



DARLINGTON
Borough Council

Travel & Transport Assistance Policy

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1. INTRODUCTION

The national guidance (last issued July 2014) on travel and transport arrangements states that a local authority has a duty to provide or arrange free travel to and from school for a pupil of statutory school age who lives in its area if:

- The pupil is aged under 8 and the shortest walking route to the nearest suitable school is over two miles;
- The pupil is aged 8 to 16 and the shortest walking route to the nearest suitable school is over three miles;
- The pupil is secondary age, attending one of three nearest schools where the shortest walking route is between 2 miles and 6 miles and are eligible;
- The pupil is secondary age, attending their nearest school preferred on the grounds of religion or belief and are eligible;
- The route to the nearest suitable school, whatever its length, is unsafe if travelled on foot, even if the child is accompanied by an adult.

This booklet outlines the travel and transport policy of Darlington Borough Council and can be found on the Council's website www.darlington.gov.uk or by contacting the school transport team at the details at the bottom of this page.

The Borough Council also provides information with regards to behaviour on school transport, which is intended to give both pupils and parents/carers information/guidance on how good behaviour on school transport can be encouraged and the way incidents of poor behaviour will be managed.

Further details can be obtained from:

**Transport Services
PEOPLE GROUP
Town Hall
Darlington
DL1 5QT**

Telephone: 01325 406333

Email: schooltraveltransport@darlington.gov.uk

2. HOME TO SCHOOL TRAVEL ARRANGEMENTS FOR CHILDREN OF STATUTORY SCHOOL AGE

Darlington Borough Council provides free transport or assistance with transport costs to the nearest appropriate and/or suitable school if one of the eligibility criteria is met. References to the 'nearest appropriate and/or suitable school' are taken to mean the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have.

Eligibility Criteria

The legal requirement for ensuring that a child attends school is that of the parent/carer. It is the Local Authority's responsibility to make arrangements to provide transport for all 'eligible' children.

In Darlington free home to school transport or assistance with transport costs is available for the following eligible pupils of compulsory school age:

Primary Age – Reception to Year 6

- Children who attend the nearest appropriate and/or suitable school determined by the Local Authority, if that school is more than 2 miles from the parents/carers home using the shortest walking route judged to be safe¹.
- Children who cannot access their nearest appropriate and/or suitable school using an identified 'safe route to school'.
- Children with SEN, a disability or mobility problems.

Secondary Age – Year 7 to Year 11

- Children who attend the nearest appropriate and/or suitable school determined by the Local Authority, if that school is more than 3 miles from the parents/carers home using the shortest walking route judged to be safe¹.
- Children whose parent(s) are in receipt of free school meals or the maximum level of working tax credit will be eligible for free home to school transport to one of their 3 nearest appropriate and/or suitable schools, if that school is more than 2 miles and less than 6 from the parents/carers home using the shortest walking route judged to be safe¹.
- Children whose parent(s) in receipt of free school meals or the maximum level of working tax credit will be eligible for free home to school transport to one of their 3 nearest appropriate school preferred on grounds of religion or belief where that school is more than 2 miles but less than 15 from the parents/carers home using the shortest walking route judged to be safe¹.

- Children who cannot access their nearest appropriate and/or suitable school using an identified 'safe route to school'¹.
- Children with SEN, a disability or mobility problem.

Students with an EHCP will have their travel requests considered using the SEND Home to School Travel Policy.

Parental Preference

Where a parent expresses a preference for their child to attend a school which is not the nearest suitable school which is more than 3 miles from the parental home, assistance with transport is not the responsibility of the Authority. This also applies to attendance at a voluntary aided school.

There is, however, transport arrangements for eligible families if the child has obtained a place at one of their 3 nearest schools (see Secondary Aged Pupils paragraph for further explanation).

Measurements

The Local Authority uses a Geographical Information System (GIS) to measure all distances, from the front door of the home address** (including flats) to the main school gate as designated by the Authority. These measurements are used for school admission purposes as well as for transport.

**Home address is where the child lives mainly resides. Where parents/carers are separated and the child lives with for periods with both, then the LA will determine the main residence based on evidence provided.

Change of Address

Where parents move house during the academic year and they are not able to attend a nearer suitable school appropriate to their age and below the statutory walking distance, then the Authority will look to assist with transport/costs. This would be reassessed at the start of the next academic year.

Whilst a child is in Year 11 National Curriculum Year and that address is more than 3 miles from the school, the Authority will assist with travelling expenses to enable continued attendance at the same school where it is considered 'reasonable' to do so. The arrangements will not be extended if the pupil continues into post-compulsory education after 16 years of age. Only in exceptional circumstances will the Authority offer travel assistance after the autumn term in Year 10.

3. INDIVIDUAL CIRCUMSTANCES AND GENERAL INFORMATION

Medical

Children with acute medical needs or short-term medical conditions may require transport or a travel assistant to facilitate their attendance at school. The Authority will consider provision appropriate to the pupil's requirements on medical grounds. In such cases, the request will need to be supported by written evidence provided by a specialist involved with the child. If the request is turned down, a parent/carer may appeal against the decision (see Appeals section for information). Travel and transport arrangements for children with an EHCP² can be found in the SEND Travel Assistance Policy.

If a child is provided with either transport or a travel assistant, the provision will be reviewed on a 6-weekly basis, which may require proof of the ongoing medical need i.e. a letter from a professional practitioner.

Provision to the Home & Hospital Service based at Rise Carr College will also be assessed as above.

Disabled Parents

The Disability Discrimination Act 2005 has placed a duty on the public sector to promote equality of opportunity for disabled people and to eliminate discrimination. The Council is therefore under a duty to review all their policies, practices, procedures and services to make sure they do not discriminate against disabled people and to ensure that all of its services are planned with disabled people's needs fully considered in advance.

Therefore, where disabled parents have to accompany their child/ren along a walking route for it to be considered safe¹, due to the child's age and where the parents' disability prevents them from doing so, in such circumstances, the Council may consider providing free home to school travel or assistance for the child/ren of disabled parents.

In a two-parent household both parents would need to have a disability that would prevent them from fulfilling their responsibilities as parents, in securing their child/ren attend school regularly and punctually. The fact that one parent may be out at work is not in itself sufficient reason for the Council to offer support.

The Council has a duty to manage its' limited resources and reserves the right to challenge any claims of parents that they are unable to support their children's attendance at school. Evidence may be required from an appropriate health professional supporting the claims of disability.

Children with temporary mobility problems

Children with a mobility problem caused, for example, by a temporary medical condition such as a broken leg, may be unable to walk to school. Where such children attend a qualifying school, which is within “statutory walking distance”, and no suitable arrangements have been made by the Council for enabling them to become a registered pupil at a qualifying school nearer to their home, they will be “eligible children”.

This means that councils must make suitable travel arrangements for children with SEN, a disability, or mobility problem (including temporary medical conditions) if their SEN, disability, or mobility problem means that because of the nature of the route they could not reasonably be expected to walk to the school.

Children unable to walk in safety to school

Where children live within ‘statutory walking distance’, councils are under a duty to make travel arrangements where the nature of the route is such that a child cannot reasonably be expected to walk (accompanied as necessary) in reasonable safety.

When determining eligibility, a range of factors may also be taken into consideration including:-

- the age of the child;
- whether any potential risks might be mitigated if the child were accompanied by an adult;
- the width of any roads travelled along and the existence of pavements;
- the volume and speed of traffic travelling along any roads;
- the existence or otherwise of street lighting;

In reaching decisions on suitable safe routes, the Council will not remove from parents their legal responsibility to ensure that their children attend school regularly and punctually. The fact that parents may face other pressures at this time, such as the need to go to work, is not in itself sufficient reason for the Council to provide travel support. This would apply in cases where the route may be deemed unsafe for young children travelling un-accompanied but which would be regarded as safe should their parents fulfil their legal responsibilities. In all cases it will remain the decision of the Council to determine whether or not it is reasonable for parents to accompany their children on the school journey.

Looked After Children

Children who are in the care of Darlington Local Authority and attending a Darlington school will be assessed under the same eligibility criteria for statutory aged pupils, if the school remains the most appropriate one for the child to attend.

¹The Local Authority determines a safe walking route as a footpath lit at regular intervals and paved/tarmacked.
²Education, Health and Care Plan

Discretionary Arrangements

Local Authorities also have the discretion to go beyond their statutory duties and can provide transport for those children who are not entitled to free transport, this can include charging for all or part of the travel arrangements made. Darlington Local Authority must balance the demands of a broad range of services against budget priorities, therefore consideration of applications which do not meet the statutory eligibility conditions or other elements of this policy, will be considered under 'discretionary arrangements' but should travel be granted it would be with a view to a charge being made to parents/carers for all or part of the travel arrangements.

Permanently Excluded Pupils

Should a child be permanently excluded from a mainstream school and live over 3 miles, then they will be entitled to transport/assistance with transport costs to their temporary educational setting, whilst awaiting re-integration into another mainstream school.

Should a child access an alternative educational setting which is between 2 and 6 miles and they are in receipt of free school meals or maximum level of working tax credit, then transport/assistance with transport costs will continue to be provided.

Mileage Allowance

If a parent/carer chooses to transport their child to a school that is the nearest appropriate which is over 2 miles (primary) 3 miles (secondary) themselves, they can receive a mileage allowance. Requests for a mileage allowance should be made to the School Transport Team.

A mileage allowance will be awarded for the journey's taken to school at the beginning and end of the school day.

Should the family address change, assistance will cease in the following circumstances:

- the school that the child is attending is no longer over 2 miles (primary) 3 miles (secondary);
- the school that the child is attending is over 2 miles (primary) 3 miles (secondary) but there is a school closer with available places.

Bus Passes for Public Transport

In cases where a child of secondary school age is not eligible for free home to school transport and is unable to gain a place at their nearest secondary school and will have to travel more than 2 miles but less than 6 to school, than the Authority will reimburse the cost of a bus pass on public transport.

Poor behaviour on public transport will not be tolerated and the consequence of such would be short and/or long-term withdrawal of financial assistance with no reimbursement or alternative provision being made, during which time it will be the parents' responsibility to ensure the child attends school

Passenger Assistants

Passenger assistants will accompany children in Key Stage 1 (those in Reception, Year 1 and Year 2) who travel in transport provided by the Local Authority.

Passenger assistants are required to attend various training courses pertinent to their role i.e. safeguarding training; first aid. Refresher courses are also held when required. Transport officers liaise with Passenger Assistants on a regular basis to discuss transport issues.

Safety

All drivers and passenger assistants engaged on education transport contracts are subject to an enhanced DBS (Disclosure and Barring Service – formerly a CRB) as part of their contract. All transport operators contracted on education transport are required to provide the following information:

- Vehicle registration and plate details for taxis.
- Insurance certificates.
- Vehicle test certificates.
- Operators licence for PSV vehicles.
- DBS

Transport Services carry out checks on operator vehicles and their staff. Where necessary these are done in conjunction with the Police and Vehicle Operator Services Authority (VOSA).

Contact Details

For all school travel/transport enquiries you can contact the transport team by writing to Travel and Transport Services, People Services, Town Hall, Darlington, DL1 5QT by telephoning on 01325 406333 and choosing the option for transport or by emailing schooltraveltransport@darlington.gov.uk

4. BEHAVIOUR ON SCHOOL TRANSPORT - TRAVEL SAFELY IN DARLINGTON

A GUIDE FOR PUPILS

Your Entitlements are:

To:

- A safe, secure, non-threatening and civilised environment on school transport.
- Having your views and concerns listened to and addressed, as appropriate.
- Being treated consistently and fairly.
- Being made aware of the Policy and your school and the Local Authority's expectations of the behaviour and conduct expected on transport and the sanctions, which may be applied where these expectations are not met.
- A good 'service' on the school transport provided by the Local Authority.
- Being made aware of the seriousness of your behaviour where there are problems, and the possible consequences arising from such.

Your Responsibilities are:

To:

- Conduct yourself at all times in a safe, orderly, courteous and responsible manner.
- Respect the rights and feelings of others, including other passengers, drivers and escorts, bystanders and other road users.
- Comply with the guidelines issued to pupils by the Local Authority and any such issued by the school.
- Carry and show your bus pass at all times when using school transport.
- Remain seated throughout your journey and use a seatbelt where one is available.

The consequences of poor behaviour on School Transport can be:

- A letter of complaint to your parents/carers from school and / or Local Authority.
- The range of normal school based sanctions, which may include exclusion, detention, withdrawal of privilege, etc.
- Voluntary agreements / contracts between parent, school and pupils.
- Short and long term withdrawal of transport with no reimbursement or alternative provision made.
- The potential for loss of travel if no pass is carried.
- Possible Police action in appropriate cases.
- The loss of transport privileges on a permanent basis in the most serious of cases.

5. COMPLAINTS/CONCERN AND APPEALS

Complaints/Concerns

If you have a complaint/concern about Home to School Transport, including SEN Transport, you should contact the School Transport Section immediately; especially if it involves a safety/safeguarding concern. The transport team will then try and resolve your complaint/concern as quickly as possible. We may need to ask you to follow up your complaint in writing. Once investigated, you will be advised of the outcome and any subsequent action taken. Information pertaining to a member of staff will not be shared if disciplinary action is taken. The postal address, email address and telephone numbers for the section can be found on the Introduction page of this document.

If you are not satisfied with the outcome, then you may wish to contact the Authority's Information Governance Team who deal with complaints, compliments or comments they can be contacted on 01325 388043 or by completing a form at www.darlington.gov.uk/Generic/Complaints/complaints

School Transport Appeal

Stage One

If you believe that you qualify for assistance with transport; as set out in this policy and you wish to appeal against the refusal to provide free Home to School Transport you should write asking for a review of the decision within 20 working days from receipt of the decision to the School Admissions & Transport Manager. You will need to set out clearly the reason for your appeal and enclose any relevant evidence/information to support your appeal, i.e. letter from a specialist if medical. Within 20 working days of receipt of the parents written request the School Admissions & Transport Manager will review the original decision and inform parent/carers of the outcome in writing.

Stage Two

If parents are not satisfied with the decision made at stage1, they then have 20 working days from receipt of the local authority's stage 1 decision to make a written request to escalate the matter to stage 2.

Within 40 working days of receipt of the request your appeal will be considered by an appeal panel. You will be invited to attend the appeal either in person or virtually when the panel will take into account the written information presented by the officers involved in the case and the written and verbal representations of yourself. If you do not wish to attend the meeting it will proceed based on the written information provided. You will be informed in writing of the outcome of your appeal and the reasons for it within 5 working days of the decision being made. The letter will also explain what to do if you are still not happy with the decision.

Home to School Travel and Transport

Flowchart of the review/appeals process

