details in section 12.

If the pupil has a Statement of Special Educational Needs or an EHCP they will qualify for free transport based on the criteria listed in section 3.5. They should not apply for transport assistance using the 'Medical Grounds' application form.

Students over the age of 16 should apply either under the 16-19 transport policy (section 10) or under the 16-25 policy (section 11) if the student has an EHCP, statement or learning difficulties / disabilities. They should not apply for transport assistance using the 'Medical Grounds' application form

2.11 Pupils Educated Outside of Year Group/Deferment

Occasionally, pupils may be placed in a year group below their chronological year group assumed by their date of birth. Deferred entry to school would also mean that a pupil is educated outside of their normal year group.

Pupils who are legally entitled to free transport assistance would continue to receive assistance until the end of the academic year in which they reach the age of 16. Transport assistance after this time would depend on the Post-16 policy and become chargeable, further details of which can be found in section 10 of this policy.

2.12 Accompaniment

It is the responsibility of those with parental responsibility to make suitable arrangements to ensure that their child is accompanied on walking routes to school, if it is considered by the parents that the child's age, ability and levels of understanding make this necessary. The Authority will therefore not provide transport solely because parents have not made such arrangements, unless exceptional circumstances apply. Such circumstances may include where disability means that no parent is available to accompany the pupil along a walking route to school. In circumstances such as this, parents will be responsible for providing supporting evidence and it may be necessary to seek guidance for relevant professional agencies.

Production of evidence is no guarantee of free transport and each case will be assessed on an individual basis. It is the general position of Authority that parents are expected to manage ensuring that their children are accompanied to school alongside any work commitments that they may have. Details on the law can be found in Appendix B.

Appendix B

Public Consultation on changes to the Home to School Transport Policy

September 2017

What is the Home to School Transport Policy?

The Home to School Transport Policy aims to provide guidance for parents/carers, young people and young adults on transport assistance available for pupils aged 3 - 25 years of age.

Why is Warwickshire County Council consulting?

Warwickshire County Council is considering a number of changes to the current Home to School Transport Policy. Parents/carers, children and young people, professionals and other members of the public are asked to comment on the proposals.

This document contains details of the proposed changes and how to comment.

The proposed revised policy is also provided as a supporting document.

Why is the policy being changed?

The policy is being changed for a number of reasons:

- To update the policy in light of recent legislation
- To revise non-statutory duties
- To ensure consistencies in the transport policy

All proposed changes are compliant with the Education Act 1996 and subsequent legislation.

Like local authorities up and down the country, Warwickshire County Council continues to face extreme financial challenges. Reductions in Government grants, inflation and demographic pressures mean the council must identify further savings amounting to around £67 million by 2020. To achieve this, the Council needs to ensure services are more efficient, integrated and make best possible use of resources.

The Council is committed to providing more efficient, integrated services whilst ensuring that its statutory duties are met. Financial pressures mean that Warwickshire County Council must review the non-statutory functions it provides and consider whether these arrangements are still financially viable.

Changes to the Education Act mean that some 19-25 year olds with an EHCP could be eligible for free transport assistance, therefore we have updated the policy to reflect this.

Currently, most post 16 students pay for transport assistance unless they have a short or long term medical condition which makes getting to/from school or college difficult. In order to ensure consistency, we propose that all post 16 students should pay for their transport.

Parents/carers, children and young people, professionals and other members of the public are asked to comment on these proposed changes. All consultation responses will be analysed and a report will be published and presented to the County Council for a final decision early in 2018.

An Equality Impact Assessment/ Analysis on the proposed policy was undertaken on 19 June 2017 and will be reviewed after the consultation and on an ongoing basis until the Council's revised transport policy is finalised and then on an annual basis.

What are the proposed key changes to the policy?

The proposed key changes to the policy are set out below. Warwickshire County Council is consulting specifically on these changes.

The following proposals were also consulted on in 2015:

- Unsafe Walking Routes
- SEN Transport Criteria
- Medical Transport – Post 16

These proposals were not implemented after the last consultation either due to withdrawal at Cabinet stage (Medical Transport – Post 16) or because the proposals needed further development (Unsafe Walking Routes & SEN Transport Criteria).

Cabinet felt, at the time, that the proposal for 'Post 16 Medical Transport' should not go forward. However, in order to ensure consistencies in the transport policy we are consulting on this proposal again.

1. The Nearest Qualifying School (located within section 2.3 of the draft policy "The nearest qualifying school")

At the moment, a pupil's nearest qualifying school is defined by Warwickshire County Council to mean their priority school or one which is physically closer. The County Council are proposing to change the definition of the nearest qualifying school to mean **only the pupil's closest school to home with a space available for the pupil by the shortest available route** (this will be a driving route if the journey is over the statutory walking distance or a walking route if the journey is less than the statutory walking distance, using Google maps). This may not be the priority school but will be the one physically closest to the student's home address. Low-income families would continue to benefit from extended rights eligibility criteria.

This proposal is to address the fact that many schools now have very wide priority areas and some schools are removing priority areas altogether.

The definition for nearest qualifying school will continue to take into account any special educational needs that the pupil may have.

For those who have achieved the relevant entry criteria for a selective school, that school will only be considered as the nearest qualifying school if there are no nearer non-selective schools capable of educating the child.

If a pupil is not eligible for assistance under the proposed new criteria, they may be able to purchase a seat on the bus under the Council's Vacant Seats Scheme.

This change would be effective to new applicants for transport from 1st September 2019. However, if a pupil's situation changes (i.e. a change of address or school) and they apply on or after 1st September 2019, the application will be assessed under the new criteria.

2. **Unsafe Walking Routes** (located within section 3.4 of the draft policy "Pupils unable to walk in safety to school because of the nature of the route")

A total of 1779 children currently receive free transport on the basis of the walk from home to school, or home to pick-up point, being unsafe for an accompanied child.

Following the 2015 consultation, all walking routes have now been reassessed using the national RoSPA / Road Safety GB Guidance for assessing such routes. The guidance and individual route assessments can be viewed here:

<http://www.warwickshire.gov.uk/dangerousroutes>

While some routes are still classified as unsafe to walk, others have been reclassified as safe under these guidelines. In some cases, capital works are required to make a route safe, and a route will not be classified as 'safe' until these works have been completed.

The full list of walking routes and their reclassification can be found in Appendix A of this document.

It is proposed that this new classification system for routes is implemented on all routes across Warwickshire.

When a route is reclassified as safe it is proposed that any students currently travelling will continue to receive free transport until the end of their time at their current school, provided there is no change in circumstances (such as a house move).

All new applicants from 1st September 2019 would be assessed using the new classification system. Existing travellers who have a change in circumstances requiring a new application (such as a house move) will also be assessed in the same way.

3. **Special Educational Needs (SEN) Transport Criteria** (located within section 3.5 of the draft policy “Pupils with a statement of special needs or an Education Health & Care Plan (EHCP)”)

Warwickshire County Council is proposing to change the eligibility criteria for students with SEN so that those living within ‘statutory walking distance’ will not receive transport assistance unless the pupil meets both the following criteria:

- a) the pupil is both attending the nearest qualifying school **and**
- b) the pupil has special educational needs, disabilities and/or mobility issues which mean they would not be able to make the journey without transport assistance, even if accompanied.

Currently, applicants do not have to meet any mileage criteria to qualify for free transport. Under the new policy, transport assistance will still be provided if the pupil attends their nearest qualifying school **and**

- a) the pupil lives outside the statutory walking distance **or**
- b) the pupil’s needs are such that they would be unable to get to school, accompanied as necessary, without transport assistance.

An individual assessment based on the pupil’s SEN and how it affects their journey to/from school will be used to make a final decision.

This would take effect from September 2019 for new applicants. However, if a pupil’s situation changes (i.e. a change of address or school) and they reapply after 1st September 2019, the application will be assessed under the new criteria.

Appendix D has been added to the draft policy to provide further information on this proposal.

4. **Medical Transport – Post 16 Students** (located within section 3.9 of the draft policy “Pupils unable to walk to school because of their temporary disability or medical needs”)

Warwickshire County Council currently provides free transport on medical grounds to students aged 4–19 years. It is proposed to remove the specific provision for free transport on medical grounds to students aged 16-19 years. This is because there is no requirement for local authorities to provide transport for post 16* students on this basis. (*Post 16 is defined as any education or learning undertaken past compulsory school age)

By removing this provision, the County Council would make transport assistance support for post 16 students consistent and fair.

Students with medical needs and disabilities would still be able to access transport assistance through the 16-19 transport scheme, as well as the 16-25 transport scheme if they have an EHCP or a learning difficulty or disability.

It is recognised that meeting the cost of transport to school / college can be difficult. A 50% discount is therefore available to low-income families who receive a qualifying benefit.

This change would take effect for new applicants from September 2018. Those who already travel under the scheme will continue to do so until the end of their course.

5. Passenger Assistants (located within section 5.1 of the draft policy “Transport Arrangements”)

Warwickshire County Council is proposing that passenger assistants should only be provided automatically on vehicles carrying special educational needs pupils with statements of SEN or an EHCP. Passenger assistants are a non-statutory requirement and are currently provided on all vehicles **transporting primary school age children**. A full assessment would be carried out on each vehicle before making any decision to remove a passenger assistant.

The assessment would take into consideration the location of the pick-up and drop off points and the make-up of passengers (i.e. whether primary and secondary students are travelling together). Vehicles carrying children with a statement or EHCP would not be subject to an assessment.

This change would take effect from September 2018 onwards.

6. Independent Travel Training (located within section 5.3 of the policy “Independent Travel Training (for pupils with SEN)”))

Warwickshire County Council has decided to introduce a system of ‘Independent Travel Training’ to give children and young people the skills they need to improve their ability to travel independently, if it is considered this would be of benefit to them.

Training sessions will be carried out at the start at end of the school/college day, training children and young people on utilising particular modes of transport that they are assessed as being capable of accessing, at the time of day that they would actually be using it. As they obtain the necessary skills to access transport without the need for assistance this would be withdrawn, under a phased system where required.

If the scheme is successful this will mean that some children and young people who previously required highly individualised transport to travel to school or college would be able to take public transport, school buses or even walk.

Although the system is already being commissioned, the Council proposes that this system should be guaranteed by making it a fundamental part of the home-to-school transport policy.

Independent Travel Training will be introduced in the 2017/18 Academic Year.

7. Special Educational Needs Transport – Post 19 (located within section 11 of the draft policy “Transport for students aged 19-25”)

Warwickshire County Council provides transport assistance for students aged 19-25 with an EHCP or statement or for those with learning difficulties / disabilities. At the moment, all students have to pay for transport.

To bring us in line with legislation, a small number of 19-25 year olds would be eligible for free transport to sixth form/college if they meet specific criteria. Those who do not meet the criteria would be required to make their own arrangements.

Full details can be found in section 11 of the policy. The eligibility criteria are provided in Appendix B of this document.

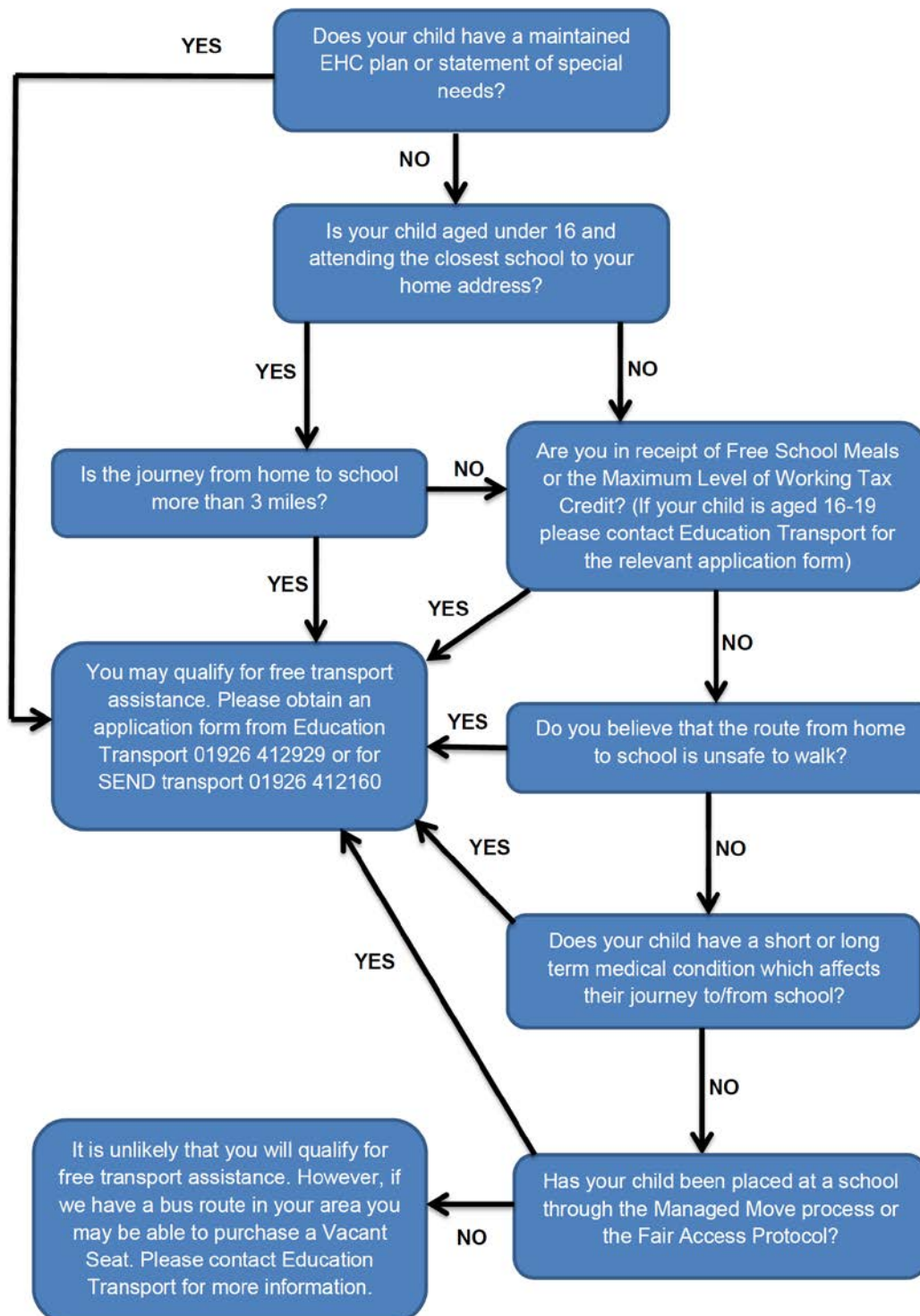
This change would take effect for new applicants from September 2018.

Proposed Implementation Dates

Proposal	Who It Will Affect	Proposed Implementation Date
Nearest Qualifying School	All new applicants and those who have a change of circumstances (such as a house move)	1 September 2019
Unsafe Walking Route	All new applicants and those who have a change of circumstances (such as a house move)	1 September 2019
SEN Transport Criteria	All new applicants and those who have a change of circumstances (such as a house move)	1 September 2019
Medical Transport – 16-19	All new applicants	1 September 2018
Passenger Assistants	All primary-aged pupils accessing WCC transport	September 2018 onwards
Independent Travel Training	Secondary-aged students with an EHCP/Statement	October 2017
SEN Transport – 19-25	All new applicants	1 September 2018

How do I know if I am eligible for transport assistance?

Each application for transport assistance is considered against a range of criteria depending on the circumstances and needs of the pupil. The diagram below sets out in broad terms the criteria for assistance under the proposed policy.



When will the consultation take place?

The consultation will run for eight weeks from Thursday 7 September 2017 to Thursday 2 November 2017.

The full timeline is set out in the table below:

Activity	Date
Members briefing	Tuesday 18 July 2017
Portfolio Holder Decision to go to public consultation	Friday 21 July 2017
Public consultation start (8 weeks)	Thursday 7 September 2017
Public consultation events:	<p>Coleshill Town Hall Wednesday 13th September 2017 4-7pm</p> <p>Round Oak School Thursday 14 September 2017 11am-2pm</p> <p>Hatters Space, Nuneaton Tuesday 19 September 2017 3-6pm</p> <p>District Activity Centre, Tamworth Friday 22 September 4-7pm</p> <p>The Arnold House, Rugby Wednesday 27 September 2-5pm</p> <p>Shire Hall, Warwick Wednesday 4 October 2017 3-5.30pm</p> <p>Welcombe Hills School, Stratford Wednesday 11 October 2017 3-6pm</p> <p>Coleshill Town Hall Thursday 12 October 11am-2pm</p> <p>Hatton Park Village Hall Monday 16 October 4-7pm</p> <p>Discovery Academy, Nuneaton Friday 20 October 2-5pm</p>
Children & Young People Overview & Scrutiny Committee	Tuesday 19 September 2017
Public consultation end	Thursday 2 November 2017
Cabinet	January 2018
County Council (all policy decisions)	March 2018

How can I take part in the consultation?

You can take part in the public consultation in the following ways:

- **Online** – by completing the consultation survey at: <https://askwarks.wordpress.com/> and can be accessed by PC, laptop, tablet or smartphone.
- **In person** – by attending the public consultation events listed in the table above

- **In writing** – by emailing transportconsultation@warwickshire.gov.uk or by completing and returning a paper copy of the survey to Education Transport Consultation, Saltisford Building 3, Warwickshire County Council, Ansell Way, Warwick, CV34 4UL.

You can request a paper copy of the survey by calling Education Transport on 01926 412929 (Option 1) or by emailing the address above.

Information you provide in any additional correspondence to our surveys and consultations, including personal information, may be disclosed in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998. If you want the information that you provide to be treated as confidential, including your contact details, please tell us why, but be aware that, under the Freedom of Information Act, Warwickshire County Council cannot always guarantee confidentiality.

Please visit www.warwickshire.gov.uk/ask to access the following documents which provide further clarification on the proposals:

- Frequently Asked Questions
- Scenarios

The closing date for responses to the consultation is midnight on Thursday 2 November 2017.

Appendix A

We are aware that some routes are missing from this list, please bear with us whilst these are identified. We will contact any affected families directly in writing as soon as possible to clarify the situation.

Routes that have been reclassified as safe are:

Warton to Polesworth
Warwick Gates to Bishops Tachbrook School
Pailton to The Revel School at Monks Kirby
Long Lawford to Bilton School
Ansley to Arley Primary School
Tredington to Shipston High School
Barford to Aylesford School
Sherbourne to Aylesford School
Hampton on the Hill to Aylesford School
Piccadilly to Kingsbury High School

Work has been completed on the following routes so they are now safe to walk:

Leek Wootton to Kenilworth School
Piccadilly to Wood End Primary
Wood End to Kingsbury School
Ansley to Hartshill School

Routes that have been identified as needing capital works to make them safe are:

Hatton Park to Ferncumbe School
Long Itchington to Southam College

Routes that remain unsafe to walk (no change in classification)

Maxstoke to Shustoke C of E Primary
Shuttington to Newton Regis Primary
Over Whitacre and Furnace End to Shustoke C of E Primary
Hurley to Kingsbury School
Shuttington and Alvecote to The Polesworth School
Water Orton to The Coleshill School
Bramcote Barracks to Wolvey Primary School

Ullenhall to Henley-In-Arden High School
Claverdon to Henley-In-Arden High School
Deppers Bridge to Southam College
Stockton to Southam College
Greaves Cottages to Southam College
Hampton Magna to Aylesford
Butlers Marston to Kineton High School
Gaydon to Kineton High School
North End to The Dassett C of E Primary School
Avon Dassett to The Dassett C of E Primary School
Whitacre Heath to Kingsbury School
Nether Whitacre to Kingsbury School
Dosthill to Kingsbury School
Birdingbury to Leamington Hastings C of E School
Stoneleigh to Kenilworth School
Newbold on Stour to Newbold & Tredington Primary (site 2) at Tredington
Baddesley Ensor and Grendon to The Polesworth School
Gilson to The Coleshill School
Welsh Road East to Southam College
Ladbroke to St James Primary School
Ladbroke to Southam College
Stretton Under Fosse to The Revel C of E Primary School
Birchley Heath to Nursery Hill School
Ridge Lane to Nursery Hill School
Birchley Heath to Hartshill School
Ridge Lane to Hartshill School
Ridge Lane to Queen Elizabeth School
Lea Marston to Kingsbury School
Harborough Magna to Avon Valley
Aspley Heath to Tanworth in Arden Primary
Woodside Park to Provost Williams
Halford to Newbold & Tredington (site 2)
Old Arley to Arley Primary School
Corley to Bournebrook Primary

Appendix B

In deciding whether it is necessary for the local authority to provide free transport assistance in these circumstances, the authority would generally require young people to meet all of the following criteria, in that they should be:

- Resident in Warwickshire;
- Aged 19 or over but under 25 at the start of the academic year in which the course begins*;
- Holding an EHCP or have provided proof of a learning difficulty and/or disability;
- Starting a new course of study for a higher level qualification than has previously been studied for**;
- Attending a full-time course of at least 540 guided learning hours per academic year;
- Unable to travel to the place of education without transport assistance, and with no support available from members of the household in which they reside, other family members, or from personal assistants.***;
- Studying at the nearest suitable school, college or local authority funded training provider offering the qualification of choice for the young person. When considering whether a qualification is “the qualification of choice for the young person”, the County Council take into account the end qualification awarded (not the individual units taken, or the name of the course), the training provider having a place available to offer on that course and that the students meet the entry requirements demanded by the training provider;
- Travelling further than the statutory walking distance of 3 miles by the shortest available route or, due to the young person’s special educational needs, disability and/or mobility problems, they cannot reasonably be expected to walk to the place of education, accompanied as necessary; and
- Attending during the normal school/college day and during term time only

*This provision will not be available for anyone beginning a new course of study before their 19th birthday, and will not be available for anyone after the end of the academic year which includes their 25th birthday.

**For the purposes of deciding whether to provide free transport the Authority would not consider it necessary, other than in exceptional circumstances, for a young adult learner to attend an additional Further Education course at the same level or equivalent where the learner had previously attended and completed a course at an establishment within the Further Education sector.

*** If the young person is in receipt of the higher rate mobility component of the Personal Independence Payment or Disability Living Allowance, the purpose of which is to assist those who have mobility problems, with severe difficulty walking or who need help getting around outside, it would normally be expected that this benefit will be fully utilised before assistance under this section is sought. Similarly, if the young person has access to a 'Motability' vehicle, of which the student may or may not be the driver, then the County Council would normally expect the carer/student to make their own appropriate transport arrangements.

Appendix C

Consultation 2017 - FAQs

1. The Nearest Qualifying School

At the moment, a pupil's nearest qualifying school is defined by Warwickshire County Council to mean their priority school or one which is physically closer. The County Council are proposing to change the definition of the nearest qualifying school to mean **only the pupil's closest school to home with a space available for the pupil by the shortest available route** (This will be a driving route if the journey is over the statutory walking distance or a walking route if the journey is less than the statutory walking distance, using Google maps).

This may not be the priority school but will be the one physically closest to the student's home address. Low-income families would continue to benefit from extended rights eligibility criteria.

This proposal is to address the fact that many schools now have very wide priority areas and some schools are removing priority areas altogether.

The definition for nearest qualifying school will continue to take into account any special educational needs that the pupil may have. For those who have achieved the relevant entry criteria for a selective school, that school will only be considered as the nearest qualifying school if there are no nearer non-selective schools capable of educating the child.

If a pupil is not eligible for assistance under the proposed new criteria, they may be able to purchase a seat on the bus under the Council's Vacant Seats Scheme.

This change would be effective to new applicants from September 2019.

However, if a pupil's situation changes (i.e. a change of address or school) and they apply on or after 1st September 2019, the application will be assessed under the new criteria.

Q – My child currently receives free transport to school, will this affect me?

A – No, not unless you move address and reapply for transport on or after 1st September 2019.

Q – My child has an EHCP and attends a special school, will these proposals affect me?

No, transport will continue to be provided to the nearest suitable school as named on the EHCP or as identified by SENDAR.

Q – What about transport to selective schools?

At the moment, transport is not automatically provided to those attending a grammar school. It must be the nearest qualifying school to the home address, non-selective schools are taken into consideration when assessing what the nearest qualifying school is for each pupil. Under the new proposals this will not change.

Q- Would you consider an out of county school to be my child's nearest qualifying?

We wouldn't ordinarily consider out of county schools during the assessment process, however if your child has gained a place at a school outside of Warwickshire then we would provide transport to this school if it was the closest.

Q – My child is due to start school in September 2019, does this affect them?

A – No, as long as you apply for transport before 1st September 2019. Those who apply on or after this date will be assessed using the new criteria.

Q- I currently receive free transport for my older child to our priority school; does this mean my younger child who starts in September 2020 won't be eligible?

A – Any application received on or after 1st September 2019 will be assessed under the new criteria. Therefore, if your priority school is not the closest school to your home address then it would not be considered to be your nearest qualifying school and your child would not be eligible for free transport assistance.

Q- What if I can't get my child into the nearest school?

A - If your closest school has no spaces then we would consider the next nearest school with spaces to be your nearest qualifying school.

Q – What happens if I move house after September 2019?

A – Anyone who has a change in circumstances on or after 1st September 2019 (such as a house move) would be subject to a re-assessment. Therefore, if the school your child attends is no longer considered to be the nearest qualifying school from your new address then free transport would cease.

2. Unsafe Walking Routes

A total of 1779 children currently receive free transport on the basis of the walk from home to school, or home to pick-up point, being unsafe for an accompanied child.

Following a consultation, undertaken in 2015 all walking routes have now been reassessed using the national RoSPA / Road Safety GB Guidance for assessing such routes. The guidance can be viewed here:

<http://www.warwickshire.gov.uk/dangerousroutes>

While some routes are still classified as unsafe to walk, others have been reclassified as safe under these guidelines. In some cases, capital works are required to make a route safe, and a route will not be classified as 'safe' until these works have been completed.

The full list of walking routes and their reclassification can be found at

www.warwickshire.gov.uk/ask

It is proposed that this new classification system for routes is implemented on all routes across Warwickshire.

When a route is reclassified as safe it is proposed that any students currently travelling will continue to receive free transport until the end of their time at their current school, provided there is no change in circumstances (such as a house move).

All new applicants from September 2019 would be assessed using the new classification. Existing travellers who have a change in circumstances requiring a new application (such as a house move) will also be assessed in the same way.

Q – If my child's route is reclassified as safe will they still be able to use the bus?

A – Yes, if your child already travels on the bus then free transport would continue until they leave the school. New applicants who travel in September 2019 would not qualify for free transport and would need to buy a pass through the Council's Vacant Seat Scheme.

Q – If a route is reclassified as safe does that mean you will remove the bus service entirely?

Not necessarily. Once all entitled travellers have ceased to travel, we would make an assessment on whether continuing to run the service would be in the best financial interests of the Council. We would always try to retain a bus service wherever

possible and in many cases the buses serve other schools/locations so it would need to remain. In these cases spare seats could be sold to pupils who were ineligible for free transport.

Q – What happens if I don't agree with the outcome of the assessment?

A – Once a route has been assessed, we would not revisit the assessment for at least 3 years unless something significant had occurred to change the route. Therefore, should you wish to complain, you may use the Council's complaints procedure which can be found here:

<http://www.warwickshire.gov.uk/councilcomplaints>

Q – What happens if the route is still deemed to be unsafe to walk?

A – Then nothing will change and your child will continue to access their home to school transport in the same way as before.

Q – What are capital works?

These works could include something major such as installing crossing points or something simpler such as maintaining verges and hedgerows.

3. Special Educational Needs (SEN) Transport Criteria

Warwickshire County Council is proposing to change the eligibility criteria for students with SEN so that those living within 'statutory walking distance' will not receive transport assistance unless the pupil meets both the following criteria:

- a) the pupil is both attending the nearest qualifying school **and**
- b) the pupil has special educational needs, disabilities and/or mobility issues which mean they would not be able to make the journey without transport assistance, even if accompanied.

Currently, applicants do not have to meet any mileage criteria to qualify for free transport. Under the new policy, transport assistance will still be provided if the pupil attends their nearest qualifying school **and**

- a) the pupil lives outside the statutory walking distance **or**
- b) the pupil's needs are such that they would be unable to get to school, accompanied as necessary, without transport assistance.

An individual assessment based on the pupil's SEN and how it affects their journey to/from school will be used to make a final decision.

This would take effect from September 2019 for new applicants. However, if a pupil's situation changes (i.e. a change of address or school) and they reapply on or after 1st September 2019, the application will be assessed under the new criteria.

Q - Why are you proposing to use the statutory walking distance to assess children with SEN?

A- We are using the statutory walking distance as a benchmark. If a child attends their nearest qualifying school and lives over the statutory walking distance then free transport is given automatically. However, if a child lives less than the statutory walking distance then an individual assessment of the child's needs will be made to determine whether transport is required.

Q – What is the statutory walking distance?

A – This is 3 miles for children over the age of 8 or 2 miles for those aged under 8 or those from a low-income family*.

*A low income family for transport purposes is defined as a family who are in receipt of Free School Meals or the Maximum Level of Working Tax Credit.

4. Medical Transport – Post 16 Students (located within section 3.9 of the draft policy "Pupils unable to walk to school because of their medical needs")

Warwickshire County Council currently provides free transport on medical grounds to students aged 4–19 years. We are proposing to remove the specific provision for free transport on medical grounds to students aged 16-19 years. This is because there is no requirement for local authorities to provide transport for post 16* students on this basis. (*Post 16 is defined as any education or learning undertaken past compulsory school age)

By removing this provision, we make transport assistance support for post 16 students consistent and fair.

Students with medical needs and disabilities would still be able to access transport assistance through the 16-19 transport scheme, as well as the 16-25 transport scheme if they have an EHCP or a learning difficulty or disability.

It is recognised that meeting the cost of transport to school / college can be difficult. A 50% discount is therefore available to low-income families who receive a qualifying benefit.

This change would take effect for new applicants from September 2018. Those who already travel under the scheme will continue to do so until the end of their course.

Q – Why are you proposing to remove free transport on medical grounds for 16-19 year olds?

A – This is a non-statutory duty. Applicants who are aged 16-19 can access transport assistance through our 16-19 transport policy and also the 16-25 transport policy for those with an EHCP or learning difficulties and/or disabilities.

5. Passenger Assistants

Warwickshire County Council is proposing that passenger assistants should only be provided automatically on vehicles carrying special educational needs pupils with statements of SEN or an EHCP. Passenger assistants are a non-statutory requirement and are currently provided on all vehicles transporting primary school age children. A full assessment would be carried out on each vehicle before making any decision to remove a passenger assistant.

The assessment would take into consideration the location of the pick-up and drop off points and the make-up of passengers (i.e. whether primary and secondary students are travelling together). Vehicles carrying children with a statement or EHCP would not be subject to an assessment.

This change would take effect from September 2018 onwards.

Q – Why are you proposing to remove passenger assistants?

A – We are one of the only local authorities in the country that still provides passenger assistants to all primary aged children. In most cases, this provision is unnecessary and is not the most suitable use of public money.

Q- What criteria will you use to assess whether a passenger assistant is required?

A – Each assessment will take into consideration the safety of the pick-up/drop-off points and the make-up of the passengers (i.e. whether primary & secondary students are being transported together). Passenger assistants will remain on services carrying pupils with a statement or EHC plan.

Q- What happens if the bus is involved in an accident and there is no PA?

A – The driver would manage the situation until emergency services arrived (if necessary) or until a replacement bus service arrived.

Q – What happens if there is an incident on the bus / bullying / other issues?

A – The role of a passenger assistant is to get off the vehicle at each stop to ensure children board and alight from vehicles safely. The attendant does also currently maintain order on the journey including making sure all children occupy seats; and reports any bad behaviour, fighting or swearing to the bus/taxi company.

If a PA was removed then the driver would pick up these responsibilities, as they do with secondary school vehicles where no assistant is provided.

Q – Will this affect transport to special needs schools?

A – No, we are only looking at mainstream primary school transport.

6. Independent Travel Training (for pupils with SEN)

Warwickshire County Council has decided to introduce a system of 'Independent Travel Training' to give children and young people the skills they need to improve their ability to travel independently, if it is considered this would be of benefit to them.

If successful this will mean that some children and young people who previously required highly individualised transport to travel to school or college would be able to take public transport, school buses or even walk.

Training sessions will be carried out at the start at end of the school/college day, training children and young people on utilising particular modes of transport that they are assessed as being capable of accessing, at the time of day that they would actually be using it. As they obtain the necessary skills to access transport without the need for assistance this would be withdrawn, under a phased system where required.

Although the system is already being commissioned, the Council proposes that this system should be guaranteed by making it a fundamental part of the home-to-school transport policy.

Independent Travel Training will be implemented during the 2017/18 Academic Year.

Q – What age are the children you are looking to train?

A – Any pupil in Year 9 upwards would be considered for training.

Q- How do I put my child forward for the training?

A – In the first instance you could speak to your child's school who will contact us on your behalf. Alternatively, you can speak to the Education Transport department directly.

Q – What if I feel that my child is not ready or suitable for training?

A – If your child has met a travel trainer who thinks they are ready for independent travel training then this means we have no concerns about your child's ability to successfully complete the training. Please contact your trainer to discuss your concerns as they will be able to talk you through the process and hopefully allay your fears. Please bear in mind that refusing to take part in travel training may have an impact on your child's transport provision unless you have an evidence-based explanation for this decision.

Q – What happens once my child has completed the training?

A – Once they are ready, they would transfer to the mode of transport they have been trained to use (e.g. bus, train, walking etc.) this could happen on a phased basis if necessary. The new mode of transport would still be funded by WCC for students under 16 as well as some post 16 (where applicable).

Q – What happens if my child does not complete the training?

A – If, partway through the training, it is decided by the travel trainer that your child is not able to complete the training (for whatever reason) the training will be stopped and your child will resume their normal home to school transport. Training can always be revisited at a later stage.

7. Special Educational Needs Transport – Post 19

Warwickshire County Council provides transport assistance for students aged 19-25 with an EHCP or statement or for those with learning difficulties / disabilities. At the moment, all students have to pay for transport.

To bring us in line with current legislation, a small number of 19-25 year olds would be eligible for free transport to sixth form/college if they meet specific criteria. Those who do not meet the criteria would be required to make their own arrangements.

Full details can be found in section 11 of the proposed policy, the eligibility criteria is listed below within Question 1.

This change would take effect for new applicants from September 2018.

Q – What criteria do students have to meet to be eligible for free transport?

A - In deciding whether it is necessary for the local authority to provide free transport assistance in these circumstances, the authority would generally require young people to meet all of the following criteria, in that they should be:

- Resident in Warwickshire;
- Aged 19 or over but under 25 at the start of the academic year in which the course begins*;
- Holding an EHCP or have provided proof of a learning difficulty and/or disability;
- Starting a new course of study for a higher level qualification than has previously been studied for**;
- Attending a full-time course of at least 540 guided learning hours per academic year;
- Unable to travel to the place of education without transport assistance, and with no support available from members of the household in which they reside, other family members, or from personal assistants.***;
- Studying at the nearest suitable school, college or local authority funded training provider offering the qualification of choice for the young person. When considering whether a qualification is “the qualification of choice for the young person”, we take into account the end qualification awarded (not the individual units taken, or the name of the course), the training provider having

a place available to offer on that course and that the students meet the entry requirements demanded by the training provider;

- Travelling further than the statutory walking distance of 3 miles by the shortest available route or, due to the young person's special educational needs, disability and/or mobility problems, they cannot reasonably be expected to walk to the place of education, accompanied as necessary; and
- Attending during the normal school/college day and during term time only

*This provision will not be available for anyone beginning a new course of study before their 19th birthday, and will not be available for anyone after the end of the academic year which includes their 25th birthday.

**For the purposes of deciding whether to provide free transport the Authority would not consider it necessary, other than in exceptional circumstances, for a young adult learner to attend an additional Further Education course at the same level or equivalent where the learner had previously attended and completed a course at an establishment within the Further Education sector.

*** If the young person is in receipt of the higher rate mobility component of the Personal Independence Payment or Disability Living Allowance, the purpose of which is to assist those who have mobility problems, with severe difficulty walking or who need help getting around outside, it would normally be expected that this benefit will be fully utilised before assistance under this section is sought. Similarly, if the young person has access to a 'Motability' vehicle, of which the student may or may not be the driver, then we would normally expect the carer/student to make their own appropriate transport arrangements.

Q – When wouldn't a 19-25 year old be eligible for free transport assistance?

A – Even if the criteria above are met, free transport may not be provided as for the purposes of deciding whether to provide free transport the Authority would not consider it necessary, other than in exceptional circumstances, for a young adult learner to attend an additional Further Education course at the same level or equivalent where the learner had previously attended and completed a course at an establishment within the Further Education sector.

This provision will not be available for anyone beginning a new course of study before their 19th birthday, and will not be available for anyone after the end of the academic year which includes their 25th birthday.

Full details can be found in Section 11 of the policy.

Q – Why aren't 16-18 year olds entitled to free transport assistance?

A – Every young person must now stay in some form of learning until they are 18, the options are;

- Stay in full-time education (e.g. school or college) with at least 540 planned hours of education a year
- Take up work-based learning (e.g. an apprenticeship or traineeship)
- Take up full-time work with additional part-time learning (at least 280 planned hours of education a year) which will result in an accredited qualification
- Combine self-employment with part-time learning, leading to an accredited qualification
- Volunteer (for 20+ hours) with the addition of part-time learning, leading to an accredited qualification

Transport for post 16 students is not a statutory requirement and the Local Authority receives no additional government funding to provide this facility. Therefore, a parental contribution is required.

The government sets out different requirements for adult learners with special educational needs which means students aged 19-25 could be eligible for free transport in certain circumstances.

Appendix D

Changes to Home to Schools Transport Policy – Scenarios

1. The Nearest Qualifying School

At the moment, a pupil's nearest qualifying school is defined by Warwickshire County Council to mean their priority school or one which is physically closer. The County Council are proposing to change the definition of the nearest qualifying school to mean **only the pupil's closest school to home with a space available for the pupil by the shortest available route** (this will be a driving route if the journey is over the statutory walking distance or a walking route if the journey is less than the statutory walking distance using Google maps).

This may not be the priority school but will be the one physically closest to the student's home address. Low-income families would continue to benefit from extended rights eligibility criteria.

This proposal is to address the fact that many schools now have very wide priority areas and some schools are removing priority areas altogether.

The definition for nearest qualifying school will continue to take into account any special educational needs that the pupil may have. For those who have achieved the relevant entry criteria for a selective school, that school will only be considered as the nearest qualifying school if there are no nearer non-selective schools capable of educating the child.

If a pupil is not eligible for assistance under the proposed new criteria, they may be able to purchase a seat on the bus under the Council's Vacant Seats Scheme.

This change would be effective to new applicants for transport from 1st September 2019. However, if a pupil's situation changes (i.e. a change of address or school) and they apply on or after 1st September 2019, the application will be assessed under the new criteria.

Todd is 7 and attends his local primary school, which is further than the statutory walking distance (2 miles). As this is the nearest school to Todd, Todd is still entitled to transport assistance.

This policy change does not affect Todd.

Martha will start secondary school in September 2020. Martha is within the admissions priority area for School X, but actually lives closer to School Y. Martha would only receive transport assistance to the school closest to her home address (School Y- provided this was over the statutory walking distance), not her priority area school (School X).

This policy change means that Martha will not be entitled to free transport assistance

to School X as it is not the nearest school.

Carlos is 11 and attends his local special school, which is further than the statutory walking distance (3 miles). As the nearest appropriate school to Carlos, as stated on his EHC plan, Carlos is still entitled to transport assistance.

This policy change does not affect Carlos.

Amanda is 14 and currently receives free transport to her priority area secondary school. Her family plan to move house in October 2019 but will still be in the priority area for her school. However, there is a closer school to her home address with space in her year group.

As there has been a change in Amanda's circumstances she is now reassessed under the new criteria. She is no longer entitled to free transport assistance due to there being a closer school available than the priority area school.

This policy change means that Amanda will not be entitled to free transport assistance to her current school as it is no longer the nearest school.

2. Unsafe Walking Routes

A total of 1779 children currently receive free transport on the basis of the walk from home to school, or home to pick-up point, being unsafe for an accompanied child.

Following the 2015 consultation, all walking routes have now been reassessed using the national RoSPA / Road Safety GB Guidance for assessing such routes. The guidance can be viewed here: <http://www.warwickshire.gov.uk/dangerousroutes>

While some routes are still classified as unsafe to walk, others have been reclassified as safe under these guidelines. In some cases, capital works are required to make a route safe, and a route will not be classified as 'safe' until these works have been completed.

The full list of walking routes and their reclassification can be found at www.warwickshire.gov.uk/ask

It is proposed that this new classification system for routes is implemented on all routes across Warwickshire.

When a route is reclassified as safe it is proposed that any students currently travelling will continue to receive free transport until the end of their time at their current school, provided there is no change in circumstances (such as a house move).

All new applicants from September 2019 would be assessed using the new classification system. Existing travellers who have a change in circumstances requiring a new application (such as a house move) will also be assessed in the same way.

Polly is 9 and currently receives free transport from home to school as the route to school is deemed by the Council to be unsafe to walk. Her route is reassessed using the Road Safety GB guidelines and is found to be a safe walking route.

She will continue to receive free transport to school until the end of her time there or until there is a change in circumstances (such as a house move).

Kieran will be going to secondary school in September 2020 to his nearest school, 2 miles from his home. His next door neighbour, now in Year 10, receives free transport from home to the same school that he will be attending as the route will previously assessed as being unsafe, but the route has been reassessed using the Road Safety GB guidelines and has been found to be safe to walk.

Kieran would be affected by this proposed policy change and would not receive free home to school transport.

Mia is 7 and currently receives free transport from home to school as the route to school is deemed by the Council to be unsafe to walk.

Her route is reassessed using the Road Safety GB guidelines and is found to be unsafe to walk but could be made safe by capital works being undertaken.

Mia will continue to receive free transport to school until the end of her time there or until there is a change in circumstances (such as a house move). If the capital works take place and the route becomes safe, any new applicants from 2019 will not be eligible and will need to pay for transport.

3. Special Educational Needs (SEN) Transport Criteria

Warwickshire County Council is proposing to change the eligibility criteria for students with SEN so that those living within 'statutory walking distance' will not receive transport assistance unless the pupil meets both the following criteria:

- a) the pupil is both attending the nearest qualifying school **and**
- b) the pupil has special educational needs, disabilities and/or mobility issues which mean they would not be able to make the journey without transport assistance, even if accompanied.

Currently, applicants do not have to meet any mileage criteria to qualify for free transport. Under the new policy, transport assistance will still be provided if the pupil attends their nearest qualifying school **and**

- a) the pupil lives outside the statutory walking distance **or**
- b) the pupil's needs are such that they would be unable to get to school, accompanied as necessary, without transport assistance.

An individual assessment based on the pupil's SEN and how it affects their journey to/from school will be used to make a final decision.

This would take effect from September 2019 for new applicants. However, if a pupil's situation changes (i.e. a change of address or school) and they reapply after 1st September 2019, the application will be assessed under the new criteria.

Yvette is 7 and attends a special school. The parents have chosen the nearest appropriate special school to them, as identified on their EHC plan. Yvette lives further than the statutory walking distance from the school (2 miles) and as such is still entitled to free transport assistance.

This policy change will not affect Yvette.

Lloyd has an EHC plan and is going to transition to secondary education in September 2020. His plan confirms that his needs can be met in the local mainstream secondary school, his parents have chosen this school. Lloyd lives closer than the statutory walking distance from the school (3 miles). The local authority will need to consider whether Lloyd has particular needs that require transport assistance.

This policy change means that Lloyd is not automatically entitled to transport assistance. Instead, the local authority will consider whether Lloyd has particular needs that require transport assistance to and from school.

4. Medical Transport – Post 16

Warwickshire County Council currently provides free transport on medical grounds to students aged 4–19 years. It is proposed to remove the specific provision for free transport on medical grounds to students aged 16-19 years. This is because there is no requirement for local authorities to provide transport specifically on these grounds for post 16* students. (*Post 16 is defined as any education or learning undertaken past compulsory school age)

By removing this provision, the County Council would make transport assistance support for post 16 students consistent and fair.

Students with medical needs and disabilities would still be able to access transport assistance through the 16-19 transport scheme, as well as the 16-25 transport scheme if they have an EHCP or a learning difficulty or disability.

It is recognised that meeting the cost of transport to school / college can be difficult. A 50% discount is therefore available to low-income families who receive a qualifying benefit.

This change would take effect for new applicants from September 2018. Those who already travel under the scheme will continue to do so until the end of their course.

Rufus is 17 and attends a local sixth form, he normally walks or cycles. Recently Rufus injured his leg and as a result will now need to use the bus service to get to sixth form for a period of 6 weeks.

This policy change means that Rufus will now need to apply under the 16-19 transport scheme and be charged a contribution towards this service, in line with other users of the service aged 16-19.

Amanda is 18 and does not have an EHCP but has specific learning difficulties which make travelling to school difficult.

This policy change means that Amanda would need to apply for transport assistance under the 16-25 transport scheme and pay a contribution, in line with other users of the service.

5. Passenger Assistants

Warwickshire County Council is proposing that passenger assistants should only be provided automatically on vehicles carrying special educational needs pupils with statements of SEN or an EHCP. Passenger assistants are a non-statutory requirement and are currently provided on all vehicles **transporting primary school age children**. A full assessment would be carried out on each vehicle before making any decision to remove a passenger assistant.

The assessment would take into consideration the location of the pick-up and drop off points and the make-up of passengers (i.e. whether primary and secondary students are travelling together). Vehicles carrying children with a statement or EHCP would not be subject to an assessment.

This change would take effect from September 2018 onwards.

Gary attends a primary school and travels on the school bus service. Gary does not have an EHC plan. An assessment is made of the bus service, which contains no-one with a Statement of Special Educational Needs or EHC Plan, and it is considered that pupils can travel safely without a passenger assistant.

This policy change means the passenger assistant would be withdrawn from this service.

Heidi has an EHC plan, attends a special school and travels in a specialist vehicle with a passenger assistant. Heidi is still entitled to this support.

This policy change will not affect Heidi.

6. Independent Travel Training (for pupils with SEN)

Warwickshire County Council has decided to introduce a system of 'Independent Travel Training' to give children and young people the skills they need to improve their ability to travel independently, if it is considered this would be of benefit to them.

If successful this will mean that some children and young people who previously required highly individualised transport to travel to school or college would be able to take public transport, school buses, or even walk.

Although the system is already being commissioned, the Council proposes that this system should be guaranteed by making it a fundamental part of the home-to-school transport policy.

Independent Travel Training will be implemented during the 2017/18 Academic Year.

Philippa is 15 and currently accesses a specialist vehicle to attend school. Her school and the travel trainer think she is ready and suitable for independent travel training.

Philippa is successfully trained and can now use the school bus, giving her more independence and building her confidence. The Council continue to fund and support Philippa in her journey to/from school, but now via the school bus.

Mark is 16 and currently accesses a specialist vehicle to attend school. His teacher put him forward for travel training but after the trainer visited him at home she thought he wasn't quite ready.

Mark will continue to receive transport to and from school as before and will be considered for training again at a later date.

Katie is 15 and has been assessed by the travel trainer as being ready and suitable for independent travel training. However, her parents do not want her to undertake this training as they want her to continue in her specialist vehicle.

Despite visits from the trainer and reassurances about the scheme, parents refuse to participate. Refusal to participate in the travel training programme is deemed as declining the Council's offer of travel assistance and no alternative assistance is provided.

Therefore, the Council will no longer provide transport assistance for Katie, as the authority have made an offer of appropriate travel assistance.

7. Special Educational Needs Transport – Post 19

Warwickshire County Council provides transport assistance for students aged 19-25 with an EHCP or statement or for those with learning difficulties / disabilities. At the moment, all students have to pay for transport.

To bring us in line with legislation, a small number of 19-25 year olds would be eligible for free transport to sixth form/college if they meet specific criteria. Those who do not meet the criteria would be required to make their own arrangements.

Full details can be found in section 11 of the draft policy.

This change would take effect for new applicants from September 2018.

Roberta is 20 and has an EHCP. In September she will be attending a further education college and will be taking a full time further education course for the first time. Roberta has complex needs and previously attended a special school. The college is the nearest college that can meet Roberta's learning needs and her needs mean that she is unable to use the public transport already in place and has no available support from family or friends. Roberta meets the qualifying criteria specified in the policy.

This addition to the policy would entitle Roberta to free transport assistance.

Daniel is 21 and has just finished a further education course but will be starting another one in September. The course is in a different subject but at the same level as before.

Daniel would not be entitled to free transport, therefore his travel to and from college would be the responsibility of his parent/carer.

As Daniel has already completed a course of the same level, Daniel is not entitled to free transport assistance under this addition to the policy.

Appendix E

	Date
Members briefing	Tuesday 18 July 2017
Portfolio Holder Decision to go to public consultation	Friday 21 July 2017
Public consultation start (8 weeks)	Thursday 7 September 2017
Public consultation events:	<p>Coleshill Town Hall Wednesday 13th September 2017 4-7pm</p> <p>Round Oak School Thursday 14 September 2017 11am-2pm</p> <p>Hatters Space, Nuneaton Tuesday 19 September 2017 3-6pm</p> <p>District Activity Centre, Tamworth Friday 22 September 4-7pm</p> <p>The Arnold House, Rugby Wednesday 27 September 2-5pm</p> <p>Shire Hall, Warwick Wednesday 4 October 2017 3-5.30pm</p> <p>Welcombe Hills School, Stratford Wednesday 11 October 2017 3-6pm</p> <p>Coleshill Town Hall Thursday 12 October 11am-2pm</p> <p>Hatton Park Village Hall Monday 16 October 4-7pm</p> <p>Discovery Academy, Nuneaton Friday 20 October 2-5pm</p>
Children & Young People Overview & Scrutiny Committee	Tuesday 19 September 2017
Public consultation end	Thursday 2 November 2017
Cabinet	January 2018
County Council (all policy decisions)	March 2018



Home to School Transport Policy Consultation Results

Summary Report

Report produced by the Insight Service

December 2017

[Please read this report in conjunction with the full consultation report which can be found here](#)

1. Background

The Warwickshire 'Home to School Transport Policy' consultation took place between 7th September and 2nd November 2017. The survey received 920 responses, where 917 of respondents completed the online version of the survey and the remaining three respondents completed the paper copy of the survey.

Respondents were provided with background information about the consultation on the Ask Warwickshire webpage, here respondents were provided with an overview of the Home to School Transport Policy, the reasons why Warwickshire County Council was consulting and information for why the policy was being changed. The key changes to the policy were outlined and further information regarding the consultation was provided, including FAQs, scenarios and the Equality Impact Assessment. Respondents were given seven proposals concerning the Home to School Transport policy and were asked for their level of agreement for each proposal being implemented. Respondents were also asked if they would like to provide any further comments related to the proposal in question. In addition to the survey respondents were invited to provide any additional comments in relation to the proposals using a range of contact methods.

2. Methodology

An online survey software tool (Decipher) was used to carry out the survey. All questions were loaded into this tool by the Insight Service and the link to the online survey was shared via the Ask Warwickshire webpage. Paper responses were manually inputted into Decipher by the Home to School Transport team and the data was then downloaded and analysed in Microsoft Excel utilising pivot tables and graphs. The qualitative elements of the survey (open ended questions), in addition to letters and emails received regarding the proposals were analysed by LED Research Limited. The open ended responses were read, analysed and coded and themes mentioned by more than 10% of respondents are outlined in the report.

3. Key Messages

- The majority of respondents (61.2%) opposed proposal 1 regarding 'The Nearest Qualifying School'. This opposition was most pronounced in North Warwickshire Borough where nearly three quarters of respondents (72.7%) disagreed with this proposal.
- Respondents were asked to provide any additional comments in relation to proposal 1. Analysis of the open ended responses identified a number of key themes. A number of respondents opposed proposal 1 as they did not feel it was safe for children to walk to and from school due to limited street lighting, narrow footpaths and high volumes of HGV traffic on some routes. Many also felt the nearest qualifying school may not be the most suitable or appropriate school for the child, most notably in the case of Special Educational Needs (SEN) children, others suggested that the nearest school may not be the most appropriate based on religious grounds. Respondents felt that proposal 1 would lead to the 'brightest' children being penalised, as there were concerns this would mean they would not be able to attend grammar schools, and that this would be especially discriminatory against children from poorer backgrounds. Some respondents commented that proposal 1 would remove parents' choice about which school their child should attend.
- Responses for proposal 2 'Unsafe walking route' were mixed, overall 45.6% of respondents disagreed with proposal 2, whereas 29.0% of respondents were in support of this proposal. Residents from North Warwickshire Borough were most opposed to



the 'Unsafe Walking Routes' proposal, with 71.5% of respondents disagreeing with this proposal.

- A number of key themes were drawn from the analysis of the open ended comments for proposal 2. Many respondents were concerned that the routes that had been assessed as safe were not safe, and felt that the assessments for such routes were carried out at the wrong time of day and that much of the assessment criteria were flawed. Others commented that these proposals would lead to an increase in traffic and consequently congestion. Some felt that the routes were too far for children to walk, even if they were less than 3 miles.
- Overall, 43.1% of respondents were opposed to proposal 3 'Special Educational Needs (SEN) Transport Criteria', whilst 31.7% of respondents supported this proposal. There was greater opposition to proposal 3 'Special Educational Needs (SEN) Transport Criteria' in the north of the county when compared to the south.
- A number of respondents opposed proposal 3 as they felt the nearest school would not necessarily be the most suitable school to meet their child's needs. Respondents felt strongly that individual abilities need to be assessed very carefully and that this assessment needs to be done by an independent assessor. Many respondents commented that the proposal was unfair, and that parents of children with SEN already have enough to deal with, without the added stress of having to do reapplications. Others felt that transport should be provided for SEN children regardless of distance.
- Overall, 45.7% of respondents opposed proposal 4 'Medical Transport-Post 16', whilst 26.0% of respondents were in favour of the proposal. Over a quarter (28.3%) of respondents neither agreed nor disagreed with proposal 4. In all of the district and boroughs, except Warwick District, respondents were more likely to oppose proposal 4 'Medical Transport-Post 16' than support it.
- In relation to proposal 4, numerous respondents commented that Post-16 education/training is not optional and therefore transport should continue to be provided for young adults in this age group. Other respondents felt this proposal was unfair, especially for families with lower incomes. Several respondents felt this proposal would limit young people's opportunities as they would struggle to attend school if they had to pay for their own transport.
- The majority of respondents (56.5%) opposed proposal 5 'Passenger Assistants', whilst 20.6% of respondents supported this proposal. Across all of the districts and boroughs the majority of respondents disagreed with proposal 5 'Passenger Assistants', this was most pronounced in Rugby Borough where 63.1% of respondents opposed the proposal, this equates to around five in eight respondents from this area.
- Many respondents strongly opposed proposal 5 and felt that young children and SEN children in particular need a chaperone. Respondents suggested proposal 5 went against safeguarding rules and that without a chaperone they would feel so worried about the safety of their child that they would not use the transport provided. Concerns were raised over the driver being able to pay attention to both the children and the road, the potential for bullying on board, and the likelihood of younger children not putting their seatbelts on or getting off at the correct stop.
- Overall, 40.6% of respondents supported proposal 6 'Independent Travel Training (for pupils with SEN)', 28.9% of respondents neither agreed nor disagreed with the proposal, whilst 30.6% of respondents disagreed with the proposal. Residents in the north of the county were more likely to



oppose proposal 6 'Independent Travel Training (for pupils with SEN)' than respondents in the south of the county, with respondents from Rugby Borough, Stratford-on-Avon District and Warwick District more likely to support proposal 6 than oppose it. Nearly one-third of respondents from North Warwickshire Borough (32.4%) strongly disagreed with the proposal, this compares with just 15.2% of respondents from Stratford-on-Avon District feeling this way.

- Many respondents supported proposal 6 as they thought it would provide good life skills, but commented that individual's skills and needs following the training should be assessed by an independent assessor. Some respondents were suspicious that proposal 6 was merely a money saving exercise.
- Overall, 42.4% of respondents were in support of proposal 7 'Special Educational Needs Transport-Post 19', whilst 38.1% of respondents neither agreed nor disagreed with this proposal and 19.4% of respondents opposed this proposal. Residents from the south of the county had the highest levels of agreement for proposal 'Special Educational Needs Transport-Post 19', most notably in Warwick District where 45.1% of respondents agreed with this proposal; conversely in North Warwickshire Borough just over one third of respondents (34.9%) supported this proposal.
- Many respondents opposed proposal 7 as they felt it was discriminatory against SEN children and families, and believed it would limit education opportunities for SEN children and would ultimately lead to an increased higher education dropout rate. Several respondents felt the consultation did not provide enough information on what the criteria was, whilst others said this information was difficult to find and that it should have been explicitly provided.
- Across all of the proposals, respondents who identified themselves as not being directly affected by the proposals were less likely to oppose the proposals than respondents reporting to being directly affected by the proposals.
- In addition to the survey, the consultation received 161 letters and emails regarding the proposals from over 120 individuals, four County Councillors, one MP, nine Parish Councils, four schools and three organisations. Key themes were drawn from analysis of these emails and letters. Many respondents felt the reclassified routes were unsafe and a large number of respondents felt that even if the route were safe, it was too far for children to walk, especially when children have to carry so much to and from school. Some respondents also commented that it was unmanageable to walk one child to one school, then another child to another. Numerous respondents commented that they would end up driving their children to school due to safety concerns or the distance and practicalities involved with walking their child to school. This in turn would create more traffic congestion, and pollution which would have a negative effect on the environment. Some respondents wrote in to express their objections regarding the removal of Passenger Assistants, as many felt this would have detrimental effects on the safety of the children. Whilst, the reclassification of routes using the Road Safety GB guidelines was agreed by Cabinet in 2014, and the current proposals being considered in this consultation relate to how this reclassification will be implemented, the current consultation attracted a large number of comments in relation to the assessment of routes and the implication of implementing the proposals on those individual assessments.



4. Results

4.1 Respondent Profile

The majority of respondents to the survey were female (76.1%), of White British ethnicity (89.7%) and aged between 30-59 years (93.8%). When comparing the respondent profile with the proportion of residents living in each district and borough in Warwickshire overall, it becomes evident that the south of the county is over-represented in the sample. For example, 22.0% of the Warwickshire population reside in Stratford-on-Avon District, however in the sample 30.7% of respondents are from Stratford-on-Avon District. Whilst the proportion of the respondents from North Warwickshire Borough (12.2%), is similar to the proportion of Warwickshire residents residing in the borough (11.4%), Nuneaton and Bedworth Borough is under-represented, with only 3.9% of respondents being from this borough, compared with 22.8% of the Warwickshire population.

In addition to the equality monitoring questions, respondents were also asked 'Are you a parent/carer?' and 'Are you or your child directly affected by the proposals?'. The majority of respondents (95.0%) reported to being a parent/carer, and two thirds of respondents (66.4%) reported to being directly affected by the proposals.

4.2 Survey Responses

Q1a. The Nearest Qualifying School

Respondents were given the following information and asked 'To what extent do you agree/disagree with this proposal?'

'At the moment, a pupil's nearest qualifying school is defined by Warwickshire County Council to mean their priority school or one which is physically closer. The County Council are proposing to change the definition of the nearest qualifying school to mean only the pupil's closest school to home with a space available for the pupil by the shortest available route (this will be a driving route if the journey is over the statutory walking distance or a walking route if the journey is less than the statutory walking distance, using Google maps). This may not be the priority school but will be the one physically closest to the student's home address. Low-income families would continue to benefit from extended rights eligibility criteria.

This proposal is to address the fact that many schools now have very wide priority areas and some schools are removing priority areas altogether. The definition for nearest qualifying school will continue to take into account any special educational needs that the pupil may have.

For those who have achieved the relevant entry criteria for a selective school, that school will only be considered as the nearest qualifying school if there are no nearer non-selective schools capable of educating the child. If a pupil is not eligible for assistance under the proposed new criteria, they may be able to purchase a seat on the bus under the Council's Vacant Seats Scheme.

This change would be effective to new applicants for transport from September 2019. However, if a pupil's situation changes (i.e. a change of address or school) and they apply on or after 1st September 2019, the application will be assessed under the new criteria.'

The majority of respondents (61.2%) were opposed ('strongly disagree' combined with 'disagree') to the proposal regarding the nearest qualifying school, conversely just under a quarter (24.0%) of respondents supported ('agree' combined with 'strongly agree') the proposal. Almost half of respondents (45.3%) strongly disagreed with the proposal, in comparison only 6.1% of respondents strongly agreed with the proposal.



Opposition to proposal 1 was most pronounced in North Warwickshire Borough, where nearly three-quarters of respondents (72.7%) disagreed with this proposal. Unsurprisingly, respondents who reported to not being directly affected by the proposals were less likely to oppose proposal 1 than those who reported being directly affected by the proposals, in both cases however, the majority of respondents still opposed proposal 1.

Q1b. Please provide any additional comments related to this question (1a)

A total of 451 respondents chose to leave a response for this question. Themes which were mentioned by more than 10% of respondents are outlined below.

Qualitative themes for proposal 1

Description/Theme	Count (base=451)	%
Safety - Walking / cycling not always a safe option / rural / unlit roads / no footpath / HGV traffic / distance too long	107	23.7%
Nearest physical school may not be appropriate based on need or SEN	106	23.5%
Grammar should be included if nearest and/or child has attainment	95	21.1%
Policy will remove parents' choice (poor parents choice) / It should be parents' choice	60	13.3%
Brightest children may / will be penalised	56	12.4%

Theme 1: Safety – Walking / cycling not always a safe option / rural / unlit roads / no footpath / HGV traffic / distance too long

A number of respondents were opposed to proposal 1 as they felt it was unacceptable to expect children to walk to and from school due to safety concerns. A number of respondents highlighted that a number of the rural routes would require children to walk in the dark on unlit roads, where some parts of the routes may not have a footpath. Other safety concerns were raised over the high levels of HGV traffic along certain routes, and other respondents suggested the routes were simply too long for a child to walk.

Theme 2: Nearest physical school may not be appropriate based on need or SEN

A number of respondents opposed proposal 1 as they felt the nearest qualifying school may not be the most suitable or appropriate school for the child, most notably in the case of SEN children. Respondents felt children should go to schools which are most suited to their needs, not the nearest school. Many respondents also suggested that the nearest school may not be the most appropriate based on religious grounds.

Theme 3: Grammar should be included if nearest and/or child has attainment

A number of respondents had concerns about how these proposals would affect grammar schools, and felt that transport should be provided where a child has got a place at a grammar school regardless of whether or not this is the closest school.

Theme 4: Policy will remove parents' choice (poor parents' choice) / It should be parents' choice

Many respondents felt proposal 1 would remove parents' choice about which school their child should attend and therefore disagreed with this proposal.

Theme 5: Brightest children may / will be penalised

Respondents suggested that proposal 1 would lead to the 'brightest' children being penalised, as there were concerns this would mean they would not be able to attend grammar



schools, and that this would be especially discriminatory against children from poorer backgrounds.

Q2a. Unsafe Walking Routes

Respondents were given the following information and asked ‘To what extent do you agree/disagree with this proposal?’

‘A total of 1,779 children currently receive free transport on the basis of the walk from home to school, or home to pick-up point, being unsafe for an accompanied child. Following the 2015 consultation, all walking routes have now been reassessed using the national RoSPA / Road Safety GB Guidance for assessing such routes.

The guidance can be viewed here: <http://www.warwickshire.gov.uk/dangerousroutes>

While some routes are still classified as unsafe to walk, others have been reclassified as safe under these guidelines. In some cases, capital works are required to make a route safe. The full list of walking routes and their reclassification can be found at www.warwickshire.gov.uk/ask

It is proposed that this new classification system for routes is implemented on all routes across Warwickshire. When a route is reclassified as safe it is proposed that any students currently travelling will continue to receive free transport until the end of their time at their current school, provided there is no change in circumstances (such as a house move).

All new applicants from 1st September 2019 would be assessed using the new classification system. Existing travellers who have a change in circumstances requiring a new application (such as a house move) will also be assessed in the same way.’

Responses for proposal 2 ‘Unsafe walking route’ were very mixed, overall 45.6% of respondents disagreed with proposal 2, whereas 29.0% of respondents were in support. Interestingly, one-quarter of respondents were indifferent, neither agreeing nor disagreeing with it.

Residents from North Warwickshire Borough were most opposed to the ‘Unsafe Walking Routes’ proposal, with 71.5% of respondents disagreeing with this proposal, this may be due to the rural landscape of North Warwickshire Borough. The majority (52.3%) of respondents who reported to being directly affected by the proposals opposed proposal 2. Respondents who were not directly affected by the proposals were more likely to support proposal 2, than oppose it (32.4% versus 41.8% respectively).

Q2b. Please provide any additional comments related to this question (2a)

A total of 356 respondents chose to leave a response for this question. Themes which were mentioned by more than 10% of respondents are outlined below.

Qualitative themes for proposal 2

Description/Theme	Count (base=356)	%
Safety (high speed roads), no / narrow paths / lighting / safety assessment is wrong	210	59.0%
Traffic flow survey not done at peak school time / 2 years old /assessment criteria flawed	74	20.8%
Parking congestion outside school / traffic increase, not enough space for more cars	42	11.8%
Younger children / SEN need a chaperone / couldn't walk 3 (6) miles	41	11.5%
Disagree / backwards step / ridiculous / not practical / unfair / current system is fine	40	11.2%
More information required / links don't work	39	11.0%



Theme 1: Safety (high speed roads), no / narrow paths / lighting / safety assessment is wrong

A large number of respondents opposed proposal 2 as they had concerns over the safety of the routes, many felt that the routes that had been assessed as safe were in fact not safe.

Theme 2: Traffic flow survey not done at peak school time / 2 years old /assessment criteria flawed

Respondents again felt that the reclassification of certain routes was flawed, and were concerned that the assessment had been carried out when traffic flow was not at its peak and therefore the assessment was invalid and flawed. Respondents also advised that some of the assessments were done over two years ago, meaning they were now out of date and may need updating.

Theme 3: Parking congestion outside school / traffic increase, not enough space for more cars

A large volume of respondents disagreed with proposal 2 as they felt it would result in increased traffic and parking congestion outside of schools and that there is not enough space around the schools for more cars.

Theme 4: Younger children / SEN need a chaperone / couldn't walk 3 (6) miles

Respondents were concerned that younger children and children with SEN could not walk the routes, especially without a chaperone and due to the distance of the routes. For these reasons a number of respondents disagreed with proposal 2.

Theme 5: Disagree / backwards step / ridiculous / not practical / unfair / current system is fine

A number of respondents commented that this proposal was unfair, impractical and a step backwards. Many felt the current system was fine and should not be changed.

Theme 6: More information required / links don't work

A number of respondents highlighted that some of the links related to the reclassification of routes did not work. A decision was taken during October to change the URL name for the page in question. Unfortunately, this meant that the old URL was no longer active and did not navigate users to the replacement page.

Q3a. Special Educational Needs (SEN) Transport Criteria

Respondents were given the following information and asked 'To what extent do you agree/disagree with this proposal?'

Warwickshire County Council is proposing to change the eligibility criteria for students with SEN so that those living within 'statutory walking distance' will not receive transport assistance unless the pupil meets both the following criteria:

- a) the pupil is both attending the nearest qualifying school and*
- b) the pupil has special educational needs, disabilities and/or mobility issues which mean they would not be able to make the journey without transport assistance, even if accompanied.*

*Currently, applicants do not have to meet any mileage criteria to qualify for free transport. Under the new policy, transport assistance will still be provided if the pupil attends their nearest qualifying school **and***

- a) the pupil lives outside the statutory walking distance **or***
- b) the pupil's needs are such that they would be unable to get to school, accompanied as necessary, without transport assistance.*

*An individual assessment based on the pupil's SEN and how it affects their journey to/from school will be used to make a final decision. **This would take effect from September 2019 for new applicants.** However, if a pupil's situation changes (i.e. a change of address or school) and they reapply on or after 1st September 2019, the application will be assessed under the new criteria.'*



Overall, 43.1% of respondents were opposed to proposal 3 'Special Educational Needs (SEN) Transport Criteria', whilst 31.7% of respondents supported this proposal. One-quarter (25.2%) of respondents were undecided, highlighting the variability in responses received for this proposal.

There was greater opposition to proposal 3 'Special Educational Needs (SEN) Transport Criteria' in the north of the county when compared to the south, this was most pronounced in North Warwickshire Borough where nearly half of all respondents from this area (49.1%) 'strongly disagreed' and a further 8.3% of respondents 'disagreed' with the proposal. Respondents who identified themselves as being directed affected by the proposals were more likely to disagree with proposal 3.

Q3b. Please provide any additional comments related to this question (3a)

A total of 226 respondents chose to leave a response for this question. Themes which were mentioned by more than 10% of respondents are outlined below.

Qualitative themes for proposal 3

Description/Theme	Count (base=226)	%
Best school probably isn't the closest based on individual child's needs	66	29.2%
Assess individuals' abilities very carefully / independent assessment	40	17.7%
Disagree / discriminating / unfair	40	17.7%
SEN should be provided with transport for safety regardless of distance	30	13.3%
SEN Parents have enough to cope with without reapplications / worrying about safety	28	12.4%
Child may be unable to walk for physical / mental / speed / age reasons	27	11.9%

Theme 1: Best school probably is not the closest based on individual child's needs

When asked to provide additional comments in relation to proposal 3, many respondents suggested the closest school may not be the best school to suit the individual child's needs.

Theme 2: Assess individuals abilities very carefully / Independent assessment

A number of respondents felt strongly that individuals abilities need to be assessed very carefully and this assessment needs to be carried out by an independent assessor.

Theme 3: Disagree / discriminating / unfair

Some respondents opposed proposal 3 as they felt it was an unfair and discriminating proposal.

Theme 4: SEN should be provided with transport for safety, regardless of distance

A number of respondents said they disagreed with proposal 3 as they felt SEN children should automatically be provided with transport for safety reasons, irrespective of distance.

Theme 5: SEN Parents have enough to cope with without reapplications / worrying about safety

Some respondents disagreed with proposal 3 as they felt parents of SEN children had enough to deal with, without the added stress of having to do reapplications. Other respondents also felt parents of SEN children already had many worries and that this would increase their worries around safety.

Theme 6: Child may be unable to walk for physical / mental / speed / age reasons

Many respondents opposed proposal 3 as they suggested not all children would be able to walk to school due for several reasons including physical and/or mental health problems and the age of the child (young).



Q4a. Medical Transport-Post 16

Respondents were given the following information and asked 'To what extent do you agree/disagree with this proposal?'

'Warwickshire County Council currently provides free transport on medical grounds to students aged 4–19 years. It is proposed to remove the specific provision for free transport on medical grounds to students aged 16-19 years. This is because there is no requirement for local authorities to provide transport for post 16 students. (*Post 16 is defined as any education or learning undertaken past compulsory school age). By removing this provision, the County Council would make transport assistance support for post 16 students consistent and fair.*

Students with medical needs and disabilities would still be able to access transport assistance through the 16-19 transport scheme, as well as the 16-25 transport scheme if they have an Education Health & Care Plan or a learning difficulty or disability.' It is recognised that meeting the cost of transport to school /college can be difficult. A 50% discount is therefore available to low-income families who receive a qualifying benefit.

This change would take effect for new applicants from September 2018. Those who already travel under the scheme will continue to do so until the end of their course.

In all of the district and boroughs, except Warwick District, respondents were more likely to oppose proposal 4 'Medical Transport-Post 16' than support it, this was again most evident in the north of the county. Conversely, in Warwick District 42.9% of respondents supported proposal 4, this is higher than the proportion of respondents (35.7%) opposing it. In line with other proposals outlined in this consultation, respondents who identified themselves as not being directly affected by the proposals were less likely to oppose proposal 4, than those who identified themselves as being directly affected. Interestingly however, when comparing the proportion of respondents who opposed the proposal across the two groups, the difference was small (5.9%).

Q4b. Please provide any additional comments related to this question (4a)

A total of 206 respondents chose to leave a response for this question. Themes which were mentioned by more than 10% of respondents are outlined below.

Qualitative themes for proposal 4

Description/Theme	Count (base=206)	%
Post 16 education / training is not optional	69	33.5%
Disagree / wrong / unfair / discriminatory	69	33.5%
Insufficient for low income / just about managing / unaffordable as a younger person	44	21.4%
All children should have free transport within a certain mileage	43	20.9%
Will limit opportunities / education	37	18.0%

Theme 1: Post 16 education / training is not optional

A large number of respondents commented that children are now required to stay in education/training until the age or 18, not 16 and therefore the proposal was wrong as education post 16 to 18 is not optional.

Theme 2: Disagree / wrong / unfair / discriminatory

A number of respondents disagreed with proposal 4 as they felt it was unfair and discriminatory.



Theme 3: Insufficient for low income / just about managing / unaffordable as a younger person

Many respondents opposed proposal 4 as they felt it would make transportation to and from school unaffordable, particularly for families with lower incomes and those who are just about managing on their current income.

Theme 4: All children should have free transport within a certain mileage

Some respondents suggested that all children should have free transport within a certain mileage.

Theme 5: Will limit opportunities / education

Some respondents commented that proposal 4 would limit young people's opportunities and therefore they disagreed with this proposal.

Q5a. Passenger Assistant

Respondents were given the following information and asked 'To what extent do you agree/disagree with this proposal?'

*'Warwickshire County Council is proposing that passenger assistants **should only be provided automatically on vehicles carrying special educational needs pupils with statements of SEN or an Education Health & Care Plan.***

*Passenger assistants are a non-statutory requirement and are currently provided on all vehicles **transporting primary school age children.** A full assessment would be carried out on each vehicle before making any decision to remove a passenger assistant. The assessment would take into consideration the location of the pick-up and drop off points and the make-up of passengers (i.e. whether primary and secondary students are travelling together). Vehicles carrying children with a statement or EHCP would not be subject to an assessment.*

This change would take effect from September 2018 onwards.'

The majority of respondents (56.5%) opposed proposal 5 'Passenger Assistants', with 22.9% of respondents indifferent to the proposal and 20.6% of respondents in support of it. Around three in seven respondents strongly disagreed with this proposal.

Across all of the districts and boroughs the majority of respondents disagreed with proposal 5 'Passenger Assistants', this was most pronounced in Rugby Borough where 63.1% of respondents opposed the proposal, this equates to around five in eight respondents from this area. Nearly half of all respondents (49.2%) who reported not being directly affected by the proposals disagreed with proposal 5 'Passenger Assistants', with one quarter (25.5%) of respondents from this group supporting this proposal and a further quarter (25.4%) of respondents neither agreeing nor disagreeing to it. Around three in five respondents (60.7%) who reported being directly affected by the proposals, disagreed with proposal 5, around one in five neither agreed nor disagreed with the proposal (21.3%), and one in six (18.1%) supported it.

Q5b. Please provide any additional comments related to this question (5a)

A total of 356 respondents chose to leave a response for this question. Themes which were mentioned by more than 10% of respondents are outlined below.



Qualitative themes for proposal 5

Description/Theme	Count (base=356)	%
Young / SEN children need a chaperone / safeguarding rules should be adhered to / parents would not use without chaperone	273	76.7%
Safety (compromised) / Councils duty of care / medical sickness issues / using the right stop	160	44.9%
Drivers job to drive bus not manage the children / for drivers' safety too / drivers not trained to manage the children	101	28.4%
Bullying / misbehaviour will occur	35	9.8%
Object / ridiculous / shocked	34	9.6%

Theme 1: Young / SEN children need a chaperone / safeguarding rules should be adhered to / parents would not use without chaperone

Many respondents strongly opposed proposal 5 and felt that young children and SEN children need a chaperone. Respondents suggested proposal 5 went against safeguarding rules and that without a chaperone they would feel so worried about the safety of their child that they would not use the transport provided.

Theme 2: Safety (compromised) / Council's duty of care / medical sickness issues / using the right stop

In a similar way to theme 1, a number of respondents highlighted safety concerns in relation to there not being a chaperone. Many respondents felt the council had a duty of care to provide a chaperone. Respondents reported that chaperones were needed to help with any medical or sickness issues on-board the bus and that they were needed to ensure the child uses the right stop.

Theme 3: Drivers job to drive bus not manage the children / for drivers safety too / drivers not trained to manage the children

Respondents felt that whilst drivers were trained to drive the bus they were not trained to manage children, and were concerned that this would impact on the safety of all those on-board the bus.

Theme 4: Bullying / misbehaviour will occur

Some respondents opposed proposal 5 as they felt the removal of the passenger assistant may lead to bullying and misbehaviour.

Theme 5: Object / ridiculous / shocked

Some respondents used the comments box to voice how shocked they were at proposal 5, many felt this proposal was 'ridiculous' and strongly objected to this proposal being implemented.

Q6a. Independent Travel Training (for pupils with SEN)

Respondents were given the following information and asked 'To what extent do you agree/disagree with this proposal?'

'Warwickshire County Council has decided to introduce a system of 'Independent Travel Training' to give children and young people the skills they need to improve their ability to travel independently, if it is considered this would be of benefit to them.

If successful this will mean that some children and young people who previously required highly individualised transport to travel to school or college would be able to take public transport, school buses, or even walk.



Although the system is already being commissioned, the Council proposes that this system should be guaranteed by making it a fundamental part of the home-to-school transport policy.

Independent Travel Training will be implemented during the 2017/18 Academic Year.'

Overall, 40.6% of respondents supported proposal 6 'Independent Travel Training (for pupils with SEN)', 28.9% of respondents neither agreed nor disagreed with the proposal, whilst 30.6% of respondents disagreed with the proposal.

Residents in the north of the county were more likely to oppose proposal 6 'Independent Travel Training (for pupils with SEN)' than respondents in the south of the county. Respondents from Rugby Borough, Stratford-on-Avon District and Warwick District were more likely to support proposal 6 than oppose it. Moreover, nearly one-third of respondents from North Warwickshire Borough (32.4%) strongly disagreed with the proposal, this compares with just 15.2% of respondents from Stratford-on-Avon District feeling this way. Levels of support (35.4%) and opposition (34.9%) for proposal 6 were split relatively evenly when looking at respondents who identified themselves as directly affected by the proposals; however respondents who identified themselves as not being directly affected by the proposals were over twice as likely to support this proposal (52.2%) than oppose it (20.7%).

Q6b. Please provide any additional comments related to this question (6a)

A total of 227 respondents chose to leave a response for this question. Themes which were mentioned by more than 10% of respondents are outlined below.

Qualitative themes for proposal 6

Description/Theme	Count (base=227)	%
Individual skills / needs / training needs should be assessed	94	41.4%
Good idea (if voluntary) good life skill	77	33.9%
Disagree	31	13.7%
Who will do the assessment? / needs to be independent assessors (not council)	29	12.8%
Money saving exercise / money saving sham / not costs before safety	26	11.5%

Theme 1: Individual skills / needs/ training needs should be assessed

Whilst many respondents supported proposal 6, they felt that individual's skills and needs following the training should be assessed.

Theme 2: Good idea (if voluntary) good life skill

Lots of respondents commented that proposal 6 was a good idea (if voluntary) as this would provide children with good life skills to live more independently.

Theme 3: Disagree

Some respondents disagreed with proposal 6, suggesting it was a waste of time and resource.

Theme 4: Who will do the assessment? / needs to be independent assessors (not council)

Some respondents highlighted concerns with proposal 6 around who would do the assessments, and felt that all assessments should be carried out by an independent assessor, not council staff.



Theme 5: Money saving exercise / money saving sham / not costs before safety

Other respondents opposed proposal 6 as they felt this was merely a money saving exercise, arguing the focus should be on child safety, not on cutting costs.

Q7a. Special Educational Needs Transport-Post 19

Respondents were given the following information and asked 'To what extent do you agree/disagree with this proposal?'

'Warwickshire County Council provides transport assistance for students aged 19-25 with an Education Health & Care Plan or statement or for those with learning difficulties / disabilities. At the moment, all students have to pay for this transport.

To bring us in line with legislation, a small number of 19-25 year olds would be eligible for free transport to sixth form/college if they meet specific criteria. Those who do not meet the criteria would be required to make their own arrangements.

*Full details can be found in the 'Post 19 Eligibility Criteria' document on warwickshire.gov.uk/ask and in section 11 of the proposed policy. **This change would take effect for new applicants from September 2018.'***

Overall, 42.4% of respondents were in support of proposal 7 'Special Educational Needs Transport-Post 19'. Around three in eight respondents (38.1%) neither agreed nor disagreed with proposal 7 being implemented, whilst just under one in five respondents (19.4%) were opposed to this proposal.

Residents from the south of the county had the highest levels of agreement for proposal 'Special Educational Needs Transport-Post 19', most notably in Warwick District where 45.1% of respondents agreed with this proposal; conversely in North Warwickshire Borough just over one third of respondents (34.9%) supported this proposal. Respondents who were not directly affected by the proposals were more likely to support proposal 7 than those who reported being directly affected, 51.7% versus 37.5% respectively.

Q7b. Please provide any additional comments related to this question (7a)

A total of 123 respondents chose to leave a response for this question. Themes which were mentioned by more than 10% of respondents are outlined below.

Qualitative themes for proposal 7

Description/Theme	Count (base=123)	%
Disagree / discrimination	25	20.3%
What criteria / need more information / info should have been provided / was difficult to find	21	17.1%
Should be fair to all / unfair	19	15.4%
Limits education / opportunities / cause education drop out	19	15.4%
Free transport should be available for all	17	13.8%
Individual assessment of need eligibility	12	9.8%

Theme 1: Disagree / discrimination

Many respondents opposed proposal 7 as they felt it was discriminatory against SEN children and families.



Theme 2: What criteria / need more information / info should have been provided / was difficult to find

A number of respondents felt the consultation did not provide enough information on what the criteria was, whilst others said this information was difficult to find and that it should have been explicitly provided.

Theme 3: Should be fair to all / unfair

Many respondents opposed proposal 7 as they felt it was unfair to SEN children.

Theme 4: Limits education / opportunities / cause education drop out

A number of respondents disagreed with proposal 7 as they felt it would limit education opportunities for SEN children and would ultimately lead to an increased higher education dropout rate.

Theme 5: Free transport should be available for all

Some respondents disagreed with proposal 7 as they felt free transport should be available to all, regardless of SEN status.

Theme 6: Individual assessment of need eligibility

Several respondents commented that there needs to be an individual assessment of need eligibility with regard to free transportation.

Q8. Do you have any other comments to make in relation to these proposals?

Respondents were invited to provide any additional comments they may have in relation to the proposals. A total of 280 respondents chose to provide additional comments. Themes which were mentioned by more than 10% of respondents are outlined below.

Qualitative themes from respondents' additional comments

Description/Theme	Count (base=280)	%
Saving money at the cost of safety / education	76	27.1%
Disagree / Ridiculous / not worked elsewhere / unfair / backwards step / unsafe	66	23.6%
Chaperone needed for younger children / SEN	57	20.4%
Consider the only just managing families / sliding costs	55	19.6%
Proposed route will never be safe	34	12.1%

Theme 1: Saving money at the cost of safety / education

Several respondents expressed concerns that the proposals were too focused on saving money at the cost of the safety and education of children.

Theme 2: Disagree / Ridiculous / not worked elsewhere / unfair / backwards step / unsafe

Many respondents expressed their opposition to these proposals, suggesting they were unsafe and a step backwards.

Theme 3: Chaperone needed for younger children / SEN

Respondents once again commented that chaperones were needed for younger children and SEN children, highlighting strong opposition against proposal 5 'Passenger assistant'.

Theme 4: Consider the only just managing families / sliding costs

Many respondents were concerned about the financial impact of the proposals.



Theme 5: Proposed route will never be safe

A number of respondents expressed fears that the proposed routes would never be safe, even following capital works.

4.3 Additional Consultation Communications

In addition to the survey, the consultation received 161 letters and emails regarding the proposals from over 120 individuals, four County Councillors, one MP, nine Parish Councils, four schools and three organisations. The vast majority of the received emails and letters outlined reasons of opposition to the proposals. Some of the correspondence was around clarification of the proposals, with residents asking very specific questions, for example how certain proposals would affect them directly. Any specific queries or questions sent in were addressed and responded to directly.

All of the emails and letters received have been read, re-read and analysed to draw out key themes.

Whilst, the reclassification of routes using the Road Safety GB guidelines was agreed by Cabinet in 2014, and the current proposals being considered in this consultation relate to how this reclassification will be implemented, a large number of comments were made in relation to the assessment of routes and the implication of implementing the proposals on those individual assessments. The main routes of concern were:

- Long Itchington to Southam
- Woodend to Kingsbury
- Hatton to Ferncumbe
- Warton to Polesworth
- Leek Wootton to Kenilworth

As such, a key theme drawn out of the emails and letters received is:

Theme 1: The reclassified routes are incorrect, they are still not safe

Many respondents felt that the routes which were assessed as safe were not safe due to a variety of reasons including:

- Pavements too narrow
- Winter poses additional dangers
- There is not any street lighting
- Speed limits are too high
- The traffic count was conducted at the wrong time of day
- HGVs make the route unsafe
- The danger posed by HGVs will only increase with HS2

Theme 2: Distance is too far regardless of safety

A large number of respondents felt that even if the route were safe, it was simply too far for children to walk, especially when children have to carry so much to and from school. Some respondents also commented that it was unmanageable to walk one child to one school, then another child to different school.

Theme 3: will lead to increased traffic congestion which is bad for the environment

A number of respondents commented that they would end up driving their children to school due to safety concerns or the distance and practicalities involved with walking their child to school. This in turn would



create more traffic congestion and pollution, which would have a negative effect on the environment.

Theme 4: Keep Passenger Assistants

Some respondents wrote in to express their objections regarding the removal of Passenger Assistants, as many felt this would have detrimental effects on the safety of the children. A number of respondents commented that the drivers must pay attention to the road and driving and that if they are distracted by children there may be an accident. Others commented that it would impossible for drivers to both drive the bus and check, for example, that children are wearing their seats belts or that young children are getting off at the correct stops.



Appendix G

Post 19 SEN Eligibility Criteria

This extract is taken from Section 11 of the proposed home to school transport policy.

In deciding whether it is necessary for the local authority to provide free transport assistance in these circumstances, the authority would generally require young people to meet all of the following criteria, in that they should be:

- Resident in Warwickshire;
- Aged 19 or over but under 25 at the start of the academic year in which the course begins*;
- Holding an EHCP or have provided proof of a learning difficulty and/or disability;
- Starting a new course of study for a higher level qualification than has previously been studied for**;
- Attending a full-time course of at least 540 guided learning hours per academic year;
- Unable to travel to the place of education without transport assistance, and with no support available from members of the household in which they reside, other family members, or from personal assistants.***;
- Studying at the nearest suitable school, college or local authority funded training provider offering the qualification of choice for the young person. When considering whether a qualification is “the qualification of choice for the young person”, the County Council take into account the end qualification awarded (not the individual units taken, or the name of the course), the training provider having a place available to offer on that course and that the students meet the entry requirements demanded by the training provider;
- Travelling further than the statutory walking distance of 3 miles by the shortest available route or, due to the young person’s special educational needs, disability and/or mobility problems, they cannot reasonably be expected to walk to the place of education, accompanied as necessary; and
- Attending during the normal school/college day and during term time only

*This provision will not be available for anyone beginning a new course of study before their 19th birthday, and will not be available for anyone after the end of the academic year which includes their 25th birthday.

**For the purposes of deciding whether to provide free transport the Authority would not consider it necessary, other than in exceptional circumstances, for a young adult learner to attend an additional Further Education course at the same level or equivalent where the learner had previously attended and completed a course at an establishment within the Further Education sector.

*** If the young person is in receipt of the higher rate mobility component of the Personal Independence Payment or Disability Living Allowance, the purpose of which is to assist those who have mobility problems, with severe difficulty walking or who need help getting around outside, it would normally be expected that this benefit will be fully utilised before assistance under this section is sought. Similarly, if the young person has access to a 'Motability' vehicle, of which the student may or may not be the driver, then the County

Council would normally expect the carer/student to make their own appropriate transport arrangements.

Appendix H

EQUALITY IMPACT ASSESSMENT/ ANALYSIS (EqIA)

Home to School Transport Policy

This EqIA is a working document and therefore subject to continual review, amendment and refinement.

Equality Impact Assessment/ Analysis (EqIA)

Group	Communities
Business Units/Service Area	Education and Learning
Plan/ Strategy/ Policy/ Service being assessed	Home to School Transport Policy
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	It is an existing policy / service which is subject to review
EqIA Review team – List of members	Claire Thornicroft Guy Darvill John Edwards
Date of this assessment	2 nd January 2018
Signature of completing officer (to be signed after the EqIA has been completed)	(Claire Thornicroft)
Are any of the outcomes from this assessment likely to result in complaints from existing services users and/ or members of the public? If yes please flag this with your Head of Service and the Customer Relations Team as soon as possible.	YES / NO
Name and signature of Head of Service (to be signed after the EqIA has been completed)	(Chris Malone)
Signature of GLT Equalities Champion (to be signed after the EqIA is completed and signed by the completing officer)	(Phil Evans)

A copy of this form including relevant data and information to be forwarded to the Group Equalities Champion and the Corporate Equalities & Diversity Team



Working for Warwickshire

Form A1

INITIAL SCREENING FOR STRATEGIES/POLICIES/FUNCTIONS FOR EQUALITIES RELEVANCE TO ELIMINATE DISCRIMINATION, PROMOTE EQUALITY AND FOSTER GOOD RELATIONS



High relevance/priority



Medium relevance/priority



Low or no relevance/ priority

Note:

1. Tick coloured boxes appropriately, and depending on degree of relevance to each of the equality strands
2. Summaries of the legislation/guidance should be used to assist this screening process

Business Unit/Services:	Relevance/Risk to Equalities																										
	Gender			Race			Disability			Sexual Orientation			Religion/Belief			Age			Gender Reassignment			Pregnancy/ Maternity			Marriage/ Civil Partnership (only for staff)		
State the Function/Policy /Service/Strategy being assessed:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Home to School Transport Policy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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Are your proposals likely to impact on social inequalities e.g. child poverty for example or our most geographically disadvantaged communities? If yes please explain how.																									YES/ NO		
Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes please explain how. The proposals around the qualifying criteria for free transport, under 16 and post 19, will have a direct impact on parents who care for children with Special Educational Needs																									YES/ NO		

Form A2 – Details of Plan/ Strategy/ Service/ Policy

Stage 1 – Scoping and Defining

(1) What are the aims and objectives of Plan/Strategy/Service/Policy?

Local Authorities have a legal duty to provide free transport to school to children considered 'eligible' under the Education Act 1996 (as amended). Children are considered 'eligible' if they fall under one of a number of broad categories. These include:

- children attending the nearest qualifying school to home where the distance from home to school is over the relevant statutory walking distance;
- children unable to walk to school in safety due to the nature of the route;
- children unable to walk to school by reason of their SEN, disability, or mobility problem (including temporary medical conditions).

A child's 'nearest qualifying school' is the school closest to the child's main home address with spaces available at the time of application for school transport and which provides an education which is suitable for the child's age, ability and aptitude.

In discharging their duty to provide free transport to school for eligible children, arrangements can include a seat on a bus, taxi, or the payment of a direct travel payment (or other suitable combination). Direct travel payments can only be made with parental consent.

Warwickshire meets and exceeds all of the statutory requirements regarding eligible children and none of the proposals will interfere with statutory rights to home-to-school transport.

For pupils with Special Educational Needs (SEN), all pupils attending the nearest special school are offered free transport. In addition, pupils attending a specialist nursery also receive free transport.

Section 508C of the Education Act 1986 (as amended) also provides local authorities with discretionary powers to make travel arrangements for those children not considered eligible. In Warwickshire, a Vacant Seats Scheme operates which allows non-eligible

children to travel on Council subsidised services after all eligible children have been accommodated. A parental contribution is required.

For students aged 16-19 local authorities are required to publish an annual transport policy statement which details the transport arrangements and financial assistance with transport that the local authority considers it necessary to ensure access to education or training for learners of sixth form age. This duty also applies to learners aged 16-25 with SEN / LDD.

Local authorities also have a duty to provide free transport where necessary to:

- Those aged 19 or over who are receiving further education or higher education (the latter in establishments maintained by the LA);
- Those aged 19 or over but under 25 with Education Health and Care Plans (or Learning Difficulty Assessments), receiving education at institutions outside the further or higher education sector but only for boarding provision where the LA has secured the provision of education and training at the institution.

Warwickshire's current policy provides transport to school and college for learners aged 16-19 and 16-25 with SEN / LDD in line with the above requirements. The majority of students or their parent(s) make a contribution toward the cost of the transport they receive.

Due to the financial pressures faced by the local authority and in light of fundamental changes to the authority's role, a review of existing transport policies has been carried out and a number of changes to the current policy are proposed. These include changes to provision for pupils with SEN but will still allow the authority to continue to meet its statutory responsibilities, achieve significant savings, and to deliver a flexible service for the provision of transport that meets need, supports personalisation and maximises independence. Therefore whilst the proposals would, if implemented, have an impact on some children and young people with disabilities, it is considered by the authority that the proposals amount to a proportionate means of achieving a legitimate aim.

The changes proposed are set out below. This document will be reviewed regularly as and when proposals are amended.

1) Transport to Special Schools

All students attending their nearest qualifying special school receive free transport regardless of the distance from home or their assessed need.

Warwickshire's policy is a local decision. Most of the authority's statistical or geographical neighbouring Local Authorities already assess students attending special schools in the same way as other students. However, they also have to give consideration to the needs of the individual student.

The Council proposes in future to transport children attending a special school if either they live outside of the statutory walking distance for their nearest qualifying school or if, having regard to their special educational needs, disability and/or mobility problems, they cannot reasonably be expected to walk to their nearest qualifying school

Those who live over the distance will qualify for free transport assistance to their nearest qualifying school, those who live less than the statutory walking distance would still qualify if their needs were such that they would not be able to make the journey, accompanied as necessary, without transport assistance. Pupils who fall under this category would be subject to a full assessment to determine their eligibility upon application for transport under these grounds.

How many students would be affected?

This proposal would apply to all new applicants from September 2019 onwards. Whilst it is difficult to say exactly how many pupils will be affected, all applicants will be assessed using the new criteria. Phased in over a period of years, the proposals would potentially reduce the number of students with special educational needs and / or disabilities entitled to free transport and ultimately enable a revision of the transport network.

Other key issues for consideration

It is acknowledged that some students will not be able to travel to school independently. An assessment of a student's needs would be made before any decision was taken to discontinue or not to provide transport. However, developing independence is regarded as a specific objective as a student moves through secondary school. As part of a student's development of independence, Independent Travel Training may assist to enable a child /

young person to make their own way to and from school

2) Transport to the Nearest School

Currently, pupils attending their 'priority school' receive free transport to school provided they are resident in Warwickshire and are travelling over the statutory walking distance, even if it is not the school which is physically closest.

The Council proposes that students only receive free transport to their nearest suitable school with places available at the time of the application for a school place. This may not be the priority school but will be the one physically closest to the student's home address (this will be calculated using the shortest available route on Google maps, motorised routes are used for journeys over 3 miles and walking routes for journeys less than 3 miles).

Who is likely to be affected?

This would affect all students starting a new school, or moving house/school, in or after September 2019, who attend a school which they live in the priority area for and which is more than statutory walking distance from their home, but which is not the school closest to the pupil's home address calculated using the shortest available route on Google Maps.

Other key issues for consideration

It is acknowledged that not all students will be able to attend their nearest school due to it either not being able to provide a suitable education for them, or through lack of space at the time of application. In these instances, transport will be available to the next nearest suitable school with spaces available.

3) Medical Transport – Post 16

Currently, the Council offers free transport to school/college on medical grounds for students aged 4-19 subject to certain criteria. All other post 16 students must pay for transport to sixth form/college.

The Council proposes that students aged 16-19 with a medical condition no longer be entitled to free transport to sixth form/college. This is because there is no statutory requirement for local authorities to provide transport for post 16 students. Students would

still be able to access transport assistance through the 16-19 transport scheme, and would also be able to access the 19-25 transport scheme should the student have an EHCP or a learning difficulty or disability.

How many students would be affected?

The number of students accessing transport due to medical conditions varies from term to term, year to year. At the moment, the authority only has three students in receipt of transport under this scheme. It is likely that most of those who currently receive transport under this part of the policy would still receive transport assistance if they have long-term conditions under special educational needs and/or disability provisions of the policy, but it is acknowledged that this will require a payment, in line with the amount paid by other recipients of 16-19 home-to-education transport.

Other key issues for consideration

It is proposed that this change would be introduced to all new applicants from September 2018.

4) Removal of Passenger Assistants

Passenger assistants are currently provided on all vehicles travelling to primary schools. The Council proposes that not all services carry a passenger assistant. The majority of other local authorities operate their primary transport without assistants as they are not considered to be necessary for safeguarding or for health & safety reasons. An assessment of each service would be carried out before making a decision and would take into consideration the pick- up and drop off points and the make-up of passengers (for example, whether primary and secondary students are travelling together).

How many students would be affected?

There are currently 1034 pupils of primary-school age accessing school transport (excluding Children Looked After and those with Special Educational Needs), but it is not considered that passenger assistants would be removed from services on which any children would be likely to require their support as a result of their needs. The Council anticipate savings of approximately £300,000 per annum should this proposal be implemented.

Other key issues for consideration

This change would only be applicable for mainstream primary vehicles and would not impact upon any service carrying pupils with an Education, Health and Care Plan.

5) Introduction of free transport to 19-25 year olds with an EHCP / learning difficulties or disabilities

Currently, all students aged 16-25 must pay for transport assistance to sixth form/college. In line with current legislation, the Council proposes that 19-25 year olds would be eligible for free transport assistance if they meet specific criteria and prove that it is necessary for the Council to provide transport assistance in order for them to access education.

How many students would be affected?

There are currently 338 students aged 16-25 receiving transport assistance of which approximately 165 are aged 19-25.

Other key issues for consideration

If students aged 19-25 are deemed not to be eligible for free transport, there would be no option to pay for any form of travel assistance.

6) Introduction of Independent Travel Training

Warwickshire County Council has not previously offered any form of independent travel training to students as a form of travel support.

The Council is introducing independent travel training to students with a statement or EHCP of secondary school age. This will be offered to students who have been assessed as suitable by the child or young person's school or the Council's training provider. The training would be aimed at giving children and young people the skills necessary to make the journey from home to school independently, either by bus, train or by walking. The skills learnt can be transferred to be used for any journey, for both social and educational reasons. Once trained, students would travel to school by the most suitable method. This may mean that transport would still be funded by the Council, but it could be in a different form.

How many students would be affected?

It is anticipated that there are around 800 students who could be considered for travel training. Not all of these students will be suitable and each learner will be assessed on an individual basis.

Other key issues for consideration

The benefits for young people are likely to be extensive. The training will afford them with transferable life skills which will help them beyond travelling to and from school/college. Schools in other local authority areas have reported improved quality of work and confidence in the young people who have been travel trained.

The benefit for the local authority is the reduction in specialist vehicle passengers and therefore a reduction in the amount spent on these vehicles. There could also be a reduced dependence on other agencies, such as Adult Social Care, now and in the future.

7) The Creation of 'One Policy'

There was previously a mainstream and post 16 transport policy with a separate, unpublished policy for SEN students.

The Council has amalgamated the SEN & mainstream transport policies which means just one policy exists for all children aged 3-25, and there is only one document parents/carers need to refer to for home-to-education transport.

8) The reassessment of all unsafe walking routes

All routes which are currently deemed to be unsafe to walk are being reassessed using the Road Safety GB guidelines.

Where a route is reclassified as safe it is now proposed that any students currently travelling will continue to receive free transport until the end of their time at school, provided there is no change in circumstances (such as a house move). All new applicants from September 2019 would be assessed using the new reclassification. This is a change to the previous proposal that all transport would be withdrawn from the end of the academic year

	in which a route was reassessed as being safe.
(2) How does it fit with Warwickshire County Council's wider objectives?	Within the authority's current financial position, particularly the impact on Education and Learning, it is necessary to review all of the support the Council offers with transport. The authority is committed to ensuring that any changes made to services are undertaken in a way that is cost effective and prioritises need. This requires the Council to examine existing policies and working practice to help us to deliver a flexible service for the provision of transport that meets need, supports personalisation and maximises independence.
(3) What are the expected outcomes?	<p>Should the proposals be implemented, it is anticipated that there will be a reduction in costs by reducing the number of pupils receiving free transport, while ensuring all statutory functions will continue to be delivered and improving the skills of children and young people who are in a position to access Independent Travel Training. The Council will aim to ensure that no-one entitled to transport assistance would be unable to access education as a result of these proposals.</p> <p>There would also be a reduction in the cost of providing transport for Primary-aged pupils by removing the passenger assistant, where safe to do so. The local authority would continue to work to ensure the safety of pupils travelling on WCC services.</p>
(4) Which of the groups with protected characteristics is this intended to benefit? (see form A1 for list of protected groups)	The changes proposed are designed to ensure that the local authority continues to be in a position to meet its statutory duties in relation to free transport in relation to relevant children and young people, including those with disabilities. They are also designed to ensure that, despite reduced resources, all students up to the age of 25 (for those with disabilities) who are entitled to receive free transport can continue to access their place of learning.
<u>Stage 2 - Information Gathering</u>	

<p>(1) What type and range of evidence or information have you used to help you make a judgement about the plan/ strategy/ service/ policy?</p>	<p>All relevant legislation has been considered including the SEND Code of Practice: 0-25 Years. We have also looked carefully at the policies in other local authorities and have considered relevant guidance from the Department for Education.</p> <p>Data held by Warwickshire County Council has also been used to assess the impacts on particular groups and where applicable, the level of savings which will be realised.</p>
<p>(2) Have you consulted on the plan/ strategy/ service/policy and if so with whom?</p>	<p>The policy has been co-produced as part of a workstream involving parent representatives. A full public consultation was carried out between 7th September and 2nd November 2017, with parents, young people, schools, Members, and any other interested stakeholders and with parties able to comment. A full analysis has been undertaken of all the consultation responses and the proposals have been reviewed in light of this.</p>
<p>(3) Which of the groups with protected characteristics have you consulted with?</p>	<p>See above. Parents of children with special educational needs and disabilities have responded in strong numbers to the public consultation, as was hoped. Parents of children of primary school age have also responded concerning proposals to remove passenger assistants from primary school transport, and responses have also been received from those speaking on behalf of children and young people of other age groups who would be affected by different proposed changes to the transport policy.</p> <p>Other groups with protected characteristics are not considered to be disproportionately adversely impacted by any of the proposals.</p>
<p><u>Stage 3 – Analysis of impact</u></p>	

<p>(1) From your data and consultations is there any adverse or negative impact identified for any particular group which could amount to discrimination?</p> <p>If yes, identify the groups and how they are affected.</p>	<p>RACE</p> <p>None identified</p>	<p>DISABILITY</p> <p>Students with disabilities potentially affected by:</p> <p>SEND Transport</p> <p>The practical implications of the proposed policy are that those who live less than the statutory walking distance who do not have difficulties that require them to have transport assistance, will not receive local authority assistance for their travel to/from school. Therefore, this proposal will have an impact upon those with a disability as we are aligning our policy on walking distance for pupils with SEN / disabilities to meet that which applies to non-SEN / disabled pupils. However the proposal will only impact upon those who do not have mobility issues that prevent them from being able to walk to school and therefore it is considered that the proposal amounts to a proportionate means of achieving the legitimate aim of reducing overall expenditure on Home to school transport to ensure that the authority is still in a position to meet its statutory obligations. This could put additional pressures on families due the need to organise and fund transport or to accompany the child as necessary.</p> <p>The consultation has raised concerns about the impact that the best school would not necessarily be the nearest in particular for those with SEND, but decisions on what school a child can be transported to is already based on an assessment of suitability and that will not change under this proposal. Some consultees felt that those with SEND should be provided with transport regardless, but the proposal is intended to focus provision on those children who actually require it. The assessment undertaken would take account not merely of the child's physical ability to walk, but other mitigating factors for the child and family that may impact on their ability to make the journey, in line with current practice.</p>	<p>GENDER</p> <p>None identified</p>
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<p>(1) From your data and consultations is there any adverse or negative impact identified for any particular group which could amount to discrimination?</p> <p>If yes, identify the groups and how they are affected.</p>	<p>RACE</p>	<p>DISABILITY</p> <p>Students with disabilities potentially affected by:</p> <p>Medical Transport</p> <p>It is likely that the proposed withdrawal of medical transport for those aged 16-19 will impact on those with disabilities who are eligible for the transport assistance as a result, as in the future those who would have been eligible for medical transport assistance for free will have to pay a contribution towards transport. As this will however bring those young people in line with all other disabled young people who already have to pay a contribution towards transport then this is considered to be a proportionate means of achieving a legitimate aim.</p> <p>Change of policy for 19-25 year olds</p> <p>This will have an impact upon those with a disability because the proposal will restrict the number eligible to receive post 19 transport support to only those for whom transport is necessary, both as a result of still requiring educational provision and also through being unable to travel to the provision without such support. The Council will however ensure support will still be available where necessary to support the young person's journey to college and consider that this proposal is a proportionate means of achieving a legitimate aim.</p> <p>The consultation raised concerns that this could lead to an increased risk of drop-out from education for young people of that age. This is acknowledged as a concern, but can be managed through appropriate assessment to ensure that those who still require transport in order to access education continue to receive it.</p>	<p>GENDER</p>
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	MARRIAGE / CIVIL PARTNERSHIP None identified	AGE A number of the proposals will affect children and young people of different ages. This is due to different legislation applying to different age groups for the purposes of home-to-education transport. Children of compulsory school age have the highest level of entitlement under the law, and although recategorisation of routes and removal of passenger assistants from primary-age transport would impact particularly on those age groups, entitlement would remain in line with the law and at a higher level than for those of older age groups. Removal of 16-19 medical transport will particularly impact upon that age group, whilst the provision will remain available to younger children, but transport assistance will remain available through the contributory rate scheme. Changes to the 19-25 scheme are to put the policy in line with the current legislative provision. It may take some young people out of the scope of transport assistance, but for those young people for whom transport assistance is necessary that assistance will be provided free of charge.	GENDER REASSIGNMENT None identified
	RELIGION / BELIEF None identified	PREGNANCY MATERNITY None identified	SEXUAL ORIENTATION None identified

<p>(2) If there is an adverse impact, can this be justified?</p>	<p>Despite the proposals being considered the local authority will continue to meet all of its statutory duties. However, due to the level of savings required the Council's current policy must be reviewed. Wherever there will be adverse impacts then steps will be taken to alleviate the impact and to ensure that support is prioritised based on need.</p> <p>As set out above, it is considered that all of the adverse impacts can be justified as being a proportionate means of achieving a legitimate aim, in that suitable transport assistance will remain available for all those who require it, although in some cases that transport provision may take a different form, but the changes do need to be made in order both to reduce expenditure due to the increasingly limited resources available to the County Council, and also to ensure that the Council's policy is in line with current legislation</p>
<p>(3)What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>Those who require transport assistance because of genuine mobility reasons would still receive this. In any case where support with transport is refused parents would have a right to appeal the decision with each case assessed on an individual basis.</p> <p>Full assessments of each service would be carried out before taking the decision to remove a passenger assistant. Parents and schools would also be given the right to comment during the assessment process.</p> <p>Transport assistance would remain available for those paying a contributory rate who would otherwise have been eligible for free 16-19 Medical Transport.</p> <p>Independent Travel Training will, where practical, give children / young people the skills necessary to travel to and from their place of education on their own.</p> <p>Where a route has been reassessed as being safe then transport provision would remain in place for all current users until either a change in circumstances (such as a house move) or until the child leaves the school, whichever is sooner.</p> <p>Where assessments are necessary under the proposals, these would ensure that proper consideration is given both to a child or young person's needs and other circumstances relevant to the case.</p>

(4) How does the plan/strategy/service/policy contribute to promotion of equality? If not what can be done?	All legislative requirements will continue to be met, and students whose needs are such that they could not access education without transport provision will continue to receive this.
(5) How does the plan/strategy/service/policy promote good relations between groups? If not what can be done?	Should the proposals be approved, the authority would work closely with schools, colleges, parents, students and all other relevant parties. While it is acknowledged that some of the changes will not be popular, they are necessary in order to ensure that the authority can still sustainably provide transport to those entitled to receive it, and we will do everything possible to ensure that those affected are kept informed and are involved in the process. Wherever possible we will work with partners in order to try and ensure a smooth transition and to build / continue strong relationships.
(6) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	Discussion would take place with school/family should any students face significant financial difficulties as a result of introducing such policy changes. However, a 50% discount is already available to families who receive certain benefits.
(7) What are the likely positive and negative consequences for health and wellbeing as a result of this plan/strategy/service/policy?	While some students may not be entitled to free transport as a result of the proposed changes it is not envisaged that there will be any negative impact on health and wellbeing.
(8) What actions are going to be taken to reduce or eliminate negative or adverse impact on population health? (This should form part of your action plan under Stage 4.)	It is not anticipated that the proposed changes would have a negative or adverse impact on population health.
(9) Will the plan/strategy/service/policy increase the number of people needing to access health services? If so, what steps can be put in place to mitigate this?	This is not currently considered likely.
(10) Will the plan/strategy/service/policy reduce health inequalities? If so, how, what is the evidence?	This is not currently considered likely.

Stage 4 – Action Planning, Review & Monitoring	
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<p>If No Further Action is required then go to – Review & Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements which can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	EqIA Action Plan																													
<p>(2) Review and Monitoring State how and when you will monitor policy and Action Plan</p>	<table border="1"> <thead> <tr> <th data-bbox="860 231 1189 311">Action</th> <th data-bbox="1189 231 1413 311">Lead Officer</th> <th data-bbox="1413 231 1615 311">Date for completion</th> <th data-bbox="1615 231 1868 311">Resource requirements</th> <th data-bbox="1868 231 2132 311">Comments</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Action	Lead Officer	Date for completion	Resource requirements	Comments																								
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	<p>The policy will be regularly reviewed as the proposals move through the democratic services / consultation process.</p> <ul style="list-style-type: none"> • Monitor number of young people with EHC plans taking up Independent Travel Training by age and disability (contract provider) • Monitor number of risk assessments carried out by age and disability (Risk assessor) • Monitor number of complaints regarding school transport by age and disability (using Contact Us data) 																													

Please annotate your policy with the following statement:

‘An Equality Impact Assessment/ Analysis on this policy was undertaken on 19 June 2017 and will be reviewed on an ongoing basis until the Council’s revised transport policy is finalised and then on an annual basis’.

Appendix J

Home to School/College
Transport Policy

(For consultation in September 2017)

COMMUNITIES GROUP

HOME TO SCHOOL / COLLEGE TRANSPORT POLICY

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‘An Equality Impact Assessment/ Analysis on this policy was undertaken on 19 June 2017 and will be reviewed on an ongoing basis until the Council’s revised transport policy is finalised and then on an annual basis’.

1 INTRODUCTION.

The following document aims to provide guidance for parents/carers, young people and young adults on the Education Transport Policy adopted by Warwickshire County Council (“the Local Authority”) and approved by elected members. This document sets out the Local Authority’s Education Transport Policy and describes how it fulfils its duties and exercises its discretionary powers as required under the Education Act 1996 and subsequent legislation.

The purpose of this comprehensive guidance is to incorporate all education transport assistance into one key policy for children and young people aged 3 to 25 years of age.

There is no universal entitlement to free travel for every child or student to and from any school. Parents and post-16 students are strongly advised to consider how pupils and students will get to an education establishment before applying for a place.

Support from the LA for travel to and from education will not necessarily be in the form of a vehicle to transport a child. It may be by enabling the child to walk to and from education through Independent Travel Training where the child may otherwise not have been capable of doing so.

Where there is no entitlement to support from the Local Authority, parents and students can seek assistance from educational institutions which are able to use some of their own funds to support transport where they feel this is appropriate. Where support from Warwickshire is not free, a vacant seat on the Local Authority’s transport network may be available, but this may not be the cheapest option and commercial options should be explored.

Parents have a legal duty and a responsibility to make necessary arrangements to ensure that children of compulsory school age receive a suitable full time education and, if registered at school, that they attend school regularly. The LA is required to provide transport assistance to children resident within the administrative area of Warwickshire County Council who are entitled under the law and this policy.

Transport policy will often influence a parent’s decision when choosing a school but the two policies are not intrinsically linked.

The following policy will outline in detail the key aspects of applications received for consideration under the heading of Eligible Children, it aims to provide clarity and understanding of criteria for eligibility and the process when a child is refused free travel. The policy will also outline discretionary arrangements for specified groups and will explain travel arrangements for non-eligible travellers.

The Policy contains supplementary information within the appendices attached. The content of these are updated regularly and are subject to change without consultation.

2 DEFINITIONS

2.1 Eligibility for travel assistance

To qualify for free home to school transport the pupil must meet all of the criteria listed below;

A	The pupil must be resident in Warwickshire
B	The pupil must be attending their nearest qualifying school (see section 2.3) (exceptions to this rule are in section 3.3)
C	The pupil must be of compulsory school age. This includes all pupils from the start of the academic year in which they turn 5 until the end of the academic year in which they turn 16. Transport assistance is not provided to Nursery settings (exceptions to this rule are in section 3.6)
AND either D or E	
D	The pupil must live more than the statutory walking distance from their qualifying school (see section 2.4) OR have a route to school which is less than the statutory walking distance but deemed unsafe to walk (see section 3.4)
E	The pupil must be unable to walk the statutory walking distance to their qualifying school because of their special educational need, disability or mobility difficulties (subject to an assessment of their needs)

2.2 A **qualifying school** falls within one of the categories set out below:

- (a) a community, controlled, foundation or voluntary aided school
- (b) a community or foundation special school
- (c) a non-maintained special school
- (d) a PRU (pupil referral unit)
- (e) a free school
- (f) a maintained nursery school
- (g) a City Technology College (CTC), College, Career & Technology Academy (CCTA) or Academy
- (h) an independent school if named in a child's Statement of Special Educational Needs or Education, Health and Care Plan

2.3 The **nearest qualifying school** is the closest qualifying school (see 2.2) to the pupil's home address, with places available, that provides education appropriate to the age, ability, and aptitude of the pupil and takes into account any special educational needs that pupil may have.

This may not necessarily be a school in whose priority area the pupil resides.

Initially a calculation on nearest qualifying school is undertaken on the basis of what school is closest to home by the shortest available walking route with spaces available in the pupil's year group. If there is no such school within statutory walking distance (see 2.4 for definition) then a new calculation will take place on the basis of the shortest motorised route to calculate the nearest qualifying school.

The calculation of nearest qualifying school for a pupil who has gained a place at a selective school will include non-selective comprehensive schools which provide schooling for those of all ability levels. As such transport to selective schools will only be provided if it is the nearest qualifying school to the child's home, taking into account all relevant secondary schools.

Similarly, the calculation of nearest qualifying school for a pupil who has gained a place at a faith school will include non-faith schools which provide schooling for those of all faiths. As such transport to faith schools will only be provided if it is the nearest qualifying school to the child's home, taking into account all relevant schools. The exception to this will be when the pupil is of secondary school age and qualifies under the extended eligibility criteria (see section 3.3).

The nearest qualifying school for a pupil attending a special school or specialist unit will be the nearest appropriate special school or unit that can meet their needs. Parents who choose a different school or unit will not qualify for transport assistance.

Where a special school or unit is named in the pupil's statement or EHCP because of parental preference, free transport will not normally be provided if it is not deemed to be the nearest school able to meet the pupil's needs.

- 2.4 The **statutory walking distance** is:
- (a) two miles for pupils under eight.
 - (b) two miles for pupils aged 8-16 from a low-income family (see 2.6).
 - (c) three miles for other pupils aged 8-16.

The measurement of the Walking Distance is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, may walk in reasonable safety. As such, the route measured may include footpaths, bridleways and other pathways, as well as recognised roads.

Walking Distance will be measured from the home boundary to the nearest school gate. This may not be main school gate, but may be the closest access point.

- 2.5 **Motorised Routes** are those passable by using a suitable motorised vehicle. Paths and roads not passable by motorised transport will not

therefore be considered. Measurements will be made by the Local Authority's Education Transport Office using Google Maps or other appropriate measurement system used by the Local Authority at that time.

Motorised routes will be used to calculate the nearest school when there is no qualifying school within statutory walking distance of the child's home.

- 2.6 **Low-income families;** pupils shall be considered to be from a low-income family if they are entitled to free school meals, or if a parent with whom they are ordinarily resident are in receipt of their maximum level of Working Tax Credit. Proof will be required.

For pupils granted free transport on the grounds of entitlement to free school meals, or their parent's receipt of the maximum level of Working Tax Credit, eligibility will need to be confirmed during each academic year.

Where pupils are granted free school meals on a non-statutory basis, or if parents are unable to prove they are in receipt of their maximum level of Working Tax Credit, the pupils shall not be considered to be from a low-income family for transport purposes.

3 **ELIGIBLE PUPILS.**

3.1 **Background.**

Under Section 508B Education Act 1996, the Local Authority must provide certain categories of pupils with free home to school transport. This sections sets out the groups of pupils who are currently eligible for free transport.

Unless eligible under section 3.3 of this policy, pupils should be attending the nearest qualifying school to qualify for free transport (see section 2.3). Section 3 applies only to children of compulsory school age, and does not provide any entitlement to those aged under 5 or those who are 16 or over and are no longer of compulsory school age.

3.2 **Pupils living outside Walking Distance**

Statutory walking distance is a threshold which determines whether the responsibility for travel sits with the Local Authority or with the child's parent. It does not mean that pupils must walk the distance. It is the responsibility of parents who live under the qualifying distance to decide how to get their children to and from school.

Free home to school transport assistance will be available to pupils attending their nearest qualifying school, where the distance from home to school by the shortest available walking route exceeds:

- (i) Two miles for pupils under the age of 8 years
- (ii) Three miles for pupils aged 8 – 16

Where a pupil qualifies for home to school transport under the age of 8 due to the distance being more than 2 miles but less than 3 miles, transport assistance will continue until the end of the academic year in which they turn 8 years old.

3.3 Pupils from low-income families:

Where a pupil is considered to be from a low-income family free home to school transport assistance will be provided:

- (a) To pupils aged 8-11, attending the nearest qualifying school, if more than two miles from their home by the shortest available walking route.
- (b) To pupils aged 11-16, attending one of their three nearest qualifying schools, provided it is more than two miles (by the shortest available walking route), but not more than six miles (by motorised route) from their home.
- (c) To pupils aged 11-16, attending the nearest qualifying school which accords with the parents' religion or belief, provided it is more than two miles (by the shortest available walking route), but not more than fifteen miles (by motorised route) from their home.

Where an application for transport is made on grounds of religion or belief, the Local Authority will require written evidence to support that application. It is the applicant's responsibility to provide this information. This may include written confirmation from third parties supporting the religion or belief claimed. Providing such evidence is no guarantee of free transport, as the final decision as to whether the application meets the criteria for being based on grounds of religion or belief will sit with the Local Authority.

3.4 Pupils unable to walk in safety to school because of the nature of the route.

Where pupils live within the statutory walking distance of the nearest qualifying school, and the pupil attends that school, the Local Authority may, in certain circumstances, be under a duty to make travel arrangements.

These include where the nature of the route is such that a pupil cannot reasonably be expected to walk, accompanied as necessary, in reasonable safety (advice concerning 'accompaniment' in Appendix B), and no alternative suitable route of under statutory walking distance exists.

The Local Authority has a detailed policy for carrying out route assessments. Further information is provided in Appendix A.

Where a parent believes that the route from home to school is not safe they can request that the route is assessed. The route will then be assessed by the Local Authority if either it has not been assessed in the

last 3 years or if the parent provides evidence that circumstances on the route have changed since the last assessment. Parents will need to complete the request form which can be obtained from the Education Transport department directly, using the contact details in section 12.

3.5 Pupils with a Statement of Special Educational Needs or an Education Health & Care Plan (EHCP)

Entitlement to free school transport assistance for a pupil with special educational needs and/or a disability who has a Statement of Special Educational Needs or an EHCP is based on the following:

- **The pupil is a Warwickshire resident**
- **The pupil holds a statement of special educational needs, an Education Health & Care Plan (EHCP) or is accessing a placement for continuous assessment such as;**
 - A designated speech and language unit
 - A specialist nursery

- **The pupil is attending the nearest qualifying school**

The **nearest qualifying school** is a qualifying school that provides education appropriate to the age, ability, and aptitude of the pupil, and taking into account the child's special educational needs. For most children this is still likely to be their nearest mainstream school.

In the case of a pupil whose needs cannot be met in mainstream but which can be met in a generic Warwickshire special school, this is likely to be the school which serves that area of the County. Further details are available in Appendix C (this will be updated annually or as and when required). It could also be another school if closer to home by the shortest available route.

If the child's needs cannot be met in either mainstream or in a generic special school, the nearest qualifying school would depend on the specific requirements of the pupil. This could be a specialist special school, satellite provision or resourced provision within mainstream schools (please see Appendix C for full details), or provision made through the Flexible Learning Team as written into the child's EHCP.

Where a parent chooses to send their pupil to a more distant school or specialist provider, even though the nearest qualifying school is able to meet the pupil's needs, they assume responsibility for the provision of transport and any associated costs. Such circumstances will be noted on the Statement of Special Educational Needs or EHCP.

- **The pupil lives over the Statutory Walking Distance from the School**

Statutory walking distances will apply (see section 2.4), unless the pupil's needs are such that they would not be able to complete the

journey from home to school, accompanied as necessary, without home-to-school transport assistance.

Where a pupil's journey does not exceed the statutory walking distance, a full assessment will be carried out to determine whether transport assistance is necessary to facilitate access to school. The pupil's individual needs will be taken into consideration as well as the nature of the route to/from school. The pupil's EHCP may be used to obtain information about their specific needs.

Please see Appendix D for a list of the assessment criteria and the supplementary information that may be required to support the application. All applications will be considered on an individual basis, in line with any relevant law or legislation.

The type of transport assistance offered may vary depending on the pupil's individual needs. Independent Travel Training will be considered an appropriate form of assistance where the pupil has been assessed as being suitable (see section 5.1/5.3). Refusal to engage in the training may result in no further transport assistance being offered.

3.6 Pupils with special educational needs attending a specialist Nursery

Free transport will be provided to children in early years where:

- They are resident in Warwickshire;
- The pupil is attending the nearest appropriate specialist nursery provision and has a place confirmed by IDS (Integrated Disability Service); and
- The pupil is aged 3 or 4 years old

3.7 Children Looked After

Arrangements for children who have been placed with foster carers may differ slightly, as the school attended by the child may be set by the Local Authority, which would make that school the nearest qualifying school, but the Local Authority is clear that this policy applies to all Looked After Children. Foster carers should approach their allocated social worker to discuss eligibility and to apply for any additional assistance.

3.8 Managed Moves

Pupils placed by the Local Authority into a school as a managed move may qualify for transport assistance. This would normally be funded by the Area Behaviour Partnership (ABP) and will depend on the circumstances of the case.

3.9 Fair Access Protocol (FAP)

Where a pupil has been placed at a school by the Local Authority under the FAP, they may receive transport to facilitate their attendance, should it be considered necessary to do so.

3.10 Pupils unable to walk to school by reason of their disability or medical needs

Where a pupil (up to 16 years of age) has a disability, mobility issues or short or long-term medical needs, which prevent them from walking to school, transport assistance will be considered.

A pupil of compulsory school age will be eligible for free home to school transport, if they attend their nearest qualifying school and if they cannot reasonably be expected to walk to that school because of their disability or mobility problems.

Evidence of any conditions or difficulties will be required from relevant professionals. Applications under this criterion must evidence that the pupil's disability prevents him or her from walking the statutory walking distance to school, even if accompanied by a responsible adult.

Eligibility will be assessed using the information provided on the application form. Parents / carers will be responsible for providing supporting evidence and it may be necessary to seek guidance from relevant professional agencies. Evidence may be a letter from a paediatrician or a consultant psychologist, for example.

Should transport assistance be agreed, it will normally be on a time-limited basis. Transport assistance for those with short term medical problems will be agreed for up to 8 weeks, subject to review at the end of the period if necessary. Long term medical conditions will normally be agreed for the academic year, with a new application required for the following academic year.

Parents should apply using the 'Transport Assistance for Pupils on Medical Grounds' application form. This can be found at <http://www.warwickshire.gov.uk/educationmedicaltransport> or requested from Education Transport by using the contact details in section 12.

If the pupil has a Statement of Special Educational Needs or an EHCP they will qualify for free transport based on the criteria listed in section 3.5. They should not apply for transport assistance using the 'Medical Grounds' application form.

Students over the age of 16 should apply either under the 16-19 transport policy (section 10) or under the 16-25 policy (section 11) if the student has an EHCP, statement or learning difficulties / disabilities. They should not apply for transport assistance using the 'Medical Grounds' application form

3.11 Pupils Educated Outside of Year Group/Deferment

Occasionally, pupils may be placed in a year group below their chronological year group assumed by their date of birth. Deferred entry to school would also mean that a pupil is educated outside of their normal year group.

Pupils who are legally entitled to free transport assistance would continue to receive assistance until the end of the academic year in which they reach the age of 16. Transport assistance after this time would depend on the Post-16 policy and become chargeable, further details of which can be found in section 10 of this policy.

3.12 Accompaniment

It is the responsibility of those with parental responsibility to make suitable arrangements to ensure that their child is accompanied on walking routes to school, if it is considered by the parents that the child's age, ability and levels of understanding make this necessary. The Authority will therefore not provide transport solely because parents have not made such arrangements, unless exceptional circumstances apply. Such circumstances may include where disability means that no parent is available to accompany the pupil along a walking route to school. In circumstances such as this, parents will be responsible for providing supporting evidence and it may be necessary to seek guidance for relevant professional agencies.

Production of evidence is no guarantee of free transport and each case will be assessed on an individual basis. It is the general position of Authority that parents are expected to manage ensuring that their children are accompanied to school alongside any work commitments that they may have. Details on the law can be found in Appendix B.

4 GENERAL PRINCIPLES APPLYING TO TRANSPORT PROVISION UNDER THIS POLICY FOR THOSE OF COMPULSORY SCHOOL AGE.

4.1 Eligibility.

The Education Transport section will establish eligibility for free transport. This will take place on application once places at schools have been allocated and accepted by the parents.

The Local Authority only provides free home to school transport to Warwickshire residents. However, non-Warwickshire residents may apply for transport assistance under the Local Authority's Vacant Seats Scheme. (See section 8.2).

By law, a pupil is not entitled to free transport until he / she reaches statutory school age (at the beginning of the first term to start after the child's fifth birthday). Since Warwickshire's policy is to admit pupils from the start of the academic year in which they become five, transport

provision will normally be made from the time of their admission. Transport assistance will not be provided before this time except in accordance with section 3.6.

Parents have the opportunity to express a preference for the pupil to attend any school. However, when pupils do not attend the nearest qualifying school, there is no requirement to provide transport, unless eligible under a relevant section of this policy.

If parents have been unable to secure a place for the pupil at the nearest qualifying school despite making an application at the appropriate time, free transport assistance will normally be provided to the next nearest qualifying school if this is above the statutory walking distance.

However, where the pupil initially attends the nearest qualifying school, and then transfers to another school, free transport will only be provided if the new school is considered the nearest qualifying at the time of application and the journey from home to school is over the statutory walking distance. If the school being applied for is further away than the child's initial setting then it is unlikely that transport assistance would be provided, unless evidence exists to confirm that the child's initial setting is not a suitable school for them.

The route used for determining eligibility for free transport will be that which is the nearest available to a child, accompanied as necessary, to walk along with reasonable safety to school. (See 2.3 / 3.4)

4.2 Divorced / Separated Parents

Where parents are divorced or separated and the pupil spends time living with each parent at different addresses, eligibility for free transport will depend on the nearest qualifying school (see section 2.3 for definition) for each of the parent's addresses.

If the nearest qualifying school is the same school from both parent's addresses, then free transport will normally be provided from each address (dependent on the usual eligibility criteria).

However, where the chosen school is only deemed to be the nearest qualifying from one parent's address, transport would only be provided from this address (subject to the normal eligibility criteria).

A vacant seat may be purchased to facilitate travel from the alternative address provided a seat is available (see section 8.2 for further details).

4.3 Review of Entitlement (for pupils with a Statement of SEN or an EHCP)

The pupil's entitlement to free transport will be considered following each annual review of their Statement or EHCP, and should be discussed at each annual review meeting for children currently in receipt of transport assistance. The outcome of these reviews will include whether the pupil

still qualifies for free transport assistance, if transport needs to continue and if so, what provision is most appropriate. Options for independent travel, and independent travel training, will be explored where possible.

4.4 Withdrawal of Transport.

All Local Authority services are reviewed on a regular basis.

The Local Authority reserves the right to withdraw free transport if a pupil ceases to be eligible, or if it is discovered that transport has been granted in error. One term's notice will be given. Where it is established that parents have fraudulently applied for transport the Local Authority reserves the right to withdraw free transport immediately and to recoup the costs of transport provided to date.

Occasionally, the Local Authority may decide that a service is no longer financially viable. This is normally when few or no entitled students are travelling. In these cases, all passengers will be given a minimum of one term's notice. Any eligible students will be accommodated on alternative provision whilst vacant seat / post 16 students will be required to make their own arrangements.

4.5 Behaviour

The Local Authority expects all pupils to behave in a considerate way when travelling on transport either provided, or arranged by the Local Authority.

Further details on the standard of behaviour expected can be found on the application form for transport assistance. Parents / Carers, and students of secondary school age will be required to accept the relevant Terms and Conditions of Travel.

The Local Authority reserves the right to withdraw a pupil's entitlement to free home school transport without notice if a pupil misbehaves whilst on transport provided under this policy.

For serious incidents of poor behaviour or breaches of the Terms and Conditions of Travel, the Local Authority reserves the right to permanently withdraw transport. Parents will then be responsible for transporting the pupil to school, although a direct travel payment may be paid. (See 5.2).

4.6 Parental Responsibilities

Parents are responsible for ensuring that the pupil reaches the pick-up point and that they board the vehicle safely. They should also ensure that the pupil is aware of the need to fasten their safety belt (where provided) and to not move around the vehicle during the journey.

Parents should also ensure that a responsible adult is there to meet the pupil at the drop-off point at the end of the school day, or that the pupil is able to make their way home by other means.

If a pupil's parents are not at home when they are brought home / to a drop-off point, any additional costs, e.g. waiting time, extra mileage, will be met by the parents. In such circumstances, it may be necessary to take the pupil to the local police station, and / or seek guidance from social services. In the case of repeat incidents, the Local Authority reserves the right to withdraw / amend the transport provision. A direct travel payment may be offered in lieu of free transport (See 5.2).

5 PROVISION OF TRANSPORT FOR THOSE OF COMPULSORY SCHOOL AGE.

5.1 Transport Arrangements.

Transport assistance provided may include (but is not limited to) dedicated school bus services, public buses, specialist vehicles, or an appropriate combination. Direct travel payments may be provided, with parental agreement, under the scheme in section 5.2.

Independent travel training (section 5.3) is offered to pupils with SEN who have been assessed, by a professional advisor, as being suitable. Pupils will be expected to participate unless they have been assessed, by a professional advisor, as being unlikely to benefit from such training. Refusal to participate in the travel training programme will be deemed as declining the Local Authority's offer of travel assistance and no alternative assistance will be provided.

Transport arrangements will be made by the Transport Operations department within the Local Authority's Communities Group to ensure the most effective and efficient use of resources. The offer will be the most cost effective from a range of options and will be offered based on an individual consideration of the safety of the pupil. The Local Authority reserves the right to change the offer at any point during the year if necessary.

Where eligible, free transport will be provided for one return journey per day, for arrival at school prior to the beginning of the normal school day, and departure from school after the end of the normal school day, to and from a pick-up / drop-off point at or near the child's home address (taking into account Section 4.2).

No transport assistance will be offered to enable children to attend wrap-around provision, breakfast clubs, paid employment, extra-curricular activities or any other provision which exists outside of normal school hours. Similarly no transport will be provided to any site other than the school's main campus. No transport assistance will be provided to college day release programmes, work experience or other school sites.

Eligibility for travel assistance will be reviewed annually or when there is a change in circumstances. For pupils with a statement of special educational needs or an EHCP, this will be done following the annual

review of the statement or EHCP. Any changes will be implemented from the start of the next school term or sooner if mutually agreeable.

Costs incurred by parents will not be reimbursed unless an application has been rejected in error.

On occasions, it may be necessary to transfer pupils to an alternative service. While as much notice as possible will be given, the safety of passengers may necessitate changes at short-notice.

Pupils will be expected to make their own way, accompanied as necessary, to a pick up point which is within one mile of the home address, except where for reasons related mobility or special educational needs this is not practical.

As a general rule, no pupil should be on a vehicle for longer than 75 minutes one way, if aged 11 or over, or 45 minutes if under the age of 11. This will not however be possible in all circumstances, and the Local Authority reserves the right to offer transport assistance with longer journey times if this is unavoidable.

Passenger assistants will not be provided on vehicles transporting pupils to schools unless there is a need related to a pupil's special educational needs or disability, or in other very exceptional circumstances.

Where it is necessary for a passenger assistant to be provided for a particular contract, the operator will ensure the presence of an assistant who is familiar with the operation of any equipment e.g. safety belts and harnesses, and will ensure its proper use.

The Local Authority's policy is that all vehicles transporting pupils to primary school should be fitted with seatbelts. All transport assistance provided under arrangements made by the Local Authority will be in accordance with legal requirements. Provided that the additional cost is not excessive, when letting contracts to transport pupils to secondary school, preference will be given to tenders that will provide transport fitted with seat belts.

If parents make any changes to transport arrangements, for example by contacting an operator directly, no additional costs will be met by the Local Authority, unless by prior agreement with Education Transport.

5.2 Direct Travel Payments

Where transport does not currently operate, in the first instance, parents will be given the opportunity to convey the pupil themselves or to make their own arrangements and to receive a direct travel payment (DTP). DTPs will not be provided unless agreed by the pupil's parents.

DTPs will be calculated based on two return journeys from home to school per day and are paid half-termly in advance. The amount paid per

mile is reviewed annually. Parents will be informed of the current rate at the time of application. Enhanced travel payments may be agreed in exceptional circumstances.

Direct travel payments will only be given when financially viable and when no existing transport is in place. Should a more cost effective method of transport become available, the Local Authority reserves the right to withdraw the DTP. Should a parent decide they can no longer accept a DTP, they must give at least 14 days' notice.

DTP payments are subject to audit, and the Local Authority reserves the right in all cases to demand to see evidence that payments made have been spent solely on transporting the pupil to and from school. Should evidence exist that payments have been used for other purposes then the Local Authority would immediately terminate the arrangements and begin proceedings to recover the amounts in question.

If, due to periods of absence or otherwise, not all of the amounts paid to a parent have been necessary for the purposes of funding home-to-school transport, the Local Authority reserves the right to reduce future payments or to demand repayment of unused amounts. The Local Authority also reserves the right to gain access to a child's attendance register record in order to check levels of attendance, and to speak with school staff and others in order to gain information about a child's home-to-school travel arrangements.

Full terms and conditions can be found on our website:
<http://www.warwickshire.gov.uk/direct-travel-payments>

5.3 Independent Travel Training (for pupils with SEN)

Where appropriate, the Local Authority will identify pupils for travel training to encourage independent travel. Upon completion of training, it will generally be expected that pupils will use more sustainable modes of transport to get to/from school (such as school/public buses or walk) in place of specialist transport. The Local Authority will make arrangements accordingly, taking into account an assessment of the pupil's abilities and on-going needs. For more information about travel training, please contact Education Transport using the contact details in Section 12.

5.4 Ad-hoc/Emergency Travel Provision (for pupils with SEN)

When a request for an emergency change to transport is made, supporting information may be requested from third parties (such as contract operators or schools) before a decision can be reached.

These arrangements will normally be time-limited and the end date will be communicated to parents at the time of agreement.

Requests will be taken to Moderation (a meeting of SEN Officers to discuss complex cases and transport requests) by officers from

Education Transport for consideration. Transport may be arranged for up to 5 working days in the interim period.

6 HOW TO APPLY FOR TRANSPORT FOR THOSE OF COMPULSORY SCHOOL AGE.

6.1 The Application Process.

Parents / Carers should complete the 'Application for Transport Assistance for Pupils of Statutory School Age (Up to 16 years)' form.

This can be found online at

<http://www.warwickshire.gov.uk/transporthelpunder16> or by contacting the Education Transport department directly (see section 12).

For pupils with a statement or EHC Plan the 'Application for Home to School Travel Assistance for Pupils with Special Educational Needs & Disabilities (SEND)' should be completed. This can be found online at <http://www.warwickshire.gov.uk/travelhelpunder16> or by contacting SENDAR (see section 12).

Submission of the application form is taken as agreement to the conditions of travel.

If the form is not fully completed, it will not be possible to process the application, and the form will be returned.

If the application is based on the grounds of religion or belief (in accordance with Section 3.3), or to a school which is not the nearest qualifying establishment, parents should supply as much information as possible. The Local Authority will require written evidence to support applications for transport made on religious grounds. Further information may be requested by the Education Transport department if considered necessary to correctly assess the application.

All applications will be processed as quickly as possible. However, no travel costs incurred whilst waiting for a decision on Home to School Transport will be reimbursed.

Completed Application Forms should be sent to the Education Transport Department or to SENDAR for those with a statement or EHC Plan. Contact Details can be found in section 12.

6.2 Replacement Passes.

If a pass has been lost, stolen, damaged or confiscated, it needs to be replaced. Pupils who attempt to board a service without a valid bus pass may be refused access to transport, or may be required to pay a daily fare. Any costs incurred whilst waiting for a replacement pass are non-refundable.

A new pass will be issued upon payment of the appropriate administration fee. Passes are issued as quickly as possible, after payment has been received.

The replacement pass fee is payable in all cases where a pass is to be reprinted. (This includes requests to change services, change of name etc.)

Payment, along with a completed Replacement Pass Application Form, should be sent to the Education Transport Office at the address shown in section 12. Alternatively passes may be ordered and paid for over the phone.

For replacement commercial passes (such as Stagecoach), a higher administration fee will normally be charged. These prices are set by the individual company.

6.3 Temporary Passes.

Some schools operate a temporary pass scheme which may be available if a pupil loses a pass during the school day. These passes allow the pupil to travel home from school, and from home to school the following day. Along with the temporary pass, pupils will be issued with a replacement pass form. This needs to be returned to the school the following day along with the appropriate payment. The school will then issue pupils with a further temporary pass, valid for a fixed period, and will send the replacement pass form to the Education Transport section. A new pass will then be issued.

Not all schools operate a temporary pass scheme and pupils / parents should contact schools directly for further details.

7 APPEALS.

7.1 Introduction.

A parent who applies for free home to school transport under this policy, and who is refused any such assistance, has the right of appeal. The Strategic Director for the Communities Group or officers nominated by him/her have via the appeals process the power to authorise the provision of free or assisted transport and / or waive any charges in whole or in part in exceptional circumstances.

Parents are able to appeal to challenge the Local Authority's decision about the following:

- The transport arrangements offered;
- Their child's eligibility;
- The distance measurement in relation to statutory walking distances; and
- The safety of the route

For any other issues not set out above, please follow the Local Authority's complaints procedure which can be found on the website by visiting <http://www.warwickshire.gov.uk/councilcomplaints>

7.2 How to Appeal.

Stage one: Review by a senior officer

Parents must submit their request for a review of the decision to refuse transport assistance by completing the 'Appeal Request Form' (available online or through Education Transport - see section 12). This should be sent to the Lead Officer for Education Transport (either by email or post) within 20 working days from receipt of the Local Authority's decision. Please note that the decision will be deemed served 2 working days from the date of posting, if sent by first class post, or on the day if sent via email. Appeal requests received outside of this timeframe will be rejected.

The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances that the parent believes should be considered when the decision is reviewed, as well as providing any relevant evidence

Consideration will be given to the views of the parent, the student and those of Headteachers and other professionals/agencies as provided by the parent or consulted as part of this process (where relevant).

Within 20 working days of receipt of the parent's written request the Lead Officer for Education Transport (or another senior officer in their absence) will review the original decision and send the parent a detailed written notification of the outcome of the review.

Please note stage one appeals for students with a statement or EHCP will be considered by a moderation panel and the outcome conveyed to parents in accordance with the timescales above.

Stage two: Review by an independent appeal panel

Parents have 20 working days from receipt of the Local Authority's stage one written decision to make a written request to escalate the matter to stage two. As stated above the decision will be deemed served 2 working days from the date of posting, if sent by first class post, or on the day of sending if sent via email. Appeal requests received outside of this timeframe will be rejected.

Within 40 working days of receipt of the request, an independent appeal panel considers written and verbal representations from both the parent and officers involved in the case (including all past correspondence in relation to the stage 1 appeal) and gives detailed written notification of the outcome including the information considered and the rationale behind the decision (within 5 working days of the review meeting)

The members of the panel will be independent of the original decision making process but are not required to be independent of the Local Authority. They will be suitably trained to ensure a balance is achieved between meeting the needs of the parents and the duties and responsibilities of the Local Authority, and that road safety requirements are complied with so that no child is placed at unnecessary risk.

Once the date of the meeting is set, parents will be given a deadline for the submission of any supporting evidence. Late evidence submitted may mean that the meeting has to be adjourned to enable the panel to consider it.

Successful Appeals

If an appeal for transport is successful at either stage, and a decision is taken to provide transport as an exception to the home to school transport policy, the decision will only apply to the student in question. Transport applications for siblings, or any existing transport arrangements for siblings will be assessed in line with the relevant sections of this policy.

For the avoidance of doubt, any transport costs incurred by the family between the initial decision and the outcome of the appeal will not be reimbursed.

Unsuccessful Stage Two Appeals

Where a parent believes the Local Authority has failed to comply with the procedural rules or if there are any other irregularities in the way the appeal was handled they have the right to complain to the Local Government Ombudsman. If a parent considers the decision of the independent panel to be flawed on public law grounds namely illegality, irrationality or procedural impropriety, they may apply for judicial review.

Parents of students with special educational needs who require support for this process are advised to contact SENDIAS (Special Educational Needs & Disability Information, Advice and Support) for assistance. Contact details can be found in section 12.

8 TRAVEL ARRANGEMENTS FOR NON-ELIGIBLE CHILDREN OF COMPULSORY SCHOOL AGE

8.1 Introduction

The Local Authority has discretion to make travel arrangements for pupils who do not meet the criteria for free transport.

For those pupils, the Local Authority operates a Vacant Seats Scheme. If, after entitled pupils have been accommodated, spare places still exist

on contracted vehicles, these may be offered to pupils in exchange for a contribution towards transport costs.

8.2 **Vacant Seats.**

Vacant Seats will be allocated to pupils based on the categories below and will be processed in date order.

The categories are listed in order of priority (highest first):

1) Pupils who have travelled on the bus service they are applying for in the previous academic term.

2) Warwickshire residents who have not previously travelled under the Vacant Seats Scheme, or who are applying for a different service

3) Non-Warwickshire residents who have not previously travelled under the Vacant Seats Scheme, or who are applying for a different service

Where only one seat is left available on a particular service and there is more than one application in the same category, received on the same day, a random number generator allocation will be used to allocate the seat.

Vacant Seats will be allocated subject to the following conditions:

- 1) A pass will be withdrawn if;
 - The place is required for an entitled traveller,
 - the service is withdrawn/changed, or
 - the route is altered

One term's notice will be given, except for pupils travelling by taxi, where a minimum of one week's notice will be given.

2) Where a pass is withdrawn after payment has been made, a refund will be made based on the number of days travelled.

3) Vacant Seat passes are not available on public transport services.

4) Vacant Seats for pupils can only be allocated once all entitled travellers have been accommodated. Parents should therefore make alternative arrangements until they have received confirmation that a Vacant Seat is available.

5) A parental contribution is required for the Vacant Seats Scheme. If the contribution is not received, pupils will not be able to travel.

6) Vacant seats are not available to pupils over the age of 16.

7) Passes can only be used at the start and end of a school day at normal school hours. Timetables are normally supplied with bus passes.

8) Vehicles will not be re-routed to accommodate pupils under the Vacant Seats scheme, nor will extra/larger vehicles be provided to increase the availability of Vacant Seats.

8.3 How to Apply.

Parents / Carers should complete the 'Application for a Vacant Seat' form, and return it to the Education Transport Office. Address details can be found in section 12, and on the application form. The application form is also available online;

<http://www.warwickshire.gov.uk/vacantseatscheme>

Full details of the terms and conditions of the Vacant Seats Scheme are included as an appendix to the application form, including details of the cost for the current academic year.

Warwickshire County Council's Cabinet agreed in October 2015 that the charges associated with the Vacant Seats scheme will increase each year based on the Local Authority's annual income inflation rate.

As Vacant Seats can only be issued once all entitled travellers have been accommodated, it is often not possible to issue a Vacant Seat until after the start of the academic year. Parents will be therefore responsible for arranging interim transport to and from school and for any costs incurred. These will not be reimbursed.

9 RESPITE/FAMILY LINK TRANSPORT.

The Local Authority may also provide transport assistance to pupils with a statement of SEN or an EHCP accessing respite care, to travel between school and the respite setting. This support will only be available to pupils who are either "Eligible Pupils" within section 3.5 above or who are accessing post-16 provision at a special school.

Applications should be made using the 'Application for Transport Assistance for Students Accessing Respite Care' form.

For further details of the assistance available and to obtain the application form, please contact the Education Transport Office. Contact details can be found in section 12.

10 TRANSPORT SUPPORT FOR STUDENTS AGED 16-19.

10.1 Introduction.

The law requires all young people in England to continue in education or training until at least their 18th birthday. Raising the Participation Age (RPA) does not mean that young people must stay in school and they will be able to participate through three options.

- Full-time education (540 hours per year) – whether at a school, college or otherwise.
- Work based learning such as an apprenticeship.
- Part-time education or training if they are employed, self-employed or volunteering for more than 20 hours a week.

Free transport will not be available to young people over the age of 16 continuing in education or training but Warwickshire is well served by a public transport network and the Local Authority also provides a number of dedicated services to schools and colleges.

The Local Authority provides transport assistance to certain students aged 16-19, subject to the eligibility criteria below.

10.2 **Eligibility.**

Support with transport is available to students who are aged over compulsory school age but under 19 on the 31st August prior to the commencement of the course. This is dependent on an appropriate service operating.

Seats will be allocated to pupils based on the categories below, the categories are listed in order of priority (highest first):

1. Students who have travelled on the same bus service in the previous academic term
2. Warwickshire residents who have not previously travelled on the service, or who are asking for a different bus service to the one travelled on in the previous academic term
3. Non-Warwickshire residents who have not previously travelled on the service, or who are asking for a different bus service to the one travelled on in the previous academic term

Where there is no suitable transport, Warwickshire parents/students may be entitled to claim direct travel payments (see 10.3)

Students should apply for transport assistance during the summer term prior to the commencement of their course. Students will receive full reimbursement of payments made should their plans change prior to starting their course. Students applying after the end of July may not receive a pass before the start of term.

If a student wishes to attend a Further Education institution outside Warwickshire they are recommended to make an initial application to determine whether any Local Authority transport is available.

10.3 **Direct Travel Payments**

Direct travel payments are only offered to Warwickshire residents when there is no suitable Warwickshire County Council or commercial transport

available between home and school/college. If this is the case you will receive a letter advising you of this.

To qualify, students should be:

- (a) Studying at the nearest suitable school, college or Local Authority funded training provider offering the qualification of choice* for the young person;
- (b) Studying a full time course (at least 540 guided learning hours per year).
- (c) Travelling more than 2 miles from home to the nearest pick up point

*When considering whether a qualification is “the qualification of choice for the young person”, we take into account the end qualification awarded (not the individual units taken, or the name of the course), the training provider having a place available to offer on that course, and that the students meet the entry requirements demanded by the training provider.

Parents / students may use their own vehicle or public transport to get to school/college. Applicants entitled to a direct travel payment will be sent three claims forms (one for each term) to claim back £110 per year (or £220 if in receipt of a qualifying benefit*). Students who receive a direct travel payment can then also apply to travel on a Warwickshire County Council service (normal terms and conditions then apply).

Those in receipt of direct travel payments under the 16-19 scheme will have to show receipts which illustrate that at least the amount being claimed back has been spent by the family on transporting the student to and from college before payments will be made. Additional evidence may be demanded by the Local Authority.

*A qualifying benefit can be one of the following; Income Support, Income Based Job Seekers Allowance (or equal based Income based & Contribution based JSA), The Guarantee Element of State Pension Credit, Income related Employment & Support Allowance (or equal based Income based & Contribution based ESA), The Maximum Level of Working Tax Credit, Child Tax Credit (with an income not exceeding £16,190), Support under Part VI of the Immigration and Asylum Act 1999 or Universal Credit

10.4 Transport Arrangements

Students will normally be provided with a bus pass. This is valid for one return journey per day, at the times shown on the timetable included with the pass.

Rail Passes can only be issued in certain areas, please contact the Transport Operations team for further details (see section 12).

10.5 How to Apply

Parents / Carers should complete the relevant application form, and return it to the Education Transport department. Address details can be

found in section 12, and on the application form. The application form can be found online <http://www.warwickshire.gov.uk/transporthelp16-19> or by contacting the Education Transport department directly (see section 12).

Full details of the terms and conditions of Transport Assistance for Students Aged 16-19 are included as an appendix to the application form, including details of the parental contribution for the current academic year.

Transport assistance will only be provided upon payment of a contribution by the young person or their parent. Details of the current contribution rates can be found on the Local Authority's website. The Local Authority's Cabinet agreed in October 2015 that the charges associated with Post 16 transport will increase each year based on the Local Authority's annual income inflation rate.

10.6 Refunds

Where a parental contribution is received and a student either leaves their course or no longer requires transport assistance, a refund may be issued once the pass has been returned, strictly at the LA's discretion. Any refund will be made on a pro-rata basis. No refunds will be available if the pass is not returned.

10.7 Replacement Passes

If a pass is lost or stolen a charge will be made for a replacement. Any costs incurred whilst waiting for a replacement pass will not be reimbursed. (See 6.2)

11 TRANSPORT FOR STUDENTS AGED 16-25 WITH A STATEMENT OF SPECIAL EDUCATIONAL NEEDS, EHCP, LEARNING DIFFICULTIES AND / OR DISABILITIES

11.1 Limited Free Post-19 Transport Assistance Availability

For learners with an EHCP or learning difficulties and/or disabilities, free transport assistance will be provided for those beginning new courses after their 19th birthday. This will only be provided if it is considered necessary by the Local Authority for the young person to attend the course, and also necessary for the Local Authority to facilitate attendance at the place of education or training.

In deciding whether it is necessary for the Local Authority to provide free transport assistance in these circumstances, the authority would generally require young people to meet all of the following criteria, in that they should be:

- Resident in Warwickshire;
- Aged 19 or over but under 25 at the start of the academic year in which the course begins*;

- Holding an EHCP or have provided proof of a learning difficulty and/or disability;
- Starting a new course of study for a higher level qualification than has previously been studied for**;
- Attending a full-time course of at least 540 guided learning hours per academic year;
- Unable to travel to the place of education without transport assistance, and with no support available from members of the household in which they reside, other family members, or from personal assistants.***;
- Studying at the nearest suitable school, college or Local Authority funded training provider offering the qualification of choice for the young person. When considering whether a qualification is “the qualification of choice for the young person”, we take into account the end qualification awarded (not the individual units taken, or the name of the course), the training provider having a place available to offer on that course and that the students meet the entry requirements demanded by the training provider;
- Travelling further than the statutory walking distance of 3 miles by the shortest available route or, due to the young person’s special educational needs, disability and/or mobility problems, they cannot reasonably be expected to walk to the place of education, accompanied as necessary; and
- Attending during the normal school/college day and during term time only

*This provision will not be available for anyone beginning a new course of study before their 19th birthday, and will not be available for anyone after the end of the academic year which includes their 25th birthday.

**For the purposes of deciding whether to provide free transport the Local Authority would not consider it necessary, other than in exceptional circumstances, for a young adult learner to attend an additional Further Education course at the same level or equivalent where the learner had previously attended and completed a course at an establishment within the Further Education sector.

*** If the young person is in receipt of the higher rate mobility component of the Personal Independence Payment or Disability Living Allowance, the purpose of which is to assist those who have mobility problems, with severe difficulty walking or who need help getting around outside, it would normally be expected that this benefit will be fully utilised before assistance under this section is sought. Similarly, if the young person has access to a 'Motability' vehicle, of which the student may or may not be the driver, then we would normally expect the carer/student to make their own appropriate transport arrangements.

Transport will only be provided to the main campus of the young person’s registered educational placement. Transport to any other address or setting will be the responsibility of the educational establishment, the young person’s parents or the young person themselves.

Transport assistance may also be provided in exceptional cases where the above criteria are not all met. In those circumstances the Local Authority would have regard, non-exclusively, to:

- 1) the young person's age, ability and aptitude;
- 2) any learning difficulties the young person may have;
- 3) the locations and times at which the education or training is provided;
- 4) the nature of the route, or alternative routes, which the learner could reasonably be expected to take;
- 5) the ability of other members of the young person's household to transport the learner to and from the educational placement; and
- 6) the ability of the young person to travel independently.

The type of transport assistance offered will be determined by the Local Authority and will be one of the following:

- Direct travel payments made to the parent/carer;
- Independent travel training for the young person;
- A bus or train pass;
- A specialist vehicle (as a last resort, only when absolutely necessary)

If the Local Authority deems that the student does not qualify for free transport assistance, transport would remain the responsibility of the young person or their Parent/Carer. There is no option to pay for transport provision under these circumstances.

11.2 Contributory Transport for Learners Aged 16-19

In addition to transport offered under section 11.1, support with transport may be considered for students who meet the following criteria:

- resident in Warwickshire on the 1st September prior to the beginning of the course;
- agrees (or family agree) to pay a flat rate charge as a contribution towards the cost of transport;
- has a current statement / EHCP or has provided proof of learning difficulties and/or disabilities;
- is aged over compulsory school age and under 19 years on the 31st August before the course starts;
- is attending a full-time course (over 540 guided learning hours per year);
- is attending the nearest qualifying special school*, sixth form or the nearest college offering the qualification of choice** for the young person; and
- has a journey from home to school or college which is more than three miles measured by the shortest available route to the place of study or, following consideration of the student's special educational needs and/or disabilities, the Local Authority has concluded that they

would be unable to get to the establishment unless transport assistance was provided.

*(A student's nearest qualifying school is the nearest establishment that can provide education appropriate to their age, ability, and aptitude, whilst taking into account any special educational needs that they have. The nearest qualifying school will be calculated with reference to section 2.3 of this policy)

**When considering whether a qualification is "the qualification of choice for the young person", we take into account the end qualification awarded (not the individual units taken, or the name of the course), the training provider having a place available to offer on that course, and that the students meet the entry requirements demanded by the training provider.

The Local Authority encourages young people to travel independently. Direct travel payments are available when no existing Local Authority transport is operating. For more information, please contact us using the details found in section 12 of this document.

Transport is procured for the start/end of the school day although reasonable adjustments will be made to provide transport which accommodates student's individual timetables. However, when considered necessary and reasonable, students may be required to wait at college at the beginning or end of the day.

The Local Authority will seek advice from relevant professionals if there is any dispute over the nature of transport requested / required.

A bus pass for travel during off-peak hours may be available through the England National Concessionary Travel Scheme which the Local Authority operates on behalf of central Government. Please contact the Concessionary Travel Team via www.warwickshire.gov.uk/freebustravelfordisabledpeople or call 01926 359180 for further details.

11.3 How to Apply

Parents / Carers should complete the relevant application form, and return it to the Education Transport office. Address details can be found in section 12, and on the application form. The application form can be found online <http://www.warwickshire.gov.uk/travelhelpover16> or by contacting the Education Transport department directly.

Full details of the terms and conditions of Transport Assistance for Students Aged 16-25 are included on the application form, including details of the parental contribution for the current academic year.

Warwickshire's Cabinet agreed in October 2015 that the charges associated with Post 16 transport will increase each year based on the Local Authority's annual income inflation rate.

12 CONTACT DETAILS

12.1 Education Transport (For all questions about eligibility, policy, refunds, replacement passes and the application process).

Post: Education Transport
Communities Group
Saltisford Office Park
Ansell Way
Warwick, CV34 4UL

Telephone: 01926 412929 (Option 1, Option 1)
(Mon – Thu 8.30 – 5.00, Fri 8.30 – 4.30).

Email: educationtransport@warwickshire.gov.uk

12.2 Transport Operations (For all questions about routes, timetables and any service queries).

Post: Transport Operations
Communities Group
PO Box 43
Shire Hall
Warwick, CV34 4SX

Telephone: 01926 412929 (Option 1, Option 2)
(Mon – Thu 8.30 – 5.30, Fri 8.30 – 5.00).

Email: busservices@warwickshire.gov.uk

12.3 SENDAR (For questions about transport for children with Statements of Special Educational Needs or EHC Plans attending schools).

Post: SENDAR
Communities Group
Saltisford Office Park
Ansell Way
Warwick, CV34 4UL

Telephone: 01926 742160
(Mon – Thu 9.00 – 5.00, Fri 9.00 – 4.30).

Email: Sendtravelapplications@warwickshire.gov.uk

12.4 School Admissions (For all questions about admission to primary school, secondary school and questions on priority areas).

Post: School Admissions
Communities Group
Saltisford Office Park
Ansell Way

Warwick, CV34 4UL

Telephone: 01926 414143
(Mon – Thu 8.30 – 5.00, Fri 8.30 – 4.30).

Email: admissions@warwickshire.gov.uk

12.5 SENDIAS (SEND Information, Advice & Support Service)

Post: SENDIAS
Canterbury House
Exhall Grange Campus
Easter Way
Ash Green
Coventry
CV7 9HP

Telephone: 02476 366054
(Mon - Fri 9.15 - 2.30)

Email: dawn.rowley@family-action.org.uk

Appendix A

Walking Route Assessment Process

Please note that the current process of assessment is under review and is subject to change.

Background

Where a child lives within the “statutory walking distance” of their nearest qualifying school, transport assistance will be provided if the Local Authority considers the route to school is such that a child accompanied by an adult could not walk it in reasonable safety.

The measurement of the “statutory walking distance” is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. As such, the route measured may include footpaths, bridleways and other pathways, as well as recognised roads.

National guidance on the identification of hazards and the assessment of risk of walked routes to school published by Road Safety Great Britain (RSGB) recommends that a route be designated “**unacceptable**” if a child, accompanied as necessary, cannot walk the route in reasonable safety. Whether this is the case in any particular circumstances will be determined by a detailed assessment carried out by Local Authority staff or their representatives in accordance with national guidance and this policy.

Where parents believe the walk from home to school is unacceptable they can request that the route is assessed. This request should be made by using the form which can be obtained directly from the Education Transport department.

The Local Authority will also periodically review routes currently considered unacceptable ensuring they are assessed against the relevant process.

Principles of Assessment

1. Consideration is given only to relevant highway and traffic conditions and not for personal safety, security or behavioural reasons (which are the responsibility of the parent/carer).
2. It is assumed that children will be accompanied as necessary by a responsible parent or other responsible person appointed by a person with parental responsibility
3. Each route will be considered objectively and on its own merits.
4. The route will be assessed in both directions in the morning and afternoon school run times, and sections considered unacceptable by parents will be walked in both directions. .
5. Where a footway or roadside strip of reasonable width and condition exists or a suitable/adequate public footpath or bridleway is available, this will be considered an acceptable route for that part of the journey.

6. Where a suitable verge exists on a lightly or very lightly trafficked road, which can be stepped onto by the child and accompanying person when vehicles are passing, it will be considered an acceptable route for that part of the journey.
7. Many routes lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent HGV's) and to visibility (ie. sharp bends with high hedgerows or banks or other obstructions to visibility).
8. Consideration should be given to the relevant injury collision record of the route for the latest 3 year period.
9. Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration. Where no crossing facilities exist an assessment of the risks which may be generated by crossing the road (bearing in mind traffic speeds and flows, sight lines etc) will be made using current guidance laid down in the approved published Road Safety GB Guidelines. Any updated or superseding publication will be considered and adopted where appropriate.
10. It will be assumed that any crossing facilities (zebra, toucan, pelican crossing or other) will be used where they are provided. If such facilities are not provided and the pedestrian is required to cross the road, the "gap time" of passing vehicles will be assessed to determine a safe crossing point.
11. An accurate plan showing the length of the route will be attached to the assessment and retained on file. Acceptable lengths and crossing points will be marked in green and unacceptable lengths and crossing points marked in red.
12. In reaching a decision the officers concerned will make a critical judgement based on whether the route affords sufficient opportunity for pedestrians and vehicle drivers to avoid dangerous conflict while progressing normally along it.
13. The assessment will be carried out by appropriately trained staff either employed by Warwickshire County Council or commissioned to carry out the assessment.
14. Once the assessment is complete a panel of officers will meet to consider the recommendation. The panel will consist of a Head of Service from Communities Group and two other officers. A majority decision is required. A representative from the Traffic and Road Safety Group will attend to provide advice and support to the panel.
15. If the route is considered acceptable then staff within Education Transport will notify the parent / carer.
16. If the route is considered unacceptable then staff within Education Transport will notify the parent / carer and Transport Operations.
17. There is no right of appeal.
18. Routes will only be reassessed upon request if three years have passed since a previous assessment, or if evidence is presented to suggest a significant change in the safety of the route. The nature of the reassessment will depend on whether or not there have been any significant changes to the route or developments in the vicinity.

Route Assessment Summary

For a route to be classified as “acceptable” there needs to be both:

- A continuous adequate footway on roads which have high or medium traffic flow;

or

- Step-offs on roads which have a light volume of traffic but have adequate sight lines to provide sufficient advance warning;

or

- on roads with a very light traffic flow, no step-offs but sufficiently good sight lines to provide adequate advance warning.

AND

- if there is a need to cross roads there must be sufficient gaps in the traffic flow and sight lines to allow enough opportunities to cross safely, or one or more of the following must be provided:
 - Crossing facilities (zebra, pelican or puffin crossings)
 - Pedestrian phases at traffic signals (including necessary refuges)
 - School Crossing Patrols
 - Traffic calming (sufficient to enable safe road crossing)
 - Pedestrian refuges

Frequently Asked Questions

National guidance - what is it?

National guidance is provided by RSGB* for those tasked with assessing the safety of 'walked routes to and from schools' to determine the provision of free school transport for persons under the Education Act 1996 (as amended).

*RSGB (Road Safety Great Britain) - A national road safety organisation that represents local government road safety teams across the UK

Guidelines - What are the scope of the guidelines?

The scope of the guidelines is limited to the risks resulting from the interaction between pedestrians and traffic and does not consider personal security.

Child accompaniment - Does the assessment assume a child is accompanied as necessary?

Yes, and case law makes clear that the decision as to whether an individual child needs to be accompanied, as well as provision of a person to do so, is the responsibility of the child's parents. It also considers that the child and parent will be wearing fluorescent and reflective jackets, particularly on roads with no street lighting, and will be carrying torches.

Street lighting - Does the assessment consider the absence of street lighting?

The presence or absence of street lighting on a route is not considered to be a factor, and torches are expected to be taken if considered by the child's parents to be necessary.

Footway - If part or the entire route has no footway, how is this assessed?

If there is no provision of a footway then an assessment is first made of the traffic flow. A road with heavy or medium traffic flow must have continuous adequate footway provision. Roads with light traffic flow must have adequate step-offs with good sightlines. Roads with very light traffic flow do not require step-offs, but should have sufficiently good sightlines.

Step-offs - What are they?

The term step-off refers to the facility for pedestrians to easily be able to step off the roadway onto reasonably even and firm surface.

Traffic flow - What constitutes a high traffic flow?

Roads that have a traffic flow in excess of 840 vehicles in a one hour period.

Traffic flow - What constitutes a medium traffic flow?

Roads that have a traffic flow of 400 to 840 vehicles in a one hour period.

Traffic flow - What constitutes a light traffic flow?

Roads that have a traffic flow between 100 and 400 vehicles in a one hour period.

Traffic flow – What constitutes a very light traffic flow?

Roads that have a traffic flow below 100 vehicles in a one hour period.

Crossing the road - Does the assessment consider difficulty in crossing roads?

Yes, the difficulty in crossing the road is assessed by applying a gap analysis.

Gap analysis - What is it?

A gap analysis records the number of gaps in traffic flow in a 5 minute period, which is greater than the road crossing time. Four such gaps in a 5 minute period are considered acceptable. Where there is a formal way of crossing the road (zebra, pelican or puffin crossing) this will negate the need for a gap analysis.

How is the road crossing time calculated?

This is calculated using a crossing speed of three feet per second.

Collision history - Does the assessment consider this for the route?

Yes, a three year collision history is provided for the complete route and forms part of the overall assessment.

Vehicle speed - Does the assessment consider this?

If the initial assessment of the route and collision history indicates there is a possible speeding issue and assuming there is sufficient vehicle flow in order to assess traffic speeds, then a traffic speed survey will be undertaken.

School run times – When are they?

For the purposes of this document school run times are considered to be 08.00 to 09.00 and 15.00 to 16.30.

Appendix B

Accompaniment

Below is set out advice about the accompaniment of a child/young person from paragraphs 17-19 of the DfE Home to School Travel and Transport Guidance, July 2014.

17. In determining whether a child cannot reasonably be expected to walk for the purposes of 'special educational needs, a disability or mobility problems eligibility' or 'unsafe route eligibility', the Local Authority will need to consider whether the child could reasonably be expected to walk if accompanied and, if so, whether the child's parent can reasonably be expected to accompany the child. When considering whether a child's parent can reasonably be expected to accompany the child on the journey to school a range of factors may need to be taken into account, such as the age of the child and whether one would ordinarily expect a child of that age to be accompanied.

18. The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.

19. LAs should, however, promote and ensure equality of opportunity for disabled parents. For example, if a parent's disability prevents them from accompanying their child along a walking route which would otherwise be considered unsafe without adult supervision, a reasonable adjustment might be to provide free home to school transport for the child in question.

Appendix C

Special Educational Needs Provision

Generic Special Schools

The following schools cater for a range of special educational needs but all have consistent focus on pupils who are significantly below expected levels in cognition and learning and whose progress is significantly delayed compared to others with the same starting point.

Name	Address	Area of County
Brooke School	Overslade Lane, Rugby CV22 6DY	Eastern
Welcombe Hills School	Blue Cap Road, Stratford Upon Avon CV37 6TQ	Southern
Ridgeway School	Deansway, Warwick CV34 5DF	Central
Round Oak School	Brittain Lane, Warwick CV34 6DX	Central
Oak Wood Primary	Morris Drive, Nuneaton CV11 4QH	Nuneaton/Bedworth
Oak Wood Secondary	Morris Drive, Nuneaton CV11 4QH	Nuneaton/Bedworth
Woodlands School	Packington Lane, Coleshill B46 3JE	Northern

Specialist Special Schools

The following schools cater for children and young people who are able to access the mainstream curriculum with the appropriate specialist support.

Name	Address
Exhall Grange Specialist School & Science College	Easter Way, Ash Green, Coventry CV7 9HP
Discovery Academy	MacIntyre Academies, Vernons Lane, Beaumont Road, Nuneaton CV11 5SS

Satellite Provision

These bases are operated by Special Schools off-site and provide for a range of different needs.

Name	Address
Rokeby Brooke Partnership & Harris Brooke Partnership	Brooke School, Overslade Lane, Rugby CV22 6DY
Exhall Grange Learning Pod	Exhall Grange Specialist School & Science College, Easter Way, Ash Green, Coventry CV7 9HP

Resourced Provision within Mainstream Schools

These specialist bases are integrated within mainstream schools and provide for a range of communication and interaction needs.

Name	Address
Maple Class – Lillington Primary School	Cubbington Road, Leamington Spa CV32 7AG
Peter's Place – Trinity Catholic School	Guy's Cliffe Avenue, Leamington Spa CV32 6NB
Evergreen – Water Orton Primary School	Attleborough Lane, Water Orton, Coleshill, Birmingham B46 1SB

Appendix D

Exceptions & Assessment Criteria (Section 3.5)

- The pupil is non ambulant (not capable of walking independently) and/or
- The pupil's main area of need is stated as Profound Multiple Learning Difficulties (PMLD) or Severe Learning Difficulties (SLD) and/or
- Pupils unable to walk in safety to school because of the nature of the route (see section 3.6)
- Other than those covered above, if free transport is considered to be necessary because a pupil's special needs or health equipment/medical requirements make it impossible for them to travel safely to school by any other means and prevents them from walking safely to school, even when accompanied by a responsible adult, further information is required;

A report from an appropriate specialist (e.g. a Paediatrician or an Educational Psychologist. A GP letter in isolation would not be considered sufficient) giving details of the complexity of need, the pupil's vulnerability, any physical disability or sensory impairment and how this affects the pupil's journey to school.

(This information can be included in reports submitted as part of the EHC Needs Assessment or EHCP annual review).

The report should provide evidence stating that the pupil's disability prevents him/her from walking the statutory distance to school, even if accompanied by a responsible adult or travelling to school independently. (Advice re 'Accompaniment' included as Appendix B.)