



**WOKINGHAM
BOROUGH COUNCIL**

**Home to School Travel Assistance Policy
for children resident in Wokingham aged 5 to 16, including
children and young people with Special Educational Needs
and/or Disabilities.**

Academic year 2024/25

Contents

1. Introduction
2. The Council's Statutory Responsibilities
3. Definitions
4. Statutory Walking Distances
5. Extended Rights
6. Qualifying Schools
7. Parental Preference
8. Safe Walking Routes
9. Travel Assistance during the school day and accompaniment
10. Timing of assessment of eligibility
11. Arrangements and eligibility for those with Special Educational Needs (SEN) and/or a Disability or mobility problems (including temporary medical conditions)
12. Short Term medical conditions
13. Types of Travel Assistance provided
14. 'Suitable' Travel Assistance arrangements
15. Personal Budgets
16. Pick-up Points
17. Supporting independence and the development of self-reliant travelers
18. Residential Schools
19. Travel Assistance for those not eligible for Free Home to School Transport under this policy
20. Exceptional circumstances, change of circumstances and other assistance
21. Behaviour on School Transport
22. How to Apply
23. Complaints and Appeals
24. Appeals procedure
25. Local Government Ombudsman (LGO)
26. Key Contacts

1. Introduction

It is the responsibility of parents/carers to ensure that their children regularly attend school. This includes making any necessary travel arrangements, except where there is a duty on the local authority to do so.

This policy sets out Wokingham Borough Council's responsibilities and commitment to meeting the home to school Travel Assistance needs of eligible children and young people (including those with special educational needs and disabilities) who are resident in Wokingham Borough and of compulsory school age (5-16).

Arrangements for young people of sixth form age and above are set out in a separate policy. Parents/carers are referred to the Post 16 travel assistance policy which can be found at: *(insert web address once finalised)*

The Council is committed to promoting children and young people's independence, social, and life skills essential for their preparation for adulthood. These goals underpin our Home to School Travel Assistance Policy because, where possible, children and young people, including those with special educational needs and/or disability, will be encouraged and supported to travel independently.

This approach helps to deliver our Community Vision and Strategic Priorities:

- Enriching Lives
- Safe, Strong Communities
- A Clean and Green Borough
- Right Homes, Right Places
- Keeping the Borough Moving
- Changing the Way We Work For You.

Parents/carers are legally responsible to ensure their child's regular attendance at school. However, for a small number of children who are classed as "Eligible Children", as defined in Schedule 35B of the Education Act 1996, Wokingham Borough Council has a duty to ensure that suitable Travel Assistance is provided, where necessary, to facilitate their attendance at school. In general, this relates to children with Special Educational Needs, a disability or mobility problems.

A parent will have a defence in law against a prosecution by a local authority for their child's non-attendance at school in cases where the local authority has failed to meet its duty to provide Travel Assistance for children classed as eligible for support.

Parents/carers/guardians/carers or a young person have the right to appeal the decision of the Council to refuse to provide assistance with transport as set out in this policy or when the parents/carers/guardians/carers or young person consider that the Travel Assistance, offered by the Council, is unsuitable.

Once transport has been awarded under this policy, it will not generally be reassessed unless there is a change in circumstances (see Section 20), the child reaches a reassessment mileage stone such as moving from primary to secondary school, or the transport has been awarded in error (see Section 20).

THIS POLICY SUPERCEDES ALL PREVIOUS POLICIES and will be regularly reviewed to take account of statutory duties and any changes to legislation.

2. The Council's Statutory Responsibilities

The Local Authority has a duty to make arrangements to facilitate attendance at schools and colleges by providing travel assistance in certain circumstances. This document outlines **Wokingham Borough Council's** home to school/college transport policy. This does NOT mean free transport will be provided for all pupils.

The Council also has discretion to make transport arrangements, to subsidise travel costs, and to make appropriate charges for children who do not meet the criteria set out in the Act.

➤ The duty to promote the use of sustainable travel and transport

The Council has a general duty under Section 508A of the Education Act 1996 to promote the use of sustainable travel and transport. This duty applies to children of compulsory school age who travel to receive education or training within the area - journeys to and from institutions where education or training is delivered¹.

The Education Act 1996 defines sustainable modes of travel as those that the local authority considers may improve the physical well-being of those who use them, environmental well-being, or a combination of the two. This may include walking and cycling, as well as other types of travel.

➤ The duty to provide suitable travel assistance for eligible and other children

The Council has a duty under the Education Act 1996 (section 508B) to ensure that suitable Travel Assistance is provided, for eligible children, to facilitate their attendance at school².

'Eligible children' are defined in schedule 35 B of the Education Act 1996 as those children of compulsory school age (5 -16) for whom free travel assistance will be required.

The criteria specified within the Act is set out in the sections below.

¹ Section 508A of the 1996 Education Act

² Sections 508B and 508C of the 1996 Education Act.

The Council also has a duty under Section 508C of the Education Act 1996 to make travel arrangements “as the Council consider necessary” in relation to any child in its area to facilitate attendance.

Compulsory school age is the age when a child must be in school. In Wokingham “primary” aged children range from 5 to 11 and “secondary” aged children range from 11 to 16.

Travel assistance is only arranged for the normal start and finish times of schools/colleges and is not tailored for individual courses, work experience, examination timetables or any other similar situations. Similarly, transport will not be arranged for travel between institutions during the school day, to offsite locations or to enable children to attend extra-curricular activities and other commitments outside school hours.

The Council has taken into account relevant Statutory Guidance issued by the Department for Education.

3. Definitions

- **“Home”** is defined as the place where the child is usually resident. Where parents/carers are separated or divorced, entitlement is assessed in terms of the home where the child spends the majority of their time. Where a child spends equal amounts of school days with parents/carers at separate addresses, eligibility for travel assistance will be evaluated from what was deemed the main parent address from which the school admissions team evaluated the nearest suitable school.
- **“Distances”** will be measured to **two decimal places** from where the home meets the public street, for example from the front gate to the nearest gate or point of access to the school premises, and by the shortest route along which a child, accompanied as necessary, may walk safely. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads. Distances for Extended Rights are measured in the same way. The upper limits for Extended Rights transport are measured via the shortest road route.
- **“A nearest suitable school”**. The nearest suitable school for transport purposes means physically, the nearest qualifying school the pupil is eligible to attend where there is an available place that provides education appropriate to the age, ability and aptitude of the child, and any SEND that the child may have. This may include schools in neighboring Borough’s such as Reading, Bracknell and Hampshire for example.
- **“An available place/place available”** means a place which is available on National Offers Day, during the normal admissions round or at the time of an in-year application. An In-

year application is an application made for a school place not during the normal admissions round.

You can find your nearest schools and colleges by referring to the Government website [Search for schools, colleges and multi-academy trusts - Find school and college performance data in England - GOV.UK \(find-school-performance-data.service.gov.uk\)](https://www.gov.uk/find-school-performance-data)

➤ **“A qualifying school includes;**

- foundation or voluntary school;
- community or foundation special school;
- non-maintained special school;
- pupil referral unit;
- academies, including free schools.

➤ **“Nearest”** is determined by straight line distance;

➤ **“Normal school admissions round”** is when children start at a school at the earliest possible time for that school. Normal round admissions are at the beginning of:

- Reception for primary and infant schools
- Year 3 for junior schools
- Year 7 for secondary schools

Please note, the relevant educational setting in relation to an eligible child will be either a qualifying school or the place, other than a school, where they are receiving education.

4. Nearest Suitable School

A school will only be considered as unsuitable if there is a physical reason that a child cannot attend. Reasons for a school being unsuitable may include, but not be limited to:

- a secondary-aged child attending a primary school and vice versa.

There is no entitlement to transport to the nearest school of a particular type, for example, by gender, faith, structure (i.e. academy, grammar, upper, free school) or to the catchment area school if it is not also the nearest available school.

We would not consider a school as not suitable for your child because it does not offer the course that you would like your child to attend, or if you are unhappy with its current Ofsted rating.

Please note the nearest suitable school with places available may not necessarily be the catchment school for your home address.

For pupils with an Education, Health and Care Plan (EHCP) the nearest suitable school is taken to mean the school deemed most appropriate by the local authority to meet the pupil's needs.

When a child cannot be offered a place at the nearest school to the home address, the Council will, subject to the criteria set within this policy and the qualifying distance being met, provide transport to the **next nearest Wokingham school** with space to admit. **For transport to be provided in this instance the parent must provide evidence that they have applied for and been refused a place at the school which is the nearest school for their home address and any other schools closer than the school offering admission. This includes schools in neighbouring boroughs.** If your nearest suitable school is not in the Wokingham Borough, then transport may be provided. This is subject to meeting the eligibility criteria in this policy.

For pupils with Special Educational Needs and/or Disabilities an independent school can also be a qualifying school where this is named on the child's Education, Health and Care Plan (EHC Plan), or where it is the nearest of two or more schools named.

Where a child is enrolled at more than one school their eligibility for Travel Assistance will be assessed on a case-by-case basis.

Important

The eligibility test for transport purposes is undertaken at the same time as the normal school admissions round when places are allocated:

- For transfer to secondary schools this is during September and October with school place offers being sent to parents/carers in early March
- For entry to primary and transfer to Junior school this is during November to January with school place offers being sent to parents/carers in early April

Where parents/carers apply late i.e., after the published closing date for applications for admission, eligibility for travel assistance is assessed for the school(s) applied for taking into account available places in the nearest schools at that point of allocation.

For the normal school admissions round, unless there are exceptional circumstances, it is generally assumed that each of your nearest schools will have space to accommodate your child, including schools in neighboring Boroughs. Parents/carers will be expected to have named all four nearest schools on their application, which may include schools in neighboring Boroughs.

5. Statutory Walking Distances

The Council has a duty to provide free Travel Assistance for children whose homes are outside the statutory walking distance to the **nearest suitable school**, which is:

- More than 2 miles (if the child is below the age of 8) or
- More than 3 miles (if the child or young person is aged 8 to 16)

6. Extended Rights

There are some additional rights to travel assistance for children aged 8 and over if they are eligible for free school meals, or a parent with whom they live receive maximum Working Tax Credits. Travel assistance may be considered in the following circumstances:

- If they are aged **8 to 10 years**, attend their nearest suitable school and it is more than 2 miles from their home; **or**
- If they are aged **11 to 16 years**, and attend one of their three nearest suitable schools which is between 2 and 6 miles from their home; **or**
- If they are aged 11 to 16 years, attend a school that is between 2 and 15 miles from their home that their parents/carers have chosen on the grounds of their religion or belief and, having regard to that religion or belief, there is no suitable school nearer to their home.

The introduction of Universal Credit has not changed the way eligibility for extended rights to home to school transport is determined. It will remain the case that children will be eligible for extended rights if they meet the criteria set out above.

If a parent is struggling through financial hardship to get a child to school, then they should contact the Council so that they can be signposted to possible sources of additional help.

Children attending schools on grounds of religion or belief

Ordinarily assistance with travel to a faith school will only be provided if it is the nearest suitable school. If parental preference results in children's attendance at a faith school when there are suitable schools nearer to home, then no travel assistance will normally be provided. However, if children meet the Extended Rights eligibility category criteria, then travel assistance to a faith school which is not the nearest suitable school may be considered.

Under Extended Rights, when considering whether a faith school is preferred on the grounds of religion or belief, Wokingham Borough Council will consider the nature of other schools that may have been named as higher preferences on the application form. For an application for travel assistance to be agreed under this section, the expectation will be that the school

that is preferred on the grounds of religion or belief will be named above any non-faith schools that have been named on the application form.

Parents/carers must provide supporting evidence regarding their genuine adherence to their religion or belief, and this will normally be confirmed by asking their minister of religion to sign the application form.

7. Parental Preference

The Council has no statutory duty to provide travel assistance if a child is attending a school on parental preference grounds. This means the schools applied for are not the nearest schools, or one of the 3 nearest eligible schools in the case of extended criteria (low income). **In cases of parental preference, parents/carers are responsible for making their own travel arrangements.**

For the normal school admissions round, unless there are exceptional circumstances, it is generally assumed that each of your nearest schools, including schools in neighbouring Boroughs, will have space to accommodate your child. Parents/carers will be expected to have named all four nearest schools on their application, which may include schools in neighboring Boroughs.

If you only apply to one school, you will only be considered for that school. You may then be allocated a school that is not one of your preferences, that is further from your home address and to which you would not be entitled to travel assistance should your preference be unsuccessful.

For all children, including those with SEND, a child qualifies for travel assistance when they attend the nearest suitable school which meets their needs. **If a parent selects a school which is not their nearest suitable school which meets their child's needs, parents/carers may then be responsible for making their own transport arrangements and all travel costs for the whole time that their child is at that school.**

During the normal school admissions round, if parents/carers choose to apply for a place for their child at a school that is not the nearest school as their first preference and instead apply for another preferred school, then the child will have no transport entitlement to that preferred school (on the basis that space would have been available at the nearest school at the time of allocation and there would have been a reasonable opportunity to secure a place had parents/carers made this their first preference).

During the normal admissions round, if an application for a place at the nearest school is refused, transport may then be provided to the next nearest school with space, subject to the standard eligibility criteria being met. However, to qualify for transport to the next nearest school with space, parents/carers must have listed their four nearest schools as one of their preferences and been refused a place at those schools.

Please note that travel assistance will not be provided if you apply for a place at schools which are not the nearest but don't get into those schools and are allocated a place at a school further away because there are no spaces left at the nearest suitable school.

With respect to In-Year Applications, i.e., those not made during the normal admissions round, the Council will not approve applications for travel assistance following a parent's decision to change schools (even if the decision is supported/encourage by the existing or receiving school) unless:

- The school they transfer to is the nearest school and the standard eligibility criteria are met.

Please note, the relevant educational setting in relation to an eligible child will be either a qualifying school or the place, other than a school, where they are receiving education.

8. Safe Walking Routes

Route Safety

Where children live within statutory walking distance of their transport area or nearest qualifying school the Local Authority has a duty to provide travel assistance where the nature of the available walking route is such that a child cannot reasonably be expected to walk (accompanied as necessary) in reasonable safety.

Routes are assessed to be safe using the National road safety guidelines *"Assessment of Walked Routes to School" guidelines* as published by Road Safety UK.

The Courts have defined an "available route" as one "along which a child, accompanied as necessary, can walk to school with reasonable safety. It does not fail to qualify as 'available' because of dangers which would arise if the child is unaccompanied". The route measured may include footpaths, bridleways and other pathways, as well as recognised roads.

The Local Authority will provide free travel assistance when:

- the walking route to the **nearest school** is within statutory walking distance but is assessed as unsuitable because of the dangers which would arise for an accompanied child, and once measured, the alternative safe route is longer than the statutory walking distance.

Walking routes are assessed against the following criteria:

- That the child will be accompanied
- Road width, visibility and the severity of bends
- Existence of 'safe refuge' - this means footpaths and verges, road markings at the side of the road
- The volume of traffic at the relevant time of day
- The type of traffic and its speed
- Difficulty of road crossings
- Nature of road (urban or rural) and driver expectation
- The presence or absence of speed limits and other warning signs
- The accident record along the route

A range of factors are taken into account. **The fact that there is a high volume of fast-moving traffic is not in itself a reason to assess a route as unsuitable - there may be a footpath and good crossing points along the route that would mean it is safe.**

Similarly, the lack of a footpath or verge would not be a reason to assess a route as unsuitable if there was, for instance, a very low volume of traffic and good visibility.

The following are not taken into account:

- The parent's individual circumstances, for instance personal availability to walk with the child or that it may be necessary to walk with younger children or prams
- Parental finances
- Local weather conditions
- Unusual events - such as, road closures, construction work, flooding
- Lack of street lighting - the majority of roads in Wokingham do not have streetlights and lighting is not an issue all year round
- Lack of pavements - the lack of a paved footpath is not necessarily a reason to assess a route as unsuitable
- The presence of uncut hedges
- Difficult terrain and arduousness of the route
- Practicality or the time taken to walk the route

The Local Authority is committed to improving pedestrian safety; creating walking environments that feel safe and secure for walkers and helping people walk or cycle to school. Part of this commitment may involve the improvement of walking routes. Once such improvements to a walking route are completed, the route will be reassessed, and this may result in a route previously deemed unsuitable on the grounds of road/pedestrian safety being redesignated as safe. If this happens, transport will cease at the end of the current school term.

A route assessment will be undertaken, if a child is attending their nearest qualifying school, and if it is within the statutory walking distance relevant to their age.

For parents/carers with a disability, which means that they are unable to accompany their child/ren along a walking route from home to school in order for the route to be considered suitable, then they can request a walking route assessment. Where there is no other responsible parent, an application will need supporting evidence of the parents/carers' disability. If the walking route is deemed not to be suitable for the parents/carers' disability or the age of child is such that accompaniment is necessary for it to be considered safe, the child will qualify for free travel assistance.

The Local Authority has the right to reassess eligibility when new or revised information is available, including the information held on its mapping system.

Where a route has been reassessed or an alternative recommended and as a result a child no longer qualifies for free travel, transport will cease at the end of the current term.

9. Travel Assistance during the school day and accompaniment

➤ Travel Assistance only for the compulsory part of the school day

The duty to provide Travel Assistance to eligible children does not extend beyond the compulsory part (i.e., the start and finish) of the school day.

The Council is not required to provide Travel Assistance to facilitate a child's part-time attendance; a child's trial placement; the child's attendance at extra-curricular activities, including breakfast clubs and after school activities or to attend medical appointments.

In instances where suitable alternative arrangements are provided by another body or organisation, e.g., the school, there is no duty to provide free bespoke travel assistance.

➤ Accompaniment

In deciding whether a child is eligible for Travel Assistance for reasons of Special Educational Needs, Disabilities or mobility, or unsafe route eligibility, the Council has a responsibility to consider whether the child could reasonably be expected to walk **if accompanied by an adult**. This will also include the ability of a pupil to be able to "walk" to a suitable bus stop/pick up point, **accompanied as necessary**, as part of the "journey to school".

The general expectation is that a child will be accompanied by a responsible adult, usually a parent, carer, or guardian, where necessary, unless it is not reasonable to expect the parent/carer/guardian to do so. **Working arrangements and childcare issues will not normally be considered reasons why a child cannot be accompanied. It is Wokingham Council general approach that all working parents/carers are expected to make**

arrangements to get their child to/from school, including using wrap around services, childminders or relying on families and friends as appropriate.

As a general guide, transport arrangements, should not require a child to make several changes on public transport resulting in an unreasonably long journey time. Best practice suggests that the maximum each way length of journey for a child of primary school age to be about 45 minutes and for secondary school age, about 75 minutes, but these should be regarded as the maximum. For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.

Consideration should also be given to the walking distance required in order to access public transport. The maximum distances will depend on a range of circumstances, including the age of the child, their individual needs, and the nature of the routes they are expected to walk to the pick up or set down points and should try to be combined with the transport time when considering the overall duration of a journey. With regards to pick up points, local authorities may at their discretion use appropriate pick-up points when making travel arrangements. For arrangements to be suitable, they must also be safe and reasonably stress free, to enable the child to arrive at school ready for a day of study.

The Council promotes equality of opportunity for parents/carers with Disabilities. Where a parent's Disability prevents them from fulfilling their parenting responsibility to accompany their child along a walking route that would otherwise be considered unsafe without adult supervision, a reasonable adjustment will be made, for example home to school travel assistance, for the child in question. If a parent is under the care of adult social care, then this should be raised with adult social care in the first instance, as there may be existing support which could be used to assist in carrying out parenting functions. Travel assistance will be considered by the adult social care team and any funding for travel assistance would then be provided as part of the overall care package.

10. Timing of assessment of eligibility

At the point when eligibility for home to school Travel Assistance is considered, the prospect of being able to secure a place in an alternative (usually nearer) school must be a real one. This will usually be at the point the Admissions application was made, and not necessarily at the time that the Travel Assistance application was made.

A smaller number of cases will need to be considered during the school year (e.g. as a result of families moving to a new area within the borough).

Where granted, travel assistance will normally apply for the whole of the school year of entry, unless there are significant changes, such as the family moving house or the child changing school.

Where travel assistance has been provided for children who were below the age of 8 and whose homes are between the statutory walking distances of 2 and 3 miles, to the nearest suitable school, **this assistance will cease at the end of the term following their 8th birthday.**

Any entitlement to Travel Assistance is subject to review on an annual basis. If a child ceases to be eligible any change to provision made by the Council will be considered in the context of the potential impact on the child, in order to avoid disruption as far as possible.

Any future changes to Travel Assistance or school Admissions policies that affect entitlement to free travel for future entry years will not be applied retrospectively to children deemed to be eligible for and entitled to travel assistance under the terms of this Travel Assistance policy.

11. Arrangements and eligibility for those with Special Educational Needs (SEN) and/or a Disability or mobility problems (including temporary medical conditions)

➤ Provision for children aged 5-16 with Special Educational Needs and/or Disabilities

The Council has a duty to provide Travel Assistance for children with Special Educational Needs and/or Disabilities/mobility problems, who are registered at their nearest suitable school which is **within** the statutory walking distance from their home, where the child cannot reasonably be expected to walk to school or use public transport, accompanied as necessary, because of their mobility problems or because of associated health and safety issues related to their Special Educational Needs and/or Disability.

In order to be able to assess whether a child with Special Educational Needs, a Disability or mobility problems can reasonably be expected to walk to school, we will ask a parent (or other person requesting free travel for the child) to provide information about the child.

Eligibility is needs based - there is no automatic entitlement to Travel Assistance just because a young person has a Special Educational Need or Disability, even where an Education and Health Care Plan (EHCP) has been issued. Applications will be considered on a case-by-case basis, and regularly reviewed, taking into account the child's Special Educational Needs and/or Disability, mobility, or medical needs, as well as any exceptional circumstances.

Professionals supporting an application for Travel Assistance for a child with SEND should provide evidence in support of why, in their professional opinion, it is not reasonable to expect the child to be able to walk to school, even if accompanied. Arrangements for Travel Assistance will be kept under review (annually at a minimum), in order to ensure any arrangements for Travel Assistance are still appropriate; fresh relevant supporting professional evidence may be required at each review.

Please note: the Council has a responsibility to ensure children's needs are addressed, and this includes providing travel assistance which facilitates the best opportunity for developing independence. Further details on this can be found in the Section below; *"Supporting independence and the development of self-reliant travelers"*. However, there remains no statutory duty for the Council to provide transport if your child is attending a school on parental preference grounds. This means the school you applied for is not the nearest suitable school, or one of the 3 nearest eligible schools in the case of the additional criteria (low income).

In cases of parental preference, families are responsible for their own travel arrangements. A child will not be eligible for Travel Assistance if they have an EHCP and due to parental preference resulting in that school being named on their EHCP, they attend any school other than their nearest suitable school.

12. Short Term medical conditions

The Council may provide travel assistance, short or long-term, if confirmation from a medical practitioner is provided that indicates a child is fit to attend school but unable to do so because they are unable to walk or travel by their normal means because of a medical condition and needs additional support. The child must attend their nearest school.

Applications for transport on this basis must be supported by appropriate evidence from the medical profession. This may include, but is not restricted to, a letter from the child's consultant or other medical professional involved in the child's medical welfare.

The Council will only provide transport for the time specified by the medical practitioner. Where no time period has been specified, or the child's medical condition is long term, the Council will review the situation **at least** once each academic year and may require submission of further evidence on completion of a review.

To avoid excessive delays in assessing applications, medical evidence requested by the Council, must be provided within 20 working days of the request, or the applicant must request an extension to this timeframe, otherwise the application will be refused. The 20 working days timeframe may be extended where there is a delay is outside of your control, and you must inform the Community Transport Team.

13. Types of Travel Assistance provided

The type of travel assistance offered will be for the Council to decide, taking into account the needs of the young person and the nature of the journey to be undertaken. This applies to all children who are eligible for travel assistance.

The assistance offered might include, but is not limited to:

- A parent consenting to use their car in return for payment of a personal budget;

- A parent consenting to a walking escort or responsible adult to escort the young person on public transport;
- Training and support to travel independently (see Independent Travel Training section below for more details;
- Free passes on public transport;
- Provision of a seat on a dedicated school bus or minibus, or
- A seat in a taxi, usually shared with one or more other children, where a child's needs require more personalised arrangements.

The Council will provide an appropriate adult to escort a child on Council arranged transport on a Case-by-Case basis - restricted to;

- A child's medical needs, particularly where rescue medication is required
- Where an individual child's needs creates a clear danger or health and safety risk to themselves and other passengers on the vehicle
- Where the number of children travelling together necessitates the provision of a passenger assistant to help manage a group children and their specific support needs on the journey.

If a child attends a provision which is within statutory distance and an escort is required, the Council may request that a parent accompanies the child, as required. Parent accompaniment will be at the sole discretion of the Council based on the nature of assistance provided.

Applications received during the academic year will be dealt with as quickly as possible with transport arrangements being confirmed within ten working days, or sooner wherever possible.

The Council will determine the means of travel assistance to be provided, to ensure the appropriate Travel Assistance is provided to meet the needs of the child, through the most efficient use of resources.

14. 'Suitable' Travel Assistance arrangements

For Travel Assistance to be suitable, it must be safe and reasonably stress free, to enable the child to arrive at school ready for a day of study. It would not normally require that a child makes several changes on public transport resulting in unreasonably long journey times.

Government Guidance advises that when transport is provided 'best practice' is that a child of primary school age should not travel for more than 45 minutes each way, and secondary school age - a maximum of 75 minutes - including any walking time. However, it is acknowledged that there will be circumstances in which this is not possible, for example in rural areas where a child lives in remote locations.

It is desirable that journeys to special/specialist settings for children with complex needs should be shorter, but it is recognised that this may not be possible, especially where a child's special educational needs can only be addressed in an out-of-borough placement. Journey times for SEN children in shared vehicles may exceed the statutory guidance due to the complexities of the children's needs, to avoid the alternative of increasing numbers of children in costly small taxis, especially primary aged children.

15. Personal Budgets

A personal budget may be offered to parents/carers who are entitled to free home to school Travel Assistance, where this offers best value for money for the Council and the parents/carers agree to this.

This option may be of particular interest to parents/carers if:

- the child person has complex needs and you wanted to make your own travel arrangements;
- you wanted to combine the council's contribution with your personal finances, and other benefits or bursaries to provide the child with bespoke travel assistance to meet their needs and fit in with your family circumstances;
- The child person is attending a course, all or part of which is outside the normal school day

If parents/carers are offered this form of Travel Assistance, it would be the parent's responsibility to ensure that your travel arrangements enable the child:

- to travel safely;
- to attend school regularly and on time;
- to be effectively educated once they arrive at school/college.

Attendance levels will be monitored, and money will be reclaimed for non-attendance at school/college.

Recipients of a Personal Budget are responsible for checking their own HMRC obligations.

16. Pick-up Points

Eligibility for Travel Assistance is assessed based on the child's registered home address, but any transport provided may not necessarily be door to school gate. The Council may use reasonable pick-up and drop-off points in appropriate individual cases. This may be a bus stop or other place where children and parents/carers can safely wait for their vehicle. The Council aims to ensure there are safe and appropriate pick-up points within reasonable distance from schools and centres of population. Children can be required to walk to and from a central pick

up and/or drop off point. This will usually be within one mile walking distance from the child's home, and total walking distance will be within the relevant statutory mile walking distances according to age and ability, and in the light of any identified Special Educational Needs and/or Disabilities.

17. Supporting independence and the development of self-reliant travellers

The Council is committed to supporting all children and young people to achieve their maximum potential and become as independent as they are able to be. The Council has responsibility to ensure that children's needs are addressed, and this includes providing travel assistance which facilitates the best opportunity for developing independence.

Where it is safe, appropriate, and reasonable to do so, children with Special Educational Needs and/or Disabilities will be expected to walk, accompanied as necessary by a responsible adult, to and from a common pickup point near their home.

In order to better support children and young people to travel independently, the Council may offer Independent Travel Training in their Travel Assistance offer. The training will support the child to learn the necessary skills to allow them to effectively deal with and resolve a range of scenarios that they might encounter when travelling on public transport. Under these circumstances, a trainer will travel and work with the young person on a 1:1 basis to ensure that the skills taught are understood and put in to practice independently. Training may include:

- Timetables (including time management).
- Orientation.
- Road Safety.
- Accessibility (access to transport, exits and purchasing tickets).
- Communication.
- Personal Safety (including what-if scenarios).
- Travel planning and preparation.

Where the Community Transport Unit identify that a child may have the potential to be supported to travel independently through a travel training program, a formal assessment will be undertaken to help create a personalised travel plan and identify what training would be required. Training programmes last on average 12 weeks, and the young person will only complete the training once the trainer and the young person, together with their family agree that they have gained the necessary skills to travel on public transport on their own.

Once a child is deemed capable of independent travel no further Travel Assistance will be offered except in exceptional circumstances.

18. Residential Schools

Where children with Education Health and Care Plans (EHCPs) require a residential placement following assessment, Travel Assistance may be offered as follows:

- Weekly borders: Travel Assistance between home and school once each direction each week
- Termly borders: Travel Assistance between home and school at the beginning and end of each term and half term
- 52-week placements: Travel Assistance between home and school for eight visits throughout the year

Travel Assistance will not normally be provided to and from respite placements.

19. Travel Assistance for those not eligible for Free Home to School Transport under this policy

Children below statutory school age – Under 5s

There is no statutory duty to provide Travel Assistance for those under the age of 5.

Fare-paying options for non-eligible children

If a parent is struggling through financial hardship to get a child to school, then they should contact the Council for signposting to possible sources of additional help in the first instance.

If a child does not qualify for Travel Assistance under this policy, a surplus seat may be purchased on an existing contract vehicle where a seat is available, subject to certain conditions. If the seat is required at any time in the future by another child who is entitled to Travel Assistance, then the parents/carers of the fare-paying child (i.e., who have purchased discretionary Travel Assistance) may need to make alternative arrangements. A 2-week notice period for the removal of any discretionary assistance will be given. In these circumstances a refund of the fare for the unused portion of the year will be payable.

The purchase price for fare-payers will be reviewed annually and will take into account the cost of the transport, the desirability of filling spare capacity with fare-payers, and the Council's wish to provide options for parents/carers whose children are not eligible for free travel assistance.

Additional vehicles will not be provided if the demand from non-eligible children exceeds the spare capacity of a vehicle contracted to carry eligible children.

Parents/carers may also purchase passes for public transport for their children. Please refer to local bus and train operating companies for details

20. Exceptional circumstances, change of circumstances and other assistance

The following are examples of exceptional circumstances and changes of circumstances. The Council may consider a request to exercise its discretion in a particular case to provide travel assistance.

A) Change of address

If changing address parents/carers must reapply for travel assistance as eligibility will need to be reviewed. Parents/carers should check availability of school places before moving house, as there are no guarantees places will be available at a new school or that transport will be provided.

The Council will consider any request for a child to stay at their existing school following a house move as exercising parental preference. This means families will be responsible for making their own transport arrangements. The only exception to this will be if nearer schools do not have places available in the relevant year group. If you have applied for a place at your nearest suitable schools and a place is refused, due to the year group being full, transport will be provided to the nearest suitable school with a place available, subject to the criteria in this policy being met.

Please note that travel assistance will not be provided to a Wokingham Borough school if there are closer schools, including schools in a neighbouring authority, which are under the qualifying distance. In this instance the family must provide evidence that they have applied for and been refused a place at these closer schools.

In exceptional cases if you changed address when your child is in Years 10 or 11, the Council may provide transport support if it means a child can stay at their existing school and the following circumstances apply:

- the existing school remains the nearest school (subject to age/distance criteria and any applicable low-income criteria) or
- where there have been unavoidable reasons for a move such as a forced move due to fire or flood, or due to a forced eviction.

B) Children living in temporary accommodation

If a child is of statutory school age and the family are placed in Temporary Accommodation by the Council, consideration will be given to the provision of Travel Assistance for the purpose of accessing education for up to **one term**, subject to the standard eligibility criteria being met.

C) Change of child's needs

From time to time a child's needs can change during the year. If the current Travel Assistance is no longer meeting the child's needs, parents/carers should in the first place contact the Community Transport Team to discuss the change in their child's needs, and any reasonable adjustments that may be required. In some cases, further evidence or advice from professionals involved with the child may be required.

D) Changing Schools

Where a parent decides to change their child's school after they have started, the child's eligibility for Travel Assistance will have to be reconsidered. This may include the need to make a completely new application.

E) Managed Moves

Where parents/carers and school agree to a managed move between schools, transport will only be provided to the new school if it is both the nearest suitable school (see section 4) and it is outside the statutory walking distance from the home address.

F) Transport to a Pupil Referral Unit or other education provider

Although the Council offers Travel Assistance in cases where the eligibility criteria are met, it is still the responsibility of parents/carers in all circumstances to ensure their children get to school. This includes attendance at a Pupil Referral Unit and any other places where education may be provided.

Parents/carers should be aware that there is no automatic transport entitlement to and from the Pupil Referral Unit or similar education provider at any other time. This also applies to pupil exclusions.

Transport to a Pupil Referral Unit and to other places where education may be provided will only be provided in accordance with the child's general entitlement. If a child has been placed temporarily in a Pupil Referral Unit, they may be eligible for Travel Assistance if the eligibility criteria are met.

Any requests for exceptional assistance will need to be supported by documentary evidence from the Pupil Referral Unit e.g., Medical Certificate or a Court Order.

Travel Assistance may be withdrawn from pupils who regularly fail to attend the PRU – responsibility for transportation to ensure regular attendance will then pass to parent/carers/guardians.

G) Pupils Excluded from School

A pupil permanently excluded from a school will be provided with Travel Assistance to his or her new school provided it is both the nearest suitable school, as agreed by the Council and is outside the statutory walking distance from home.

H) Temporary Attendance at Alternative Provision

Where a pupil is registered at a school but is attending a place other than that school as a result of temporary exclusion, eligibility for Travel Assistance will apply to the other place for the temporary period.

I) Elective Home Education (EHE) and Education Other Than at School (EOTAS)

Where parents/carers have made the choice to educate their child at home no assistance will be available from the Council in connection with any transport need(s) arising.

When the Council arranges for a child to have an education other than at school, the Council will consider a Travel Assistance budget as part of the overall package for families to arrange their own transport.

J) Children in Care

Children for whom the Council is the corporate parent sometimes attend schools other than their nearest school. Where the professional staff responsible for the child decide that it would be detrimental to the child's wellbeing to be moved to another school, funding for travel assistance will need to form part of the overall foster care package.

Following a move into Foster Care, where the school attended is no longer the nearest school for the new address, and the foster carer is unable to provide transport, then transport may be provided to enable the child to continue at their current school on a temporary basis. In these circumstances transport will need to be discussed with the Social Care team and if transport is deemed necessary it will need to be funded as part of any Social Care package for the child/ren concerned.

When it is decided that a child placement will be long term (over six months), consideration must be given to the child relocating to a local school.

K) Other

There may be other circumstances in which the Council will consider providing transport assistance. These include but are not limited to:

- changes of address due to fleeing domestic abuse,
- changes of address or school linked to preventing harm to, or exploitation of, a child.

Parents/carers who believe these circumstances apply to them should contact the Council for advice. They will be expected to provide evidence of the relevant circumstance before their application can be considered.

L) Travel Assistance provided in error

Where free Travel Assistance has been provided in error, or, where there have been material changes to the route to school, provision will be withdrawn. However, Travel Assistance will continue until the end of the term in which the error was notified, in order to allow families time to make alternative arrangements.

M) For clarification Travel assistance will not be provided for the following journeys:

- Journeys to and from breakfast or after school clubs
- Trips and journeys during the school day which are in the curriculum.
- To or from a venue that isn't the normal home address, for example the address of a childcare provider or a short break placement (unless there is a legal order in place, or a statutory care plan agreed by us)
- If a child is unwell and has to be collected from school during a school day
- If a child is excluded during a school day
- For medical appointments or other approved activities which affect the start or end of and during the school day
- If a child has missed the contracted transport
- For transitional/integration placements in schools/colleges
- For attendance at work experience programmes
- If a child is withdrawn from school by their family and placed in an alternative education setting
- To fall in line with other family members travelling in the same/similar direction
- Work commitments or domestic difficulties of families including taking other children to school or an allocated pick-up point
- Where parents/carers are unwilling, or unavailable to escort their child to school or an allocated pick-up point.
- A family being unable to transport their child to school only on the sole grounds that they are a single parent family.
- Children in temporary care, including foster care (these cases should be referred to the children's social care team to consider available support)
- An inability to afford existing transport arrangement, e.g. Resulting from loss of employment
- Family breakdown and fragmentation.
- Long-term or temporary medical conditions without sufficient medical evidence from an appropriate medical professional

Please note that the above list is not exhaustive.

21. Behaviour on School Transport

Families, schools, children, transport contractors and the Council, working in partnership, all share responsibility for ensuring that acceptable behaviour is maintained to ensure safe and stress-free school transport for all.

In particular we expect all children and young people to be ready for their transport in good time.

When travelling on transport we expect all children and young people, as appropriate to their ability, to:

- Behave in a safe and responsible way whilst travelling,
- Follow all instructions from the driver (or Escort where one is provided), especially in an emergency,
- Wear seatbelts or appropriate safety harnesses at all times whilst on the vehicle, where these are provided.

Bullying, including the use of hate speech, will not be tolerated, and will be reported to parents/carers and school/college. We will not tolerate abuse of any sort, whether from a young person or from their parents/carers and carers.

Children and young people are expected to behave in a safe and appropriate manner whilst on transport. The Council will work with schools, parents/carers, and the child to help manage behaviours to ensure the ongoing safety and comfort of all passengers including drivers and any passenger assistants.

Should a child or young person misbehave whilst being transported to or from school, the provision of transport may be withdrawn either for a period of time or permanently. Normally a warning letter will be sent to parents/carers/guardians prior to transport being withdrawn. However, in the event that any incident is considered serious enough, following an investigation by the Transport team, the withdrawal of transport may be immediate. In this instance the responsibility for ensuring attendance at school will remain with the parent/carer/guardian of the child.

As part of its responsibilities to ensure that children and young people in Wokingham Borough are safe, the Council will engage with transport operators and providers in the local area to ensure that drivers are aware of and carry out their safeguarding responsibilities appropriately. If parents/carers and carers have any issues or concerns around the safeguarding of their or other children whilst being transported to or from a place of education or learning, they should contact the Travel Assistance team without delay.

22. How to Apply

➤ Pupils without an Education Health and Care Plan (EHCP)

Application Forms are available online at:

<https://www.wokingham.gov.uk/schools-and-education/school-information-and-services/school-and-college-transport/>

Any application will only be considered once by the Community Transport Unit. If an application is refused, one Stage 1 appeal may be submitted and if that is unsuccessful, one Stage 2 appeal. A fresh application may be submitted if there is a change in circumstances which could affect eligibility.

➤ When to Apply

Parents/carers who wish to apply for Travel Assistance should do so as soon as the offer of a school place has been accepted. For parents/carers and carers who file an appeal against a placement, the application should be made as soon as possible after the appeal outcome is known.

Those wishing to be considered for Travel Assistance under the extended rights criteria should include evidence of income and/or entitlement to free school meals with their application.

If Applications for Travel Assistance are made as soon as the offer of a school place has been accepted, applicants will be notified of outcomes from their application as soon as appropriate Travel Assistance has been secured, and at least 21 calendar days before the start of the Academic Year.

Travel Assistance arrangements will be reviewed on an annual basis, to ensure that any Assistance provided during the Academic year remains appropriate and that eligibility criteria for the forthcoming Academic year are met. Reviews will be carried out in the Spring of each academic year. One possible outcome of these reviews is that Parents/carers/Carers may be asked to re-apply for Travel Assistance support. Applications will need to be submitted and assessed before the end of the Summer term in the Academic Year.

➤ In year transfers or newcomers to the area

Applications for Wokingham Borough schools are considered half-a-term in advance of the school place being required. Parents/carers and carers should apply for travel assistance as soon as they have a school place confirmed.

➤ Pupils with an Education Health and Care Plan (EHCP)

Parents/carers will still have to complete an application form, but they should include evidence of additional needs, including why they believe it is unreasonable for them to accompany their child to school, where this is appropriate.

Completed application forms should be sent to the SEND Team:

SENDTransport@wokingham.gov.uk

If Applications for Travel Assistance are made as soon as the offer of a school place has been accepted, applicants will be notified of outcomes from their application as soon as appropriate Travel Assistance has been secured, and at least 21 working days before the start of the Academic Year.

Travel Assistance arrangements will be reviewed on an annual basis, to ensure that any Assistance provided during the Academic year remains appropriate and that eligibility criteria for the forthcoming Academic year are met. Reviews will be carried out in the Spring of each academic year. One possible outcome of these reviews is that Parents/carers/Carers may be asked to re-apply for Travel Assistance support. Applications will need to be submitted and assessed before the end of the Summer term in the Academic Year.

23. Complaints and Appeals

What is the difference between an appeal and a complaint?

Complaints arise when you are unhappy about something, for example, you may feel you have not been dealt with properly or in a professional manner, that information given to you was incorrect or that there has been an unacceptable delay.

In the first instance please contact the Community Transport Unit (CTU) via email to **Schooltransport@wokingham.gov.uk**. If further to this your issue has not been resolved, please follow the Complaints Procedure.

With an appeal, you may be perfectly happy with the way that you have been treated but feel that the wrong decision has been made and would like it re-examined. For these issues, please follow the Appeals Procedure.

Complaints Procedure

Complaints about the provision of Travel Assistance will be investigated in accordance with the Council's Complaints Policy.

The complaints policy can be found at:

<https://www.wokingham.gov.uk/contact-us/complaints-and-compliments/>.

This does not apply to complaints about a refusal to grant transport, which will be dealt with through the Transport Appeals procedure (see below).

24. Appeals procedure

Parents/carers/guardians/carers or a young person are entitled to challenge the decision of the Council to refuse to provide assistance with transport as set out in this policy or when the parents/carers/guardians/carers or young person consider that the Travel Assistance, offered by the Council, is unsuitable.

A decision may be challenged on the following grounds:

- eligibility
- distance measurement; and/or
- safety of the route
- suitability of transport arrangements offered

➤ Stage 1 – Review of decision

You have 20 working days from the receipt of the transport decision to make a request for a review of the original decision.

The request should detail why the decision should be reviewed and give personal and/or family circumstances, which you believe should be considered during the appeal process.

How to make a Stage 1 appeal

You should make your appeal in writing, either by letter or email and then email your appeal request to: **schooltransportappeals@wokingham.gov.uk**

Please provide us with the following information:

- Confirmation that you are the legal parent or guardian of the child
- the date you received our transport notification
- Child's first name and family name
- Child's date of birth
- Your full name and address
- Your email address
- Your phone/mobile number
- Reasons for the appeal (i.e. eligibility, distance, route safety or transport assistance) and your reasons for challenging the Council's decision

- Any additional evidence you wish to present to support your request for travel assistance.

Community Transport Unit, Wokingham Borough Council, Shute End, Wokingham, RG40 1BN or email to **schooltransportappeals@wokingham.gov.uk**

In accordance with the Statutory Guidance, a senior officer in the local authority's school travel team (or in the team's line management chain) will review the original decision and will send you a letter, detailing the outcome of the review within 20 working days of the receipt of the written request.

This will set out the following information:

- the nature of the decision reached
- how the review was concluded
- information about other departments and/or agencies consulted as part of the process
- what factors were considered
- the rationale for the decision reached
- Information about escalation to Stage 2, if appropriate.
- **Stage 2 - Appeal**

If you are unhappy with the decision made at Stage 1, you will have 20 working days from the receipt of the Council's decision to make a request to escalate the matter to Stage 2 appeal.

How to make a Stage 2 Appeal

Please send your written request to:

Community Transport Unit, Wokingham Borough Council, Shute End, Wokingham, RG40 1BN or email to schooltransportappeals@wokingham.gov.uk

Within 40 working days of receipt of the parent's request, an independent appeals panel will consider written and/or verbal representations from both the parent and officers involved in the case and will give a detailed written notification of the outcome (within 5 working days).

No member of the appeal panel will have been involved in the original decision to decline Travel Assistance. This panel will consider verbal and/or written representations from the parent/guardian/young person involved in the request.

You may request to attend the hearing to present your case in person if you wish.

The Senior Officer involved in the review of the decision at Stage 1 may also be invited to attend.

You will receive a letter, detailing the outcome of the appeal hearing, which will set out the following information:

- the nature of the decision reached
- how the review was concluded
- information about other departments and/or agencies consulted as part of the process
- what factors were considered
- the rationale for the decision reached
- information about escalation to the Local Government Ombudsman (LGO) if appropriate

25. Local Government Ombudsman (LGO)

You have a right of complaint to the LGO if you feel that there was a failure on the part of the Authority to comply with procedural rules or there was an irregularity in the way the appeal was handled.

The LGO can be contacted at:

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Helpline: 0300 061 0614.

www.lgo.org.uk

26. Key Contacts

COMMUNITY TRANSPORT UNIT (CTU):

schooltransport@wokingham.gov.uk

SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) TEAM:

SENDTransport@wokingham.gov.uk