

NORTH LINCOLNSHIRE COUNCIL

**PEOPLE
CABINET MEMBER**

**HOME TO SCHOOL TRANSPORT POLICY FOR PUPILS WITH SPECIAL
EDUCATIONAL NEEDS REVIEW**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek approval to consult on proposed changes to the home to school transport policy for pupils with special educational needs.

2. BACKGROUND INFORMATION

- 2.1 There are 2 home to school transport policies. One is for pupils who have statements of special needs and require extra support to get to school. The other is for pupils who do not normally need additional support. This report relates to the former policy. A review of the latter policy has also been recently carried out and is subject to consultation.
- 2.2 The SEN Transport policy was last reviewed during 2005 and the changes were implemented from September 2006. There have not been any legislative or policy changes since 2006.
- 2.3 At 1 April 2012 the Local Authority transported 375 pupils with special needs aged up to 16 on specialist transport to special and mainstream schools in and outside North Lincolnshire.

3. OPTIONS FOR CONSIDERATION

- 3.1 **Option 1:** To hold a consultation with service users and stakeholders on the proposed revised policy (appendix 1).
- 3.2 **Option 2:** To continue with the existing policy.

4. ANALYSIS OF OPTIONS

- 4.1 Appendix 2 explains the implications of the different options put forward for consideration.
- 4.2 Although there have been no major changes to the legislation relating to home to school transport since 2006, it is appropriate to periodically review the policy in order to reflect how the policy is currently implemented and to document how the needs of the service users will be met.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

The base budget for special needs home to school transport for 2011/12 was £1,123,550. The proposed changes do not have any direct financial consequences subject to individual needs SEN transport to school, which will be met from the existing budget.

5.2 Staffing

There are no staffing implications.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Environmental

There are no environmental implications.

6.2 Statutory

The statutory framework within which home to school transport operates is set out in Appendix A1 of the draft policy.

7. OUTCOMES OF CONSULTATION

7.1 This paper is to seek permission to consult. The LA must consult parents, schools and other stakeholders before the policy is approved. Consultation should take place over a 4-week period during term time. Consultation about the proposed changes to the policy will take place as soon as the Cabinet Member confirms this is acceptable.

8. RECOMMENDATIONS

8.1 To approve option 1.

DIRECTOR OF PEOPLE

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Background Papers used in the preparation of this report: None

North Lincolnshire Council

HOME TO SCHOOL TRANSPORT POLICY FOR PUPILS WITH SPECIAL EDUCATIONAL NEEDS

Information for Parents and People with Care Responsibility

Policy approved by Cabinet(date) , effective from (date)

INDEX

		Page
1	Introduction	3
2	School Transport and the Law	3
3	Walking Distance	3
4	Parental Preference	3
5	Is your Child Entitled to Free Transport?	4
6	Low Income Groups	4
7	When will Free Transport not be Provided?	4
8	What Type of Transport will be Provided?	5
9	Risk Assessments	5
10	Pick Up Points	5
11	Escorts and Drivers	6
12	Information to Parents	6
13	Eating and Drinking on School Transport	6
14	Medication	6
15	Transport Reviews and Independent Travel	7
16	Dealing with Behavioural Problems	7
17	Respite Care	7
18	Travel Times	7
19	Concessionary Spare Seats	7
20	Transport for Pre-School Age Children	7
21	Transition to New School	7
22	Nurture Groups	
23	Transport for Children Aged 16 and Over	
24	Appeals and Complaints	
Appendix 1	How Parents Can Help With School Transport	9
Appendix 2	Useful School Transport Contacts	10

1. Introduction

Some pupils with special educational needs have special requirements for travel between home and school. This document explains the council's policy on providing transport for such pupils. Many pupils with special needs go to their local school and don't need any special arrangements. Their entitlement to school transport is set out in the Home to School Transport Policy for Students of Statutory School Age.

We rely on co-operation and support from parents and guardians for the smooth running of the transport we provide. We have included, as an appendix, their responsibilities in helping us ensure that the service is efficient, effective and safe.

2. School Transport and the Law

Councils provide school transport under the Education Act 1996.

The Act requires a Local Authority (LA) to arrange the provision of free school transport if it thinks this is necessary to make it easier for pupils to attend school. If the LA considers transport to be necessary then it must provide it free of charge. There are several factors that an LA should take into account when deciding if transport is necessary. We have set these out in this booklet.

The Act also gives LAs discretion to pay all or part of a pupil's travelling expenses even if they do not have a statutory entitlement. This could, for example, be pupils who live within walking distance or who are under five.

The Act says that parents and guardians are responsible for ensuring that a child goes to school if he or she is of compulsory school age. It also specifies the distance a child may be expected to walk before the council becomes responsible for their transport (see below).

3. Walking Distance

The Education Act 1996 defines walking distance as two miles for a child who is under eight years, and three miles for a child who is eight or over. North Lincolnshire Council uses these distances to establish whether pupils who go to their nearest suitable school are entitled to free transport.

We measure walking distance as the nearest available route between the home and school, along metalled roads, recognised footpaths and the like. Routes are measured from the nearest entrance to the house (e.g. front gate) to the nearest school entrance. Private driveways and farm tracks are not included in the calculation. An available route is the shortest one along which a child, accompanied by a responsible adult as necessary, can walk to school reasonably safely.

4 Parental Preference

A parent might decide to send their child to a school other than the local or nearest school that the Special Educational Needs (SEN) Team considers suitable to meet their special educational needs. In such cases, the parent will have to make their own transport arrangements and pay for transport to the preferred school.

5. Is Your Child Entitled to Free Transport?

Many pupils with statements of special educational need do not have special transport needs. Their entitlement to free school transport is the same as other pupils'. The policy we follow in assessing their entitlement is set out in the Home to School Transport Policy for Pupils of Statutory School Age.

The SEN Team will ask the Education Transport team to consider the entitlement to free school transport of pupils who may need special arrangements. The following factors will be taken into account:

- Is the school the nearest suitable school that can meet the child's educational needs?
- Is the school within walking distance of the child's home?
- If the school is within walking distance, is transport necessary, for example because of problems of mobility; unsuitability of the walking route, or parents' individual, exceptional, circumstances?

If the school is the nearest suitable school, or the nearest school, or school the council has designated as the catchment school, and it is more than three miles from home, we will provide free school transport.

6. Low Income Groups

Children who are entitled to free school meals or whose families receive their maximum level of working tax credit and are ordinarily resident at the same address as the child are entitled to receive free transport if:

- (i) they are of primary school age, are attending their nearest qualifying school and live more than *more than two miles from the school**
- (ii) they are aged 11-16, are attending one of their three nearest qualifying schools and they live *more than two, but less than six miles from that school**
- (iii) they are aged 11-16 and are attending the nearest suitable school preferred by their parents, on the grounds of the parent's religion or belief and the school is *more than two, but not more than fifteen miles from the home address.**

We will review pupils' entitlement during each academic year. We will ask parents to submit evidence that their child is still entitled to receive free transport on income grounds. If you cannot give us the evidence, or it does not satisfy the criteria, we will withdraw free transport from the start of the next academic year.

* if, because of their special need, the child is unable to walk to school and needs special arrangements to be made for their transport, the child will be eligible for free transport regardless of distance.

A definition of qualifying schools is given in the Home to School Transport Policy.

7. When will Free Transport not be Provided?

We provide free transport only for the journey between home and school. We cannot provide it for:

- Attendance at work experience placements and/or interviews, e.g. to develop the pupil's independence.
- Parental interviews at school.
- Visits to clinics, doctor's surgeries, hospital appointments etc. during the school day.
- After school clubs
- To a school of the parent's preference that is not the nearest suitable school
- To a school that is within walking distance and where the LA considers free transport is not necessary
- Transport home other than at normal session times

Transport is provided only to the pupil's home address. If the pupil's parents live at separate addresses, we will normally provide transport to where the child normally lives.

8. What Type of Transport will be Provided?

The transport we provide depends on the pupil's needs, where they live, the school they are attending and vehicles available. We recognise that pupils must not only travel safely but also in dignity and comfort. When we have established that the pupil is entitled to free transport, we carry out a risk assessment to make sure that the transport is appropriate for them.

This may be:

- public transport
- a dedicated school bus
- a taxi
- transport provided specifically for pupils with special needs, with or without an escort
- their parents' own transport, for which a mileage allowance will be paid
- a walking escort

We ensure that the necessary equipment, e.g. clamps and booster seats are provided, and that the transport meets the relevant regulations.

All vehicles we use for home to school transport for pupils with special needs carry first aid supplies and emergency equipment. They are also equipped with mobile phone or two way communication for emergency use.

Occasionally we have to make link arrangements. This may involve transfer at a safe place from a car to a minibus or other vehicle. The pupil will not be left alone. The first vehicle will wait until the second arrives and the transfer is complete.

We regularly monitor the specialised transport for pupils with special needs, and choose the transport providers we use with care.

9 Risk Assessments

Once we have assessed a child as being eligible to receive free school transport we normally carry out a risk assessment in order to decide how they will be transported to school. Many children will be assessed using a generic risk assessment. Others may require an individual risk assessment to ensure that we meet their needs on transport appropriately. We obtain information to carry out the risk assessment from the Special Needs Team, the school, parents, care plans, previous transport providers and other professionals who know the child.

10 Pick Up Points

We expect pupils to walk a reasonable distance to an identified pick-up point on the route to and from school. We will agree suitable pick up points with parents. We will also consult those who understand the child's needs and capability to ensure the child can cope with of the level of independence involved. In the afternoon we will drop pupils off at the same point. If the pupil is not capable of walking to a pick-up point, we will, where possible, pick them up at their front gate. Parents or guardians are expected to go with their child to the pick-up point and collect them from the dropping-off point.

11 Escorts and Drivers

We provide one or more escorts on the transport if, following a risk assessment, we think it is necessary. We review continually the allocation of escorts to routes / children and where appropriate, escorts may be removed or altered. We advise the parent or guardian about any changes.

Escorts are responsible for the care and supervision of pupils travelling to and from school. They oversee pupils' conduct and safety so that that the driver is unhindered in his or her duties.

Escorts are familiarised with children's needs in order that they can provide the most appropriate care and support.

We clear all our escorts and drivers through the Criminal Records Bureau before we employ them on school transport duties. We insist that drivers of minibuses have MIDAS (Minibus Driver Awareness Scheme) training. All escorts receive Passenger Assistants Training (PAT) within six months of starting work with us.

Sometimes, if the child is travelling on their own in a vehicle, we may ask the parent to escort the child. In other circumstances we will not transport parents, e.g. if there are other children in the vehicle or to take the parent to meetings or events at the school.

12 Information to and from Parents

As soon as we have organised transport we will give the following information to parents or guardians:

- Name and phone number of the transport provider;
- Name of the escort (if applicable);
- Name of contact in our School Transport Office;
- Details of the route taken, including route number (if applicable);
- Pick -up and drop-off arrangements.

We ask parents and guardians to provide their emergency contact details so that we can get in touch urgently with them, or another named contact. We may also ask the parents for permission to see the child's care plan and to use a harness if we decide this is necessary to keep the child safe when they are being transported.

We try to keep the same escort and driver on the transport route but this is not always possible. Unless we have to make a change at short notice, we tell parents of variations to the normal arrangements in advance. Parents should always ask to see the driver's or escort's identification badges if ever they are unsure about their identity. Contact us if there is still cause for concern. There is a contact list at the back of this policy with space to write the route number, transport provider, escort etc.

We will tell parents and guardians about the transport arrangements for the coming academic year before the start of the autumn term.

We expect parents to tell us, giving as much notice as possible, of any changes such as house moves, new wheelchairs, health condition, that might affect their child's transport. We will respond to changes as quickly as we can, but there may be a delay if we need to prepare a new risk assessment and set up alternative transport. The child's eligibility for transport may also be affected.

13 Eating and Drinking on School Transport

We do not normally allow eating and drinking on school transport. Parents and guardians should not send their child on the vehicle with food unless this has been previously agreed with the escort or school transport team.

14 Medication

Only if a designated medical professional has agreed it as essential will children be given medication when they are on school transport. Where it is

agreed that this is essential we must have the parent/guardian's consent in writing. The parent must also provide whatever information and medication is necessary to ensure the person on transport who is responsible for the care of the child has up to date information about their condition before they travel. The person will be trained in the use of the medication and the symptoms that indicate the child needs it.

15 Transport Reviews and Independent Travel

We carry out periodic reviews of the transport for pupils with special needs. We might change the provision if, for example we think a pupil is capable of more independence or to improve efficiency. We consult the parent, guardian, and school before changing the transport. We encourage schools to help pupils with special needs to become more independent. Where appropriate we provide independent travel training. We believe that the chance for pupils to use the independence skills they have been taught should be incorporated into their journey from home to school where possible.

16 Dealing with Behavioural Issues

Children travelling on home to school transport should follow the council's 'Code of Conduct for Behaviour on School Transport'. You can find a copy on our website: <http://www.northlincs.gov.uk/education/schools/school-transport/downloadable-transport-policies/>. To ensure safety, it is important that your child follows any instructions given by the driver or escort.

Unfortunately, sometimes a pupil's behaviour may be inappropriate. On such occasions we will normally liaise with the parent or guardian, advising them what has happened and of the action proposed to be undertaken. Alternatively, if a pupil's behaviour causes wider concern and following consultation with the school, transport may be suspended for a period of time and the parent or guardian will be notified in advance.

If, against the will of an escort or driver, a pupil alight from a vehicle prior to their designated drop-off point, will contact the police, parent and the school. All necessary steps will be taken to ensure the safety of the pupil and pupils who may still be in the vehicle.

17 Respite Care

We will consider providing transport between home/school and respite care when a social worker requests it so long as resources are available.

18 Journey Times

We aim to transport pupils to school without undue stress, strain or difficulty so that they can benefit from their education. For pupils going to their local school, we aim to keep the journey to no more than 75 minutes per trip. Children travelling longer distances and to schools further from home, may have longer journeys. If a parent or school has any concerns about the

journey time for a particular child they should contact the school transport team and we will review the arrangements we make for them.

19 Concessionary Spare Seats

If there is a spare seat on the transport, we may allow pupils who are not entitled to free transport to use it. We will make a termly charge for the seat. This will vary according to the distance travelled. An annual administration charge will also apply. If a pupil entitled to free transport needs the seat, or we decide to use a vehicle with fewer seats, the concessionary seat may be withdrawn. At least a week's notice will be given of this and a refund given for any fares relating to period following the seat's withdrawal.

20 Transport of Pre-School Aged Children

Parents and guardians of non-statemented children who are under four on 1 September of the year they start school are normally expected to provide their own transport. However in exceptional circumstances, the council may use its discretion to provide transport to educational placements approved by the SEN Team. Any such applications must be supported by the Head of Service (SEN).

Subject to distance, free transport will be provided for North Lincolnshire children attending the Education Preparation Unit if they meet the criteria for free school meals and staff at the EPU recommend it.

21 Transition to New School

Transport will be provided only to the school at which the child is on roll. If arrangements are made between a child's present school and new school for them to attend some sessions at the new school, the school and/or parent are responsible for the transport involved.

22 Nurture Groups

Transport may be provided for children to attend sessions at nurture groups provided at primary schools approved by the SEN Team, where this consistent with the council's inclusion strategy to keep children with emotional and behavioural difficulties in mainstream education. The usual distance criteria apply.

23 Transport for Students aged 16 and Over

We review and update this policy annually. Details are available from the Education Transport Team and on the council's website.

24 Appeals and Complaints

If you are unhappy with our service, please let us know. Call 01724 297218, e mail: School.transport@northlincs.gov.uk, or write to School Transport, PO Box 35, Hewson House, Station Road, Brigg.

If you are not satisfied with our response, you should write to us, giving details of the circumstances. A senior manager will then consider your case. If you are still not satisfied you may appeal against the senior manager's decision by submitting your case in agreed format to an Appeals Panel. The Panel's decision will be final.

APPENDIX 1

HOW PARENTS CAN HELP WITH SCHOOL TRANSPORT

Parents play an important role in ensuring the smooth running of their child's transport to and from school. We expect them to follow these guidelines to help us provide a safe and efficient transport service:

- Read and understand this policy
- Let us know of any concerns you have about the transport provided for your child
- Make sure your child is ready to be picked up at home or at the pick-up point five minutes before the allocated time.
- Go with your child to the pick-up point and wait until your child's transport arrives.
- Nominate a responsible adult to accompany your child if you are unable to do so. **The name of the nominated person must be notified to us or, in an emergency, to the contractor direct.**
- Always be at home or at the set-down point to meet your child. If this is not possible, please advise us of alternative arrangements. If you are not at home, unless any other arrangement has been agreed in advance, your child will be returned to school or to the Children's Services' Emergency Duty Team. If this happens, a note will be left at your home to advise you.
- Please let the contractor know as soon as possible if your child is ill or unable to attend school for any reason.
- Tell the escort if there is a particular difficulty with your child if this should arise.
- Take any specialist equipment, which is used by the pupil at home, to the school yourself.
- Help us to control your child's behaviour if possible by explaining to them the standards we expect and supporting any action we propose to deal with any problems that may arise.
- Provide us with your emergency contact details, and those of another responsible person that we can contact in your absence.
- Consent to us receiving relevant information about your child's health and care plan which help us assess his/her transport needs
- Consent to us using a harness to keep your child safe on transport, where it is appropriate to do so
- Tell us about any change of address in good time so that the transport can be rearranged (if entitlement to free transport still applies). We need at least a week's notice of such changes.
- Tell us about any other planned changes that might affect the transport we provide for your child, e.g. to his/her wheelchair

APPENDIX 2

USEFUL SCHOOL TRANSPORT CONTACTS

SEN Team 01724 297285

School Transport Administrative Staff:
E mail school.transport@northlincs.gov.uk

➤ Policy and entitlement: 01724 297218

➤ Escorts, contracts and operational arrangements: 01724 297813

School Transport Operational Staff and Contractors

Details of the route, escort and contractor will be provided once the transport arrangements have been made. You can use the space below to record their names and telephone numbers

Transport to school.....

Year:.....

Route number

Pick up time Drop off time.....

Escort name (if applicable) Telephone number.....

Contractor name:..... Telephone number
.....

Appendix 2

Home to School Transport Policy for Pupils with Special Educational Needs - Policy Options for Review

Existing/new policy ref			Options	Implications	Recommendation
2	2	School Transport Law	Replace Local Education Authority with Local Authority	New terminology	Replace references to LEA with LA
3	3	Walking distance	<ol style="list-style-type: none"> 1. Status quo (2 miles up to 8 years old, 3 miles 8 year old and over) 2. 2 miles for primary age children and 3 miles secondary school age children 	Also options for the non-SEN home to school transport policy. The SEN policy should be no less favourable than the non-SEN transport policy	Status quo
5	5	Entitlement to free transport	<ol style="list-style-type: none"> 1. Status quo – wording within the policy remains unchanged. 2. Add the sentence “school the council has designated as the catchment school’ to the final paragraph 	Free transport, subject to distance, is provided to non SEN pupils to their catchment school. The SEN policy must be at least as good.	Option 2
-	6	Low Income Groups	<ol style="list-style-type: none"> 1. Status quo – no specific mention of extended rights for this category of child 2. Refer to provision for children from low income groups (same as for non SEN policy) 3. As 2 above, but extend entitlement to 0-6 miles for children who are unable to walk to school. 	<p>Whether or not specific mention is made to provision for children from low income groups it will apply as it is a statutory entitlement (options 1 & 2)</p> <p>The law does not make any allowance for a child who lives 2 miles or less from the school. Therefore a child living 2+ miles from one of their 3 nearest schools would get free transport whereas one living up to 2 miles from the 3 nearest would not, even if they were unable to walk. Option 3 makes an allowance for children in this position.</p>	Option 3

Appendix 2

Home to School Transport Policy for Pupils with Special Educational Needs - Policy Options for Review

6	7	Transport not Provided	<ol style="list-style-type: none">1. Status quo2. Include no transport outside normal session times	We are sometimes asked to take children home early if they are sick, or later than usual so they can attend after school activities. This, therefore, clarifies the policy.	Option 2
-	9	Risk Assessments	<ol style="list-style-type: none">1. Status quo (no information about risk assessments)2. Include a section on risk assessments	Option 2 commits the council to conduct risk assessments to ensure the appropriate transport arrangements are documented and undertaken.	Option 2
9	10	Escorts and Drivers	<ol style="list-style-type: none">1. Status quo2. Add a section explaining about parents escorting pupils.	The use of escorts is confirmed following the assessment of a child's needs. In some circumstances, the need for an escort can be reviewed and decided it is no longer a requirement for the journey. In some cases parents may escort their children. However, this is not always possible. The changes to this section provide clarity on this matter.	Option 2
10	11	Information to parents	<ol style="list-style-type: none">1. Status quo2. Includes information we need from parents to safely transport their child	By specifying the information required, ensure parents know what details they are required to provide. This helps us provide an efficient and effective transport service.	Option 2

Appendix 2

Home to School Transport Policy for Pupils with Special Educational Needs - Policy Options for Review

12	13	Medication	Updated version to explain the position on medication	A few children who attend special schools have very complex medical needs. It is important that the administration of medication is strictly controlled and that the person who gives the medicine is trained and understands the specific needs of the child	
13	14	Transport Reviews	<ol style="list-style-type: none"> 1. Status Quo 2. Reflects what happens in practice 	There are various reasons for reviewing transport. Children's needs can change. New children are added regularly, and some no longer need transport. Although many parents prefer transport to stay as it is, in order to optimise the use of vehicles, it is sometimes necessary to change routes periodically.	Option 2
15	16	Respite Care	<ol style="list-style-type: none"> 1. Status Quo 2. Include a statement in the policy that this will be at the request of the social worker and subject to resources. 	We transport St Hugh's/Luke's children to and from The Cygnets. However if transport is needed to other places and schools a cost will be involved. This is normally funded from the Short Breaks budget	Option 2
16	17	Journey Times	<ol style="list-style-type: none"> 1. Status Quo 2. Add an additional sentence to explain the circumstances where we may review the transport arrangements 	<ol style="list-style-type: none"> 1. May be misleading, but is actually correct for children attending their nearest/catchment mainstream school 2. This option ensures that parents are aware that it is not always possible to keep all journey times to <75minutes within the existing resources and because of individual placements. 	Option 2

Appendix 2

Home to School Transport Policy for Pupils with Special Educational Needs - Policy Options for Review

17	-	Children in Care	<ol style="list-style-type: none"> 1. Status quo 2. Remove from this policy as it is now in the Home to School Transport Policy 	An amended version of the policy for Looked After Children is included in the consultation draft of the Home to School Transport Policy, so there is no need to include it again in the SEN policy. In practice, transport for statemented looked after children who attend special schools or alternative provision is usually dealt with in the same way as other children's transport arrangements..	Option 2
18	-	Non Statemented children	<ol style="list-style-type: none"> 1. Status quo 2. Remove from this policy as it is now in the Home to School Transport Policy 	An amended version of the policy for non-statemented children attending alternative provision is included in the consultation draft of the Home to School Transport Policy, so there is no need to include it again in the SEN policy.	Option 2
20	19	Preschool Age Children	<ol style="list-style-type: none"> 1. Status quo 2. Amend age (subject to this applying to the non-SEN home to school transport policy), and refer to the existing practice for children attending the EPU 	Option 2 reflects existing practice for EPU. The policy can be no less favourable than that for non statemented children	Option 2
-	20	Transition to new school	<ol style="list-style-type: none"> 1. Status quo (not in current policy) 2. Include policy for parents' and schools' information 	Option 2 reflects our current practice.	Option 2
-	21	Nurture groups	<ol style="list-style-type: none"> 1. Status quo (not in current policy) 2. Include policy for parents' and schools' information 	Option 2 reflects our current practice.	Option 2