

Travel assistance for children and young people
with an education health and care plan / statement of
special educational needs

Age group: pre 16

January 2016



SURREY

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1. Qualifying for SEND travel assistance

Many young people who have a statement of special educational needs (SSEN) or an education, health and care plan (EHCP) are able to travel independently using public transport.

However, we recognise that some children with specific needs will require more support, often for an agreed period of time. Some children with special educational needs and disabilities (SEND) may not be able walk or travel by public transport to school because of their needs, and there may be parents / carers who are unable to take them to school themselves as they do not have an appropriate vehicle or do not live within walking distance.

We are also required to make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability. Eligibility, for such children should be assessed on an individual basis to identify their particular transport requirements. Usual transport requirements (eg the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and / or disability.

A child / young person's individual needs will determine the support they are given and evidence will be taken from a range of professionals and from parents or carers.

Where relevant, a risk assessment will be carried out before the child / young person begins travelling to make sure that the transport provided meets their needs. These will include a detailed breakdown of the child's needs, detailing how they will be kept safe while travelling. This will include whether an escort will be required and any medical protocols that may be needed.

We will ensure that children or young people are assessed on an individual basis and any decision will be based on individual needs.

We will consider applications for travel assistance to an education provider from a child / young person in receipt of a SSEN or an EHCP.

We accept responsibility for travel arrangements between the child / young person's main residence and their nearest appropriate school / college. Where children / young people have more than one address, home to school transport will be based on the residence where the child / young person habitually resides.

Factors taken into consideration include statutory walking distance, families on low incomes in receipt of free school meals / working tax credit, where the child / young person is registered with a GP / appropriate medical professional, disabled parents / carers.

We appreciate that many families will want to make their own arrangements to get their child to school rather than requesting a taxi and we have an offer to enable this to happen see section 2.2.

We also encourage parents and carers to work with the local authority to enable their child with SEND to travel independently if and when appropriate.

This policy relates to children / young people who are:

- a. resident in Surrey County
- b. continue to hold a EHCP / SSEN

- c. under 16 years of age on 31 August
- d. attending a qualifying education provider
- e. attending the nearest appropriate education provider unless agreed otherwise and stipulated within the EHCP.

1.1 Nursery Schools

- a. We provide travel assistance to children who are attending the nearest appropriate nursery school to their home where their placement is supported by the local authority and the distance between their home and the nursery is more than 2 miles. This may include children on early years' assessment placements.
- b. We expect parents / carers to accompany their children whilst they are travelling, where appropriate.

1.2 Infant / primary schools (children in foundation stage and key stage 1, aged under 8)

We provide travel assistance to children attending the nearest appropriate infant / primary school to their home where the distance between their home and the school is more than 2 miles except in circumstances where the local authority is able to comply with parental preference for a school but this is not the nearest, appropriate school to the home address. In this circumstance, the parents / carers will be responsible for getting their child to school.

1.3 Junior / primary schools (children in key stage 2, aged 8 years and over)

We provide travel assistance to children attending the nearest appropriate junior / primary school to their home where the distance between their home and the school is more than 3 miles, or where the child is in receipt of free school meals / working tax credit and the school is more than 2 miles from home except in circumstances where the local authority is able to comply with parental preference for a school which is not the nearest, appropriate school to the home address. In this circumstance, the parents / carers will be responsible for getting their child to school

1.4 Secondary schools (children in key stage 3 and key stage 4)

We provide travel assistance to children attending the nearest appropriate school to their home where the distance between their home and the school is more than 3 miles except in circumstance where the local authority is able to comply with parental preference for a school which is not the nearest, appropriate school to the home address. In this circumstance, the parents will be responsible for getting their child to school.

1.5 Free school meals / working tax credit:

We provide travel assistance to children in receipt of these provided they attend a suitable school between 2 and 6 miles away from their home address, as long as there are not three or more suitable schools nearer to home.

1.6 Children / young people in residential educational provision

Where children / young people are placed in a residential school/college, Surrey County Council will provide one return journey at the start and end of the placement timeframe eg 52 weeks, termly, other as agreed in the EHCP / SEN. Travel assistance will not normally be provided for any other

visits to the school, or if the parent / carer chooses to take their child / young person home for any reason.

What other guidance underpins does this policy document?

Surrey County Council must have regard to the latest statutory guidance when carrying out their responsibilities in relation to transport arrangements for children and young people. It is in this context that the council is updating its policy:

Home to school travel and transport guidance: Statutory guidance for local authorities July 2014
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445407/Home_to_School_Travel_and_Transport_Guidance.pdf

Surrey County Council also has an existing mainstream policy that sets out the transport support that is available from Surrey County Council for pre 16 students:.

Home to School Transport Policy for 4-16 year olds 2016/17
http://www.surreycc.gov.uk/_data/assets/pdf_file/0011/64973/Transport_Policy_4-16_FINAL_2016-17_V1.pdf

2. Transport provision

2.1 We will assess the type of travel provision to be offered using the criteria

- a. age and maturity of the child / young person
- b. the disability and / or the special educational needs the child / young person may have
- c. ability and aptitude of the child / young person
- d. the type of vehicle the child / young person is travelling on
- e. the length of the journey
- f. nature of the possible routes from home to school / college, particularly in relation to safety
- g. whether the child / young person is able to walk safely the distance involved
- h. whether the child / young person needs to be accompanied and whether it is possible for the child / young person to be accompanied.

When considering whether to offer travel we are **not** normally able to take the following into account when considering the offer of travel assistance.

- a. parents / carers work or other commitments
- b. attendance by siblings at other schools / colleges
- c. a work experience placement
- d. an address other than the home address, including childminders
- e. a journey from one educational establishment to another
- f. ad hoc visits to other schools, colleges or other establishments
- g. short break provision / respite care
- h. out of hours clubs (e.g. breakfast, after school activity)
- i. link courses
- j. any educational provision planned over weekends or bank holidays
- k. collection from school due to illness
- l. parental attendance at meetings
- m. part-time timetables or to meet examination timetables

When considering any application for travel assistance we will consider existing transport provision.

2.2 Travel allowance

Where a child / young person is considered eligible for travel assistance, we will encourage parents to opt to transport their child/young person personally and offer a travel allowance based on the home to school journey. If this is the preferred option, your SEND case worker can advise on mileage rate and the process for claiming.

If this option is chosen, we implement the following procedure:

- a. Re-imburement can only be authorised where it is the most cost effective method travel assistance. We reserve the right to cease this arrangement at any time if we are able to procure the transport at a lower cost.
- b. Any claim for re-imburement is subject to the child / young person meeting qualifying criteria, and continuing to meet eligibility criteria, particularly when a child / young person changes school/college or the parents / carers move house.

- c. Parents / carers are reimbursed for the journey between home and school at the start and the end of each school day, unless the child is in residential accommodation, in which case reimbursement will be in line with the child's EHCP / statement. A digital mapping system is used to measure the shortest available route by road to the nearest school entrance.
- d. Parents / carers are responsible for ensuring that their current motor insurance is appropriate for this use.
- e. Claim forms will be monitored to ensure that parents only claim for days when children are in attendance at school / college.
- f. If parents / carers are unable to temporarily transport due to unavailability of appropriate transport, alternative arrangements must be made by the parent / carer as we would be unable to provide transport at short notice for short periods of time.
- g. If parents / carers transport becomes permanently unavailable, a new application for alternative travel assistance will need to be made via the child / young person's SEND case worker.

3. Further information on qualifying for travel assistance

3.1 Where the home to school distance is 2 or 3 miles, the distance will be measured by the shortest available safe walking route following recognised public footpaths. For a home to school distance limit of 6 or 15 miles, the distance will be measured by the shortest available road route.

3.2 Children / young people must be attending a qualifying school. Qualifying schools must be educationally appropriate to the age, ability and aptitude of the child / young person, and any special educational needs that the child / young person may have, as outlined in the SEND Code of Practice (2014). These may be one of:

- a. community, foundation or voluntary aided schools
- b. community or foundation special schools
- c. non maintained or independent special schools
- d. pupil referral units
- e. private / voluntary / independent nursery schools
- f. maintained nursery schools
- g. academies
- h. free schools

3.3 Where parents / carers consider exceptional needs apply, they are asked to complete a Home to School / College Transport – Exceptional Needs form (available from the SEND Case Worker). If we agree travel assistance based on exceptional need or means testing, the decision will be reviewed termly. Parents / carers are expected to provide updated benefits information when requested, if not provided we reserve the right to withdraw the travel assistance.

3.4 It is the parents / carers / young person's responsibility to inform the SEND case worker if a child/student has a change of address at any point within the school year. The child / young person's eligibility will be reassessed following a new measurement of the distance between their home and the school / college.

4. Medical conditions

4.1 Child / young person medical conditions

Travel assistance may be provided within the minimum walking distances if written evidence from the hospital consultant is received which state that the child / young person is unable to walk safely to school

4.2 Parent / carers' medical conditions

Travel assistance may be provided within the minimum walking distances where appropriate evidence of written evidence from an appropriate professional confirming that the child / young person requires accompaniment to school and written evidence from hospital consultant confirming that the parent is unable to accompany the child / young person to school.

Home to school transport provided on medical grounds will be reviewed regularly. Temporary medical conditions will be reviewed every half term, dependent on medical advice. Longer-term medical conditions will be reviewed annually.

5. Travel arrangements

5.1 Independent travel

Schools are expected to provide the necessary support to develop the young person's ability to access and use independent travel. This will be related to their preparation for adulthood. Progress in this aspect will be reviewed as part of the annual review for the child / young person's SEN / EHCP.

Schools will be also expected to work with the child / young person in line with the risk assessment prior to any changes being made to arrangements. Any requests for solo transport or other changes must be supported by a risk assessment.

5.2 Provision of escorts

An escort is not routinely provided. However, an escort may be provided for the route or the individual child / young person where (1) a child is of pre-school age or (2) if a child / young person has significant health or behavioural requirements shown by a risk assessment.

5.3 Journey times

Home to education provider transport will be arranged so as to be as non-stressful as possible. In normal circumstances, the journey time will be no more than 1 hour 15 minutes, complying with best practice guidelines and subject to individual needs. In some circumstances it may be necessary to increase this time frame where specialist placements are concerned. Journeys to and from education providers outside of Surrey's borders, or those young people aged some distance from their home, may also, be definition exceed the standard maximum times.

5.4 Pick up and drop off points

Where appropriate, parents / carers may be expected to take the young person to / from a pick up / drop off point.

5.5 Review of travel arrangements

We reserve the right to review the travel arrangements in circumstances where

- Parents / carers repeatedly fail to inform the Transport Coordination Centre (TCC) and the child / young person's transport provider that the transport is not required as a result of the child / young person's illness before it arrives at the home address, or
- a child / young person suddenly decides not to travel in transport which has arrived on any given day (without any prior notice having been given to the transport company), where the refusal is related to their SEND

If it is necessary to withdraw the travel arrangements for a period, parents/carers will become responsible for transporting their own child.

5.6 Extreme weather

On rare occasions, severe weather may impact on Surrey County Council's ability to provide home to school transport safely. In such circumstances, the safety and wellbeing of the children / young people and transport providers remains our key priority. Where severe weather results in the requirement to cancel transportation, the Transport Co-ordination Centre / transport provider will always notify parents/carers at the earliest point to avoid unnecessary disruption.

If transport is cancelled due to extreme weather, the following is applicable:

- a) Where a route is cancelled and a parent / carer takes the decision to transport their child / young person themselves, the parent / carer remains responsible for the return journey or any subsequent costs should a return journey not be possible
- b) If a child / young person is unable to attend school/college due to severe weather, the parent / carer remains responsible for their child / young person.

6. Appeals procedure

Where the decision has been made that a child is not eligible for travel assistance, or where a change in transport arrangements have been made and notified, or where transport has not been agreed on exceptional grounds, parents / carers may ask for the decision to be reconsidered to include any exceptional circumstances they wish to put forward. A form will be provided for this purpose as supplementary evidence may be requested.

The SEND case worker for the child/young person is responsible for collating the appeal case, in conjunction with the parents / carers at all stages of the appeal process.

Any decision resulting from an appeal will include the details for further appeal. All decisions will be in writing, no more than 10 working days after being made.

6.1 Stage 1 – Review by an area special needs manager (ASNMM)

- The first stage of the appeal process is in writing to the relevant ASNMM. 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 considered when the decision is reviewed.
- 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 stage one decision.

6.2 Stage 2 – SEN panel

If the decision remains unchanged, the parents/carers can progress their appeal to stage 2 of the process.

A panel of professionals from the SEN service and partner agencies consider stage 2 appeals.

The panel will consider the points of the case, alongside the decisions made at stage 1.

6.3 Stage 3 – review by an independent appeal panel

If the decision remains unchanged, the parents can progress their appeal to Stage 3 of the process.

A panel of elected members consider Stage 3 appeals.

Within 40 working days of receipt of the parents' request an independent appeal panel considers representations from both the parent and officers involved in the case and gives a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parent's right to put the matter to the Local Government Ombudsman

The independent appeal panel members should be independent of the original decision making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the local authority).

What if I am not satisfied?

You can contact the Local Government Ombudsman at any time; however, they will normally expect you to have completed all stages of the councils' complaints procedure before considering your complaint. Further advice is available on their website www.lgo.org.uk or on their advice line 0300 061 0614.

This is the final stage in the appeals process.

7. Review

The policy will be reviewed annually.

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