

READING BOROUGH COUNCIL
REPORT BY DIRECTOR OF EDUCATION

TO:	ADULTS, CHILDREN'S SOCIAL CARE AND EDUCATION COMMITTEE		
DATE:	22 OCTOBER 2020	AGENDA ITEM:	15
TITLE:	HOME TO SCHOOL TRANSPORT POLICY 2020-2021		
LEAD COUNCILLOR:	CLLR PEARCE	PORTFOLIO:	EDUCATION
SERVICE:	BFFC	WARDS:	ALL
LEAD OFFICER:	KATE REYNOLDS	TEL:	
JOB TITLE:	DIRECTOR OF EDUCATION	E-MAIL:	k.reynolds@brighterfuturesforchildren.org

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report gives details of Reading's Home to School Transport policy as it applies from September 2020.

2. RECOMMENDED ACTION

- 2.1 That the Home to School Transport Policy, as attached in Appendix 1, be approved.
- 2.2 That a further amended policy is submitted to the Committee in Spring 2021 covering the academic year 2021/2022

3. POLICY CONTEXT

- 3.1 The legal responsibility for ensuring a child's attendance at school rests with the child's parent. Generally, parents are expected to make their own arrangements for ensuring that their child travels to and from school.
- 3.2 A Local Authority is only under a statutory duty to provide transport if the nearest suitable school is not within statutory walking distance of the child's home by the nearest available route (section 444(5) of the Education Act 1996 refers).

The relevant legislation is as follows:-

- Sections 508A, 508B, 508C, 508D, 508F, 508G and 509AD and Schedule 35B of the Education Act 1996 (The Act), which were inserted by Part 6 of the Education and Inspections Act 2006 (EIA 2006).
- Regulation 5 and Part 2 of Schedule 2 to The School Information (England) Regulations 2002, as amended

The summaries of these sections are as follows:

Section 508A of the Act places a duty on local authorities in England to assess the school travel needs of all children and persons of sixth form age in their area and to

assess and promote the use of sustainable modes of travel.

Section **508B** of the Act sets out the general duties placed on local authorities to make such school travel arrangements as they consider necessary for ‘eligible children’ within their area, to facilitate their attendance at the relevant educational establishment. Such arrangements must be provided free of charge.

This duty is in addition to the duty on Brighter Futures for Children (providing services on behalf of Reading Borough Council) to make travel arrangements for children from ‘low income families’ who attend the nearest school preferred on grounds of religion or belief, where they live between two and 15 miles from home.

This duty is complemented by Section 9 of the Education Act 1996, which provides that in exercising all duties and powers under the Education Acts, the Secretary of State and local authority shall have regard to the general principle that pupils are to be educated in accordance with their parents’ wishes, so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable expenditure. However, there is no general statutory duty requiring the local authority to provide free transport to a faith school.

Section **508F** of the Act places a duty on local authorities to make any transport or other arrangements that they consider necessary, or that the Secretary of State directs, for the purpose of facilitating the attendance of learners who are aged 19 or over at certain educational establishments.

- 3.3 School Transport is to assist “the attendance of persons of compulsory school age receiving education”.
- 3.4 Only where students meet the relevant criteria in this policy will they be entitled to transport between home and school free of charge.
- 3.5 In addition to the duty to provide free school transport, there are some other circumstances in which Brighter Futures for Children will consider whether free transport may be necessary to enable the student to attend school; these are detailed in Section 4.
- 3.6 Brighter Futures for Children aims to develop a best value School Transport Service that
 - is efficient, safe, reliable, and accessible;
 - meets the needs of those who are entitled to a service;
 - is co-ordinated with other Reading Borough Council strategies and policies, including the School Journeys Strategy.
- 3.7 In order to reduce journeys to school by car, Reading Borough Council is working with families, schools, local communities and transport planners to encourage students to walk or cycle to school or, where this is not feasible, to encourage greater use of public transport.

4. THE PROPOSAL

- 4.1 There is only one significant change proposed for the policy for September 2020 - it is given in paragraph 3.7 of the policy and where a paragraph has been added to confirm the entitlement to transport for Maiden Erlegh Chiltern Edge pupils living within the RG4 postcode.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 This report contributes to RBC's strategic aims as follows

- a. Securing the economic success of Reading and provision of job opportunities - by ensuring children and young people are able to access education.
- b. To protect and enhance the lives of vulnerable adults and children by providing access to education
- c. Keeping Reading's environment clean, green and safe through the provision of access to public transport

5.2 Further the policy contributes to developing Reading as a green city through the emphasis on public transport and walking to school.

6. BACKGROUND PAPERS

6.1 Sections 508A, 508B, 508C, 508D, 508F, 508G and 509AD and Schedule 35B of the Education Act 1996 (The Act), which were inserted by Part 6 of the Education and Inspections Act 2006 (EIA 2006).

6.2 Regulation 5 and Part 2 of Schedule 2 to The School Information (England) Regulations 2002, as amended.



School Transport Policy

2020-2021

SUMMARY

This document summarises arrangements for the statutory duties required of BFFC.

OWNER

Anne Tarrant, School
Transport Manager

VERSION

V2b.0

(amend to para 4.1 July 2020)

DATE

March 2020

REVIEW DATE

March 2021

© Brighter Futures for Children

Brighter Futures for Children
Civic Offices, Bridge Street,
Reading RG1 2LU

Company number 11293709

Contents

- 1. Introduction and Legislation.....7**
- 2 Definitions.....8**
 - 2.1 Maintained School..... 8
 - 2.2 Parent 8
 - 2.3 Reasonable Journey..... 8
 - 2.4 Residence 8
 - 2.5 Suitable School 9
 - 2.6 Compulsory school age..... 9
 - 2.7 Walking Distance 9
 - 2.8 Low Income Families 9
- 3 School Transport Policy - Mainstream.....9**
 - 3.2 Parental Preference..... 10
 - 3.3 Pupils below the Compulsory School Age 10
 - 3.4 Safety of Route 10
 - 3.5 Medical Conditions and Disabilities 11
- 4 Discretionary Provision11**
 - 4.1 Denominational Transport 11
 - 4.2 Peripheral Activities..... 11
 - 4.3 Other exceptional circumstances..... 11
 - 4.4 Charging..... 11
- 5.0 Transport Entitlement for Low Income Families12**
 - 5.1 Primary school..... 12
 - 5.2 Secondary School 12
- 6.0 Special Educational Needs12**
 - 6.1 General Entitlement 12
 - 6.2 SEN – Exceptions 13
 - 6.3 Special Education Needs (SEN) Application..... 13
 - 6.4 Escort Provision 13
 - 6.5 SEN – Residential Places 14
 - 6.6 SEN - pre-school 14
 - 6.7 SEN - Working towards independent travel..... 14
- 7. Applications for Transport Provision.....14**
 - 7.1 Special Education..... 14
 - 7.2 Mainstream Provision 15

7.3	<u>Concessionary Fare payers</u>	15
7.4	<u>General</u>	15
8	<u>Transport Responsibilities</u>	15
8.1	<u>Brighter Futures for Children - Responsibilities</u>	15
8.2	<u>Escort Responsibilities</u>	16
8.3	<u>Driver Responsibilities</u>	17
8.4	<u>Operator Responsibilities</u>	18
8.5	<u>School Responsibilities</u>	19
9	<u>Change of Circumstances, Loss, Errors, Fraud</u>	19
10	<u>Quality and Standards</u>	19
10.1	<u>Service Standards and Codes of Practice</u>	19
10.2	<u>Parents and Children</u>	20
10.3	<u>Contracted Services</u>	20
10.4	<u>Emergency Closures</u>	20
10.4.1	<u>Severe Weather Conditions</u>	20
10.4.2	<u>Loss of Essential Services</u>	20
10.5	<u>Behaviour on School Transport</u>	20
11	<u>Comments and Complaints</u>	21
12	<u>Appeals</u>	21
12.1	<u>Stage One</u>	21
12.2	<u>Stage Two</u>	21
12.3	<u>Grounds for Appeal</u>	22
	<u>Appendix 1 – Safety of Route Guidelines</u>	23
	<u>Appendix 2 – Useful Links</u>	24

1. Introduction and Legislation

- 1.1** The legal responsibility for ensuring a child's attendance at school rests with the child's parent. Generally, parents are expected to make their own arrangements for ensuring that their child travels to and from school.
- 1.2** A Local Authority is only under a statutory duty to provide transport if the nearest suitable school is not within statutory walking distance of the child's home by the nearest available route (section 444(5) of the Education Act 1996 refers).

The relevant legislation is as follows:-

- Sections 508A, 508B, 508C, 508D, 508F, 508G and 509AD and Schedule 35B of the Education Act 1996 (The Act), which were inserted by Part 6 of the Education and Inspections Act 2006 (EIA 2006).
- Regulation 5 and Part 2 of Schedule 2 to The School Information (England) Regulations 2002, as amended

The summaries of these sections are as follows:

Section **508A** of the Act places a duty on local authorities in England to assess the school travel needs of all children and persons of sixth form age in their area and to assess and promote the use of sustainable modes of travel.

Section **508B** of the Act sets out the general duties placed on local authorities to make such school travel arrangements as they consider necessary for 'eligible children' within their area, to facilitate their attendance at the relevant educational establishment. Such arrangements must be provided free of charge.

This duty is in addition to the duty on Brighter Futures for Children (providing services on behalf of Reading Borough Council) to make travel arrangements for children from 'low income families' who attend the nearest school preferred on grounds of religion or belief, where they live between two and 15 miles from home.

This duty is complemented by Section 9 of the Education Act 1996, which provides that in exercising all duties and powers under the Education Acts, the Secretary of State and local authority shall have regard to the general principle that pupils are to be educated in accordance with their parents' wishes, so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable expenditure. However, there is no general statutory duty requiring the local authority to provide free transport to a faith school.

Section **508F** of the Act places a duty on local authorities to make any transport or other arrangements that they consider necessary, or that the Secretary of State directs, for the purpose of facilitating the attendance of learners who are aged 19 or over at certain educational establishments.

- 1.3** School Transport is to assist "the attendance of persons of compulsory school age receiving education".
- 1.4** Only where students meet the relevant criteria in this policy will they be entitled to transport between home and school free of charge.

- 1.5** In addition to the duty to provide free school transport, there are some other circumstances in which Brighter Futures for Children will consider whether free transport may be necessary to enable the student to attend school; these are detailed in Section 4.
- 1.6** Brighter Futures for Children aims to develop a best value School Transport Service that
- is efficient, safe, reliable, and accessible;
 - meets the needs of those who are entitled to a service;
 - is co-ordinated with other Reading Borough Council strategies and policies, including the School Journeys Strategy.
- 1.7** In order to reduce journeys to school by car, Reading Borough Council is working with families, schools, local communities and transport planners to encourage students to walk or cycle to school or, where this is not feasible, to encourage greater use of public transport.

2 Definitions

In this document, the following definitions apply:

2.1 Maintained School

Maintained School refers to any Community, Voluntary, Special Agreement, Foundation, Free, Academy, Special, or Special Foundation School.

2.2 Parent

“Parent” has the meaning as defined in the Education Acts; it includes anyone with parental responsibility, and anyone with whom the child lives, such as a carer.

2.3 Reasonable Journey

Brighter Futures for Children considers a reasonable journey to be one that allows the child to reach school without undue stress, strain or difficulty such as would prevent him or her benefiting from the education.

To this end, Brighter Futures for Children operates the following maximum times/distances as being reasonable for School Transport journeys:

- **Primary school students:** in Reading, primary schools tend to have small designated areas, so journey times are short. Brighter Futures for Children considers a public transport journey normally not exceeding 45 minutes or six miles to be reasonable.
- **Secondary school students:** Secondary schools serve a larger area than primary schools, with more potential for public transport. Brighter Futures for Children considers a public transport journey normally not exceeding 75 minutes or twelve miles to be reasonable.
- **Special school students:** In some circumstances, travel to special schools may result in a need for longer travelling times especially when outside the Borough.

2.4 Residence

2.4.1 Any reference to a child’s residence means the dwelling where the child normally resides with his or her parent. This includes a placement made where a child is in public care.

2.4.2 Where a child’s parents are separated, the address of the parent with whom the child normally resides will be recognised as the child’s place of residence.

2.4.3 Where a child is in public care, and it is considered desirable for the child to continue his or her education at a particular school, the School Transport Service will meet the costs of transport, provided that the new address is within the borough boundary. If the address is outside the Borough boundary the costs will be met from the Social Services budget.

2.4.4. When a child in Year 11 moves house, transport will be provided until he or she has completed his/her examinations provided that the distance criteria is met. This will normally take the form of a bus pass. When children move house in other year groups, primary or secondary, parents can make an In-Year application for a change to a nearer school. Transport assistance will only be made where no nearer school is available.

2.5 Suitable School

In determining whether a school is suitable for a student for school transport purposes, Brighter Futures for Children will consider:

- the age of the child;
- whether the school is the nearest appropriate school;
- the reasonable time and distance that child will have to travel to that school;
- whether the school meets the child's needs as identified in an Education, Health and Care Plan (EHCP).

A school that selects pupils by ability, aptitude or gender will not be regarded as fulfilling this requirement unless the school is the nearest school to the child's residence – or one of the three nearest if the application is for a secondary school and is based on Low Income.

2.6 Compulsory school age

Education is compulsory for children between the ages of five and sixteen. A pupil becomes of compulsory school age on the first day of the term following their fifth birthday. A pupil ceases to be of compulsory school age at the end of the last Friday in June following the 16th birthday.

2.7 Walking Distance

As defined in the Education Acts, and means

- 2 miles for students under 8 years of age (or 16 for pupils from low income families)
- 3 miles for students aged 8-16 years of age.

Walking distance is assessed by measuring the shortest available walking route between the front gate of the student's home to the nearest school/college entrance. BfC will make allowances for community safety or road safety reasons. The courts have defined a safe route as one "along which a child, accompanied as necessary can walk and walk with reasonable safety to school".

Routes are not unsafe because of dangers that might arise if the child were unaccompanied. Initial checks on the distance are made using a GIS mapping system. If the distance is close to the 2 or 3 mile limit, a physical check may be made using a calibrated measuring wheel.

2.8 Low Income Families

Children entitled to Free School Meals or whose parents receive the **maximum** level of Working Tax Credit.

3 School Transport Policy - Mainstream

3.1 On application by the parent, free school transport will be provided by Brighter Futures for Children if the following conditions are met:

- The child lives in the Reading Borough and is of compulsory school age or a Rising Five; **and**
- The school at which the child is a registered student is beyond the statutory walking distance.

Brighter Futures for Children may also provide transport assistance if:

- the nearest suitable school has no place available and the next nearest school meets the distance criteria;
- the child has been excluded from the nearest suitable school and the alternative placement meets the distance criteria.

3.2 Parental Preference

If as a result of parental preference, a child attends a school other than the nearest available, free transport is not provided. Parents are responsible for making their own transport arrangements and for all transport costs, for the whole time the child attends the school. Parents cannot rely on the argument that the Brighter Futures for Children should provide transport to their preferred school because the nearest school is oversubscribed where a place would have been available at the nearest school had an application been made at the appropriate time.

Where parents have exercised preference and later experience a change of circumstances, which prevent them from meeting their responsibility for transport, Brighter Futures for Children would expect the child to transfer to the nearest available school. Brighter Futures for Children will not assume responsibility for transport to the preferred school.

Please note, for Maiden Erlegh Chiltern Edge: Although not the nearest appropriate school, transport assistance is provided to Maiden Erlegh Chiltern Edge School for pupils living with in the RG4 postcode area (north of the river).

3.3 Pupils below the Compulsory School Age

Transport will be provided for Rising Fives where the child is attending the nearest appropriate school and the home address is over 2 miles from the school by the nearest available walking route, at the start and end of the school day only. There is no transport provision for pupils attending on a part-time basis.

3.4 Safety of Route

The courts have defined a safe route as one “along which a child, accompanied as necessary, can walk and walk with reasonable safety to school”. Routes are not unsafe because of dangers that would arise if the child were unaccompanied.

Whilst a parent may make a case that a route is believed to be unsafe, it is the Company that determines if a route is safe. The assessment will be made based on the criteria set down in the guidelines in Appendix One.

It is the responsibility of the parent to decide whether to accompany their child to school or make alternative arrangements. They are also expected to provide protective clothing and footwear as necessary.

3.5 Medical Conditions and Disabilities

Transport will be provided for a student of compulsory school age, to attend their nearest suitable school if they are unable to attend school because of a medical condition or disability.

Application for transport on these grounds must be accompanied by written advice from the appropriate community paediatrician, the child's GP or hospital consultant. The advice must include information on the effect that the disability has on the child's ability to use public transport, and how long the condition could be expected to last, as well as evidence as to why the parent is unable to transport the child.

Discretion is not normally exercised to support pupils attending a school which is not the nearest as transport is a parental responsibility for the whole time a pupil attends a preferred school.

4 Discretionary Provision

In addition to the reasons outlined in section three, Brighter Futures for Children may provide free transport on the application of a parent in the following circumstances.

4.1 Denominational Transport

The Education Act does not require Brighter Futures for Children to provide free transport to faith schools. However, low income families should refer to Section 5.

4.2 Peripheral Activities

Transport assistance, where awarded, is only provided for pupils at the beginning and end of the school day. It will not normally be provided for additional activities, e.g. Induction/Open Days, Interview visits, Work Experience, Homework Clubs, Dental/Medical appointments, Respite Care, Breakfast Clubs or Parental/Carer attendance at school.

Where a pupil becomes ill during the day, it is the responsibility of the parent to collect their child or to agree with the school that they will provide adequate care until the end of the school day.

4.3 Other exceptional circumstances

Parents may make requests for free transport for their children on the grounds of exceptional educational or social need. As such cases are exceptional, it is not possible to specify general criteria which may be applied to judge eligibility. Where an application is turned down an appeal can be submitted on-line (see section 12). An appeal should be supported by appropriate professional advice e.g. GP/Hospital letters, Social Worker/Educational Welfare Officers' reports, etc. Where the need arises as a result of a decision of a court, a copy of the relevant Court order must be submitted.

4.4 Charging

Where a pupil does not qualify for transport assistance, the Company may be able to assist with provision for which a contribution may be required. This may include:

- Provision of a concessionary fare paying seat, where a seat is available on an existing contract vehicle for which a termly charge is made;

- One off contributions for occasional transport to respite placements/After school clubs etc;
- 16-19 year olds with an Education, Health and Care Plan (see Post 16 Education Transport Policy);
- Pre-school aged pupils with an Education, Health and Care Plan.

5.0 Transport Entitlement for Low Income Families

Schedule 35B, added to the 1996 Education Act, includes free school travel for children from low income families. The Act defines low income pupils as those who are entitled to Free School Meals or whose parents are in receipt of the **maximum** level of Working Tax Credit.

Once eligibility has been confirmed, entitlement is until the end of the academic year. A new application must be made prior to the start of each academic year. Renewals are accepted from March.

5.1 Primary school

The two-mile walking limit is extended up to the end of primary education for pupils attending their nearest qualifying school.

5.2 Secondary School

Transport for secondary school pupils will be provided for pupils attending one of their three nearest qualifying schools, where they live more than two miles but less than 6 miles from that school.

Where a preference has been expressed for a school based on the parents' religion or beliefs, then a secondary school pupil **from a low income family** is entitled to travel assistance where they live more than two miles but not more than 15 miles from that school. A Denominational Certificate signed by the Parish Priest/Minister confirming that the parent is a practising member of their church/congregation will be required.

When considering whether a school is preferred on the grounds of religion or belief, the Company will take into account the nature of other schools that may have been named as a higher preference on the application form. For an application for travel assistance to be agreed under this section, the expectation will be that the faith 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. The 6 and 15 mile limits are measured along road routes as they are not "walking routes".

6.0 Special Educational Needs

6.1 General Entitlement

Pupils with special educational needs have the same entitlement to school transport provision as any other pupils within the education system. Brighter Futures for Children is only under a duty to provide free transport to a child's nearest suitable school, provided that it is beyond statutory walking distance of his or her home. The nearest suitable school for a pupil with special educational needs may well be different than for another pupil. Transport may be provided for pupils whose home address does not meet the distance criteria if the child cannot be expected to walk to school because of their mobility problems or because of issues related

to their special educational needs or disability. Eligibility for such pupils will be assessed on an individual basis to identify their transport requirements.

Whilst nothing in this policy should be construed as limiting the schools for which parents of children with EHCPs may express a preference, if a child is attending a school as a result of parental preference (i.e. not the one that Brighter Futures for Children considers being the nearest suitable) the child's parents must meet the transport costs. Home to school transport will not be provided.

In exceptional cases, as part of the Education, Health and Care Plan Assessment, or following an Annual Review, Brighter Futures for Children may identify a child who has particular travel needs requiring specialist transport assistance. Within Annual Reviews, a pupil's transport should be reviewed and may result in alternative arrangements on the advice of professionals or the school.

It is also necessary, where it is appropriate and safe to do so, to develop students' independence as they mature and approach adult life. Where safety permits, Brighter Futures for Children will promote travel options that encourage students with special educational needs to become responsible for making their own way to school, to increase their independence. (See also 6.7 below).

Wherever possible, a student with special educational needs will also be encouraged to travel on public transport or join the Independence Travel Training scheme, especially when this is considered to be a factor in developing their independence, life and social skills

6.2 SEN – Exceptions

- 6.2.1 Transport assistance will only be provided to students outside the entitlement when it is demonstrated and professionally evidenced that there is a need.
- 6.2.2 In all circumstances, the factors will demonstrate that the child cannot make the journey to school safely. Any transport provided will be based on the student's needs, not the parent's circumstances. Transport entitlement will **not** take into account parents' work or other commitments, or attendance by siblings at other schools.
- 6.2.3 Brighter Futures for Children will consider several factors when determining the mode of transport to use. These include the nature of the child or young person's special educational needs; their age; their medical needs; the viability of using contracted services; public transport or (for a young adult) the person's own transport; the need for specialist transport and/or escorts and the efficient use of resources.

6.3 Special Education Needs (SEN) Application

In most cases for pupils with an Education, Health and Care Plan (EHCP), consideration for assisted travel arrangements will form part of the initial assessment, annual review or transition planning process. An application form can be obtained from the Special Education Team (Tel 0118 937 2674). The eligibility of these applications will be assessed by the SEN Team via the SEN Panel, using the criteria above.

6.4 Escort Provision

Escorts are provided to ensure the safety of passengers travelling to and from school. The provision of escorts is generally restricted to:

- a) Special needs pupils under the age of five years;

- b) Pupils with complex needs who would be at risk on school transport if travelling; unaccompanied e.g. pupils with severe behavioural difficulties, life threatening conditions, mobility problems or pupils unable to communicate effectively;
- c) Vehicles where the number of pupils travelling together necessitates the provision of an escort.

Escorts must have an enhanced DBS check and have attended either the Readibus training day or a PATS training day. Attendance at further training sessions maybe required. Unless specifically employed and trained to do so, escorts are not expected to administer medical treatments.

6.5 SEN – Residential Places

Where Brighter Futures for Children names a residential school or provision at some distance from the parents' home, Brighter Futures for Children will either provide transport or pay the costs of such students' transport at the beginning and end of each half term, plus any weekend when the school is closed. Payment can include reimbursement of public transport costs, petrol costs or provision of a travel pass. All other transport costs must be met by the child's parents.

The transport is provided for the pupil and does not include transport for the parents to attend Open Days, Annual Reviews etc.

6.6 SEN - pre-school

There is no statutory requirement for Brighter Futures for Children to provide transport for children who have an Education, Health and Care Plan (EHCP) and who:

- attend an early years setting, a nursery school, or a nursery class at a primary or infant school.

However, transport may be provided, based on an individual assessment of the child's special educational needs or disability.

6.7 SEN - Working towards independent travel

Independence is a key life skill. As students become older a move to more independent method of travel is an important contribution to developing this wherever possible. Although some will require some form of assisted transport throughout their school career, many others should be working towards more independent travel, i.e. no escort followed by a bus pass or walking.

Altering the method of assisted transport for a pupil may well cause concern for both the pupil and the parents. This demonstrates the need for both an appropriate expectation within the school about the importance of independence skills for adult life and careful preparation before the review. While reviews will always take account of the pupil's needs in reaching a decision to recommend a move to more independent travel, it may be wise to raise it as a possibility at least one Annual Review before the formal recommendation may be made. Brighter Futures for Children will take the final decision, with parents being able to appeal to an independent panel where they disagree.

7. Applications for Transport Provision

7.1 Special Education

Applications are made to the Special Education Team and assessed by the SEN Panel to make a decision. Approved requests for transport provision are passed on to the School Transport

Service. These give the pupils details, school, start date and any additional information which may be necessary to provide the required level of service. This should include details of equipment required e.g. tail-lift, car seat, harness or medical conditions that staff may need to be aware of such as Epilepsy, Autism, visual or hearing impairment and physical disabilities.

The School Transport Service requires 5 days' notice to allocate provision and notify operators, parents/carers and schools of the arrangements. Occasionally a longer period may be required if a new contract is required or a pupil has complex needs.

7.2 Mainstream Provision

Applications should be made online or an application form can be requested from the School Transport Team. On receipt of an application form, checks will be made with school and other records to confirm eligibility for free transport. A Supplementary form needs to be completed if application is being made based on low income.

Season tickets are issued for the start of term or within two weeks of the receipt of application. Contract vehicles are only provided where there is no suitable public transport.

In special circumstances where this is not appropriate, an alternative form of transport will be provided e.g. for pupils with medical conditions.

7.3 Concessionary Fare payers

Where spare seats are available on school transport contract vehicles, pupils not entitled to free transport may be allowed to travel on the pre-payment of a fee determined by Brighter Futures for Children.

This concession can be withdrawn at any time for the following reasons:

- a) the seat is required for a pupil entitled to assistance;
- b) the vehicle ceases to operate;
- c) non-payment of account;
- d) operational requirements e.g. route re-organisation, provision of a smaller vehicle;
- e) misbehaviour by the pupil.

7.4 General

To monitor the use and effectiveness of its system, The School Transport Service will keep accurate student records, along with details of service providers, season ticket details, and other statistical information. All information about individuals and their particular requirements will be handled with sensitivity and confidentiality, and in accordance with the Data Protection Act.

8 Transport Responsibilities

8.1 Brighter Futures for Children - Responsibilities

The School Transport Service is responsible for:

- Determining service provision in accordance with pupil needs;
- Awarding contracts in accordance with the Company's tendering procedures;

- Providing escort training;
- Endeavouring to ensure that pupils travelling time is kept to a minimum;
- Monitoring service provision and taking action to rectify problems.

The Company reserves the right to withdraw transport for any pupil who presents a safety risk to other passengers.

Transport arrangements are subject to change when pupils leave or join a route. The transport provider may also change as the Company reviews provision to ensure the most cost-effective transport.

The Company will not fund additional journeys or routes which are put in place by anyone other than officers within the SEN or School Transport teams, without prior approval of the relevant budget holder.

8.2 Escort Responsibilities

- Escorts should have undergone an enhanced DBS check attended a Readibus or PATS Training day, and be wearing an identity badge issued by Brighter Futures for Children during working hours. Although a copy of the badge can be kept on a mobile phone, the badge must be visible while working.
- Escorts should be aware of the Code of Practice and any contingency plans laid down by the contractor regarding breakdowns, accidents or other emergencies. Staff should ensure they have emergency contact numbers for the parents of pupils travelling on their routes.
- Escorts should ensure that pupils board and alight safely by keeping doors closed while vehicle is moving, not allowing children to open or closing doors and ensuring that pupils are well clear of the vehicle before driver moves off. Parents are responsible for bringing pupils to the vehicle and collecting them in the afternoon – the escort should not leave pupils on the vehicle unsupervised at any time.
- The escort should ensure all luggage is stowed safely and that pupils have seat belts or other harnesses and seats secured.
- The escort should, as far as possible, sit where the pupils can be watched. Clear guidelines should be set as to what is acceptable behaviour. Severe or persistent misbehaviour should be notified to the school.
- The escort should exercise reasonable control and ensure pupils do not hinder the driver. Escorts should not engage in confrontational situations with parents but report the incident to the employer or the School Transport Team.
- Under no circumstances should an escort strike a pupil. Where pupils are involved in a fight or confrontation, minimum, appropriate, physical restraint may be used (Where there are concerns, training will be given).
- Escorts should never use foul language or abusive gestures but should maintain a courteous, professionally detached relationship with the pupils, parents, school staff and the driver. Inappropriate conversation topics will be avoided. Staff should not tease, play or ‘fool around’ with passengers and should not interfere with their belongings. All passengers should be treated with care, respect and dignity.

- Physical contact with pupils will be kept to a minimum. Staff are not permitted to lift children on/off vehicles.
- There should be no filming/recording of pupils on mobile phones or other devices.
- In the event of an accident or breakdown, the escort will remain with the children.
- The escort will co-operate with Authority staff, teachers and parents to resolve problems, reporting any issues felt to be relevant to the child's wellbeing. Incidents, conversations or behaviour changes can indicate a pupil has a problem.
- Escorts should be aware that some of the information about the pupils is confidential. Any written notes should be kept in a safe place which cannot be accessed by others.
- If no-one is available to receive a pupil at the end of the day, escorts should be prepared to take the child for the remainder of the journey before returning to the pupil's house. It is helpful for staff to ensure they have contact numbers for the parents in case of an emergency.
- Escorts should ensure that pupils do not eat on the vehicles to reduce the risk of choking and to avoid medical conditions and allergies being aggravated.
- No smoking is permitted during working hours.
- Escorts should not be in possession of alcohol, drugs or offensive weapons.
- The Escort should be trained to use any equipment provided e.g., harnesses, car seats etc.

8.3 Driver Responsibilities

- Drivers should not drive a vehicle they consider to be unroadworthy. The vehicle should be plated and the driver should display his Identity Badge at all times.
- The schedule should be followed using only designated pick up points.
- The driver should be aware that the schedules contain information relating to pupils which is confidential and they should not be left in places where they can be accessed by others.
- Always park so that pupils alight on the pavement and not in the carriageway and make sure all pupils are clear of the vehicle before moving off.
- Drivers should not allow any unauthorised passengers to travel.
- A courteous, professionally detached relationship should be maintained with pupils, parents, school staff and escort.
- The driver should exercise reasonable control, assisting escorts when one has been provided. Drivers should not engage in confrontational situations with parents but report the incident to the employer or the School Transport Team
- Under no circumstances should a driver strike a pupil. Where pupils are involved in a fight or confrontation, minimum, appropriate, physical restraint may be used (Where there are concerns, training will be given).
- Drivers should never evict a pupil from the vehicle, but should report misbehaviour to staff.

- Drivers should never use foul language or abusive gestures. Inappropriate conversation topics will be avoided. Staff should not tease, play or ‘fool around’ with passengers and should not interfere with their belongings. All passengers should be treated with care, respect and dignity.
- Inappropriate conversation topics and language must be avoided. Physical contact with pupils should be kept to a minimum.
- There should be no filming/recording of pupils on mobile phones or other devices.
- The driver should ensure that school transport signs and route numbers are displayed correctly.
- Children should not open and close doors – childproof locks should be used where available. Before moving away, drivers should ensure that all passengers are seated and that appropriate seat belts/restraints are secured.
- The driver should never leave pupils unattended. When returning pupils home the driver should wait until the child is received by a responsible adult.
- The driver should be trained to use any equipment provided e.g. ramps, lifts, harnesses, fire extinguishers, strap cutters etc.
- Most schools have arrangements for parking, picking up and setting down within the grounds and drivers are expected to co-operate with their procedures-
 - Drivers should adhere to speed limits, not use mobile phones unless parked and are not permitted to smoke. Where practicable, drivers should switch off vehicle engines to reduce smoke emissions, noise and other pollutants. Vehicles should not be left unattended. If a driver leaves the vehicles it must be secured locked and parked in a safe and appropriate place.
- The driver should be aware of procedures in the event of a breakdown, accident or other hazard such as fire. All incidents should be reported as soon as is possible.
- The driver should not be in possession of alcohol, drugs or offensive weapons.
- The driver should be aware and compliant with regulations relating to Drivers’ hours.
- The driver should advise their employer, and, if necessary, the DVLA, Swansea of any change in their medical condition which may affect their fitness to work.

8.4 Operator Responsibilities

- The operators should have read the Code of Practice for School Transport Operations which forms part of the contract between the Operator and the Company. This covers reliability of operation, procedures for breakdowns and emergencies, customer care, vehicle provision and maintenance, contact details, and service monitoring.
- The operator should ensure that all legislation relating to the transport provision is adhered to including, licensing, badged staff, vehicle maintenance, provision and displaying of school transport signs, wheelchair floor tracking, harnessing and tail lift testing and maintenance, record keeping etc. All records should be available for inspection by the staff from the Company and the Council as required.
- The operator is responsible for ensuring that staff are aware of procedures for breakdowns, accidents or other incidents

8.5 School Responsibilities

- Staff should be available to transfer pupils between the vehicle and the classroom. Escorts and driver should not leave pupils unattended while accompanying other pupils from classrooms.
- The school should ensure that loading areas are as safe as possible, minimising the movement of pupils round moving vehicles.
- Changes which affect the transport provision e.g. early closures, school trips, pupils leaving etc should be notified as soon as possible. Minor changes can be notified direct to the operator. Changes which may affect the cost to the Company should be notified to the School Transport Service.
- The Operators will present a Con 1 form at the end of each month. These should be signed by authorised signatories at the school to confirm the number of days transport has been provided.
- Monitoring forms are available for schools to survey the transport and advise of any concerns they may have.
- Advice maybe sought from school staff regarding problems that may arise with individual pupils.

9 Change of Circumstances, Loss, Errors, Fraud

- 9.1** If a child aged less than eight years receives free transport, but would lose this entitlement on turning eight due to the different walking distances involved, free transport will be maintained to the end of the term in which the child's eighth birthday falls.
- 9.2** If a child moves out of Reading Borough, the student must surrender any travel pass with immediate effect. Responsibility for travel will rest with the Local Authority in whose area the student then resides.
- 9.3** Where a child is awarded a season ticket for public transport, he or she must carry the ticket for all home to school journeys, and show them when asked. If a child is unable to attend school because the season ticket has been lost or stolen, the parent is responsible for paying the fares or transporting the child until a replacement ticket is received.
- 9.4** Where a pupil has been assessed as eligible for transport assistance in error, or as a result of defective information or fraud investigation, the provision will be withdrawn at the end of the term in which the matter is brought to the attention of the parent. Any passes issued to the child must be returned at the end of that period. In the case of a fraudulent application, assistance will be withdrawn at the end of the week in which clear evidence of such fraud is presented.
- 9.5** Brighter Futures for Children reserves the right to take legal action against any parent who makes a fraudulent application for free school transport.

10 Quality and Standards

10.1 Service Standards and Codes of Practice

In addressing service quality, Brighter Futures for Children will set service standards that promote journey quality and effectively address bullying or poor behaviour.

10.2 Parents and Children

Although Brighter Futures for Children may provide transport assistance, the parent is still responsible for ensuring that their child attends school.

10.3 Contracted Services

Brighter Futures for Children issues a Code of Practice for Operators. Where transport is provided through contracted services, as part of the conditions of the contract, Brighter Futures for Children requires its contractors, their employees and any sub-contractors, to adhere to this Code.

If a contractor, its employees, or any sub-contractor, fails to comply with the Code of Practice for Contractors, Brighter Futures for Children may deem the Operator to be in breach of contract.

10.4 Emergency Closures

10.4.1 Severe Weather Conditions

After consideration of the forecasts, Headteachers may decide that the health and safety of pupils necessitate closing the school. Announcements on school closures are made on local radio stations when weather is severe.

If the weather deteriorates once pupils have arrived at school, Headteachers will advise the Company if they deem it necessary to close and arrangements will be made for vehicles to collect pupils as soon as is practicable. Parents will be contacted to ensure that care is available on their return.

10.4.2 Loss of Essential Services

In the event of heating breakdown or disruption of other essential services (such as water supply), especially during cold weather, the Headteacher may arrange for pupils to be returned home. Parents would be notified accordingly.

10.5 Behaviour on School Transport

For reasons of health and safety your child must always wear an appropriate seatbelt. In addition, pupils should not:

- Eat or drink on the vehicle;
- Stand up in the vehicle whilst it is moving;
- Distract the driver in any way;
- Play radios, personal music players (CDs, MP3s, iPods, mobile phones, etc.) unless using personal headphones;
- Drop litter inside the vehicle;
- Smoke on school transport.

Parents will be responsible for any damage caused to the vehicle by their children and will have to pay the operator for any repairs that maybe necessary, including cleaning costs where appropriate.

If a child persistently misbehaves, Brighter Futures for Children reserves the right to withdraw transport provision – either on a temporary or permanent basis. If it is necessary to take this course of action, the parent is then responsible for ensuring their child’s continued attendance at school.

The Education Act 2006 makes it clear that head teachers have the right to address unacceptable behaviour, even when this takes place outside the school premises and this includes behaviour on school transport.

11 Comments and Complaints

- 11.1** Brighter Futures for Children welcomes feedback and constructive comments from its service users. The School Transport Service will pick up all comments about services, whether written or verbal, made face-to-face or over the telephone – including those which are not formal complaints.
- 11.2** If things go wrong, the School Transport Service will endeavour to rectify the situation swiftly, to the satisfaction of all parties, as long as the solution is not outside the boundaries of this policy.
- 11.3** However, the School Transport Service can only deal with complaints about the services that are contracted by the School Transport Service. Complaints about contracted services will be dealt with in accordance with the Company’s published complaints procedure. Complaints about services provided by train operating companies, or bus companies, must be directed to the company in question.

12 Appeals

12.1 Stage One

If a parent has had an application for free school transport turned down by the School Transport Service or believes the provision to be unsuitable, an appeal against this decision can be made. The Parent(s) will be asked to submit an on-line form, within 20 working days from receipt of the Authority’s written decision. The statement should include any personal circumstances you feel should be considered, accompanied by any additional supporting evidence from professionals.

The decision will then be reviewed by a Senior Reviewing Officer within 20 working days of receipt of the request and parent(s) will be notified.

If assistance is granted, it will normally take the form of a bus pass or the most economical option possible. If other provision is being sought, the request should form part of your submission.

12.2 Stage Two

Any challenge to the Stage One Reviewing Officer’s decision should be made within 20 working days from receipt of the Stage One decision. The parent should request that their appeal be progressed to Stage Two where it will be reviewed by an Independent Officer Panel headed by the Director of Education and the Lead Member of Education. Parents can submit additional information and will be invited to attend. Officers on this panel will have had no involvement in the original decision making. The appeal date will be within 40 working days of receipt of your request and any additional supporting information. Prior to the case being heard, a full copy of all correspondence will be sent to the parent. Minutes will be made and a letter will be sent to the parent within 5 days of the hearing, outlining the details of the discussion and confirming the decision.

12.3 Grounds for Appeal

You can appeal on one of the following grounds:

- That the policy has not been properly applied;
- That the policy has been properly applied but there are exceptional circumstances.
- (Please note - A parent being unable to take their child to school due to work commitments will not be considered as exceptional circumstances)

12.4 Pending a review, it remains the parent/carers responsibility to ensure their child attends school.

12.5 If the appeal is unsuccessful, an appeal can be made to the Local Government Ombudsman. The Ombudsman can be contacted at:

PO Box 4771, Coventry, CV4 0EH (Tel: 0845 602 1983) or through the website: www.lgo.org.uk.

Appendix 1 – Safety of Route Guidelines

From the 2002 Guidelines: Identification of hazards and the assessment of risk of walked routes to school - Local Authority Road Safety Officers' Association (LARSOA)

1. In assessing the safety of a particular journey, consideration is given only to danger relevant to traffic/highway conditions.
2. It is essential that each case be considered on its merits.
3. The pupil may be assumed to be accompanied as deemed necessary by a normal caring parent or other responsible adult.
4. Judgements should be made fair in regard to both urban and rural routes. The task of a pedestrian in urban areas, even where there are footways, can be difficult when regard is had, for example, to the need to cross main traffic routes.
5. Consideration should be given to the overall nature of the route. It is not unreasonable to expect special care to be taken on short difficult sections.
6. Where difficult sections exist on a road, their locations within the overall journey is relevant since applications for free transport would not normally be entertained in respect of very short journeys.
7. Where a footway, public footpath or bridleway exists such can normally be assumed to provide a safe route for that part of the journey.
8. Where a verge exists along which it is possible for the child and accompanying person to walk, the verge can normally be assumed to provide a safe route for that part of the journey.
9. Where, on lightly trafficked roads, a verge exists which is not easy to walk on but which can be stepped onto by the child and accompanying adults when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey.
10. Many rural routes may lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic flow and composition (such as frequent heavy goods vehicles) and to visibility (i.e. sharp bends with high hedgerows or banks).
11. Where there is evidence that a route is used by children (either accompanied or not) outside school hours this should be taken into account in judging whether it is available for journeys to school.
12. Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movements.
13. Where road crossings are necessary, the availability of justified crossing facilities (zebra, pelican, school crossing patrol) using the laid down criteria should be taken into consideration.

Appendix 2 – Useful Links

Family Information Service/SEND Local Offer

Free information for families who have a child/young person with a disability living in Reading.

Tel - 0118 937 3777

Email - Localoffer@reading.gov.uk

Website - www.reading.gov.uk/Sendlocaloffer

IASS (Information, Advice and Support Service)

Offers free confidential and impartial advice to Reading parents/carers who have children/young parents with special educational needs. Also offers support to parents who find secondary transfer a challenge, whether or not child has special educational needs.

Whitley Health and Social Services Centre, 268 Northumberland Avenue, Reading RG2 7PJ

Mondays, Wednesdays and Fridays – 9.30am-2.30pm

Tel - 0118 937 3421 (Answerphone out of hours)

Email - IASS@brighterfuturesforchildren.org

Reading Families' Forum

Support for families of children/young people with disabilities in the local area.

Website - www.readingfamiliesforum.co.uk

Autism Berkshire

40 Caversham Road, Reading RG1 7EB

Tel - 01189 594 594

Email - Contact@autismberkshire.org.uk

Website – www.autismberkshire.org

Berkshire Vision

Helping blind and partially sighted children and adults in Berkshire

5 Middleton House, 5 Erleigh Road, Reading RG1 5LR

Tel - 0118 987 2803

Email – Info@berkshirevision.org.uk

Elevate Reading

Elevate Reading (part of Brighter Futures for Children) -

Providing information, advice and guidance to post 16 young people, supporting them into education, employment and training .

Elevate Team (Brighter Futures for Children)

3rd Floor, Reading Central Library Abbey Square, Reading RG1 3BQ

M 07929178133

T 0118 9372204

E elevate@brighterfuturesforchildren.org

LinkedIn: **Brighter Futures for Children**

Twitter: **@Bffc_Child**

Website: www.brighterfuturesforchildren.org

Readibus

Dial-a-ride bus service for people with restricted mobility in and around Reading.

Cradock Road, Reading RG2 0JT

Tel – 0118 931 0000

Email – Bookings@readibus.co.uk

Reading Association for the Blind

Walford Hall, Carey Street, Reading RG1 7JS

Tel - 0118 957 2960

Email – manager@raftb.org

Website – www.readingassociationfortheblind.org

Reading Deaf Centre

131-133 Cardiff Road, Reading RG1 8JF Monday-Friday 10am-1.30pm

Tel - 0118 959 4969

Email - Info@readingdeafcentre.co.uk

Website - www.readingdeafcentre.co.uk

Reading Mencap

Provide support so individuals with learning disabilities and their families might lead full and active lives.

21 Alexandra Road, Reading RG1 5PE

Office and drop in centre open Monday-Friday 9.30am-1.30pm

Tel - 0118 966 2518

Email – office@readingmencap.org.uk

Website - www.readingmencap.org.uk