

TRI-BOROUGH

WESTMINSTER CITY COUNCIL
LONDON BOROUGH OF HAMMERSMITH AND FULHAM
ROYAL BOROUGH OF KENSINGTON AND CHELSEA

**Tri-borough
Special Educational Needs and Disabilities
Home to School Travel Assistance Policy**

2014/15

Tri-borough Special Educational Needs and Disabilities

Home to school travel assistance policy

1. Introduction

The Tri-borough Special Educational Needs and Disabilities (SEND) Home to School Travel Assistance Policy has been designed to bring together, in one document, the SEND Home to School Travel Assistance policies for The Royal Borough of Kensington and Chelsea (RBKC), The London Borough of Hammersmith and Fulham (LBHF) and Westminster City Council (WCC).

Each Local Authority (LA) has sovereign responsibility despite being part of a Tri-borough arrangement. This means that the three boroughs will work together as far as possible but each borough retains, as necessary, their own policy, approach, decision making, sharing provision where appropriate and accountability to the residents of the relevant borough.

It should be noted that there will be national changes to SEND being introduced by 2014. These changes are far reaching and will impact on SEND Travel Assistance. This policy will be revised in accordance with developments.

Legal Framework and Statutory Duty

It is the responsibility of parents and carers to ensure that their children attend school and this includes the necessary travel arrangements to and from school. The Local Authority has a duty and has powers to make particular travel arrangements for children with special educational needs and disabilities to facilitate their attendance at an appropriate education provision.

These responsibilities are set out in the Education Act 1996, as amended by the Education and Inspections Act 2006. It is important to note that the 2006 Act refers to travel rather than transport. Therefore travel assistance can consist of a range of options depending on the needs of the pupil.

<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-10544006X>

The law sets out minimum walking distances for pupils to be eligible for travel assistance from their local authority.

The statutory minimum walking distance for pupils to be eligible for assistance from the Local Authority is:

- Two miles from school for children aged eight years or under
- Three miles from school for children aged eight years or over

This rule is applicable to all children, whether or not they have special educational needs (SEND).

In addition to considering the distance from the pupil's home to school, the Local Authority will also consider:

- the needs of the child
- the complexity of the Home to School journey
- the use of public transport whenever possible and appropriate
- promoting independent travel and travel training
- promoting a healthy approach to travel assistance as far as possible by
- encouraging children to walk to school
- the most cost effective travel assistance arrangements

All children below the age of 16 are entitled to free travel on London Transport Buses by applying for an Oyster Card.

<https://oyster.tfl.gov.uk/oyster/entry.do>

2. Pupils with Statements of Special Educational Needs

The majority of pupils and students with SEN do not need and do not receive SEN Travel Assistance. However, there may be some pupils and students with severe learning difficulties, physical and medical needs who may need Home to School Travel Assistance to assist parents in getting them to school.

The majority of children with Statements for SEN attend local mainstream schools and there is no need for travel assistance other than when a child has a significant medical or physical need that prevents them from walking to school or going to school on public transport.

Some pupils with Statements for SEN attend special schools. Attendance at a special school does not automatically make a child entitled to travel assistance. It will depend on the needs of the child, the home to school distance to the special school and the complexity of the home to school journey.

The pattern of SEN home to school travel assistance varies across the three boroughs. It is the range of special provision in each borough that determines home to school travel assistance needed for pupils with SEN.

2.1. Primary pupils with statements

The Local Authority will consider providing travel assistance from home to school for primary aged pupils provided the following:

- The nature and/or severity of the pupil's special educational needs prevent the parent/carer from taking their child to school without assistance (see eligibility criteria).
- It would normally be expected where a child lives less than two miles from school that the parent/carer would be responsible for taking their child to school, unless there are exceptional circumstances for not doing so.

2.2. Secondary pupils with statements

The Local Authority will consider providing support for travel from home to school for secondary aged pupils provided the following:

- The nature and/or severity of the pupil's special educational needs prevent the parent/carer from taking their child to school without assistance (see eligibility criteria)
- The pupil cannot travel independently to school.
- It would normally be expected where a child lives less than three miles from school that the parent/carer would be responsible for taking their child to school, unless there are exceptional circumstances for not doing so.

2.3. Children below statutory school age

For children with Special Educational Needs the parent/carer is required to arrange their own travel arrangements unless the child fulfils the criteria for travel assistance. In order to be considered for assistance the following circumstances would apply:

- The Local Authority has placed a child with a statement at a nursery school or unit, which is not the local nursery school or unit for that child
- Where the distance to the identified nursery school or unit exceeds two miles and/or

- The nature and/or severity of the pupil's special educational needs prevent the parent/carer from taking their child to school without assistance (see eligibility criteria).

2.4. Post 16 transport to education and training

SEN travel assistance is discretionary at Post 16 and subject to assessment and, in exceptional circumstances; this policy may apply to learners up to the age of 25. The local authority will provide assistance with travel to post 16 education or training courses (including apprenticeships and traineeships), when it considers it necessary to facilitate a learner's participation in education. Providers that fall under this guidance are as follows:

- a state-funded mainstream school, or special school with post 16 facilities
- a further education institution
- an authority maintained or assisted institution providing higher or further education
- an establishment funded directly by the Education Funding Agency, for example independent specialist providers for learners with learning difficulties and/or disabilities
- a learning provider that is funded by the local authority to deliver accredited programmes of learning which lead to a positive outcome (this could include colleges, charities and private learning providers).

Young people may require assistance with travel because they have a high level of additional needs, which may include:

- Severe or profound and multiple learning difficulties including severe learning difficulties associated with autism;
- Severe physical disability, typically those young people dependent on the use of a wheelchair; or who have a severe medical or psychological condition such that their vulnerability would mean that independent travel is likely to put themselves or others at serious risk.

Additionally, the local authority will also consider the needs of:

- those who are vulnerable to becoming not in education, employment or training (NEET) at the age of 16 or 17 or who have already become NEET; these young people should be offered a suitable course of

education or training and provided with any support that is necessary with transport to enable them to participate⁷

- young parents – Care to Learn (C2L) can help pay for childcare and travel costs for learners aged 19 and under at the start of their course⁸. Learning providers should be encouraged to support young people to apply for C2L – further details are available at www.gov.uk/care-to-learn

In assessing whether a young person needs assistance with travel between home and their education or training setting, the LA will take into account the following factors:

- whether appropriate education/training provision is available at a nearer location to the young person's home (subject to the provision of reasonable choice in allowing young people to choose between different establishments at which education and training is provided);
- whether the young person has received independent travel training prior to the application;
- the outcome of independent travel training carried out prior to the application;
- what alternative options for transport have been considered and could be made available; and, any other specific factors the LA considers relevant to the student's application.

Assistance with travel will be available to the nearest college that provides a suitable course. Any offer will take into account the promotion of independent travel skills and cost and, when assistance is given, it will not ordinarily constitute door to door transport.

The LA will expect a financial contribution towards any travel arrangements it makes on a young person's behalf. Annual rates will take into account mobility allowances. In determining the rates of contribution, we will:

- ensure that any contribution is affordable for learners and their parents
- ensure that there are arrangements in place to support those families on low income
- take into account the likely duration of learning and ensure that transport policies do not adversely impact particular groups.

Travel assistance may be provided for a fixed period to facilitate transition plans, or independent travel programmes.

Individual eligibility for travel assistance will be reviewed at least annually.

2.5. Children attending residential schools

Some specialist residential schools make their own arrangements for travel between the school and a central London meeting point. Where this is applicable, it is the parent/carer's responsibility to meet the transport at the central London pick up point. Where a pupil is placed at a residential school, which is not identified by the Local Authority, parent/carers are required to make their own travel arrangements. For schools identified by the Local Authority, travel assistance will be provided as follows:

- Travel assistance will be provided at the start and end of each term (3 term year) and half term, other periods of closure and the beginning and end of one other weekend per half term;
- Only under exceptional circumstances will requests for additional journeys during term-time be considered. It is expected that parents/carers will be responsible for the cost of any additional journeys to and from school;
- Where children attend on weekly boarding basis, transport will be provided at the start and end of each week and for other periods of school closure only.

2.6. Respite care

LBHF - Some pupils with Special Educational Needs may attend respite care provision after the school day. Arrangements to facilitate this can be made through the normal procedures as set out in this policy.

WCC - In many cases travel to the respite care in Westminster will be made within the usual home to school travel arrangements. For respite provision outside Westminster, arrangements should be made by the parent/carer. If there are any difficulties then the Children with Disabilities Team should be contacted on 020 7266 7096.

RBKC – Travel to respite care within RBKC will be made as part of the usual home to school travel arrangements. In addition it is usually possible to transport children to 'the Haven' in the London Borough of H&F where respite is offered to RBKC children.

2.7. Pupils with disabilities and medical needs

Some pupils with disabilities and medical needs do not have statements of special educational needs. However, special travel arrangements may be required. If this is the case special travel arrangements will be considered in relation to the eligibility criteria and the individual needs even though the pupil does not have a statement.

3. Eligibility evaluation process

This section lays out the reasons why the parent/carer needs assistance getting the pupil to school.

If the request is based on the needs of the child the following criteria will be applied:

A. Physical/medical/severe learning difficulties.

- (i) Does the pupil have a medical condition or disability which would result in the walk to school causing the pupil undue fatigue, distress, discomfort or pain?
- (ii) Can the pupil access public transport without undue fatigue, distress, discomfort or pain? (This would include walking to the bus stop/ station and mounting/dismounting the vehicle).
- (iii) What is the age of the pupil and the distance from home to school?
- (iv) Is there any reason why the parent/carer cannot take the pupil to school?

B. Behavioural, emotional and social difficulties (BESD)

- (i) Does the pupil have BESD of such a severity that a specialist school placement is required?
- (ii) What is the age of the pupil and the distance from home to school?
- (iii) Can the pupil walk to school or travel by public transport without causing difficulties to him/her self and or to other people?
- (iv) Can the pupil travel safely without supervision to school?
- (v) Is there any reason why the parent/carer cannot take the pupil to school?

C. Sensory impairment/social and communication/general and specific learning difficulties

- (i) What is the age of the pupil and distance from home to the school?
- (ii) Can this pupil walk to school and/or travel on public transport without supervision?
- (iii) Can this pupil walk to school and/or travel on public transport without an escort?
- (iv) Is there any reason why a parent/carers cannot take the pupil to school?

3.1. Criteria for escorts or passenger assistants

An assessment of the child's need for an escort or passenger assistant will be undertaken in conjunction with the assessment of travel needs. This will be based on the pupil's requirement for supervision/support and the travel arrangements. For example, a secondary aged pupil with a physical disability may not require an escort or passenger assistant if he/she is able to enter and leave the vehicle without assistance. However, a pupil with medical needs e.g. tracheotomy or epilepsy would require constant supervision and would need an escort or passenger assistant. It is considered appropriate for all primary age pupils to have an escort or passenger assistant in any SEN transport. If the child is travelling in the transport alone, it could be the parent or an escort that is provided. If a parent/carers is not acting as escort then they cannot travel in the vehicle.

3.2. Assessment of distance and route to school

In calculating walking distance, the route from door-to-door using the shortest available walking route, excluding footpaths, is measured. Children are not expected to walk unreasonable distances to a bus/train pick up point when they qualify for travel assistance but there is no duty on the Local Authority to provide door-to-door travel assistance.

The statutory walking distances are two miles for pupils under eight and three miles for pupils aged eight or over and will normally be applied. If the home to school distance is within these distances then the parent/carers would be expected to make their own arrangements unless there are exceptional circumstances for not doing so.

In assessing safety of route, it is expected that parent/carers will accompany their child to school as necessary. Travel assistance is provided on the basis of the pupil's needs. However, in exceptional circumstances where the pupil is required to attend a special school or unit, where the pupil's home is within the agreed

walking distance and they are considered to be unable to travel independently, parent/carers may be unable to accompany their child to school. Written evidence supporting the request for SEN travel assistance should be submitted if exceptional reasons prevent the parent/carer taking the pupil to school.

It is important to note that the Local Authority reserves the right to exercise its discretion in considering submissions from parent/carers and it cannot be assumed that travel assistance will be agreed in every case of apparent eligibility.

4. Allocation of travel assistance

In each borough the decision is made by the SEN Panel. Consideration will then be given as to what assistance will be offered from the range of options available. The option will be determined by the needs of the child, the distance from home to school, public transport route, whether there is already transport going to the school and the most cost effective mode of travel assistance.

Options for shared travel within the Tri-borough and West London Alliance area are being explored where they are cost effective and appropriate to the needs of the pupil. Some pupils are currently travelling on routes shared across the three boroughs.

4.1. Travel options

With the aim of promoting the independence and well being of all pupils a range of travel options are explored. All pupils should be encouraged to follow a healthy lifestyle including walking a reasonable distance to school, where possible. The following travel options, will be considered in light of efficient use of resources:

- Travel pass/Oyster Card for the pupil
- Travel pass/Oyster Card for the parent/carer
- Funding payable to the parent/carer for additional costs*
- Walking bus (where appropriate)
- Walking escort/escorted travel by public transport
- Travel Training
- Local Authority School Bus/Coach
- In a small number of cases the use of a taxi maybe considered, for example, a pupil with a severe medical condition or where there is only a small number of pupils attending a provision

** Attendance records may be required for payments being made directly to parents.*

Collection points are organised throughout the three boroughs enabling pupils to benefit from travel assistance, whilst facilitating route planning and promoting independence skills.

The three local authorities support and promote independent travel training to enable pupils to further develop their independence skills and to promote independent travel at other times. Travel training may be organised by schools and is incorporated into the curriculum for certain pupils, where appropriate. Otherwise, travel training is available in the three boroughs through a travel trainer.

4.2. Transport will not usually be provided for:

- Hospital, medical, or dental appointments
- Children taken ill during the school day
- Schools where parent/carers are making their own arrangements
- Schools which are not the nearest school able to meet the needs of the pupil

** unless there are exceptional reasons for doing so*

Transport to and from work experience is not usually authorised unless there are exceptional circumstances. Wherever possible students are expected to travel independently to work experience, alternatively, travel assistance should be put in place by the school.

There are a number of circumstances in which parent/carers may be unable to accompany their children:

- The parent/carer may have a physical disability or medical condition and therefore cannot take their child with a Statement of SEN to school. In exceptional cases, where there are no other arrangements that the parent/carer can make, the LA may provide travel assistance from Home to School.
- Parents may find difficulty in taking children with SEN to school when they have siblings to take to other schools. This difficulty is acknowledged but travel assistance cannot be provided unless the child with SEN is already eligible for travel assistance. Parents should discuss with the school whether the siblings could be taken to school earlier or check if there is a pick-up

point nearer to the sibling's school. Parents are expected to explore all options before applying for travel assistance

- Parent/carer may have to work. Although work commitments may be taken into consideration when assessing whether a parent/carer is available to accompany a child, it is normally considered a parent/carer's responsibility to balance the demands of work and child-care and make suitable arrangements. In addition parent/carer preference for travel assistance (e.g. timings of collection) cannot be considered and the timings will be based on the most efficient route available. The efficient use of resources (including routings) will always take priority.

5. Review of Travel Needs

Entitlement to travel support is based on an assessment of each pupil's individual needs. In all cases of Local Authority travel assistance, regular reviews will take place to ensure that the support is still appropriate to the needs of the user. Parents and Carers will usually be given at least 10 day's notice of any changes.

Any change will be discussed with the parent/carer/school and will be planned in advance, so that the pupils and all those involved can make necessary arrangements. All reviews will be managed by the LA in which the pupil lives and the relevant LA will contact the parent/carer/school.

6. Pupils with short-term difficulties

Pupils who have short-term difficulties (e.g. broken limb or other short-term illness) will not automatically be eligible for transport assistance to and from school. It is the parent/carers' responsibility to make arrangements in these circumstances. However, special consideration may be given in exceptional circumstances depending on the needs of the child. Medical evidence, along with expected time frame for recovery, is needed by the Local Authority. The evidence must confirm a pupil is fit for school but cannot travel to the school.

If a child moves temporarily to a different address or changes address then eligibility for assistance will be reconsidered against the criteria and the change of address.

7. Compensation with elements for care or transport

When a parent/carer is in receipt of other sources of public funding the Local Authority may take this into account when assessing for travel assistance.

8. Parent/carers responsibilities when travel assistance is given

It is the responsibility of parents and carers to ensure that their children attend school and this includes the necessary travel arrangements to and from school. The Local Authority has a duty (and also powers) to make particular arrangements for children with special educational needs and disabilities to facilitate their attendance at school.

It is the responsibility of the parent/carers to ensure that their child is on time for collection and to receive their child after school at the designated pick up point. Where a parent/carers is persistently late either for pick up or drop off, they will be contacted by an appropriate person for the Local Authority in an attempt to alleviate the situation. If the parent/carers continues to be late they will be referred to the Head of Education Commissioning Vulnerable Children/SEN Manager to decide on appropriate action. Withdrawal of special travel assistance will be considered as a last resort. If travel assistance is withdrawn:

- Parent/carers still have a legal responsibility to ensure their child attends school
- It will be the responsibility of the parent/carers to arrange alternative travel arrangements for their child to and from school
- Parents / carers play an important role in ensuring the smooth running of their child's travel assistance by:
 - providing home and work telephone numbers and an emergency contact number and address
 - notifying the transport team of any changes to normal arrangements; it is not sufficient to inform the escort and driver. Changes to address must be notified to the SEN team for the borough where the child is resident
 - recognising that travel assistance is provided for the benefit of the child; pick-up and drop-off times cannot always be arranged to suit parents' convenience
 - making sure that their child is ready at least ten minutes before the pick-up time; transport can wait no more than five minutes after arrival
 - bringing the child to the vehicle and assisting with placing the child on the vehicle
 - always being at the set-down point to meet their child at the end of the school day, contractors must ensure the child is handed over to a responsible adult

- telephoning the transport provider as soon as possible, if their child is sick or unable to attend school for any reason
- advising the escort if there may be a particular difficulty with their child on a specific day
- ensuring their children behave in an acceptable manner on the vehicle so as not to detract from the comfort and safety of other passengers or distract the driver.
- treating SEN transport staff with courtesy

If a parent or carer is not at home to meet their child, the child will not be left alone. Transport will wait five minutes after the scheduled set-down time and then continue the journey, returning at the end of the route to attempt to drop off the pupil. If a parent or carer has still not returned home the child will be taken to a social service centre and a note left for the parent, in Westminster Social Care will be contacted. Parents will be responsible for the cost of any extra travel involved and supervision provided by social services. If such incidents occur frequently the LA will suspend provision of transport and parents will be responsible for travel arrangements to ensure that their child attends school.

Parents and schools are expected to take whatever steps are necessary to ensure appropriate behaviour on home to school travel and to take necessary action when incidents of unacceptable behaviour are reported. Parents will be responsible for the cost of any damage to the vehicle or property of other passengers caused by their child. Incidents of serious or persistent indiscipline will lead to the LA suspending transport. Parents will then be responsible for travel arrangements to ensure that their child attends school.

However, it is appreciated that some children with special educational needs will display behaviour which is related to their special educational need, such as Autism, in this situation we will work with the school and the parent to improve behaviour so that the child can travel to and from school safely.

9. Appeals

WCC - If the Local Authority declines a request for travel assistance the parent/carers will be advised in writing, explaining reasons for refusal and given the right of appeal to the Education (Awards) Sub Committee. If new information is received the application may be reconsidered without recourse to the appeals process.

There is no right of appeal if a decision is made to vary the form of travel assistance. There is only a right of appeal if an application for travel assistance is refused or if existing travel assistance is ceased.

During an appeal, travel assistance will not be provided (although it will continue for those pupils where the appeal is against the travel assistance having been ceased).

LBHF - If the Local Authority declines a request for travel assistance the parent/carers will be advised in writing, explaining reasons for refusal and given the right of appeal including the submission of new information to the SEN Panel in RBKC (the multi-professional panel). The LA may ask for reports from or new specific professional assessments as part of this.

RBKC – If the Local Authority declines a request for travel assistance the parent/carers will be advised in writing, explaining reasons for refusal and given the right of appeal including the submission of new information to the SEN Panel in LBHF (the multi-professional panel). The LA may ask for reports from or new specific professional assessments as part of this.

Complaints

The Local Authority will make every effort to ensure the pupil's journeys to and from school are not only safe, but also pleasant and constructive. Parents having any concerns or complaints regarding their child's travel arrangements should, in the first instance, contact their named SEN Casework Officer in writing who will in turn advise the Central Passenger Transport Unit. During the complaints process the Local Authority will work with the parent to try to resolve the complaint and ensure that any new information is considered at every point of the process.

Complaints should not be made to Contractors or Service Providers directly.

10. Other Comments

The Local Authorities are constantly looking at ways to improve the Service and welcomes comments and suggestions from parent/carers, children and staff relating to the SEN Travel Service. Complaints, comments and suggestions regarding transport issues should be sent to:

Transport Services Manager
Children's Services Transport Team
2nd Floor
Kensington Town Hall
Hornton Street
London, W8 7NX

Complaints, comments and suggestions regarding eligibility and appeals should be sent to:

Isobel Date
Tri-borough Head of Service
SEN Casework and Commissioning
Kensington Town Hall
Hornton Street
London, W8 7NX