



worcestershire
county council

Children's Services

Transport & Travel Policy

2011/12

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1. INTRODUCTION

Worcestershire County Council as the Local Authority responsible for education provision has agreed a policy for Home to School Transport & Travel for the academic year 2011/12. This current policy was approved by the Cabinet of the County Council in May 2011 and will apply until the policy is formally reviewed and any changes agreed by the Cabinet.

The policy has been prepared to take account of all legislative requirements including the most recent Education and Transport Acts. It also fits within the County Council's Local Transport Plan.

The intention is that this policy will enable the Authority to meet its statutory obligations and to address aspirations of 'Every Child Matters'.

Those covered by this policy include:

- Children of compulsory school age attending a maintained school, (or 4 on 1st Sept).
- Those children registered at a maintained school, in a Reception class who have not attained compulsory school age;
- Students continuing with study at either a college or school Sixth Form;
- Pre compulsory school aged children with recognised Special Educational Needs and attending a special school, specialist unit or nursery assessment centre funded by the County Council.

The Authority will not generally provide transport assistance to children attending independent schools, apart from exceptional circumstances.

This document outlines Worcestershire County Council's policy for home to school transport services. It covers eligibility for free transport, assistance available for those not entitled to free transport, applying for transport, the appeals process and a code of conduct for pupils and students using transport arranged by the County Council. The policy applies to those on the roll of maintained schools from September 2011 and thereafter.

The aim of the policy is to provide high quality transport services as efficiently, economically and sustainably as possible to ensure that pupils get to school in a reasonable time, travel in a safe environment and arrive at school ready to learn. The policy is to be used in conjunction with the county's school admissions policy and the arrangements for the placement of pupils and students with Special Educational Needs.

Names of directorates, divisions, units or teams within the County Council may change during the life of this policy. Parents/carers will be notified of any changes in letters or publicity material as relevant or as part of an annual review of published information.

2. THE LEGAL FRAMEWORK

The law states that it is a parent's responsibility to ensure their child receives suitable education in relation to the child's age, ability and aptitude including any special educational needs they may have. To that extent, if parents decide to send their children to maintained schools, they have a duty to ensure their children get to these schools in the first place. However, there are specific provisions within the 1996 Education Act relating to the provision of home to school transport. The effect of these is that there are circumstances where the County Council, as the Local Authority responsible for education, has a duty to provide home to school transport. This duty only applies to those children for whom it is responsible; essentially these are children living within the county boundaries of Worcestershire. It may be that transport is required for a child living in Worcestershire to attend an out of county school or college but this will normally only be in circumstances when the establishment is the nearest to the home address or deemed to be appropriate for the child's needs.

In cases where there is such a duty to provide transport, the County Council will provide it free of charge. The County Council has a power to provide home to school transport or assistance with such transport – whether financial or otherwise. Where this power is exercised, the County Council may charge for some or all of the cost of any practical provision it makes.

The main source of these legislative provisions is S509 and succeeding sections of the Education Act 1996.

As regards the law this policy attempts to take into account the changing legislative framework and to explain:

- (i) The County Council's approach to the circumstances it regards as placing it under a duty to provide home to school transport;
- (ii) The policies the County Council will exercise in relation to its powers to provide home to school transport.

3. POLICY STATEMENT: DUTY TO PROVIDE FREE TRANSPORT

The circumstances when a duty to provide home to school transport arises are not straightforward. Sometimes there is a discretionary element in that the County Council has to decide if it is necessary to provide such transport – and only if the County Council considers it is necessary does a duty to provide it arise. In other circumstances the law actually decides it is necessary – the County Council must provide it. The following sections give guidance about the approach the County Council will take.

(a) Home to school transport for pupils attending a mainstream school

- (i) Pupils attending a school **other than** the nearest, designated (see Section 5 below) or re-designated (see 3(a) (v) below) one for their home address will not normally qualify for free transport even when the preferred school has 'specialist' status or is preferred on denominational grounds. (For Denominational Transport Assistance see section 4(a) below).
- (ii) Free Transport will be provided to those children of compulsory school age and attending the nearest, designated or re-designated school for the home address, provided the distance between home and school is in excess of the statutory requirement for the pupil's age.
- (iii) In some circumstances, the Authority may provide free transport to children who do not live in excess of the statutory walking distances, particularly if the nature of the route is such that it is considered unavailable* for a child, accompanied as necessary, to walk.
* For a definition see 5(c) below.
- (iv) The Authority may provide free transport for individual pupils and students to the nearest or designated school where the named Community Paediatrician, for the area or school so recommends. A Senior Officer in Children's Services will then review each recommendation on merit to determine entitlement on medical grounds where the above criteria is not applicable.
- (v) The Director of Children's Services may designate an alternative school for an individual pupil in exceptional circumstances, thus enabling the provision of transport to be considered under the general school transport and travel policy. Such cases will involve pupils for whom no place can be made available at the nearest or designated school.

(b) Low income families

The 2006 Education and Inspections Act introduced additional free transport eligibility criteria.

- (i) Pupils aged between 8 and 11 years (end of Year 6), in receipt of Free School Meals or Maximum Working Family Tax Credit, will have entitlement to free transport if they live more than 2 miles but less than 3 miles from the nearest or designated school.
- (ii) Pupils aged between 11 and 16 (Years 7 to 11), in receipt of Free School Meals or Maximum Working Family Tax Credit, will have entitlement to free transport for a choice of the three nearest schools between 2 and 6 miles.
- (iii) Families will be entitled to free transport if they are in receipt of Free School Meals or Maximum Working Family Tax Credit and wish their child to attend a particular secondary school on religious grounds and the nearest suitable denominational school (VA) is between 2 and 15 miles.

(iv) The eligibility for free transport under the category of low income will be reassessed on an annual basis. If the financial circumstances alter and the entitlement to free transport is no longer met, free transport will be withdrawn from the start of the new academic year.

(v) The qualifying criteria for low income is as follows:

- Maximum Working Family Tax Credit (no deductions due to income);
- Entitlement to Free School Meals (FSM).
(FSM is assessed as Income Support, Job Seekers Allowance (Income Assessed only), Child Tax Credits only (no Working Family Tax Credits) maximum income and State Pension Credits.

(c) Special Educational Needs

(i) Pupils will be awarded transport assistance as appropriate for the needs identified within their Statement of Special Educational Needs. If determined, free transport or assistance with transport will be provided to the nearest suitable establishment indicated on the statement on the basis of the individual child's needs.

(ii) Escorts will only be provided if there is an exceptional need for care or supervision and such provision is indicated on the transport form completed alongside the Statement of Special Educational Needs.

(iii) Some under five-year olds with significant Special Educational Needs may be entitled to travel assistance, this to be assessed by the SEN Services Team but as a general rule free transport will only be provided to children of nursery age who have a recognised special educational needs and transport is assessed as being required to attend the nearest appropriate special school, specialist unit or nursery assessment centre funded by the County Council. The current eligible establishments are:

1. Nursery Plus Units at Cranham (ICAN), St. Matthias and Franche Primary Schools, Batchley and Matchborough First Schools;
2. Special school nursery classes at Chadsgrove, Blakebrook, Fort Royal, Vale of Evesham, Rigby and Pitcheroak Schools;
3. Nursery Assessment class of Blakebrook School, based at the Child Development Centre; and
4. Pre-School Wyre Forest Language Unit at Sutton Park Primary.

(iv) In addition transport is provided at the beginning and end of terms and half terms for pupils attending residential establishments named in the statement.

Greater detail on Home to School transport for pupils with Special Educational Needs is attached as Appendix 1.

(d) Looked after Children (LAC)

Wherever possible, LAC home to school transport arrangements should conform to the above principles.

Free transport may be provided to and from an alternative establishment to the nearest or designated school or to continue at the currently attended school, which is not the nearest or designated school, if in the opinion of the professionals involved with the child it would be detrimental to the child's well being if he/she were to be moved to another school. Each case will be subject to the approval of the Director of Children's Services or a delegated officer and as a general rule will be for a limited period.

4. POLICY STATEMENT: GENERAL POWERS TO PROVIDE TRANSPORT/ TRANSPORT ASSISTANCE

(a) Denominational (other than low income)

(i) Transport assistance for pupils attending on religious or belief grounds may be provided if the following apply:

- Parent or pupil adheres to the religion or belief for which the school provides daily collective worship;
- Local priest or minister's signature or copy of baptism certificate is provided; and where pupil lives over the statutory walking distance, from the nearest such school.

(ii) Transport assistance will be assistance with the cost of transport as per the provision guidelines in 6(g) (i) below. **The Council will not provide an individual taxi.**

(Pupils will receive free transport to a denominational school if this is the designated school for the catchment area and the criterion for statutory walking distance is met.)

(b) Post 16

(i) This applies to Further Education Colleges and High Schools where they are continuing at the Sixth Form of the designated school or at the nearest establishment where the programme or an appropriate alternative is provided.

(ii) The Authority will offer assistance towards costs for students provided they are:

- Within the age range of 16-19 on the 1st of September of the academic year of study;
- Resident in Worcestershire; and live more than 3 miles, measured by the nearest available walking route from the establishment;
- Not applying for assistance to a course at the same and/or lower level, except for retakes.

- (iii) Students will cease to be eligible from the 1st September, following their 19th birthday even if they are continuing on the same course.
- (iv) When determining the eligibility against programme and establishment, the Authority considers that if half of the modules or qualifications can be offered at a nearest establishment then no assistance will be offered to attend programmes at a preferred establishment that is further away.
- (v) Assistance will only be provided to students undertaking at least 15 hours of study and at least seven sessions per week.
- (vi) Transport assistance will be assistance with the cost of transport as per the provision guidelines in 6(g) (i) below.

(Assistance with transport may be provided on medical grounds where students are attending the nearest establishment and the named Community Paediatrician recommends. A Senior Officer in Children's Services will then review each recommendation on merit to determine entitlement on medical grounds where the above criteria is not applicable.)

Post 16 SEN Transport is no longer provided free of charge. Connexions officers still provide the assessment regarding the type of transport assistance required.

(c) Post 19 transport (non special needs students)

Transport assistance could be offered on school coach services if a place is available under the Vacant Seat Payment Scheme.

(d) External examinations

- (i) A pupil attending secondary school who moves during the last two years of compulsory education will be considered for transport assistance, to enable him/her to continue attending the same school.
- (ii) It will not be provided if the move occurs during the Autumn Term in the first year of a two year course. Assistance will be provided in line with the provision of transport guidelines in 6(g) (i) below.
- (iii) Individual taxi transport will not be provided.
- (iv) A contribution towards the costs will be required.

(e) Repeating a year of compulsory education

- (i) Some students may be required to repeat a year of their education. Examples of this could be time lost because of severe illness or where a decision was made earlier in the pupil's education to delay their transfer from one year group to the next. In this instance, transport assistance may be continued.
- (ii) The extended provision of transport or transport assistance will only be made to pupils or students who meet the usual entitlement criteria.

(f) Emergency temporary housing

- (i) Children who have had to move into emergency accommodation for reasons beyond their control will be eligible for travel assistance to the appropriate school until the end of the term from the time of the move; normally this will be for a maximum of one term.
- (ii) The Authority will require independent evidence.

(g) School reorganisation

- (i) Changes to schools made by the Authority such as closure, amalgamation or relocation can have an impact on transport for individual pupils. As part of the changes to school provision, transport needs are assessed/reassessed.
- (ii) For those pupils or students attending the school at the time of the change special transport arrangements may be put in place to assist with the actual transition.
- (iii) However, once the change has been implemented any new pupils or students joining the school will be subject to the normal application of the transport policy.

(h) Bullying

- (i) Assessment for transport assistance will be considered in line with the Authority's Anti-Bullying Strategy. The bullying allegations need to be addressed by the school at which they are alleged to have taken place and parents are guided to make a non-curriculum complaint. Once the non-curriculum complaints procedure has been exhausted and if found that the bullying and school move has been upheld then the application will be reconsidered.

Non-Curriculum Complaints Guidance: www.pps.worcs.co.uk

- (ii) If it is found that there was some substance to the bullying allegations, that the original school did not respond appropriately and a move was in the best interests of the pupil then consideration will be given to supporting transport to the new school as long as it is the designated or next nearest school. The original school may be recharged for the cost of the transport.
- (iii) If the pupil was not originally attending the designated school then travel assistance will only be considered if the new school is the designated school for the home address.
- (iv) 14-19 Transport Policy
The Authority works in partnership with local area consortia to make provision for the new diploma qualifications. Countywide eligibility and an application process are still to be decided and arrangements will be determined locally.

5. POLICY INTERPRETATION AND DEFINITIONS

(a) Designated school

Every address in Worcestershire is within a school catchment area and that school is then the designated school for that area.

- (i) Information regarding catchment area is available from the Pupil Admissions and Transfers Section, website: <http://worcestershire.whub.org.uk/home/wcc-edu-sch-catchment.htm> telephone **01905 766524** and in the pupil admissions booklet.
- (ii) In the event of schools having an overlapping or shared catchment area the nearer school to the home address will be regarded as the designated school.

(b) Statutory walking distances

- (i) Statutory walking distances to the nearest or designated school are:
 - Up to 2 miles for pupils up to the age of 8;
 - Up to 3 miles for older pupils.

Also refer to Section 3(b) above with reference to low income families.

- (ii) The nearest available walking route for measurement of statutory walking distance is taken from the front entrance of the pupil's home to the nearest school gate or access point to the school site, along a road or made up footpath.

(c) Available walking route*

- (i) A route is considered available to walk, if the pupil accompanied as necessary by an adult, taking into account highway conditions as indicated in the Local Authority Road Safety Officer Association guidance, can walk or be walked with reasonable safety. Officers in Environmental Services using guidelines published by the Local Authority Road Safety Officers Association (LARSOA) determine an available walking route.
- (ii) If a parent challenges the availability of a route for walking, the Authority will investigate applying the LARSOA guidance. An availability report will be produced taking into account the nature of road and crossing points. If the route, following investigation, is found to be unavailable for walking the Authority will award free transport and any charges for the current term will be reimbursed.

- (iii) The Authority will regularly review unavailable walking routes. If, following a review, a route is deemed to be available for walking, before transport entitlement is withdrawn, a letter will be issued to the parents advising them of the situation asking for issues and concerns they may have. A Road Safety report will be produced taking into account the conditions of road safety and parental concern. The parents, school and the local councillors will be informed of the final decision, with notification of a date when free transport will be withdrawn. Parents will be given the opportunity to appeal against the decision and information on the appeals process will be provided at the time.

Parents will be given a full academic term to make alternative arrangements before entitlement is withdrawn.

(d) Own transport assistance

If the Authority is unable to arrange transport and no alternative transport options are available a travel allowance will be offered, payable at the Authority's agreed rate, per return journey.

(e) Exchange students

- (i) Travel assistance is not provided for visiting exchange pupils.
- (ii) They may be permitted to use a contracted coach or taxi service alongside a student receiving transport assistance from the Authority, only if:
- At least 7 days notice is given before the arrival of the Exchange Student intending to use the transport provision;
 - There is enough spare capacity on the vehicle.
- (iii) Exchange students will be allocated seats on a contracted coach or taxi service on a first-come first-served basis. If the Authority cannot allocate a seat on a contracted coach or taxi service then the host family will be expected to make transport arrangements for the exchange student for the duration of their stay.

(f) Disabled, single parents, split families and family carers

- (i) Where a parent is registered disabled then assistance will be judged on individual circumstances. Parents are expected to consider alternative arrangements, such as a supervised walking bus where available.
- (ii) For pupils whose parents reside at different addresses, the address advised by the school as the ordinary residence will be used for assessment purposes.

Assistance to and from both homes will not be provided. A seat may be offered under the vacant seat payment scheme for the other address (See section 6(e) below.)

6. OPERATIONAL ARRANGEMENTS

(a) Days of week and evenings

Transport is provided to meet the requirement of attendance and only provided at the beginning and end of the school day. Subsidised transport is not normally provided for evenings or weekends, extended services or 14-19 consortium arrangements although there may be local bus services available. Provision may be made where there is no additional cost to the Authority **or in the case of access to extended services, families are eligible for Positive Opportunities Worcestershire funding.**

(b) Getting to the boarding point

Pick up and drop off points are made as near to pupils/students home as possible. However, the Authority considers it reasonable for pupils/students to walk up to one mile to and from a designated boarding/drop off point.

(c) Applying for transport

- (i) All applications for home to school transport must be on a standard application form.
- (ii) Forms are available from the Easter prior to the school academic year, from the local school or Worcestershire HUB or via www.worcestershire.gov.uk/schooltransport.

Pupils applying on special needs grounds should apply through the SEN Services, P.O. Box 73, Worcester, WR5 2YA

- (iii) Forms should be returned to:
Education Travel Team, County Hall, Spetchley Road, Worcester, WR5 2NP
- (iv) Applications will be assessed and if free transport is approved, a pass will be sent to the home address before the start of the new term. To guarantee receipt before the start of the new academic year, completed forms must be submitted before the end of the previous summer term. If the application is unsuccessful, the notification will state the reason. Passes for Authority contract vehicles will be provided annually, however passes for most public service vehicles will be provided in three termly instalments.

(d) Appeals

- (i) Parents have the right to an appeal against the decision made by officers in Environmental Services, on behalf of Children's Services on non-provision of transport. The information on appeals is provided at the time of refusal.
- (ii) All appeals should be made on the standard appeal form available from the Education Travel Team (see 6(c) (i) and (ii) above).

- (iii) All appeals are individually assessed by staff/officers in the Children's Services Directorate against the Authority's approved Home to School Transport & Travel Policy taking into account special circumstances. Where possible parents are asked to supply evidence to substantiate any special circumstance.
- (iv) Appellants are advised in writing, within 15 working days of receipt of the request for an appeal, of the outcome.
- (v) Complaints with the way applications or appeals are handled should be taken through the Authority's complaints procedure.

(e) Vacant Seat Payment Scheme (VSPS)

- (i) If the Authority has spare capacity on a contracted coach or taxi service then those students not eligible for free transport may be considered for a seat under the Vacant Seat Payment Scheme (VSPS) at the discretion of the Authority. Payment for a vacant seat is set out in the contributions schedule.
- (ii) Initially, all requests under the VSPS will be placed on a Waiting List and after all eligible students have been allocated a place on the vehicle, vacant seats will be offered.
- (iii) Waiting List Criteria
Applications on the VSPS Waiting List are ranked according to the following priority order of criteria, and **not** on a first-come first-served basis:
 - Resident in County
 - Previously used the service (and had a Vacant Seat withdrawn)
 - Siblings already travelling on the service
 - Attendance at designated school
 - Availability of alternative public transport services
 - Attending the nearest establishment
 - Living over 3 miles from the establishment (but not the designated establishment)
 - Date of application (date of application is only considered if all other criteria are equal).
- (iv) No commitment is given to provide students under the VSPS with continuous transport assistance as priority is given to eligible students requiring transport on specific services.
- (v) If spaces on a contracted coach or taxi service are required for eligible students then vacant seats will be withdrawn.
- (vi) The decision to withdraw a Vacant Seat will normally be based on the last seat allocated being the first to be withdrawn. The Authority will provide a minimum of 7 days notice in writing of its intention to withdraw a Vacant Seat and a pro rata refund can be made.

(f) Contribution policy

This is agreed either by the Cabinet of the County Council or by the Cabinet Member for Children's Services following consultation with the Director of Children's Services and published either on the County Council website, provided to all applicants and available on demand.

(g) Service provision

(i) Vehicle type

Transport provision will be awarded in the following order of sustainability/cost priority:

- Provision of a pass for public bus services;
- Provision of a pass for a contracted coach service;
- Provision of a pass for public rail services;
- A travel allowance in lieu of free transport, paid at average Public Transport rate per mile one return journey (these payments are only available from the start of the school year in which the application is made and are not backdated);
- Provision of a seat in a taxi where deemed appropriate.

(ii) When a student is allocated a pass for a public bus or rail service, in some instances the student may be required to stand.

(iii) A pass for a subsidised coach is also the allocation of a seat. A seat belt will be provided.

(iv) Where possible, journeys should not exceed 8 miles or 45 minutes travel time (for primary aged pupils) and 60 minutes travel time (for secondary aged pupils and students) and will be appropriate to the school times.

(v) Where possible, the Authority will not drop off or collect pupils/students more than 20 minutes before or after the official opening or closing times of an establishment.

(h) Lost and stolen pass

(i) Passes for contract vehicles that are lost or stolen can be replaced on payment of an administration charge of £10.

(ii) No fee will be taken if a pupil can confirm the pass was stolen, by providing a crime reference number and detail of station reported.

(iii) If a pass is lost for a public service vehicle, contact should be made with the local operator regarding replacement.

(iv) If a Severn Ticket is lost a replacement fee of £20 is payable.

(i) No Pass, No Travel

- (i) A 'No Pass, No Travel' scheme applies in Worcestershire. The 'No Pass, No Travel' scheme was introduced to:
- Tackle health and safety concerns about overloaded vehicles;
 - Prevent unauthorised students from using subsidised transport services;
 - Ensure students use the correct service to which they have been allocated.
- (ii) Drivers are expected to check student passes daily and pupils not carrying a valid pass should **not** attempt to board school transport, as they will be refused.
- (iii) It is parental responsibility to ensure that their child has successfully boarded school transport each morning.

(j) Monitoring officers

- (i) The Authority's Monitoring Officers inspect any form of transport provision. The primary purposes of these inspections are to ensure:
- Students are using the correct service;
 - Unauthorised students are not using subsidised transport services;
 - Operators are providing authorised drivers on subsidised transport services;
 - Operators are providing appropriate vehicles on subsidised transport services;
 - Operators are running to the correct timetable;
 - The Authority's register of students using a particular subsidised transport service is correct.
- (ii) Monitoring Officers acting on behalf of the Authority may ask to inspect a student's travel pass, in addition to the standard check undertaken by the driver.

(k) Coach operators guidance

Operators are provided with guidance notes to assist in the operation of service and procedures for checking passes, dealing with emergencies and behavioural issues.

(l) Behaviour on buses

- (i) Guidance notes for student behaviour whilst using any form of transport provision are issued in the Application Booklet and with the pass. These have regard to the discipline on journeys and rights to refuse travel.
- (ii) For minor instances of misbehaviour or bullying a warning letter, followed by a temporary ban for repeat occurrences will be sent to the parent or carer, copied to the school. A ban is usually for the period of two weeks.

- (iii) For more serious incidents, such as violent behaviour that causes a threat to the operation of the vehicle or damage to the vehicle itself, a ban may take effect immediately after the incident has been reported. In some instances, transport assistance may be withdrawn. The Authority will liaise with the school and the operator as to what action is appropriate following more serious issues.
- (iv) Where transport assistance has been withdrawn, the Authority may consider reinstating provision after a Review Meeting involving the parents, Headteacher, the operator and a representative from the Authority. This may involve a phased reinstatement of transport.
- (v) If a pupil or student has been issued with a ban of any length, it is a parent's responsibility to transport the pupil or student to and from school for the duration of the ban and the Authority will not provide assistance with any additional costs of doing so.

(m) School generated changes to the opening and closing times of schools

Where a school/college has elected to open/close at an alternative time that does not follow their usual hours, it is the responsibility of the school/college to make alternative transport arrangements for the pupils/students. It is also the responsibility of the schools/colleges to meet any additional costs incurred by re-arranging transport services to meet alternative school times.

APPENDICES

- 1. SEN Policy**
- 2. Escort Policy**
 - Ref – Local Transport Plan**

Transport Policy for Children with a Statement of Special Educational Needs

Qualification by reason of Special Educational Needs

Where a child is attending their designated school which the Authority considers to be suitable to meet his/her special educational needs and where transport is not usually provided because that school is within the statutory walking distance, transport assistance may be made available because a child's special educational needs make the distance criterion irrelevant.

Decisions as to eligibility will be made on an individual basis as part of the Statutory Assessment process. Being the subject of a Statement of Special Educational Needs or attending a special school does not automatically entitle a pupil to transport assistance.

Factors to be taken into consideration will include:

- **Mobility**
 - Does the child have a physical or medical difficulty that rules out either walking to school, use of public transport or suitable public transport is not available – for example, a wheelchair user or a child who requires specialist-seating arrangements.
- **Behaviour**
 - This will involve asking whether or not the child's behaviour is so disruptive that he/she would be deemed highly vulnerable or at serious risk of danger to themselves or others if they were to walk to school, even if accompanied. In general this category will only apply to those pupils with severe learning difficulties, severe autism or severe emotional, behavioural and social difficulties.

Where a pupil is eligible the mode of transport provided will normally be a minibus, coach, adapted vehicle or taxi, as deemed appropriate by the County Council.

Parents/carers of children who are in receipt of Disability Living Allowance could provide this evidence in support of their case for transport on grounds of the child's special educational needs. Being in receipt of Disability Living Allowance does not automatically entitle a child to transport assistance.

Pupils attending in county and out of county residential establishments

Transport to and from home will be provided for pupils attending residential establishments as part of their Statement of Special Educational Needs at the beginning and end of each term and half term. Additional transport assistance may be provided for the child and not more than two parents/carers, as necessary, at the Authority's discretion, for:

- Pre-admission assessments (in and out of county)
- Subsequent case conferences/reviews
- Specific boarding arrangements.

Where the location of the school makes it necessary, the Authority will also meet reasonable overnight accommodation costs. In such cases, no more than two parents/carers can be accommodated. Prior approval for overnight accommodation must be sought for this arrangement to be funded by the Authority.

Pupils under compulsory school age

The Authority does not have a statutory duty to provide transport for pupils who are below compulsory school age.

However, the Authority may provide free transport for those children of nursery age who have a Statement of Special Educational Needs and are attending the nearest appropriate special school or specialist unit funded by the County Council.

Free transport may also be provided for those nursery age children who do not have a Statement of Special Educational Needs but are attending the nearest special school, unit or specialist nursery assessment unit as agreed by the Authority for assessment purposes.

Each application will be considered on its individual merits. Decisions as to entitlement to transport will be made based upon distance and the child's special educational needs.

SEN policy Post 16

In line with the mainstream post 16 policy, pupils with a Statement of Special Educational Needs attending their nearest appropriate special school, specialist unit funded by the County Council or mainstream school, will be expected to make a contribution towards their transport costs.

Escorts

Escorts will only be provided where there is an exceptional need for care or supervision. Free transport does not automatically mean an escort will be provided.

Please refer to the Authority's separate Escort Policy document for further information, available from the SEN Services, P.O. Box 73, Worcester, WR5 2YA.

Additional notes

1. Withdrawal of transport (safety/behaviour issues)

In exceptional circumstances it may be necessary to withdraw entitlement to transport for a defined period because of a passenger's extreme behaviour, rendering the continuation of transport unsafe for themselves, the driver, escort, or other passengers. Such a decision will be based on a reassessment of risk conducted by the Integrated Transport Services.

In such circumstances parents/carers will remain responsible for arranging transport for their child to and from school until the matter has been fully reviewed. The Authority will not be able to make alternative educational arrangements in the meantime.

2. Child moving out of catchment for his/her designated school

Where a child moves out of the catchment area for their current maintained school (the school named in Part 4 of their Statement) the Authority will normally expect the child to move to the designated school for their new address, provided that the Authority is satisfied that the school can meet the child's needs as defined in the Statement of Special Educational Needs.

In these circumstances, if the child moves school, entitlement to transport, if required, will be assessed according to the above criteria.

If the child remains at the same school then provided the Authority deems that the child's special educational needs can be met at a more local school, transport will not be provided. The continuation of the place at the non-catchment school will require the parent/carers to take responsibility for arranging any transport to and from school. An exception may be made where a child is undertaking an external examination course, during the last two years of compulsory education, at the time of moving to a new address who needs to be able to complete the course of study before changing schools and the new address is situated beyond the defined walking distance.

3. Child moving from Language Units/Bases into mainstream schools

In some circumstances it becomes appropriate for a child to transfer from a Language Unit, Base or special school to a mainstream school.

Should a decision be taken, usually through the Annual Review Process, that this is appropriate for a child, the Authority will normally seek to place the child at their nearest designated (catchment) school for their home address (provided the Authority is satisfied that the local school can meet the child's needs). Transport to attend this new provision will be reassessed. Should parents/carers wish the child to attend a different school then this will be on the basis that they are responsible for arranging transport for the child to and from that educational provision.

How are applications for transport made?

Where the Authority determines that a child is eligible for transport based on their special educational needs there will be no need for parents/carers to make an application for transport. Instead, the Authority will automatically notify the Worcestershire Integrated Transport Unit that the child is eligible for transport and the Passenger Transport Group will then make contact with the parents/carers to make the necessary arrangements.

Review process

For pupils with Statements of Special Educational Needs, an Annual Review of the Statement must take place. As part of this process the travel arrangements and entitlement to transfer for the individual will also be reviewed. This will provide an opportunity to consider whether, for example, the need for an escort is still appropriate or if it would be preferable for the student to travel to school by public transport. The review process also enables the Authority to receive feedback on transport directly from the service users on any issues or concerns that they may have.

Corporate Escort Policy

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1. Scope

This policy document is published by Worcestershire County Council to explain how escorts are provided in association with transport for adults and children who are receiving services from the Council.

The document is intended for the widest public audience, and refers to other document sources for supplementary detailed information.

There are separate documents explaining how transport is provided (**ref. 1 and 2**).

2. Legal requirements

There is no specific legal duty on the County Council to provide escorts for those to whom it provides transport in connection with education or social care services. However, the Council has a duty of care to all those for whom it provides such transport and fulfilling that duty may involve the provision of an escort.

This policy sets out the criteria on which decisions will be taken about whether an escort should be provided in any given situation. Essentially, these decisions will revolve around assessing the safety needs of all the relevant travellers – be they service users or staff.

3. Principles

The County Council will endeavour to:

- set out clear rules for providing transport and escort services
- ensure the safety of staff and each service user or group of service users who meet the criteria for the provision of transport
- incorporate existing best practice in its provision of transport and escorts using its resources in the most efficient and effective way
- provide transport services tailored to the needs of individual service users and carers
- ensure that information on assessed needs is easily accessible and available to all those involved with the provision of the transport service, including any changes to needs identified
- ensure that all parties understand their roles and responsibilities
- promote, encourage and actively support service users to travel independently where appropriate; this may involve providing an alternative helper other than an escort
- offer, promote, encourage and actively support the use of Direct Payments for service users to arrange their own transport; this may include the provision of an escort as appropriate

Please refer to Direct Payments Policy and Procedure 2005, and the accompanying guidance on calculating Direct Payments for transport (**ref. 3**).

4. Eligibility criteria

4.1 Introduction

Decisions on whether an escort will be provided will be made by a team leader or team manager in the Directorate involved with the service user.

Entitlement to an escort will be based on the assessment of a service user's individual needs and each case will be decided based on the criteria in 4.2 below.

4.2 How we decide

Entitlement to transport does not automatically mean an escort will be provided.

Escorts will only be provided where there is a specific assessed need for care or supervision.

The decision by the Council on the suitability of transport arrangements and whether an escort will be provided will be reached following an assessment of needs in the light of evidence received. Such evidence should include information relating to:

- medical/health and safety related issues, including risk to self or others
- mobility
- challenging behaviour and where a passenger has severe learning or physical difficulties, the need for continual care and supervision
- age, e.g. children under the age of 8 years with a Statement of Special Educational Needs will usually need an escort
- length of journey and vehicle type and size.

Where a service user or carer feels that a decision on eligibility is unreasonable or inconsistent with the Council's policies as set out in this document, they may ask for the decision to be reviewed.

The request should be made in writing to the Head of Service, or their nominee, responsible for the team, which carried out the assessment. The review will be carried out by a separate team or individual appointed by the Head of Service or their nominee. The request should include any evidence in support of the request, such as a professional report or recommendation.

A decision by the Head of Service or their nominee on the request will be provided in writing.

5. Payment for escorts

Children and young people under the age of 18 years will not be asked to make a contribution.

Adults will not be asked to make an additional contribution for any escort provision in accordance with the County Council's Fairer Charging Policy for Non-Residential Services (**ref. 4**).

6. Roles, responsibilities and duties of escorts

Where the service user's need for an escort has been identified, the escort will travel with the service user between destinations determined appropriate by the Council.

The escort will assist with entry to and exit from the vehicle, will ensure a safe journey for the service user and other passengers, will provide a caring environment whilst on the vehicle, and will act as an extended communication channel between locations.

The escort provides personal care/supervision from an agreed pick-up point to an agreed drop-off point. The assessment and care plan should identify any additional needs beyond the services provided by an escort, and should ensure that the appropriate service is commissioned.

The escort may often supervise more than one service user on a journey, consistent with providing the appropriate level of service for each individual while they are on the vehicle.

All escorts and drivers provided for service users' transportation will comply with the County Council Code of Good Practice for Transport (**ref. 5**).

First aid may only be given by an escort trained to do so.

Some service users may be at risk of anaphylactic shock. Risks will be minimised by not allowing anyone to eat on vehicles, except diabetics controlling their blood sugar levels.

The escort will not generally administer any form of medication to service users.

The escort will only administer any form of medication in an emergency, and only to a service user who has a known medical condition, and who has the appropriate medication or specific care plan with them; and then only when the escort has been trained to administer the medication or specific care plan.

7. Roles and responsibilities of users and carers

Service users and carers should provide details of all pertinent information about the service user to the assessor or care manager involved with the service user and requesting the transport.

Once transport has been arranged, service users and carers should provide full details of any changes in the service user's circumstances to the Directorate requesting the transport and the Directorate providing the transport, as soon as possible.

Service users and carers should tell the escort of any information specific to the particular journey and anything which needs to be passed on to others at the destination.

Service users and carers must be ready and available at arranged pick-up and drop-off times to ensure a safe handover.

8. Selecting, training, screening and reviewing escorts

This will be undertaken by the Council to ensure that the needs of the individual service user are met, and will include Criminal Records Bureau checks.

If there are any doubts about a CRB check it should be referred to the Service Development Manager (Safeguarding) who will provide a written professional opinion to enable a full risk assessment to be undertaken.

9. Operational risk assessments

In accordance with the County Council's Health and Safety Policy (**ref. 6**), the Directorate requesting the transport will take responsibility for carrying out an initial assessment of the service user's personal, medical and escort needs in respect of transport.

The results of this assessment will be conveyed to the Directorate providing the transport for their information and action.

The Directorate providing the transport will carry out individual and group assessments of risk and specific needs during the process of setting up and arranging the transport, and subsequently for the transport operation, to ensure risks are minimised as far as is reasonably practicable.

Further detailed information is provided in the Corporate Risk Assessment Practical Guidance, 2006 (**ref. 7**).

10. Communications, emergency and reporting procedures

As part of our commitment to providing safe transportation for its service users, the Council has in place procedures to be followed in the event of an emergency.

All vehicles are equipped for two-way communication with their operational bases.

In an emergency the driver or escort will follow their local guidance and contact the statutory emergency services, if appropriate, and their operational base and the Passenger Transport Group for further instructions.

All incidents and emergencies, including near misses, will be reported to the Escort Team at the Passenger Transport Group in accordance with normal County Council procedures and the Health & Safety Policy (ref. 6).

11. Review of eligibility and needs

The need for an escort will be reviewed if there are significant changes in the service user's circumstances or needs, and otherwise annually as part of the overall assessment of needs.

This will be undertaken by the Council to consider whether the basis for entitlement has changed, whether the level of provision is appropriate and to ensure that the needs of the service user are being met.

The results of this annual assessment will be conveyed to the Passenger Transport Group to inform subsequent risk assessments.

12. Comments, compliments and complaints

In common with all the services provided by the Council, we have a procedure for considering all comments, compliments and complaints about the services we provide. This allows service users and their carers to make representations about our actions, and for an advocate to act on their behalf.

For further information about the procedure please refer to the public information leaflet Compliments, Comments - Worcestershire County Council (**ref. 8**).

You can contact us by emailing us via our website, telephoning the Consumer Relations Unit on 01905 766365, faxing us on 01905 766367, or visiting your local Advocacy Service. The contact details are on the leaflet.

13. Document update and review

This document will be reviewed every three years, and when significant or legislative changes may affect this policy, to ensure that it reflects accurately the Council's policy towards the provision of escorts associated with transport for those who are receiving services.

The Lead Officer for this review is the Director of Adult and Community Services, or their nominee.

14. References

The following documents provide more detailed information on this subject:

1. Worcestershire County Council, Policy on the Provision of Transport, 2006
2. Worcestershire County Council, Children's Services Directorate Policy - Transport for Children with Statements of Special Educational Need, 2005
3. Worcestershire County Council, Direct Payments Policy and Procedure, 2005
4. Worcestershire County Council, Charging Policy for Non-Residential Services, Revised 2005/06
5. Worcestershire County Council, Code of Good Practice for Transport
6. Worcestershire County Council, Corporate Health and Safety Policy, 2006
7. Worcestershire County Council, Corporate Risk Assessment Practical Guidance, 2006
8. Worcestershire County Council, Compliments, Comments - Make your views known.