



Leicester
City Council

Leicester City Council

Children and Young People's Services

Home to School Transport Policy

2009

CITY OF LEICESTER LOCAL AUTHORITY
HOME TO SCHOOL TRANSPORT POLICY

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1. INTRODUCTION

- 1.0 The City Council is under a legal obligation to facilitate the "attendance of persons of compulsory school age receiving education" by providing them with free transport to school when the student is placed at the nearest maintained school where the distance measured from home to school is in excess of the statutory 2 miles for under eight year olds and 3 miles for those eight year olds and over. Exceptional circumstances may also be considered.

This requirement excludes independently run Schools and Colleges.

- 1.2 The City Council is also required to consider if transport assistance can be provided for persons over compulsory school age attending Colleges of Further Education or Sixth Forms in Local Authority (LA) maintained schools.
- 1.3 Where appropriate transport is provided free for under 16 year old pupils by issuing a bus pass to allow free use of a commercial bus for travelling from the home address to school and back on school days only.

Issuing a bus pass does not exclude the parent's responsibility of ensuring their child arrives at school and returns safely.

2. STUDENTS OF STATUTORY SCHOOL AGE - (Under 16 Years)

Pupils whose age is between the age for initial full time admission (either Rising-5 or 4+ depending on the school's designation) and school leaving age.

- 2.1 Transport assistance will be free to the student if he or she is placed by the Local Authority (LA) at the nearest school where the distance measured from home to school is in excess of the statutory 2 miles for under eight year olds and 3 miles for those eight year olds and over. Where a student takes up a school place in excess of the above distance as a result of parental preference being expressed, then no assistance will be provided unless Section 3 below applies.

2.2 Denominational Transport

For pupils attending voluntary aided schools, transport is provided free of charge if:

- The choice of school is made on bona fide religious grounds; and
- The school is either in the priority area of the nearest aided school designated by the LA for the child's home address; and
- The walking distance from home to the school boundary is more than three miles for pupils aged 8+ years, or two miles for pupils aged under 8 years, at the commencement of the academic year; and the journey is a "reasonable" one.

Where parents are in receipt of high level working tax credits or FSM – Section 3 below will apply.

2.2 A reasonable journey is defined as follows:

- Primary age: a journey not exceeding 45 minutes, or 6 miles, door to door;
- Secondary age: a journey not exceeding one hour 15 minutes, door to door.

2.3 Unsafe Route

An unsafe route is one that would be deemed unsafe even on the basis that the child was accompanied by responsible adult. The Leicester City Council will follow the good practice of the Local Authority Road Safety Officers Association (LARSOA) guidelines.

2.4 Change of address

For a school pupil who changes address, transport is provided free of charge to allow continued attendance at the same school if:

Primary Year 6

- The walking distance from the new home to the school boundary is more than 3 miles for pupils aged 8+ years, or two miles for pupils aged less than 8 years.
- The journey is a reasonable one, and
- The pupil moves during his/her last year at the school and has attended the school from a priority area address for at least one year;

Secondary Year 10/11

The pupil has already begun an examination course; and

- The walking distance from the new home to the school boundary is more than 3 miles; and
- The pupil has attended from a priority area address for at least the first half of the Autumn Term in the fourth year (i.e. Y 10)

2.6 For pupils attending a school which is not the priority area school:

A parent is responsible for the arrangement and cost of transport if the school attended by the pupil is neither:

- The priority area school
- nor
- The school, which provides education for a child of a particular age, nearest to the home address.

2.7 Management:

The City Council employs the Leicestershire County Council as its agent for making the arrangements to provide free bus passes and transport for entitled pupils. The City Council also delegates its power in law to fill empty spaces on

school buses with fare-paying passengers to the County Council as its agent. The arrangements for allocating places and collecting payment are as detailed by the County Council.

Fare-paying places are sometimes available by application to the County Council. (0116 305 8777)

3. **PARENTS IN RECEIPT OF FREE SCHOOL MEALS OR HIGH LEVEL WORKING TAX CREDITS**

- 3.1 Upon proof of eligibility transport is provided free of charge to the school attended if:
- The school is one of three School options chosen by the parent up to six miles in distance measured by the shortest walking route, and
 - The walking distance from home to the school boundary is more than two miles for pupils aged up to 15 years, at the commencement of the academic year.
- 3.2 Upon proof of eligibility Pupils attending voluntary aided schools, transport is provided free of charge if:
- The choice of school is made on bona fide religion or belief grounds; and
 - The school is either the nearest aided school designated by the LA for the child's home address; and
 - The distance from home to the school boundary is more than two miles and less than fifteen miles for pupils ,up to the age of 15 years at the commencement of the academic year; and
 - The journey is a reasonable one (see 2.3 above).
- 3.3 In order to continue to receive this assistance Parents must apply for transport each year, and provide proof of their High Level Working Tax Credit (not older than 40 days). **Parents should bear this in mind when expressing their preferences as eligibility will be assessed each year and families may no longer be eligible for the assistance if their familial circumstances change.**
- 3.4 Where preference is expressed by a City resident for a school outside the City boundary and eligibility tests are met then the City Council will meet the cost of this provision.

4. **STUDENTS OVER COMPULSORY SCHOOL AGED 16-19 YEARS ATTENDING FURTHER EDUCATION**

- 4.1 Transport assistance will be provided for full time students in the form of bus travel who are resident in the City of Leicester and who are attending a Six Form or FE college in the City if:
- The walking distance from home to the school or college boundary is more than 3 miles; and

- The student is in the 16+, 17+ or 18 age year group when the course begins.

4.2 Transport assistance will be provided for full time students by public transport who are resident in the City of Leicester and who are attending a school or FE college outside the City boundary if:

- The course or courses to be taken is not offered by any of the schools or FE colleges within the City.
- This excludes non curricular courses and distances of more than 20 miles.

4.3 Students will be required to pay a contribution toward the cost of transport. Those families in receipt of Income Support or Income Based Job Seeker's Allowance will be nil. The contribution criteria and relevant charges will be reviewed annually.

4.4 A Transport policy statement for students aged 16 – 18 in Further Education and continuing student's aged 19 before the 13th September in the current academic year, is produced annually for the Learning Skills Council and published on the "Home to School" transport web site which can be viewed at www.leicester.gov.uk/education/transport

4.5 Students who will require a multi destination pass must purchase either an Arriva or First 24/7 bus pass which will be valid throughout the academic year.

4.5 Payment of the contribution toward the cost of assisted transport must be made in full before a bus pass is issued. The method of payment is described in a letter informing applicants of their eligibility.

Fare-paying places are sometimes available by application to the County Council. (0116-305 8777)

5. **SPECIAL NEEDS TRANSPORT** (Students of Statutory School Age (Under 19 years) in General Education

5.1 There is a separate policy entitled - "Transport Policy for Children with Special Educational Needs and Medical Needs"

6. **SPECIAL NEEDS TRANSPORT** (Students Over Compulsory School Age (16- 24 years) Special Needs Transport)

6.1 There is a separate policy entitled - "Transport Policy for Children with Special Educational Needs and Medical Needs"

7. **MEDICAL CASES**

- 7.1 There is a separate policy entitled "Transport Policy for Children with Special Educational Needs and Medical Needs"

8. **DOMESTIC CIRCUMSTANCES**

- 8.1 The "Home-to-School Transport Policy" eligibility for assisted transport does not include circumstances where a parent or parents are incapable of assisting their children due to physical disability whether temporary or long term. However, an appeal may be made under exceptional requests. (See section 12)

Having children attend different schools at the same time will not constitute grounds for eligibility.

9. **EARLY YEAR'S CHILDREN** (Under 5 years old)

Children diagnosed with potential long term medical or physical problems can be transported to an early years centre as directed by the Local Authority, providing it is in excess of 2 miles.

10. **LOOKED AFTER CHILDREN**

Looked after children are the responsibility of the placing Local Authority and the setting where the child is resident. The Corporate Parent is responsible for their costs as any normal parent would be. Where the child is resident in the City and meets the criteria for eligibility, transport assistance will be afforded; where it is not, the Corporate Parent will bear the cost.

11. **EDUCATION WELFARE TRANSPORT**

- 11.1 This provision provides assistance and stability to children under 16 years, in general education who are being moved due to domestic violence, child protection or homelessness.
- 11.2 First bus company tickets are available to meet the needs for City journeys only. Schools in the County or beyond will be deemed as an unreasonable journey (see section 2.3) and a local school will need to be sought.
- 11.3 No child will receive more than 12 weeks assistance.
- 11.4 Some adult tickets are available to cover for the initial journey of the child.
- 11.5 At no time can the parent/guardian delegate their responsibility for the safety of their child's journey.

- 11.6 Bus Tickets will be issued and accounted for by the Support Officer responsible for the family.
- 11.7 When the child/family is i.e. permanently housed the child will be subject to the current eligibility criteria.

12. EXCEPTIONAL REQUESTS

- 12.1 Individual requests for free transport can be made on the grounds of exceptional circumstances. Because such cases are exceptional it is difficult to define criteria which may be applied to judge eligibility. An example of a factor which may qualify as exceptional could be that the child is subject to a child protection plan. Where circumstances relate to special educational needs and medical needs the L.A.'s separate policy detailed at sections 5, 6, and 7 above applies.
- 12.2 Requests should be made in writing (as in section 14) and supported with appropriate professional documentation. Circumstances that normally would not be regarded as exceptional include: single parent families, child in temporary care, temporary fragmentation of the family, families in receipt of state benefit or re-housed families, although it is acknowledged that hardship is involved in such cases.
- 12.3 Even where there do appear to be truly exceptional factors which qualify for the provision of free transport, the City Council reserves the right to disallow such requests if the journey itself is not reasonable (see section 2.3 above).

13. APPEALS

- 13.1 Appeals should be made in writing and submitted to The Appeals Panel, Transport Department 4th Floor Marlborough House, 38 Welford Road, Leicester LE2 7AA. The cases will be reviewed by two independent panel members appointed for this purpose by the Corporate Director. Panel members will consider representations by individual's appealing and management representatives. Notification of outcome will be made in writing within 3 weeks of the receipt of the appeal.

14. ERRORS

- 14.1 Where a pupil or student has been assessed as eligible for free or assisted transport in error, the provision will be withdrawn at the end of the term in which the error is brought to the attention of the parent/guardian.

15. RETROSPECTIVE CLAIMS AND OTHER PAYMENTS TO PARENTS

- 15.1 The City Council reserves the right to refuse retrospective claims for the cost of transport undertaken by parents; eligibility is described in the information booklets provided for parents and transport provided accordingly.
- 15.2 The City Council will not consider retrospective application of eligibility criteria at Section 3 above in instances where parental choice has been exercised prior to the relevant provisions of the Education and Inspections Act 2006 coming into effect.

- 15.3 Direct payments to parents will only be made in circumstances where it is deemed by the Council that it would be more expensive to provide transport by contract journeys (bus and taxi) or by issuing bus or rail passes. In such instances payment will only be made on a termly basis and will require proof of attendance.

16. SEATBELTS AND 3-FOR-2 SEATING

- 16.1 "3-for-2" seating is not allowed if the vehicle is fitted with seatbelts. The City Council will not use 3-for-2 seating on any buses or coaches and this policy is recommended to schools when hiring buses or coaches.
- 16.2 Government regulations require seatbelts to be fitted on coaches used for carrying children aged 3 to 16 but these regulations do not apply to buses or to vehicles carrying children on a registered local bus service.

17. MANAGEMENT

- 17.1 Home-school/college transport is the responsibility of the Local Authority. Leicester City Council has employed the Department of Planning and Transportation of the Leicestershire County Council as its agent.
- 17.2 The Children and Young Peoples Service (CYPS) of the City Council are responsible for transport policy, determining eligibility/entitlement in individual cases and collecting contributions toward the cost of assisted transport.
- 17.3 The County Department of Planning and Transportation is responsible for the planning and management of transport, the issuing of passes and collecting payment for fare-paying places on school buses.