



WEST LONDON ALLIANCE

POLICY FOR TRAVEL ASSISTANCE FOR CHILDREN AND YOUNG PEOPLE 2013

Policy for the provision of travel assistance for children and young people attending school/college

1. INTRODUCTION

The Education Act 1996 as amended, requires local authorities to make suitable travel arrangements for eligible children as they consider necessary to facilitate attendance at school.

The London boroughs of Barnet, Brent, Ealing, Harrow and Hounslow within the West London Alliance (WLA) have joined together in forming this policy in order to produce a consistent approach to providing travel assistance for children and young people attending school/college. The aim of this collaborative approach is to ensure that regardless of where a child lives, within the WLA region, the level of service received is consistent, the service experience is the same and the most efficient, effective and suitable travel assistance is provided.

At the heart of this approach there are two key principles which underpin a culture of providing travel assistance; promoting independence and maintaining quality of life. By working in partnership with parents, children and young people, schools and the voluntary sector, we hope to secure the right option for each child so they are better prepared to enter adulthood confidently as active participants in society.

The WLA has considered the statutory legal framework and statutory guidance in formulating this policy.

2. GENERAL PRINCIPLES

Inclusion and independence

Councils are committed to the principles of inclusion and to promoting greater independence for children and young people with special educational needs so that their experiences can be similar to those of their peers. They recognise the importance of extending the range of travelling options available so that the most suitable arrangements can be made to support individual needs. It is recognised that travelling to school as independently as possible is a valuable experience for young people as they grow up. In order to do this, many young people with special needs may need extra training to help them to learn the skills required for greater independence. Opportunities currently available within some WLA councils include;

- a. Accredited travel training programmes to enable pupils to develop the skills needed for independent travel.
- b. Trained travel buddies where mainstream peers work as travelling partners for pupils with special educational needs.

The WLA councils are working to expand the access to this range of options in future to support the principles in this policy.

Safe and Sustainable Travel

The Education Act 1996 places a general duty on the Local Authority to assess the travel needs of all children and persons of 6th form age to promote the use of sustainable modes of travel to school to meet those travel needs. Sustainable modes of travel will be defined as those which improve either the physical well-being of those who use them or the environmental well-being of the area. The WLA supports this principle and aims to promote safety and sustainability where it provides assistance with travel for pupils and young people with special educational needs.

Service Standards and the efficient use of public resources

In recognising the significant spend on transport across the WLA. The councils adopting this policy have agreed to work together and provide a coordinated travel service for children and young people with special educational needs that aims to deliver its services to clear and consistent standards of both quality and costs. Where travel assistance is provided, councils will work collaboratively and seek to use the most economically efficient and effective means available.

Safeguarding

In providing travel assistance to children and young people, councils will ensure that all decisions reflect their safeguarding duties.

3. LEGAL BACKGROUND

Parents/carers are responsible for ensuring that their children attend school regularly. However, under the Education Act 1996 and the Education and Inspections Act 2006, local authorities have a duty to provide assistance with travel to and from qualifying schools/college for children and young people aged 5-16 in certain circumstances.

In addition, local authorities also have a duty to facilitate access to full-time education for young people aged 16-19 and this may include assistance with travel in certain circumstances. Other post 16 learners with learning difficulties and disabilities aged 16-25 attending colleges and other places of learning may be eligible for assistance.

There is no mandatory entitlement to travel assistance for children under 5. Under s508A of the Education Act 1996, local authorities must produce annually a strategy on sustainable modes of travel for children and persons of sixth form age travelling to and from their places of education. The strategy is intended to improve the physical well-being of those who use the “sustainable modes of travel” and or the environmental well-being of the area.

Under s508B of the Education Act 1996, local authorities must provide such travel arrangements as they consider necessary to get every “eligible child” to his “relevant educational establishment” Travel arrangements for an eligible child must under s508B be free of charge and may not require participants to incur extra costs. Local authorities may also choose to provide travel assistance to those who do not qualify as eligible children but these arrangements may include a requirement under s508C for the child or his parent to pay some or all of the costs.

The criteria by which an “eligible child” is defined is set out in Part 4 of this document, which sets out Entitlement.

The provision of travel assistance by WLA councils will be based on individual needs and circumstances and with regard to the efficient use of resources.

Each of the WLA councils will consult parents and carers on a draft of this policy and will take into account the feedback received from this consultation before finalising the policy. Each council will also carry out an equality impact

assessment in respect of this policy before finalising it to determine the affect this policy may have upon all sections of the community.

4. ENTITLEMENT

This document explains the background relating to the provision of travel assistance by the council for children and young people living in WLA region and describes how the policy applies to:

- a. Children aged 5-16.
- b. Young people in full-time education from ages 16 - 19.
- c. Learners aged 19 or over, but under 25, who have or should have had a learning difficulty assessment under section 139A of the Learning and Skills Act 2000.
- d. Children and young people with medical needs.

An “eligible” child is defined as one to whom at least one of the following criteria applies;

- a. A child with special educational needs, a disability or mobility problem, who lives within the walking distance, but cannot be expected to walk;
- b. A child who cannot be expected to walk because of the nature of his/her route;
- c. A child beyond the walking distance (2 miles for pupils below the age of 8 and 3 miles for those aged 8 and over) who is without suitable alternative arrangements;
- d. A child between 8 years and 10 years in a low-income¹ family living more than 2 miles from their preferred suitable school; or
- e. A child in a low-income family living between 2 to 6 miles from his/her suitable secondary school.

¹ Children from low income groups are defined in the Education Act as those who are entitled to free school meals, or those whose families are in receipt of their maximum level of Working Tax Credit (WTC).

ELIGIBILITY AND PROVISION FOR TRAVEL ASSISTANCE FOR CHILDREN AGED 5-16

Eligibility for travel assistance will differ according to the age and needs of the pupil. Each individual case will be given careful consideration. In general, councils would expect parents and carers to take responsibility for the travel arrangements for younger pupils and for most older pupils either to walk to school or access to free travel on public buses, where available, and to develop their independent travel skills where appropriate.

The following factors or combinations of factors will be taken into consideration in determining whether travel assistance is needed and the nature of assistance required:

a. If a child lives farther away from school than the statutory walking distances and for whom parents/carers have unsuccessfully tried to obtain a place at a suitable school within the statutory distance, and where no other school which is closer to home has places available. The statutory distances are:

- (1) Over 2 miles for children aged 5, 6 and 7
- (2) Over 3 miles for children aged 8-16

These distances are measured based on the shortest route along which a child may walk in reasonable safety. It may include footpaths as well as roads if these are well lit, are of reasonable width and are in good condition. Where these distance criteria are exceeded, it is expected that the provision of free bus and tube services by TFL will meet the need for travel assistance in almost all cases.

b. If a child is from a low income family (defined as those whose children are entitled to free school meals or whose parents are in receipt of maximum level working tax credits), if they meet the following criteria:

- (1) Children aged between 8 and 11 who live more than 3 miles from their nearest qualifying school.
- (2) Children aged 11 to 16 who attend one of the three qualifying schools nearest to their home, and live more than 3 miles

but less than 6 miles away from that school, even if another of the three nearest schools has places available and is closer to the child's home.

(3) Children aged 11-16 where the parents/carers have expressed a preference based on their religion or belief, where a young person lives more than 2 miles but less than 15 miles from the nearest suitable school.

The 3 mile limit is measured in the way described above. The 6 mile and 15 mile limits will be measured along road routes, and will not include footpaths. Where these distance criteria are exceeded, it is expected that the provision of free bus services by TfL will meet the need for travel assistance in almost all cases and travel assistance will be provided only where the child's needs require it.

c. If a child is unable to walk in safety to school because of the nature of the route. Where a parent/carer believes that a route is unsafe, the route will be assessed by the council.

Where it is agreed that a walking route is unsafe, it is expected that the alternative provision of free bus services by TfL will meet the need for travel assistance in most cases and travel assistance will be provided only where the child's needs require it.

d. Children who are unable to walk to school, or to travel to school by other means, by reason of their special educational needs, medical needs or disability.

PROVISION OF TRAVEL ASSISTANCE FOR YOUNG PEOPLE AGED 16-19

The object of this provision is to offer assistance to those students whose ability to attend or to complete a course may be affected by availability of transport or the ability to pay for the transport provision that is available. WLA London Boroughs have been working in partnership to produce a minimum standard for the WLA area and all participating councils are committed to meeting that standard. Young people continuing at the same school or education placement post 16 will be subject to a continuing eligibility assessment.

Eligibility for assistance will depend upon but not be limited to:

- a. Residency;
- b. Age;

- c. Distance travelled;
- d. Establishment and the course being attended;
- e. The availability of alternative resources;
- f. Family income;
- g. Students with disabilities or special educational needs;
- h. Attendance at a 6th Form based on the students religion or belief;
- i. Preference of school or college by virtue of the learners and/or parents' religion or belief.

PROVISION OF TRAVEL ASSISTANCE FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

This section explains what travel assistance may be provided for children and young people with a statement of Special Educational Needs (SEN) or disabilities, if they could not reasonably be expected to travel to school/college independently and even if the journey is within the 'statutory walking distance' described above. The entitlement to travel assistance for these children and young people varies according to their age group follows:

- a. Pre-school children - aged under 5.
- b. School children - aged 5-16.
- c. Young people in full-time education - aged 16-24.

Pre-School Children. Parent/Carers will normally be expected to transport their children to non-statutory provision. However, children of age 2 years or older placed in a nursery school or class or children's centre for the purpose of assessment of their special educational needs may be granted assistance with travel at the council's discretion in exceptional circumstances.

Children Aged 5-16. Travel assistance for children with a statement of Special Educational Needs (SEN), medical needs or disabilities will be determined primarily by the needs of the child and will only be provided for travel to a qualifying school. The issuing of a Statement of Special Educational Needs does not necessarily mean that the council will provide travel assistance.

The Authority does not have a duty to make travel arrangements when the parents have decided to send their child with a statement of SEN to a school that is farther away than the school that the Local Authority deemed suitable to meet the needs of the child. In this case it is likely that the council will name two schools on the Statement and indicate that the parent has opted to send the child

to a school which is not the school deemed by the council to be suitable and therefore parents will be required to make and fund any travel arrangements.

Eligibility for the Provision of Travel Assistance.

When considering whether or not provision of travel assistance for a particular child is necessary, councils will take into account the following:

- a. The special educational needs and/or disabilities of the student; for example, where the child has severe learning difficulties or would have considerable difficulty in walking or using public transport due to disability;
- b. The need for specialist transport, including an assessment as to whether the student has a physical or medical disability that rules out the use of free public transport, or suitable public transport is not conveniently available (e.g. for users of wheelchairs, students who require specialist seating arrangements, specialist harness, specialist head restraint, other specialist facilities and the appropriate mode of transport required);
- c. The distance of the student's home from the school/educational establishment;
- d. Whether the student is deemed to be vulnerable and at risk of danger if they use public or other transport;
- e. The nature of the route to school including the safety of the route and alternative routes available;
- f. The potential capability of the student to travel independently to school/educational establishment with the provision of suitable travel training;

The weight to be given to each or any of the factors listed above will be a matter for the council in their discretion, according to the circumstances of each individual case.

With respect to independent travel training this policy should be read in conjunction with the WLA approach to Alternative Travel Training.

5. TRAVEL OPTIONS

It is important to offer a range of transport options which best address the individual needs of clients but which also utilise existing networks, which promote

independence and which represent the most cost effective and sustainable mode of transport.

The different types of travel assistance available include the following:

- a. Transport for London provides free bus travel for all under 18 years and this is the expected entitlement for the majority of students within the West London Alliance area. However where this is not provided it may be possible to provide funding for the provision of Oyster/travel cards to enable access to free travel on London buses provided by Transport for London .
- b. Funding for the provision of Oyster/travel cards for the parent/ carers to enable them to accompany their child where they have access to free travel on London Buses and where parents consent.
- c. Funding for the provision of Oyster/travel cards or travel passes for tube or train travel to and from school.
- d. A travel training or mobility programme for the young person where available.
- e. Where available a travel buddy or passenger assistant to travel with a pupil on the journey from home or where appropriate and suitable in the context of the child's needs from a specified meeting point to school and return.
- f. Where parents consent payment of mileage allowances for parents/carers who use their own vehicles with the agreement of the council.
- g. Payment of public transport fares for travel arranged by parents/carers with the agreement of the council.
- h. A seat on a vehicle suitably adapted as necessary to transport the pupil to the appropriate education provision from home or where appropriate and suitable in the context of the child's needs an agreed meeting point.
- i. A range of more flexible options which explore more creative solutions and promote the independence of the client.

Other arrangements that could be used to travel to the place of learning may include the use of a freedom pass.

Travel Options for Young Adults

When determining eligibility for transport for young adults, including those Post 16 clients remaining in full time education, consideration will be given to a full range of travel options. These options reflect the core principle of promoting independence and could include where available the provision of a freedom pass, independent travel training support, travel buddying, motability, the London Taxicard Scheme and Capital Call, which is a complementary service to Taxicard.

6. EVIDENCE AND INFORMATION

All cases will be considered on their individual merits in line with this policy and in accordance with statutory guidance. The following may be considered as part of the assessment when determining eligibility.

- a. The Statement of SEN and Annual Review reports.
- b. Relevant Professional Reports.
- c. Information about the nature and reasonableness of the route i.e. journey times, changes, safety, nature of the pavements and roads, congestion, other passengers etc.
- d. Information from a social care initial or core assessment/CAF if appropriate.
- e. Information submitted during the application.
- f. Where travel training is available, an existing Travel Training Plan (or assessment being undertaken)
- g. Evidence from a consultant if parent/carer indicates that they are medically unfit to get their child to school.
- h. Other exceptional circumstances which prevent a parent/carer from taking their child to school.

Evidence must be submitted in support of any application for travel assistance. The weight to be given to each or any of the factors listed above will be a matter for the council in their discretion, according to the circumstances of each individual case.

7. PUPILS WITH TEMPORARY MEDICAL AND/OR MOBILITY DIFFICULTIES.

Children and young people, who have temporary mobility problems caused by medical conditions that prevent them from walking, may be eligible for travel support. An assessment will be made to determine the most appropriate method of travel assistance in each case.

(Supporting medical evidence from a consultant confirming the nature of the temporary medical condition and an estimate of the period for which the provision will be required). The assessment criteria appended to this policy describe eligibility and procedures in more detail.

Any assistance provided in accordance with this section may be time limited in accordance with the needs of any individual case.

8. EDUCATIONAL RESIDENTIAL PLACEMENTS

For those children attending educational residential placements, wherever possible and with their consent parents will be encouraged to make their own travel arrangements and supported through the provision of mileage allowance. The number of journeys that will be funded will normally be in line with the contract (with the school) of the individual placement (e.g. termly). The Authority does not have a duty to make travel arrangements when the parents have decided to send their child with SEN to a school that is farther away than the school that the Local Authority deemed suitable to meet the needs of the child. In this case it is likely that the council will name two schools on the Statement and indicate that the parent has opted to send the child to a school which is not the school deemed by the council to be suitable and therefore parents will be required to make and fund any travel arrangements.

9. APPLICATIONS AND DECISIONS

Each council will provide details of their application process to all parents, carers and young people and provide all appropriate forms. Where the council makes a decision to provide travel assistance, it is usually agreed for a limited period of time and reviewed each year. In exceptional circumstances where the pupil has severe and complex needs, travel may be agreed for longer periods of time.

Applications must be supported with evidence.

10. REVIEW / REAPPLICATION

- a. Travel arrangements will be reviewed at least annually or if the child's or parents circumstances change. The child's progress and any other relevant information needs to be recorded on the Annual Review form which may be used to help determine future travel options.
- b. Where a pupil/student changes school/college or moves home or there are other changes in the child's circumstances such as successful travel training, travel assistance will be reviewed accordingly.

11. APPEALS

If parents/carers disagree with the council assessment of the travel assistance that it deems is necessary for their child, including a decision that the child does not qualify for or need any help, they can appeal against that decision by writing to explain why they feel that the child's circumstances are exceptional or that the assessment carried out is wrong. Each case will be given careful consideration by an independent senior officer of the council (i.e. the reviewing officer will not be an officer involved in the original decision). In the first instance parents/carers should write to the relevant local authority in the case of an appeal.

Councils will establish an independent and impartial 2nd stage review process which will be published locally. Further information including what this will entail and the response times will be provided during and after the consultation period for this policy.

12. TRANSPORT ARRANGEMENTS

If provision of transport by the council is agreed, the council will arrange the most appropriate, sustainable and cost-effective transport provision. This will be provided in line with local operational policies and councils will make clear the responsibilities of councils and the responsibilities of parents and carers. These operational policies will also make clear the circumstances in which the service can be withdrawn.