



HOME TO SCHOOL TRAVEL ASSISTANCE POLICY

Reception to Year 11

Reviewed and updated March 2018

1. Introduction

Local Authorities have an obligation to provide free home to school transport as set out in the Education Act 1996 (as amended). The policy adopted by Solihull Council has been approved by Members and complies with the legislative framework and is reviewed and updated regularly.

Our policy is to provide travel assistance for pupils who meet the criteria listed below. The travel assistance provided will be whatever the Council considers is necessary and suitable for the purpose of facilitating the child's attendance at school.

School admissions and travel assistance are separate matters and being offered a place at a particular school does not necessarily entitle the child to travel assistance. It is the legal responsibility of parents to ensure that their child/ren attend school regularly.

Applications will only be considered from the child's permanent home address to their school. We do not consider travel assistance to and from other addresses to suit childcare or parental work arrangements.

2. Eligibility for travel assistance

To qualify for travel assistance the child must meet all of criteria (a) (b) and (c)

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|----|--|
| a) | The child must live permanently in Solihull |
| b) | The child must be attending a suitable qualifying school (see 2.1) |
| c) | The child must be of compulsory school age. This will include all children in reception year through to year 11. Children in nursery settings are not eligible for travel assistance |

AND either (d) or (e)

| | |
|----|--|
| d) | The child must live more than the statutory walking distance (see 2.2) from their qualifying school |
| e) | The child must be unable to make the journey safely, even when accompanied, to their qualifying school because of their special educational need or disability (subject to assessment of need) |

2.1 A **qualifying school** can be a community, foundation or voluntary school; a community or foundation special school; a non-maintained special school; a pupil referral unit; an academy; a free school; a studio school or a university technical college.

A suitable qualifying school for a mainstream child is defined as the catchment-area school. If it is not possible to secure a place at the catchment-area school, the next nearest school with a vacancy is deemed to be the suitable qualifying school. If this school exceeds the statutory walking distance, the child is eligible for travel assistance. Parents who chose a different school will not qualify for travel assistance. This is parental preference.

The suitable qualifying school for a mainstream child with a statement of special educational needs or an education health and care plan is the nearest appropriate school that can meet their needs. This will usually be the catchment-area school. Parents who choose a different school will not qualify for travel assistance. Where a school is named in a statement or plan, this does not automatically make it the qualifying school, as the school named may be as a result of a preference for a school by the parent. Parents who chose a different school will not qualify for travel assistance. This is parental preference.

The suitable qualifying school for a child going to 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 travel assistance. Where a special school or Unit is named in a statement or plan, this does not automatically make it the qualifying school or Unit, as the school or Unit named may be as a result of a preference for a school by the parent.

Travel assistance will not normally be given if the parent has requested a school to be named in a child’s statement of special educational needs or education, health and care plan which is not the nearest school able to meet the child’s needs.

2.2 Unsafe route eligibility

Travel assistance will be offered to those who cannot reasonably be expected to walk to their suitable qualifying school because there is no available walking route. The availability of a route would be assessed by our Sustainable Travel Team in accordance with their policy Pedestrian Route Assessment Guidelines - Walked Routes to Schools. (Appendix 1)

2.3 Statutory walking distance to the nearest qualifying school depends on the age of the child and the financial status of the family as is explained in the following table:

| Child’s age | Statutory walking distance |
|---|---|
| Under 8 | 2 miles |
| Over 8 | 3 miles |
| Over 8 under 11 low income family* | 2 miles |
| Over 11 low income family* | 2-6 miles (one of three nearest schools) |
| Over 11 low income family* | 2-15 miles (nearest school of belief or religion) |
| * Low income family = eligible for free school meals or in receipt of the maximum level of Working Family Tax Credits | |

Statutory walking distance is a threshold which determines whether the cost of travel assistance should be met by the Council or whether it rests with the parent. It does not mean that children must walk the distance. It is the responsibility of parents who live under the qualifying distance to decide how to get their child to and from school.

The distance is calculated by the Council’s measuring system from the child’s home via the shortest safe walking route to the main pedestrian gates of the school. The route may include un-surfaced footpaths and other pathways, as well as roads. The

property and school location is provided by the Local Land and Property Gazetteer (LLPG).

The distance from an address to a particular school may change over time as the road and path network alters. This could mean that later applications for travel assistance from the same address are not given the same outcome. Provision of travel assistance to an older sibling or previous occupant of a property does not guarantee that future requests for travel assistance will be agreed.

2.4 Assessment of special educational need or disability

Applications under this criterion must be supported by independent professional evidence stating that the child's disability prevent him or her from making the journey safely to school, even if accompanied by a responsible adult or travelling to school independently. For example a letter from a paediatrician or a consultant psychologist; we will not accept a letter from a GP.

Evidence to support an application for travel assistance would ordinarily be supported by the professional evidence and, if appropriate, the child's education, health and care plan.

3. The Solihull offer for travel assistance

Applications will be processed within 20 school days, except when the application is made to start at the beginning of a new school year. During the application process travel to school remains the legal responsibility of parents.

Applicants who are eligible for travel assistance will be offered assistance which will be based on an individual consideration of the safety of the child, the child's individual needs, and the efficient use of resources. The offer will be the most cost effective from this range of options:

- 3.1 A bus pass or its cash equivalent.** This will be at a minimum level to secure the travel to school, e.g. a pass for a specific bus route. If the route from home to school is particularly complex, parents may wish to consider alternative practical options such as car sharing or cycling, then the parent may request to take the travel assistance as a cash equivalent up to the value of the specific bus route pass. The parent may also supplement, at their expense, a specific bus route pass to become a general network pass, if they feel wider access to travel would benefit the child.
- 3.2 Personal travel budget.** Parents of children who qualify under criterion (e) who wish to make their own arrangements to take their child to and from school can be paid an allowance. This will usually be calculated based on the shortest driving mileage (measured on Google Maps) of two return journeys from home to school. The HMRC recommended rate mileage rate will be used for the calculation. This is currently 45p per mile for the first 10,000 miles and 25p per mile above 10,000 per annum.

3.3 Transport vehicle. Where assistance is provided by the provision of a specific vehicle, this will normally be pupils travelling together in a mini-bus, taxi or bus, specially adapted if necessary. An adult guide will supervise each vehicle. It is the responsibility of the parents and the school to ensure that the guide supervising the vehicle is fully briefed about the needs of the pupil.

Pick-up and drop-off points will be at a convenient location and within a reasonable distance from home.

Home pick-up and drop-off will only be made where the Council deems it essential due to the child's significant needs.

Pick-up and drop-off are only provided at the beginning and the end of the normal school day. We do not provide travel assistance to accommodate part-time timetables, part-time induction or integration programmes, school trips, detention, clubs or any other activities which take place within the school day, before the start or after the end of the school day.

Pick up and drop-off will only be to the child's home address. We will not pick up or drop off at child minders, other family members or other locations to suit parent's working or other arrangements

When a child is taken ill at school the parent and/or the school should arrange a pick up.

3.4 Independent travel training is an option which may be offered to pupils who need extra help to develop their skills so they can travel to and from school on their own. Solihull Council Independent Travel Trainers work on a one-to-one basis teaching young people to travel to and from school independently. Our aim is to train the majority of pupils to travel independently by the end of their Year 10. Every year all pupils receiving assistance other than a bus pass will be assessed for eligibility for independent travel training.

Independent travel trainers may assess pupils to determine their eligibility for travel assistance. If the travel trainers confirm that a pupil can travel from home to school independently we will not provide a seat on a transport vehicle or pay a personal travel budget. A bus pass or cash equivalent will be provided if the pupil is eligible.

4. Notes

4.1 Any offer of assistance is valid for one year only. Eligibility for travel assistance will be reviewed annually or when there is a change of circumstances. For children with an education, health and care plan this would normally take place as part of the annual review. Any changes to travel assistance following a review will be implemented from the beginning of the next school term, or sooner by mutual agreement.

4.2 Parents and pupils must follow the Code of Conduct which will be provided when transport assistance is offered.

- 4.3 Travel assistance will not be provided for pupils attending other educational centres during the school day. The responsibility and funding for these travel arrangements lie with the school or other commissioner of that provision.
- 4.4 This policy only covers the child qualifying for travel assistance. The Council does not contribute towards the cost of the parent accompanying the child.
- 4.5 The policy does not place any requirement on the Council to ensure that a vehicle is provided. Even where travel assistance is provided it remains a legal requirement for the parent to ensure the child's attendance at school.
- 4.6 If a school placement has been agreed on the grounds of parental preference and this school is not the nearest appropriate school, the child will not be entitled to receive travel assistance. The parents will be wholly responsible for securing attendance.
- 4.7 If a child is eligible for travel assistance to their catchment-area school and parents choose for their child to attend an alternative qualifying school which is further away, we will provide assistance up to the value of that which would be provided to travel to the catchment-area school.
- 4.8 The Council will not provide travel assistance if a parent chooses a school on religious or faith grounds other than where the child comes from a low income family and the eligibility criteria set out in 2.3 above is met.
- 4.9 Travel assistance is provided in the expectation that children behave appropriately while travelling to and from school. Children are subject to their school's behaviour policy while travelling to and from school. Schools are expected to promote appropriate standards of behaviour by pupils on the journey to and from school. Head teachers are empowered to take action to address unacceptable behaviour even when this takes place outside the school premises including behaviour on school transport.
- 4.10 The Council reserves the right to withdraw travel assistance either for a temporary period, or permanently for more serious or repeated cases of misbehaviour.

5. Change of circumstances

- 5.1 Families receiving travel assistance must notify us when circumstances change, e.g. change of address, change of school, or change in eligibility for low income assistance. If your change in circumstances mean you are no longer eligible for travel assistance, but you inform us in a reasonable time, you may keep and continue to use any unexpired portion of a bus pass; if you have elected for travel assistance in some other form we will not seek to recover any payments already made, but your payments will stop.
- 5.2 Those in receipt of a **personal travel budget** whose circumstances change will be required to repay the appropriate proportion of the advance payment.

- 5.3 Families who move house after their child has started a school are responsible for their child's continued travel to that school.

6. Disabled Parents

An available walking route assumes that parents accompany their children along a walking route for it to be considered safe. If the parents' disability prevents them from doing so, children may be eligible for travel assistance. In such circumstances, parents should provide independent evidence in support of their application, e.g. a letter from a consultant.

7. Discretionary and exceptional travel assistance

If your child is not eligible for travel assistance under the criteria in section 2, but you feel there are exceptional circumstances you can request that your case be considered by Officers. Examples of exceptional circumstances that have been successful in the past include severe short-term medical condition; family trauma/ upheaval that mean the parent needs a period to resolve alternative arrangements to ensure the pupil can get to school safely. Such emergency assistance is normally offered on a short-term basis, and the parent may be required to contribute towards the cost.

8. Appeals process

If you are not happy with the outcome of your application you have the right of appeal as follows.

Stage 1

Fill in an appeal form explaining your challenge to the decision.

An officer review panel reconsiders the decision.

You will be sent a letter detailing the new outcome.

If you are still not happy with the outcome you can ask for independent panel of Council Members to review the decision – Stage 2.

Stage 2

All of the documentation from stage 1 will be submitted to Members.

You can add any further information or supporting evidence that you wish.

Democratic Services department will arrange for a panel of Council Members to review the application, the process and the outcome.

Where an appeals panel considers a case and finds that the child is not eligible under the terms of the policy but, nonetheless, wishes to make an offer of provision, they may set a contribution at a level that they see fit.

You will be sent a letter detailing the outcome to your appeal.

If, once you have followed the above, you think that the proper procedures have not been followed you can ask the Local Government Ombudsman to investigate. This must be done within 12 months of the outcome of your appeal. This is not a right of appeal as the Local Government Ombudsman can only investigate complaints about maladministration. As a guide the Local Government Ombudsman will usually consider whether:

- the council's policy for providing help with travel assistance is objective, clear and fair;
- the council have applied their policy properly or fairly;
- the council did not take relevant information into account in reaching its decision, or took irrelevant information into account; or
- the council delayed dealing with your application.

The Local Government Ombudsman can be contact by phone on: 0300 061 0614 or www.lgo.org.uk/making-a-complaint.

| Version control | | | |
|------------------------|------------|-------------------------------------|--|
| V1 | 01/06/2017 | Approved by Council | |
| V1.1 | 21/03/2018 | Drafting changes to provide clarity | HMRC recommended mileage payments Distance measuring definition Addresses used for pick up/drop off Application processing time Pupil's behaviour Re-wording of criterion (e) |
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Pedestrian Route Assessment Guidelines

Walked Routes to Schools

Sustainable Travel Team

2016/2017

Introduction

Local Authorities have a statutory duty under the Education Act 1996 to provide home to school transport for eligible children (as defined by Section 508B of the Act).

One of the categories of eligible children for whom transport must be provided is defined as 'children who cannot reasonably be expected to walk to their nearest suitable school because the nature of the route is deemed unsafe to walk' (Department for Education statutory guidance, 2014). This applies to children who live within statutory walking distance of their nearest suitable school (currently up to two miles for primary aged children and three miles for secondary aged children).

The legislation places a duty on local authorities to identify such routes but does not prescribe how routes should be assessed to determine their suitability.

Principles of the assessment process

The assessment procedure is based on the following principles as determined by statutory guidance, the Road Safety GB guidelines and associated case law.

Available Routes

The measurement of the walking distance between a child's home and school in order to determine eligibility is defined by the statutory guidance as 'the shortest route along which a child, accompanied as necessary, may walk safely' and which 'may include footpaths, bridleways, and other pathways, as well as recognised roads'. Route assessments to assess the safety of the route therefore take into account all such rights of way.

A route is deemed available if a child, accompanied as necessary can walk with reasonable safety to school. This does not mean a route would qualify as unavailable or unsafe because the parent perceives the route to be unsafe on the grounds of personal safety and security; or because of dangers which would arise if the child was unaccompanied; or because there are low level hazards – mud, puddles, leaves, unlit areas.

Accompaniment

The Road Safety GB Guidelines and Case Law makes it clear that it is considered the responsibility and decision of the parent/carer to accompany a child (or arrange suitable supervision) as necessary when walking to and from school, including to and from a provided transport pick-up and set-down point. The Pedestrian Route Assessment Process therefore assumes that a child will be accompanied by a responsible parent or carer.

Risks

The assessment process takes into account only the potential risk/s created by traffic, highway and topographical conditions. It does not take into account issues of personal security as it is assumed a child will be accompanied as necessary by a responsible parent or carer.

Site visits

At least one site visit will always be undertaken during the route assessment process. Where it is necessary to undertake traffic counts or speed readings the visit/s will be undertaken at the beginning of the school day between 8am and 9am. If it is not necessary to undertake traffic counts or speed readings, a site visit may be performed at any time of day. Any sections of the route which may be of specific interest (poor visibility, footpath sections, speed limit signing and hazards) will be photographed and noted.

Policy

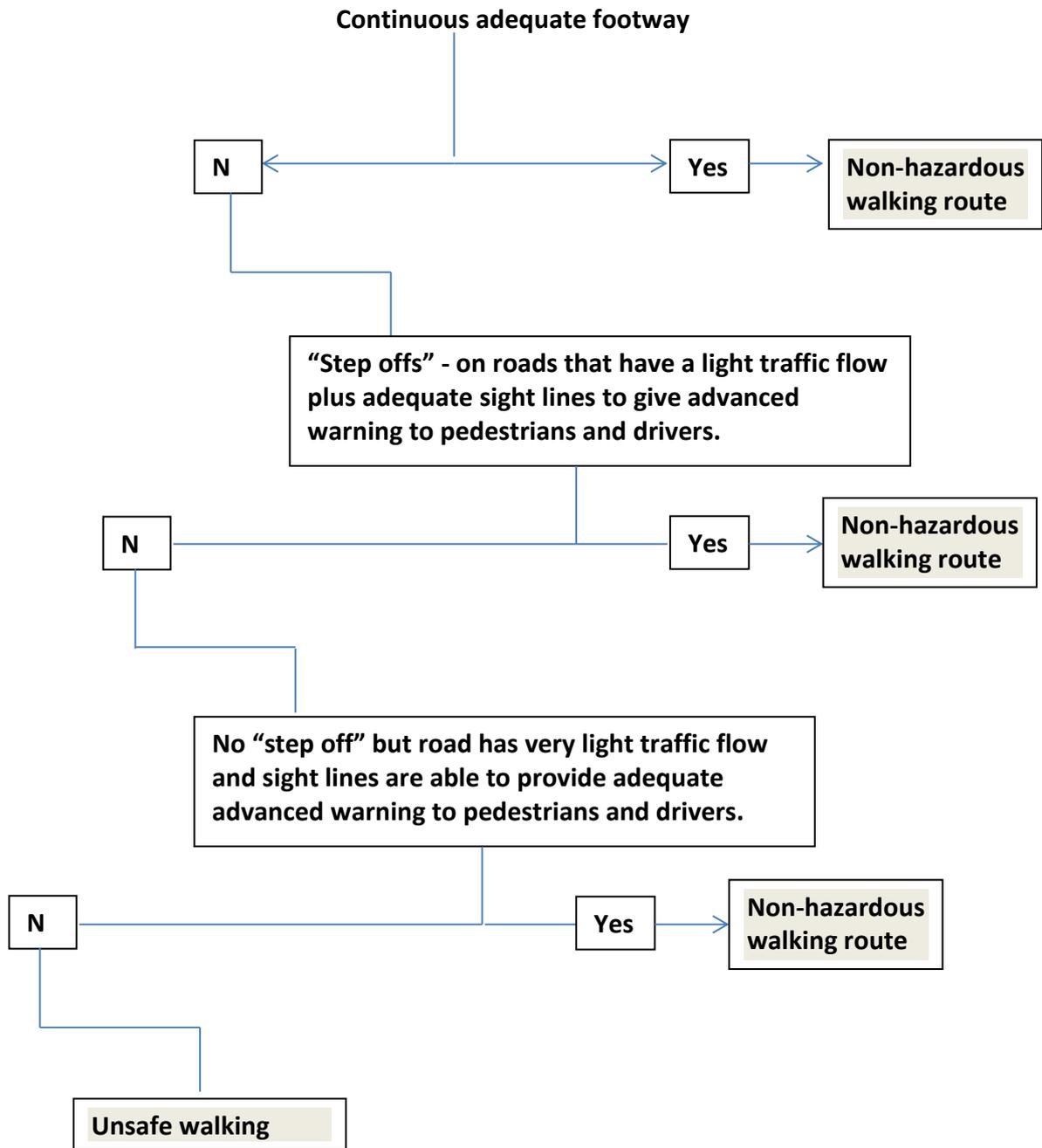
This document sets out the policy and procedure against which Solihull Metropolitan Borough Council will assess pedestrian walked routes to school. The procedure is based on guidelines issued by Road Safety GB in 2012 entitled 'Assessment of Walked Routes to Schools' and should be read in conjunction with those guidelines.

Where concerns are raised about the safety of a route which is below statutory walking distance and is:

- Between the child's home and his or her nearest or designated school
- Between the child's home and a school where she or he has been allocated a place as the nearest school with room

A pedestrian route assessment in accordance with this policy will be commissioned by Childrens Services Team and undertaken by the Sustainable Travel Team in Solihull Metropolitan Borough Council.

The assessment procedure



Assessment criteria and definitions

Adequate footway is considered to be a footway or roadside trip which is of adequate usable walking width for the circumstances. To be usable it should be clear of any overgrowth (i.e., shrubs and tree obstructing the footway).

Traffic flows

Where there is not continuous adequate footway, it will firstly be necessary to consider traffic flows for that part of the route. Annual Averaged Daily Traffic (AADT) counts will be used where these are available and will be factored up using national growth factors to provide a current flow. Where traffic counts are not already available a manual count will be undertaken or ATC's Radarclass or Speedvisor counts will be used. Traffic counts will be undertaken at the beginning of the school day between 8am and 9am but will be performed at any time of the academic year, regardless of weather.

Passenger Car Units are calculated as follows:

| | |
|---|----------|
| 3 pedal cycles | = 1 PCU |
| 2 motorcycles | = 1 PCU |
| 1 car | = 1 PCU |
| 1 light goods vehicle (up to 3.5 tonnes gross weight) | = 1 PCU |
| 1 bus/coach (over 3.5 tonnes) | = 2 PCUs |
| Goods vehicles (over 3.5 tonnes) | = 2 PCUs |
| Goods vehicles (over 7.5 tonnes/multi axle Lorries) | = 3 PCUs |

Traffic counts will determine the traffic flow for each section of the route in line with the following definitions:

Heavy traffic flow: over 840 Passenger Car Units (PCUs) per hour

Medium traffic flow: 400 to 840 PCUs per hour

Light traffic flow: up to 400 PCUs per hour

Very light traffic flow: up to 120 PCUs per hour

Step offs

Step offs are defined as providing an opportunity to step clear of the roadway onto a reasonably even and firm surface such as a roadside verge.

Visibility/lines of sight

Routes with light traffic flow and adequate step offs, or very light traffic flow without step offs, will only be considered non-hazardous where:

- Lines of sight are sufficient for pedestrians to see oncoming vehicles and have sufficient time to safely take avoiding action.
- Lines of sight for drivers are sufficient for them to see pedestrians walking along the carriageway and have sufficient time to safely take avoiding action at the speed they are travelling.

Lines of sight for drivers are measured from a height of 1.05m and must be equal or greater to the overall minimum stopping distance for traffic at the recorded 85%ile speed of traffic on that section of the route. Visibilities will be measured at their shortest point from where a driver could see a pedestrian on a bend.

Speed surveys

If recent speed surveys are available from the Councils database, they will be used to undertake an analysis. If they are not available, speed readings will be measured using a radar gun, or similar device. If this is impractical, average speed surveys will be carried out using time and distance over sections of the route.

Where traffic speeds are very low (20mph or below), the route will be presumed safe unless there are exceptional factors.

Crossings

Where there is a need to cross roads, a route will only be considered non-hazardous where there is either:

- Crossing facilities (e.g. zebra, pelican or puffin crossing), pedestrian phase at traffic lights, school crossing patrol or pedestrian refuge/s;
- Or
- Sufficient gaps in the traffic flow and sight lines to allow enough opportunity to cross safely.

'Sufficient gaps' is defined as four gaps in each five minute period, based on a walking speed of 3 feet per second. A gap survey will not be considered necessary where flows are below 800 PCUs per hour, as traffic flows below this level are considered to provide sufficient gaps. If traffic flows are in excess of this, a gap survey will be undertaken.

Visibility should allow a vehicle to stop, given the 85%ile speed for traffic on that section of the route.

Road accident and casualty record

The road accident record and road casualty record will be considered for all route assessments.

Road width

On routes without continuous footway or verge, consideration will be given to the width of the carriageway and speed and type of traffic using the route.

Street lighting

In line with the Road Safety GB guidelines, the presence or absence of street lighting is not considered to be a factor. This is because adequate sight lines and visibility are considered as part of the assessment process and it is the responsibility of the parent/carer to ensure that pedestrians are dressed and equipped appropriately for the journey and weather conditions.

Rural schools

Where schools are located in rural or village locations without footway or step offs, traffic flow may exceed the 'very light' threshold at certain times of the day (such as school beginning and end times) in the immediate vicinity of the school and/or village. It would be impractical to suggest that such village or school locations are not suitable for any pedestrian use, and professional judgement will therefore be exercised and consideration given to factors such as speed limits or other road safety measures in determining the outcome of the assessment.

Professional judgement

The Road Safety GB guidelines make it clear that, particularly in rural areas, the exercise of continuous professional judgement is likely to be required. No criteria can provide the answers to every situation or risk that may be encountered.

Professional judgement will be exercised in all route assessments. For example, where a route passes all criteria but there is an exceptional reason for judging the route unsuitable (e.g. unacceptable width with the proportion of HGV flow) the route may be failed on the basis of the assessors' professional judgement.