

Home to School Travel Policy for Children and Young People with Special Educational Needs and Disabilities – 2023/24 – 2024/25

1 Background

- 1.1 This policy outlines support arrangements for children and young people with complex special educational needs (SEN) and disabilities (SEND) with home to school travel/ transport / travel assistance
- 1.2 Most children and young people with SEN and disabilities will access school and college without additional assistance from London Borough of Newham. Where assistance is given it should be seen as part of a plan of support that encourages children and young people to become more independent and resilient in their future lives.
- 1.3 This policy considers travel assistance for eligible children with SEN and disabilities and has been written with reference to the following relevant legislation:
 - The Education Act 1996 ('the Act'),
 - The SEN and Disabilities 0-25 Code of Practice (2001),
 - The Children and Families Act 2014,
 - The Children Act 2004,
 - The Disability Discrimination Act 2005 and
 - The Equality Act 2010.
 - This policy contributes to the Sustainable Modes of Travel to School Strategy as required under:
 - The Education and Inspections Act 2006,
 - The Education and Skills Act 2008.
- 1.4 In this policy the term 'parents' should be taken to include all those with parental responsibility, including guardians and carers / foster carers
- 1.5 All applications should be submitted with evidence of EHCP or evidence that EHCP has been applied if available and specified where not available.

2 Applying for assistance with home to school travel

2.1 Parents/ Carers of children with Special Educational Needs and Disabilities (SEND) should apply for Travel Assistance for the next academic year in the months of May/June using the link below to complete an online application form

https://newham-self.achieveservice.com/service/Application_for_0_25_SEND_Pupil_Travel_Assistance

3 Guiding Principles

3.1 The guiding principles within this policy are:

- Parents are responsible for ensuring that their children attend school regularly
- When travel assistance is offered a child or young person will be assessed so that the assistance offered is appropriate to support the individual needs
- Assistance will be reviewed with the expectation that children and young people grow in confidence and independence
Travel options will take into account opportunities to improve the physical well-being of those who use them and/or the well-being of all or part of the local authority's area. To this end sustainable transport modes such as walking, cycling and use of public transport will be prioritised where possible.
- Assistance offered will look at what is efficient and effective, both in terms of sustainability and cost.

3.2 This policy is subject to review every 2 years and in accordance with any changes in the law.

4 Eligibility

4.1 The local authority will consider requests for assistance for children and young people with SEND taking into account of:

- **whether a child or young person needs specialist transport assistance**
- **complex mobility difficulties**
- **health and safety issues associated with a child or young person's special educational needs**

4.2 Travel Assistance applications will take into consideration whether a child can reasonably be expected to walk to school and/ or the use of public transport accompanied by a reasonable adult

4.3 Eligibility will be assessed based on the child / young person's individual basis to identify their particular travel requirements.

4.4 An example of a child who may be considered eligible would be a child or young person with Profound and Multiple Learning Difficulties (PMLD)

5 Travel Assistance Applications

5.1 Applications are reviewed taking the following into account as relevant:

- the straight line distance from home to school
- the statutory walking distances to school if relevant (under 8 years 2 miles, over 8 years 3 miles)
- the age of the pupil
- the availability of places in the nearest suitable school or schools
- the nature of the route to school including the safety of the route and alternative routes available
- the nature of the pupil's special educational needs & disabilities
- the benefit in a child receiving travel training
- the need for specialist transport (e.g. does the pupil need specialist seating rather than just access to a public bus with space for a wheelchair)
- the need for supervision
- whether the child could move to a school closer to the family's home
- the efficient use of the local authority's resources.

6 Accompaniment

6.1 The general expectation is that a child will be accompanied by a parent via walking, using bus, train or taxi arrangement via Direct Payments where necessary, unless there is an exceptional reason why it is not reasonable to expect the parent to do so (such as travel on SEND Transport of parent with disability).

7 Types of Assistance

7.1 Children with SEN and disabilities will ordinarily be expected to use the free transport available for children and young people including those with SEN and disabilities through the TfL free transport

7.2 Beyond that assistance provided for eligible children by the local authority includes:

- travel training / travel buddy scheme
- provision of Passenger Assistant/ Travel Buddy to enable an eligible child with a disability to walk to school in safety or travel on public transport
- provision of a pass (Direct Payment for TfL Oyster travel card) for a parent to take the child to school on a public transport
- a mileage allowance to the parent for driving their eligible child to school but only in lieu of the local authority making arrangements
- a direct payment for a parent to arrange for a suitable carer to take the child to school
- Direct Payment for taxi services to school (this is a financial contribution)

7.3 Exceptional arrangements include:

- provision of a seat on a bus or minibus provided by the local authority or external contracted arrangement;
- provision of a seat in a taxi where more individualised arrangements are necessary; using externally contracted arrangement.

7.4 When mileage or direct payments for petrol are made a funding plan will be provided with details of the amount offered and for the period. Parents / Carer will be provided with a form to complete for funds transfer.

8 General

Parental Preference

8.1 Transport Assistance is normally only provided to the geographically nearest suitable school to the pupil's home address that is deemed to be suitable for the pupil's age, ability and aptitude for education and special educational needs. If the local authority has determined that the child should be placed in a specialist provision but the parents preferred school or college is further away, **the local authority may agree to this but will ask the parent to provide some or all of the transport funding.**

Transport only for school

8.2 The provisions apply to home to school and home to college travel arrangements, and vice versa. They do not relate to travel between educational institutions during the school day and do not cover extra curriculum activities or for respite

Annual Review

8.3 All provision of assistance will be reviewed annually by the local authority.

8.4 If transport is recorded in a statement of SEN or an EHC plan in exceptional circumstances e.g. for a child who has particularly high care needs and requires a passenger assistant with nursing or specialist medical training; we have a responsibility to provide travel assistance

Family Circumstance

8.5 Many parents find getting their children to and from school inconvenient, difficult, very difficult or sometimes extremely difficult due to competing demands on time and domestic circumstances. The SEN Travel Policy does not seek to address these situations.

9 Families in receipt of Disability Living Allowance (DLA) for children and young people

9.1 If a parent receives the Higher Rate Mobility Component (HRMC) of the DLA for a pupil, the family is entitled to a vehicle through the mobility scheme. If a car has been provided for the child/ren through this scheme, then the Local Authority Newham will take this into account when making its decision to provide travel assistance or not; (may decline request for travel assistance)

10 Preference for particular schools

Parental Preference for school

- 10.1 For children with statements of SEN or Education, Health and Care plans (EHCs) the local authority consults parents on the appropriate educational setting for their child. If the parent's preferred school is further away from the child's home than another school that can meet the child's needs, **the local authority may agree to name the preferred school on condition that the parents are responsible for some or all costs related to travel from home to school.**

Parent Preference for Resource Provision

- 10.2 For the purposes of this policy parents of children with SEN should note that if a child is allocated a mainstream placement and the parent then seeks a place in a particular school so that the child can indirectly benefit from the expertise of a resourced provision mainstream school, that school will not be considered by the local authority as the nearest suitable school.

11 Residential Placements

- 11.1 Weekly placements will be funded for one journey at the beginning and end of each week.
- 11.2 Termly residential placements will be funded for a maximum of 6 return journeys per year (12 trips) i.e. at the beginning and end of each term and the beginning and end of each half-term holiday. One return (2 trips) visit will be funded to enable parents to attend the annual review.
Funding is based on second class public transport or car mileage as determined as at the Community Transport Association mileage rate for volunteer drivers, whichever is the cheapest and subject to the approval of the Authorised Officer.

12 Post 16+ - Over the Compulsory School Age -

16-18 transport duty and 18-25 duties for learners with learning difficulties and/or disabilities

- 12.1 The following arrangements apply to:

- young people (over compulsory school age) aged 16-18 with special educational needs and disabilities who are continuing learners and who have started their programme of learning before their 19th birthday; and
- young people with learning difficulties and/or disabilities up to the age of 25

Re assess travel needs for post 16 students

- 12.2 The transport needs of young people with learning difficulties and/or disabilities will be **reassessed** when a young person moves from compulsory schooling to post-16 education.

Travel Cost Contribution for post 16 students

- 12.3 The local authority will ask learners and their parents for a contribution to transport costs following a financial assessment. This can include use of Disability Living Allowance.
- 12.4 Any agreements to funding are subject to a funding plan being shared with the parent and funding agreement form will be completed by the parent forwarded to the local authority.

Travel Buddy Scheme / Travel Training Scheme for post 16 students

- 12.5 The local authority and/or providers operates an independent travel training scheme and will encourage use of this arrangement as young people are moving towards adulthood.

Alternative Pick Up Arrangement

- 12.6 The local authority may use **central pick up points** as appropriate.

The 16-19 Bursary Fund

- 12.7 The local authority will take receipt of 16-19 bursary funding into account in assessing an individual's need for financial help with transport.
- 12.8 As it is not a statutory requirement to provide Post 16 travel the Local Authority expect all eligible students to apply for a bursary fund.
- 12.9 Details of funds are noted below:
- 12.10 The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation, so they can remain in education.
- 12.11 **There are two types of 16 to 19 bursaries:**
1. A vulnerable bursary of up to £1,200 a year for young people in one of the defined vulnerable groups below:
 - in care
 - care leavers
 - in receipt of Income Support, or Universal Credit in place of Income Support, in their own right
 - in receipt of Employment and Support Allowance or Universal Credit and Disability Living or Personal Independence Payments in their own right
 2. Discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of travel, meals, books and equipment
- 12.12 To be eligible for the discretionary bursary young people must:
- be aged 16 or over but under 19 at 31 August 2024 or
 - be aged 19 or over at 31 August 2024 and have an Education, Health and Care Plan
 - be aged 19 or over at 31 August 2024 and continuing on a study programme they began aged 16 to 18 ('19+ continuers')
 - be studying a programme that is subject to inspection by a public body which assures quality (such as Ofsted), the provision must also be funded by either a government funding agency or the local authority Schools and colleges are responsible for managing both types of bursary.
- 12.13 Young people who want to apply for support from the bursary fund should contact their chosen school or college to make an application.
- 12.14 Further information: 16 to 19 Bursary Fund webpage (GOV.UK)

Young parents / Care to Learn

12.15 If you are a young parent under 20, Care to Learn support can help pay for your childcare and related travel costs, up to £160 per child per week, while you're learning

12.16 For more information, please visit Care to Learn scheme webpage (GOV.UK)

13 **Review of travel arrangements and changes to the assistance that is given:**

13.1 Each travel arrangement is subject to review at least annually. Discussions on changes may arise as part of a review but can also be a result of direct discussion with families. For example, a change could mean that a young child who was taken to primary school in a minibus uses public transport when older; or a child who is the only student attending a particular school uses a minicab saloon car but will be expected to travel in a shared vehicle if other children / young people require to attend the school

14 **Poor behaviour on school buses/other modes of transport**

14.1 The Local Authority promotes and expects appropriate standards of behaviour by pupils on their journey to and from school. The Local Authority may consider **withdrawing transport**, either for a temporary period or permanently for more serious or repeated cases of poor unacceptable behaviour.

14.2 The Local Authority will expect parents / carers to comply with appropriate standards of behaviour and where this is not the case, such parents / carers will be expected to sign a behaviour agreement to ensure that all passengers on transport are safe

15 **Parents who are disabled**

15.1 If a parent's disability prevents them from accompanying their child/ren along a route to school, the local authority may provide free travel support for the children.

Exceptions are:

- parents who are disabled and who have a mobility car will not receive support.
- parents who are disabled and who receive DLA will be assessed to determine if additional support can be given

16 **Children in early years' Settings and Nurseries (0 -5 Years old)**

16.1 Applications for home to school travel assistance will only be considered for children of statutory school age unless the local authority has placed a child in a specialist nursery provision for full time education. **Given the young age of the child the parent(s)/ identified responsible adult will be expected to escort the child.**

16.2 If the child has a mobility equipment then such buggy or wheelchair must be crash tested by the wheelchair clinic or other appropriate provider.

17 Complaints

17.1 Any complaints will be dealt with in accordance with Newham's Corporate Complaints Policy. This is available from the Newham Council website

corporate.complaints@newham.gov.uk

18 Appeals – Stage 1 and Stage 2

Stage 1

- 18.1 A parent has 20 working days from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision.
- 18.2 The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be taken into consideration.
- 18.3 Within 20 working days of receipt of the parent's written request, a senior officer will review the original decision and send the parent a detailed written notification of the outcome of their review,
- 18.4 Stage 1 appeals should be be labelled 'Stage 1 Travel Assistance Appeal' in the email subject and sent to: travelassistance@newham.gov.uk

Stage 2

- 18.5 A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.
- 18.6 An independent appeal panel considers written representations from both the parent and officers involved in the case.
- 18.7 Stage 2 appeals should be labelled 'Stage 2 Travel Assistance Appeal' in the email subject and sent to: travelassistance@newham.gov.uk
- 18.8 If parent would like an officer to explain the decision from a stage 1 or stage 2 appeal they should contact the SEN Team Manager who will arrange a meeting.
- 18.9 The council has a two-stage review and appeals process as recommended by the Department for Education. The timings for responses may be extended if additional time is required to gather supporting information or delayed by school/college holidays.
- 18.10 Please note that whilst the review and appeal process takes place the parent/carer will remain responsible for arranging and funding for any travel arrangements that a parent/carer may feel is necessary.
- 18.11 If a parent/carer or student is still not satisfied with the outcome of the stage 2 appeal, there is no further right of appeal to the council.

Ombudsman Details

18.12 If a parent/carer or young person feels that their appeal has not been treated fairly or in accordance with the LA's policy, the Local Government Ombudsman can be contacted for help and advice by:

18.12.1.1 Telephone: 0300 061 0614

18.12.1.2 Local Government & Social Care Ombudsman website.

19 Contacts

19.1 Any questions or matters arising from this policy should be directed to:

E: travelassistance@newham.gov.uk