

# **HOME TO SCHOOL TRANSPORT POLICY SEPTEMBER 2008**



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## POLICY

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### 1) Nearest School

Free transport will be provided for all children attending their nearest suitable school, inside or outside of Hertfordshire, where the distance from home to school is over the statutory walking distance.

- More than 2 miles from home for children aged under 8
- More than 3 miles from home for children aged 8 and over

In applying the home to school transport policy, the nearest suitable school is identified by also considering whether the child would have qualified for a place at the school.

### 2) Low Income Families as defined by the Education and Inspections Act paragraphs 9-14 of Schedule 35B

#### Primary Age Pupils

Children aged 8 but under age 11 from low income families must have travel arrangements made where they live more than 2 miles from their nearest qualifying school.

The 2 mile limit is measured in the same way as the statutory walking distance, ie along the nearest available route. Any distance more than 2 miles will be measured using the Integrated Transport Network (ITN). The ITN measures along roads.

Low income families are defined as those having children entitled to Free School Meals or whose parents are in receipt of their maximum level of Working Tax Credit.<sup>1</sup>

#### Children of compulsory school age who are 11 or over

From September 2008 free transport may be provided for all children from low income groups of compulsory school age who are 11 or over in two ways – to a choice of schools within six miles of the child's home, and to the nearest school preferred by reason of a parent's religion or belief<sup>2</sup> up to a maximum of 15 miles from the child's home.

Children of compulsory school age who are 11 or over from low income families may be given free travel to one of their three nearest qualifying schools (or places other than a school at which they might receive

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<sup>1</sup> Determining whether parents are receiving maximum Working Tax Credit. When a customer is first awarded tax credits, or following a change in their household circumstances, HM Revenue and Customs issue a "tax credit awards notice" detailing the breakdown and amount of the award. Part two of the award notice gives details of "**How we work out your tax credits**" including details of the full WTC elements. This is the maximum amount a customer can receive in WTC in any year. It then lists "**any reduction due to your income**" and shows the net amount payable. This is shown as an example rather than being definitive and each case will be considered on its own merits.

education under section 19(1) of the Education Act 1995 (as amended) and includes exceptional provision of education in pupil referral units or elsewhere), where they live more than two miles, but not more than six miles from that school.

Where a parent has expressed a preference for a school, and that preference is based on the parent's religion or belief, then a child aged 11 to 16 from a low income family must also have travel arrangements made for them to the nearest suitable school preferred on grounds of religion or belief, where they live more than two miles, but not more than 15 miles from that school.

The two mile limit should be measured in the same way as the "statutory walking distance", i.e. along the 'nearest available route'. Any distance of more than 2 miles will be measured using the Integrated Transport Network (ITN). The ITN measures along roads.

### **3) Religion or Belief**

The following children will be entitled to free home to school transport subject to living over statutory walking distance from the school;

- a) children who are currently attending the nearest school of their faith and receiving free home to school transport will continue to do so whilst they are still in compulsory education at that same school and living at the same address. If a family change address we will reassess, using the new policy, the eligibility for free home to school transport which the child(ren) may or may not still be entitled to receive
- b) children who are transferring to the nearest faith school who have a place there in line with their parents' beliefs<sup>2</sup> and who have an older sibling who is currently receiving free home to school transport under the previous faith transport policy, who lives at the same address and is still in compulsory education at the same faith school in September 2008.
- c) children who are transferring to their nearest faith school in September 2008, who have a place at the school in line with their parents' beliefs<sup>2</sup> and who are entitled to free school meals. This applies to children who live over 'statutory walking distance' from the school.

This means:

- more than 2 miles (3218 metres) for children under 8; and
- more than 3 miles (4827 metres) for children aged 8 and over.

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<sup>2</sup> For Church of England schools, your child must be baptised into the Church of England or you must be on the parish electoral roll.

- For Catholic schools, your child must be baptised as a Catholic.
- For Jewish schools, you must be a member of a synagogue community.
- Parents/carers of children attending the nearest school that accords with their religious faith or genuine secular philosophical conviction.

If a parent/carer wishes to know the nearest school of their faith they can obtain this information by ringing the Customer Service Centre.

Assisted places can be purchased on E routes which currently serve faith schools. Note: this is based on Cabinet resolution 24 July 2006 which reads “to make adjustments to the assisted places scheme to ensure that the capacity of buses to denominational schools currently benefiting from denominational transport is sufficient for all those wanting assisted places”.

Please refer to previous section “Low Income”.

#### **4) Safety**

Free transport will be provided for all children attending their nearest suitable available school which is less than the statutory walking distance if it is considered unsafe for the child, accompanied as necessary, to walk along it with reasonable safety. A separate procedure document entitled “Home to School Transport Route Assessment Protocol” is used to conduct assessments concerning safe routes.

#### **5) Children unable to walk to school by reason of their SEN, disability, or mobility problem (including temporary medical conditions)**

Where such children attend a qualifying school, which is within “statutory walking distance”, and no suitable arrangements have been made to enable them to become a registered pupil at a qualifying school nearer to their home, they will be “eligible children”. This means that local authorities must make suitable travel arrangements for children with SEN, a disability, or mobility problem (including temporary medical condition) if their SEN, disability, or mobility problem means that they could not reasonably be expected to walk to school (or other place where they might be receiving education under section 19(1) of the Act). Such cases would be handled on an individual basis.

#### **6) Sustainable School Travel Duty**

Hertfordshire County Council has a duty, with effect from 1 April 2007, to promote sustainable travel, and accordingly, the School Travel Strategy is being developed and will be available for parents to access from 1 September 2007.

## **7) Special Educational Needs**

Free transport will be provided where:

- the child's Statement of Special Educational Needs specifies the need for free transport;
- the nearest appropriate day provision which meets the identified special educational needs of the child is more than two miles from home for a child aged under 8 or three miles from home for a child aged 8 or over;
- the nearest appropriate residential provision which meets the identified special educational needs of the child is more than two miles from home for a child aged under 8 or three miles from home for a child aged 8 or over.

## **8) Medical**

Free transport **may** also be provided for:

- a child previously entitled to free transport, or one living within the statutory walking distance, attending a mainstream school who has a temporary medical condition which necessitates transport to continue attending that school;
- a child allocated a place at a school on long term medical grounds, regardless of the distance from home to school.

## **9) Social Circumstance**

Free transport may be provided for children in cases where extreme social circumstances would otherwise prevent them from attending school. These cases include:

- where a family of the child attending a school is temporarily re-housed due to domestic violence or circumstances eg. flooding or fire;
- where the child's family is living in temporary bed and breakfast accommodation following repossession;
- where a child is allocated a place at a school on long term social grounds;
- pre-school children with significant special educational needs, but without Statements, who wish to attend parent and toddler groups and opportunity classes.

## **10) Examination Year**

Free transport will be provided for children in Years 10 to 11 who:

- have moved house within Hertfordshire, live more than three miles from their school and are in an examination year;
- move into Hertfordshire during an examination year, i.e. Years 10 and 11 but wish to remain at their existing out-county school.

**11) Excluded Pupils**

Free transport may be provided for pupils who have been permanently excluded from school for whom transport is required for attendance at a new school or Education Support Centre if the length of journey is over the statutory walking distance.

**12) Children in Public Care**

Free transport will be provided for children in public care, subject to the statutory walking distances, to the end of the academic year or public examination course, whichever is the longer. After this, free transport will generally be provided for journeys beyond the statutory walking distance up to a maximum of 8 miles for children under 8 and 15 miles for children aged 8 or over.

**13) Integration and Transition**

Free transport may be provided for pupils with a Statement of special educational needs attending special schools to support their integration into mainstream schools or transition into post 16 education, and to those at risk of permanent exclusion attending an Education Support Centre.

**14) Respite Care**

Free transport may be provided from school to a county council respite centre for those children who are provided with respite care on social grounds.

**15) Assisted Transport**

Assisted transport to all schools may be provided where spare seats are available on vehicles which the LA already provides for free transport. See also Section 3, Religion or Belief.

**16)** Parents/carers are advised to consider carefully the home to school transport policy when making their preferences for school places. If your child is not covered by the above policy 1-15 and you feel that there are exceptional circumstances in your case you may ask for a review to be conducted to establish whether or not transport shall be provided.

**17)** Details of travel assistance available for 16 to 18 yr olds can be found at <http://www.hertsdirect.org/youngpeople/youth/info/travel/1619transport/wat helpisavafortravel/>

## **18) Review Process**

A process to review the decisions reached concerning home to school transport enables parents/cares to have their cases considered where they believe they have cause for complaint or disagreement.

We will review the decision and if we cannot resolve the problem we will explain why and let the parent/carer know if there is any further action they can take. If a transport application has been turned down because the home address is under the statutory distance to the school and the parent/carer is concerned about the suitability of the measured route, we will carry out an assessment of the route.

If the case relates to a suitability of route the authority has an established protocol to consider such matters. In all circumstances parents are advised to write to the Area Admissions Manager serving the area they live in.

## **19) Complaints**

If you feel that the policy has not been applied correctly or that your review was not run fairly, you are welcome to make a complaint. However, if you wish to complain about the policy itself, the complaints procedure cannot be used. You may wish to make your views known to the Head of Admissions and Transport or your County Councillor.

How to make a complaint:-  
e mail us at [cft.csf@hertsc.gov.uk](mailto:cft.csf@hertsc.gov.uk), or  
write to us at CSF Complaints Team, Children, Schools and Families,  
Hertfordshire County Council, County Hall, Hertford, SG13 8DF, or  
phone us on 01992 588542

More information on making a complaint can be found on  
[www.hertsdirect.org](http://www.hertsdirect.org)

## **20) Sustainable School Travel and Transport Strategy**

Hertfordshire County Council is currently developing a strategy to promote sustainable travel modes for journeys to and from school. Further information will be available on the Herts Direct website from late August 2007. Most schools in Hertfordshire have school travel plans that set out their planned initiatives and actions to encourage sustainable travel.