Draft Travel Assistance Policy for Children and Young People with SEND:

0-25 years
## Contents

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction – Our new approach and commitment</td>
<td>3</td>
</tr>
<tr>
<td>Policy Statement</td>
<td>4</td>
</tr>
<tr>
<td>Collaboration and Partnership Principles</td>
<td>6</td>
</tr>
<tr>
<td>Eligibility Criteria</td>
<td>7</td>
</tr>
<tr>
<td>• School-aged pupils with SEND</td>
<td>8</td>
</tr>
<tr>
<td>• Pre-school children with SEND</td>
<td>8</td>
</tr>
<tr>
<td>• Post-16 students with SEND</td>
<td>8</td>
</tr>
<tr>
<td>• Short-term difficulties</td>
<td>10</td>
</tr>
<tr>
<td>• Child's home address change</td>
<td>10</td>
</tr>
<tr>
<td>• Dual and link placements, inclusion and pupil referral units</td>
<td>11</td>
</tr>
<tr>
<td>• Solo transport</td>
<td>11</td>
</tr>
<tr>
<td>• Passenger assistance</td>
<td>11</td>
</tr>
<tr>
<td>• Exceptional Needs</td>
<td>11</td>
</tr>
<tr>
<td>Personal and Independence Travel Plans</td>
<td>13</td>
</tr>
<tr>
<td>Travel Assistance Options</td>
<td>14</td>
</tr>
<tr>
<td>• Independent Travel Allowance</td>
<td>14</td>
</tr>
<tr>
<td>• Independent Travel Training</td>
<td>15</td>
</tr>
<tr>
<td>• Collaborative transport assistance</td>
<td>15</td>
</tr>
<tr>
<td>• Mainstream or SEND child/young person transported</td>
<td>16</td>
</tr>
<tr>
<td>• Change requests to travel assistance</td>
<td>16</td>
</tr>
</tbody>
</table>

## Appendixes

<table>
<thead>
<tr>
<th>Appendix</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annex 1 – Implementing our policy</td>
<td>17</td>
</tr>
<tr>
<td>Annex 2 – Advanced Needs/Exceptions Protocol</td>
<td>23</td>
</tr>
<tr>
<td>Annex 3 – Appeals Process</td>
<td>24</td>
</tr>
<tr>
<td>Annex 4 – Comments, Complements and Complaints</td>
<td>26</td>
</tr>
<tr>
<td>Annex 5 – Review of this policy</td>
<td>27</td>
</tr>
</tbody>
</table>
Travel Assistance Policy for
Children and Young People with SEND: 0-25 years

Introduction – Our New Approach and Commitment

Surrey County Council is implementing a new, more flexible, model of SEND Transport Assistance to support children and young people get to school, college, or placement.

This policy explains Surrey County Council's transport and travel assistance offer for children and young people aged 0-25 who have an Education, Health and Care Plan (EHCP).

The council is committed to supporting our residents, where appropriate, through a wide range of transport assistance options. We recognise that every child and family is unique, so while this policy will fit the circumstances of most families who meet the criteria for assistance, we have also developed an ‘Advanced Needs Protocol’ to provide a solution to exceptional needs. The council is committed to a collaborative and joint working approach with parents, carers and young people.

The council recognises that, while all parents/carers have a duty to ensure their child receives an education, some families may need support to enable them to fulfil that duty. Where a child or young person is eligible for support, the council has a duty to assist with travel arrangements, within the conditions set out in this policy.

This policy document sets out our new collaborative approach and the arrangements, entitlements, limitations and processes to help assist parents and carers or young people to navigate the council’s new service. The 2016/17 policies will apply for the 2017/18 academic year; however, parents and carers can opt to use the enhanced offer within this policy earlier (see travel assistance options on page 14).

The council is implementing this new model, following consultation with families and stakeholders. There are changes to some of the discretionary assistance that has been previously offered. Be assured however, that this policy’s intention is to continue to assist families at or above the level that is required by law.
Policy Statement

The council recognises and celebrates that every child/young person and their family is unique and we are committed to ensuring all children and young people lead safe and successful lives and have access to the best education possible to reach their full potential. The SEND Development Plan commits the council to working with families and partners to increase collaboration and to develop children and young people’s independence.

The council has a duty to use public money wisely and so are obliged to assess and consider the transport assistance offer based on the most efficient and cost-effective use of council resources.

The council recognises that all parents/carers have a legal duty to ensure their child receives an education, and that in turn, where a child is eligible, that the council has a duty to assist with travel arrangements for the journey from home to education setting.

The council expects all parents and staff to answer the question together:

“How are we planning to get your child to school, college, or placement?”

The council aims to provide a wide variety of assistance, based on the needs of each child, that promotes their potential to be independent and recognises that the wider family and community around each child has a role to play in supporting their education.

This policy sets out:

- the criteria for travel assistance in Surrey;
- how to apply for this assistance;
- how decisions are made;
- the new process for raising any concerns about these decisions.

This new policy approach has been developed and informed by:

- extensive feedback from parents and carers based on the statutory requirements placed on local authorities in Home to School Travel and Transport: Statutory Guidance for Local Authorities (Department for Education, 2014);
- the Special Educational Needs and Disability (SEND) Code of Practice (Department for Education, 2015);
- the Local Offer (www.surreysendlo.co.uk).
- Reference to the Education Act 1996 and S 54 of ASCL 2009 and new s509AB(6) and Post 16 Transport and education and training Statutory Guidance Feb 2014

This policy applies only to children and young people, aged 0-25, with an Education, Health and Care Plan (EHCP) or Statement of Special Educational Needs (SSEN) who are resident in Surrey (or children in the care of the council). The policy describes the transport assistance the Council provides to a child or young person from their home address or collection point, to their school, college, or placement. The home address is defined as the address they habitually and normally live at.

This policy only applies to home to school travel. All other forms of travel and transport are excluded without exception.

Transport assistance will only be provided based on the assessed need of the child or young person.
The appeals process provided should be a last resort. The council expects its staff to work collaboratively with parents to resolve concerns constructively. The intention of this policy is to ensure that all children and young people are appropriately supported to access suitable education.
Collaboration and Partnership Principles

The council is committed to working in collaboration and partnership with our parents and carers. This two-way process ensures both parties work together to put the most suitable and cost-effective level of support in place. The council wants to work with parents and carers to build a closer trusting relationship, which aims to meet their child or young person’s needs.

This policy gives the council, parents/carers and schools/colleges the ambition to work together to find the best balance possible between both our parents’ duties and the council’s. It will be expected that parents and carers will share the responsibility to transport their children where possible, and that the council’s offer will be flexible to aid parents to do this. The council recognises that all children need differing levels of support, and so both the council and parents and carers require a collaborative approach.

The council believes that, through genuine collaboration, the needs of children and young people will be best met together.

The council expects parents to recognise the finite resources available and that it may not be practical to meet all expectations, and it commits to working in partnership to explain these limits and the alternative options available.
Eligibility Criteria

All pupils

The legal responsibility for ensuring children and young people receive their education rests with their parents or carers. Generally, parents and carers are expected to make their own arrangements to ensure their children and young people travel to and from school to guarantee their regular attendance at school, college, or placement.

*NB. The council provides free bus passes for disabled children and young people (with companions in some circumstances), and this scheme is designed to support children and young people to get to their school, college, or placement.*

The council has a statutory duty to provide free transport to all pupils who meet the statutory walking distance eligibility criteria set out in the Home to School Travel and Transport guidance:

- If a child is under eight years of age and lives over two miles from school; or
- If a child is aged between eight and 16 years and lives over three miles from school.

In both cases, the pupil must be attending the nearest suitable school. This is defined as a school that has places available and which the council deems to provide education appropriate to the age, aptitude, and ability of the pupil and any SEND he or she may have.

When establishing whether the nearest appropriate school is within statutory walking distance, the distance between home and school will be measured by the shortest available safe walking route following recognised public footpaths. Where the school is not within statutory walking distance, the distance for travel assistance will be measured by the shortest available road route.

In addition, for pupils who are entitled to free school meals or whose parents or carers are in receipt of the maximum Working Tax Credit, free travel assistance will be provided, if:

- The nearest suitable school is over two miles away (for children over the age of eight and under 11);
- The school is between two and six miles away (for children aged 11-16 where there are not three or more suitable nearer schools); or
- The school is between two and 15 miles away, and it is the nearest school preferred on the grounds of religion or belief (for children aged 11-16).

The council is required to provide travel assistance for pupils who cannot reasonably be expected to walk to their nearest suitable school because the nature of the route is deemed inappropriate, such as an unsafe walking route.

In the case of an eligible child, there is no duty to provide free school transport unless:

- No suitable arrangements relating to travel in either direction between the pupil’s home and school/college are provided free of charge by any other person or organisation; or
- Such travel arrangements are provided, but (even if taken together with any other such arrangement) they are not suitable for the purpose of facilitating the
pupil’s attendance at school

Eligibility – School-aged pupils with SEND

The council must make transport arrangements for all children who cannot reasonably be expected to walk to school because of mobility needs or wider needs related to their SEND (detailed in their EHCP). Eligibility for such children will be assessed on an individual basis to identify the pupil’s individual transport requirements and may require a medical assessment.

Eligibility – Pre-school children with SEND

Local authorities do not have a duty to provide or arrange free transport for children who have not yet reached statutory school age. However, transport assistance applications will be considered for children below statutory school age in some exceptional circumstances, and it is expected that such children will already have an Education, Health and Care Plan (EHCP).

In applying this exemption, the council must be satisfied that, without such assistance, the child would be prevented from attending an appropriate nursery or early years’ education placement.

The general expectation is that a pre-school child will be accompanied on transport by a parent or carer, unless there is a good reason why it would not reasonable to expect parents or carers to do so.

In assessing eligibility for pre-school children, attention will be paid to the following criteria:

- The age of the child;
- The distance between home and nursery;
- The SEND of the child;
- The reasons for the pre-school education placement; and

Whether the child has other siblings (of an age where it is not reasonable to expect them to travel alone) attending school(s) a significant distance away from the provision proposed for the child.

Eligibility – Post-16 students

The council does not have a statutory duty to provide or arrange free transport to or from post-16 education placements (including sixth form provision or colleges) for student’s age 16 years and over since these young people are above statutory school age.

Where there is a current entitlement it is agreed that a statutory school-aged pupil is eligible for transport, the entitlement will continue until and including the end of the academic year in which they turn 16 years old - current eligibility is no indication of future eligibility.
The council does have a duty to specify the arrangements for the provision of transport or what it otherwise considers necessary to facilitate the attendance of all young persons aged 16+ receiving education or training. This duty applies in respect to arrangements for young people (over statutory school age) aged 16 to 18 as well as continuing learners who started their programme of learning before their 19th birthday (regardless of location of their placement). To meet this duty, the council has published a ‘Transport Policy Statement’, available on the council’s website.

Where a pupil with SEND remains based at the school named in their EHCP beyond their 16th birthday, the council will ordinarily continue to arrange (but is not required to fund) their transport until the end of the academic year in which they turn 19 years of age. Where a young person’s school or college changes post-16, his or her eligibility for travel assistance will be re-assessed.

A student aged 16 to 19 studying at a school or college or on a training course (including an unpaid apprenticeship or traineeship) is entitled to apply for a bursary, which can be used for transport. The application is made directly to the education provider (for example, school or college). Information about applying for a bursary is available at www.gov.uk/1619-bursary-fund/overview.

Prior to requesting post-16 travel assistance, a student would be expected to have applied for a bursary and, if in receipt of one, to be spending at least half of it on travel.

In assessing eligibility for students in post-16 education and training, particular attention will be paid to the following criteria:

- Whether the student is in current receipt of a bursary fund and to what value;
- The location of the nearest sixth form unit or college the student would like to attend (if this is not local provision, the council would need to know that the course being taken is not available locally);
- Whether the sixth form unit is an extension of the school previously attended by the student and named in their Statement or EHCP; and
- The assessed needs of the student.

Where it is agreed to provide travel assistance to young people post-16 education and training, the assistance will normally take one of two forms:

- Reimbursement of train/bus travel, on the basis set out below where students have received independent travel training and are able to use public transport to make solo journeys (parents or carers would need to confirm that this person is able to travel independently);
- Mileage reimbursement, where students are not able to travel independently, but where parents or carers are able to provide transport;

In exceptional cases the council may make alternative arrangements to support the young person to access their education on the basis set out below.

Reimbursements and standard travel allowances are calculated in accordance with net household income. These figures are reviewed on a regular basis.

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<thead>
<tr>
<th>If your net household income is:</th>
<th>Reimbursement percentage</th>
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<tbody>
<tr>
<td>Up to £21,999</td>
<td>100% of transport costs (minus 16-19 Bursary)</td>
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<tr>
<td>Income Range</td>
<td>Percentage of Transport Costs (Minus 16-19 Bursary)</td>
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<tr>
<td>-----------------------</td>
<td>-------------------------------------------------------------------------------------</td>
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<tr>
<td>£21,000 - £26,999</td>
<td>65%</td>
</tr>
<tr>
<td>£27,000 - £31,999</td>
<td>30%</td>
</tr>
<tr>
<td>Over £32,000</td>
<td>Discretionary; dependent on the total value of household income and total cost of transport</td>
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</tbody>
</table>
Eligibility - Short-term difficulties

Pupils who do not receive transport assistance: pupils who have short-term difficulties (for example, a short-term illness or health difficulty) may be eligible for transport assistance to and from school.

Pupils receiving bus transport provision: where a child receives home to school transport from a private hire or bus company and cannot get to and from a collection point (for example, due to a broken leg or other short-term illness or related to their SEND needs), temporary assistance will be offered as a replacement for this service. Although the child’s SEND has not changed, temporary physical or medical constraints make it difficult for the child to access the service.

Pupils who have temporarily changed address: transport assistance will not be provided as a matter of course where a child who usually receives assistance moves to a different address in the short-term if the changed address results in additional transport costs. In exceptional circumstances (i.e. ongoing parent/carer illness etc) the council will seek to provide alternative assistance. The parent or carer may be expected make their own transport arrangements.

Parents with authorised mileage allowances or personal budgets: temporary assistance may be provided in those instances where parents or carers in receipt of authorised mileage allowances or personal budgets and cannot transport their child to and from school due to a short-term illness.

Parents who are unable to take their child to a collection point: no temporary assistance will be provided in those circumstances where a parent or carer is unable to take their child to and from a collection point for onward transport to school by a private bus company except in exceptional circumstances based on need of the family. This is because the child’s special educational need or disability has not changed, and the transport service from the collection point is still available.

Eligibility – Child’s home address changes

If a family has moved to an address within a different local authority area, the responsibility for the child’s EHCP and their home to school transport transfers to the local authority area in which they are residing. This is because the family has become ordinarily resident in the new area. This is the case regardless of which local authority is paying the family's housing costs.

Ordinary residence is established if there is a regular habitual mode of life in a particular place “for the time being”, whether this is of a short or long duration, the continuity of which has persisted apart from temporary or occasional absences. Where a child has parents/carers living at more than one address, the address they spend the majority of their time when attending school or college shall be considered the habitual home address.

Eligibility - Dual and link placements, inclusion, and pupil referral units

Dual placements are where a pupil attends more than one school or where a school arranges a college link placement for a pupil. Dual placements may require additional transport assistance, such as transport at earlier or later times or during the school day. Schools are responsible for arranging and paying for the cost of such transport. Where a
pupil is on the roll at one school but visits another school or college for inclusion or link purposes, the school where the pupil is usually based will be responsible for arranging and paying for transport. These arrangements also apply to pupil referral units.

Eligibility – Solo transport

It is not possible to provide personalised 1-2-1 transport as a matter of course. Pupils will travel to and from school with other pupils unless there are exceptional circumstances where it would not be reasonable to expect a pupil to do so based on the needs in their EHCP.

Eligibility – Passenger assistance

Passenger assistants will be provided on some transport routes. The provision or non-provision of a passenger assistant on a route is based on several factors, including:

- The age of the pupil;
- The distance between home and school;
- Information provided on the Transport Assessment Form;
- The SEND of the pupil;
- The number of other pupils travelling on this route; and
- The viewpoint of the school for the need of an assistant.

There is no minimum or maximum age that determines whether a passenger assistant will be automatically provided, and the council will consider age in conjunction with all the factors listed above in making its decision.

Where a pupil travels on his or her own, the council encourages parents and carers (or a person known to the pupil and aged 18 or over) to act as his or her passenger assistant. Payment is not made in such cases. Provision of a passenger assistant at any one time does not guarantee that this will be an ongoing arrangement; the requirement will be reassessed in the pupil’s annual review, periodically during the year, and in the event of any change in circumstances.

Eligibility – Exceptional needs

Where parents/carers consider that exceptional needs apply to their application for travel assistance, they are asked to complete a Home to School/College Transport – Exceptional Needs form (available from the SEND Case Worker).

Exceptional needs might include, but are not limited to:

- health needs/disability/ circumstances affecting the child’s sibling(s) or other close family members who are dependent upon the child's parents/carers;
- exceptional financial difficulties;
- or other factors that are likely to significantly impact on the parents'carers' ability to meet their responsibilities in connection with transporting their child to an education provider.

Surrey County Council may require appropriate verification of any information that is materially relevant to its decision.
Exceptional needs transport will be assessed and approved jointly by the Area Special Needs Manager and the Head of the Transport Co-ordination Centre who may gather evidence from a range of professionals and will adopt a case law approach to ensure consistent decision-making.

If travel assistance is agreed based on exceptional need or means testing, the decision will be reviewed termly or at other intervals as specified by the council.

Parents/carers will be expected to provide updated benefits or other information if requested, and, if this is not provided, the council reserves the right to withdraw the travel assistance.
Personal and Independence Travel Plans

The council is introducing new Personal and Independence Travel Plans (PITPs). These plans are intended to enhance the knowledge and information used by the council to design the transport assistance required for each child or young person. Plans should be reviewed at least once per academic year as part of the Education, Health and Care Plan annual review. The EHCP annual review process will include a process to review the nature of transport assistance required to complement the child/young person's development and meet their needs as they change.

The Personal and Independence Travel Plans take the form of a template form, no more than two sides of A4, which is to be completed by the child or young person's parents or carer in partnership with the pupil's school, college, or placement provider. The parents or carers must submit the Personal and Independence Travel Plan alongside an application for transport assistance directly to the new SEND Transport Team (part of the Transport Co-ordination Centre team). The new SEND Transport Team will support schools, colleges, and providers with training to enable them to assist parents and carers.

Each plan will specify the following (not an exhaustive list):

a. The needs of the child/young person that a transport planner/provider needs to know in order to ensure a supportive and safe level of assistance;
b. Strategies to support the child/young person’s calm and comfortable travel;
c. Strategies to promote and develop a child/young person’s independence;
d. Any equipment or resources needed to support a child/young person’s needs; and
e. Any factors the family would like to be considered in the planning and delivery of transport assistance (this is guidance only and not a commitment).

The new SEND Transport Guide for Parents, Carers and Young People provides more guidance on completing a Personal and Independence Travel Plan.

Personal and Independence Travel Plans must be accurate and reflect the true needs and independence capacity of the child or young person. The council will not consider needs that are not reflected within the child or young person’s EHCP.

Personal and Independence Travel Plans are intended as an advisory tool to collaborate and make a child/young person’s experience the best that can be achieved within the eligibility criteria and resources of the council. Personal and Independence Travel Plans do not constitute an agreement or commitment to assistance.
Travel Assistance Options

The council is committed to supporting parents and carers and meeting the needs of children and young people. The council has developed a more flexible approach to supporting parents and carers (plus some young people) through a new model of transport assistance.

The following options are in order of priority, and parents/carers will be expected to work collaboratively with the council in order to find the right solution to meet their family’s and child’s needs. There is an expectation that the most appropriate and cost efficient option will be adopted each time.

Transport assistance may take one of the following forms, depending on needs; not all options will apply:

1) Information, advice and guidance;
2) Use of the free disabled bus pass;
3) The allocation of a travel buddy;
4) Training to travel independently (walking and using public transport);
5) Collaborative transport assistance (i.e. Parents transport one way and the council the other);
6) Mainstream child transported instead of SEND child;
7) Support parents/carers to transport child to school through the Independent Travel Allowance;
8) Provision of a private bus service (central collection to drop-off location); or
9) Provision of individual bus or licensed private car hire for groups of children/young people.
10) Provision of individual bus or licensed private car hire for solo travellers.

Independent Travel Allowance

The new ‘Independent Travel Allowance’ is a scheme designed to help parents and carers meet the costs of transporting their child or young person to school. Whilst it is anticipated that the majority of parents will transport their own children independently, the council offers financial assistance where needed for entitled children and young people where other more cost effective solutions are not suitable.

The new scheme provides flexible funding for parents and carers to arrange their own transport arrangements. The following could apply:

- Parental/carer transport;
- Family or trusted friends’ transport;
- Community representative transport (neighbours or informal networks);
- School or training provider transport.

The above options will be subject to assessment and sign-off by a senior transport manager as well as the parent/carer and the school, college, or education provider.

More details of this scheme can be found in the new ‘SEND Transport Guide for Parents, Carers and Young People’.
Independent Travel Training

Local authorities have a duty to encourage, enable, and assist the participation of young people with learning difficulties and/or disabilities up to the age of 25 in education and training. Independent travel training aims to achieve this. Schools are responsible for providing independent travel training for children and young people with SEND, where appropriate.

Independent travel is a valuable life skill as well as an essential employability skill, and it provides greater opportunities for young people, not least by increasing confidence in their abilities and reducing their sense of reliance on family members.

The council will consider the following criteria when considering which pupils should be offered independent travel training opportunities:

- Existing level of independent travel skills;
- The age of the pupil;
- The distance between home and school;
- The SEND of the pupil;
- The route that would need to be followed;
- Journey times using public transport; and
- The frequency of the journeys required.

The council working with schools and colleges will identify children and young people who it reasonably believes should be able to successfully travel to school/college safely. Due to the needs children and young people being very diverse, a child who is identified for training will typically (but not exclusively):

1. Have the physical capability to travel independent to school or college;
2. Have sufficient awareness (after training) to routinely travel to safely (with or without support);
3. The journey time via bus, train or walking (other alternatives may apply) should be within the reasonable journey times detailed in this policy.

If a child is identified their parent/carer will be informed in writing and they will be assessed by the council’s ‘Independent Travel Training’ contractor.

Parents and carers are required to ensure their child/young person is assessed by the council’s expert contractor who has an understanding and track record of working with SEND children and young people. Refusal to allow an assessment may lead to the withdrawal of all other forms of transport assistance until an assessment has been completed.

The council’s contractor will perform the following three assessments:

1. Assessment at school/college with the pupils teacher/tutor;
2. Assessment at the pupils home address (in the home);
3. Assessment in the community with the parent/carer present

Once a pupil has been assessed as suitable for independent travel training they will be required to undertake this programme of training. If they are assessed as not suitable for training the following will apply in order:

1. A future review date will be set, after which they may be reassessed, until then;
2. They will be provided with travel assistance in accordance with this policy.

**Collaborative travel assistance**

The council recognises the best method of transport for a child or young person is via their parents. Therefore, the council adopts the principle of collaboration.

The council recognises that due to work or other caring responsibilities, it is not always possible for some parents/carers to transport their own children all the time. However, the council believes that parents may be able to transport their child or young person for some of the journeys per week. In these cases, the council expects parents to undertake the routes they can complete consistently. The council will then collaborate with parents and carers to provide assistance (see above) in order to fulfil in the journeys parents/carers are unable to complete. Parents will need to ensure all journeys are covered as the council is unable to provide cover, except in exceptional circumstances (i.e. parent/carer has a medical need).

This model has been developed to provide the best possible support for children and young people and to support parents in directly engaging with their child’s education. The Independent Travel Allowance will be available to parents who meet the scheme’s criteria to assist them in undertaking their elements of the shared transport.

**Mainstream or SEND child/young person transported**

The council recognises that it can be a challenge for parents with multiple children to take two or more children to more than one school. Therefore, the council will allow parents and carers with a SEND child to have the offered assistance used for either their SEND or mainstream child(s), as long as transporting the mainstream child is a more economic use of public money.

**Change requests to travel assistance**

The council recognises that its approach of promoting independent travel and increased partnership with parents needs a level of collaboration. The council equally recognises that the needs of children and young people, as well as their families, change. In these circumstances, the council will be sympathetic to changing needs and will work to jointly review the level of assistance required going forward, which may result in a different level of travel assistance being provided (based on the evidence of change, need, or circumstances). Depending on the nature of the changes it can take up to two weeks to implement, although the council will endeavour to adapt arrangements sooner.
Annex 1 - Implementing the Policy

Transport management

Transport is co-ordinated and managed by the SEND Transport Service, which is the first point of contact for schools, parents, and carers and is responsible for the day-to-day operation of the service.

Pick-up and drop-off arrangements

Transport providers are authorised to make pick-ups and drop-offs at one authorised pick-up point only. The authorised point will usually be those specified in the Personal Independence Travel Plan (normally the home and school address), or, in the case of bus journeys, an allocated bus stop or collection point.

Parents and carers should provide one alternative address, wherever possible, which must be within one mile of the usual home address, to be used if the parent or carer is unable to meet the child.

Collection points may be introduced on some routes, where appropriate, to improve the efficiency of the route and reduce journey times for pupils. Where a collection point is allocated, it is the parent’s or carer’s responsibility to make sure that their child travels to and from the collection point safely. The needs of the child will be taken into consideration when identifying suitability for this type of assistance.

Timing

The timings for pick-up and drop-off will be specified by the appropriate transport provider’s controller, and parents and carers must ensure that they are aware of the correct times. Times may change if new pupils join a route or if pupils leave a route.

Where pupils are picked up or dropped off at home, the parent or carer is responsible for accompanying the pupil to and from their door to the vehicle.

Parents and carers must ensure that there are no unreasonable delays in making pupils available for the journey (or collecting them in the evenings), as this is one of the main factors affecting total journey times and can have a detrimental effect on how other passengers manage the remainder of their journey.

To minimise journey times for every pupil on the transport, pupils are required to be available within three minutes of the specified pick-up window, and parents or carers are required to be available within three minutes of the specified time of drop-off. If the pupil, parent, or carer is not available within that time, the transport providers will attempt to make telephone contact with the parent or carer to find out if there is a particular difficulty on that morning/afternoon.

If the driver is unable to make direct contact with the parent or carer, the driver is instructed to leave that pick-up/drop-off point and move onto the next point. Should the transport move on without the pupil, transport to school will then become the responsibility of the parent or carer for that individual journey.

If the parent or carer is unavailable for pick-up on school-home journeys, the child will be
transported to the nearest place of safety. Transport assistance will be reviewed and may be removed if there are ongoing delays.

In some exceptional cases, to recognise the needs of an individual pupil, the three-minute waiting time may be adjusted and the transport provider informed.

In some cases, it may not be legal or safe for the transport to stop directly outside a pupil’s home. In these cases, parents and carers are required to walk with their child to the safest nominated collection point, as specified by the transport provider.

Absences

Where a pupil cannot attend school on any particular day (for example, due to illness), it is the parent’s or carer’s responsibility to contact the SEND Transport Service immediately or cancel the day’s transport no later than 30 minutes prior to collection time via the SEND Transport Portal. For long-term absences, parents or carers should contact the SEND Transport Service to discuss how long to pause the service.

All transport that is not cancelled in advance of the vehicle arriving at the home address must be paid for by the council, whether the pupil boards the vehicle or not.

Where parents or carers repeatedly fail to cancel transport provision for their child before it arrives at their home address, or where a pupil suddenly refuses to travel in transport which has arrived on any given day (without any prior notice having been given to the transport company), the pupil’s transport provision will be reviewed if the reason is unrelated to their SEND needs.

Where it can be established that public funds are being used inappropriately, as a result of vehicles not being cancelled with sufficient prior warning, pupils may be excluded from transport for a period of time. Parents and carers will be responsible for transporting their own children during any period of exclusion from transport.

Alternative arrangements

Transport providers are instructed to take children and young people to the nearest place of safety in the event of a parent or carer being unable to meet the pupil at the specified drop-off point at the specified time. Children’s social care services may be notified and/or transport assistance withdrawn if this happens frequently. Parents, carers, or schools should contact the controller or SEND Transport Service if there are any emergency changes. The controller will have a duty to advise parents, carers, and schools if there are going to be any unforeseen delays to the delivery of the service.

Parents with other commitments

It is not always possible to take family circumstances into account when allocating pick-up and drop-off times for pupils. Timings will be based on the most efficient route available. The efficient planning of routes is a priority, especially as it is important to minimise the time that pupils need to spend on transport on every route. If the council were to consider requests for pick-up times from parents or carers, then this could lead to inequalities, since a vehicle cannot collect two children from different addresses at the same time. In addition, requests for pick-up times would also compromise route efficiencies, making them longer for all the
other children and less economical.

Severe weather

In cases of severe weather, where parents and carers are advised that transport has been cancelled for their child’s morning, they should assume that transport will also be cancelled for their child’s afternoon journey, unless they are advised otherwise. If parents or carers decide to take their child to school despite the severe weather, they will also need to arrange to collect their child after school.

Needs assessments

Where the council agrees to provide contract transport for a pupil, it may be necessary to complete a needs assessment. Until this needs assessment is completed, transport between home and school will be the responsibility of the parents or carers. The Independent Travel Allowance will be made available to support parents in these circumstances. Parents and carers need to ensure the Personal Independence Travel Plans reflect the risks so as to minimise any delay.

Some pupils with SEND have physical and medical conditions which deteriorate over time. If, at any point, it is felt by the SEND Transport Service that a further assessment may be necessary to ensure that a child’s physical and medical needs are being met on board transport, this assessment will be planned and completed. Until the recommendations from this updated assessment are complete, it will be the responsibility of parents and carers to transport their child between home and school until transport can be re-arranged.

Medication

The council will ensure that every driver and passenger assistant is able to respond to an emergency situation; however, they will not normally be expected to administer medical assistance. Every parent, as part of their application and Personal Independence Travel Plan, is required to provide detailed information directly to the SEND Transport Service about their child’s SEND and medical needs. In some cases, where a child has very specific and complex needs, an additional care plan from medical professionals may be required.

In the event of an emergency on board a vehicle, the procedure is for the passenger assistant or driver to seek guidance from medical professionals by calling 999 and asking for a paramedic crew to attend the scene.

Where it is assessed to be unsafe for a pupil with complex or acute medical needs to travel with only a passenger assistant, the council will support parents/carers to travel with their child to provide the additional care required. The Advanced Needs Protocol may apply.

Journey times

The nature of transport congestion in Surrey means that travelling times can vary greatly. It is expected that children should arrive at school safely and ready to learn. Journey times should reflect this. The council uses sophisticated systems with real time road speed data to plan routes for children and young people in the most efficient way possible.

The recommended journey time for a pupil travelling to a school/college is 45 minutes for
children under the age of eight, and 75 minutes for children aged eight and over; however, this may be affected from time-to-time by traffic pressures, road works, and other environmental and operational conditions. It may be deemed acceptable for a trip to exceed these journey times if it is considered that the additional time does not place undue stress, strain or difficulty on the pupil that would prevent them from benefitting from the education.

These journey times do not apply to children/young people travelling to out-of-county schools, where distances and the frequency of journeys will vary. Routes consistently longer than the stated times may be reviewed periodically.

**Behavioural standards**

Any pupil may experience behavioural difficulties. The council will work with schools, parents, carers, and transport providers to manage instances where a pupil exhibits extreme behavioural characteristics. Poor behaviour may affect the concentration of the driver as well as the overall safety of the other pupils or passenger assistants, and in some cases alternative arrangements will need to be made.

In consultation with the pupil’s school, it may be necessary to issue periods of fixed or permanent exclusion from transport. Parents and carers will be responsible for transporting their own children during any period of exclusion from transport. Non-provision of transport during these periods does not mean that the council is not fulfilling its statutory duties, merely that transport arrangements were made but, because of behavioural issues, had to be suspended or temporarily withdrawn.

When using home to school transport, pupils must:

- Remain in their seats at all times;
- Wear their seatbelts at all times; and
- Follow and abide by the passenger assistant and/or driver’s instructions.

Pupils must not (it is recognised the EHCP stated needs will be evident):

- Abscond from the vehicle;
- Speak in an offensive/abusive manner to the crew, other passengers, or any other member of the public whilst in or around the vehicle;
- Behave in a way that may create a danger to themselves, other passengers, or the driver/travel assistant, or in a way that could cause damage to (or shows disrespect to) the vehicle itself;
- Exhibit behaviour of a sexual nature; or
- Spit or fight.

Additionally, smoking or vaping will be not allowed on any vehicle at any time. This includes at times when pupils are not on the transport. Pupils will be allowed water on board the vehicle.

**Continuity**

Every effort will be made to ensure that the same passenger assistant and driver continue to transport a pupil; however, this will not always be possible, and changes may need to be made to ensure the most efficient use of available resources.
Parents, carers, and schools will be informed by the transport company about any changes to the crew member(s) in advance. Parents and carers are advised to take the name of the new driver and/or passenger assistant and, if they are in any doubt, ask to see their identification or contact the transport provider to verify identity.

Local authorities have a duty to spend public funds in the most appropriate and cost-effective manner. Routes will be reviewed regularly. Separate routes, taking pupils to several different schools, may be brought together into a single route where this is appropriate. Longer routes will be reviewed periodically with the respective schools to ensure that concentration and attentiveness are not compromised by any change to pupils’ journeys.

Safeguarding

The council is committed to ensuring that children and young people on transport travel safely to school and arrive ready to learn. The following safeguarding systems are in place to protect children’s safety and promote their well-being:

- Crew members have valid Disclosure and Baring Service (commonly known as criminal record check) certificates and appropriate licenses;
- Crew members have completed safeguarding training;
- Travel Assistants are provided with certified first-aid training;
- Child-seating is provided for young people below 135 cm in height;
- Non-ambulant buggy or wheelchair users undergo a wheelchair risk assessment via wheelchair services to verify that their buggy or wheelchair has been crash-tested for use on transport and to ensure that the correct safety equipment is used to secure the buggy or wheelchair in place;
- All confidential information is sent by secure email;
- All incidents on board transport are logged and investigated;
- Safeguarding concerns or allegations about a transport crew member are referred to the Local Authority Designated Officer (LADO) – see paragraph 115 for further information;
- Crew members are provided with a procedure in circumstances where parents or carers are not available at their home address at the end of the school day or have requested an agreed alternative destination;
- Taxi routes are audited on a regular basis and checked for compliance against the service specification, including compliance with safeguarding procedures; and
- Taxi providers are audited once per academic year, and further checks are completed within these audits.

Monitoring and Tracking Systems

The use of technology such as CCTV and Global Positioning Systems for the purposes of service improvement, safeguarding vulnerable children and the health and safety of those concerned is proposed. Such devices will help to improve the speed and accuracy of incident resolution and support transport crew training.

Should information be requested by parents or those involved they can exercise their right to do so under the rights assigned by the current Data Protection Act.

A Privacy Impact Assessment will be undertaken by the County Council to ensure that privacy, security, legal purposes and processing are given due consideration in order to
ensure compliance of their data protection obligations and meet individuals expectations of privacy.

For parents or carers who do not wish their child to be filmed, it may not be possible to provide taxi or bus-based transport assistance.

The council plans to provide parents and carers with direct access to live GPS information via a new web based portal from 2018.
Annex 2 - Advanced Needs/Exceptions Protocol – Described as the 90%-10% model

The addition of this protocol has been provided because the council recognises that this policy may not sufficiently meet the needs of all children and young people. The council wishes to avoid decision making that can be evidenced isn’t suitable to support the needs of a small number of children and young people. Therefore this process is designed to allow for bespoke solutions to be developed in collaboration with parents/carers, schools and the council.

The council wishes to address parent and carer concerns regarding their child’s transport at an early stage. We wish to avoid the need for a formal appeal or complaint. This may not always be possible; however, the council remains committed to open dialogue on both sides in order to discuss concerns.

Where a parent/carer or school feels that the application of this policy is detrimental to the child or young person concerned, the ‘Advanced Needs/Exceptions Protocol’ can be used to deliver a review of the decisions taken to date. This is a five-step process:

- **Initial Decision**
  - A decision has been made by the SEND Transport Service about your child’s assistance package, and you don’t feel it meets their needs. NB. Only the child’s needs will be taken into consideration. The needs of parents and carers or wider family needs (e.g. work commitments) would usually not be considered through this process.

- **First Contact Review**
  - Parents and carers must contact the SEND Transport Service and speak directly to a caseworker, who will detail the concerns and review the existing decision with a manager.

- **First Contact Result**
  - The result of the first contact review will be communicated to the parents/carers verbally and in writing within five working days.

- **Second Contact Review**
  - Should the first contact decision not sufficiently meet the needs of the child, the parents/carer can request a further review. The parent/carer is asked to submit a statement outlining the ongoing concerns and agree a date/time for a meeting with the SEND Transport Service to personally discuss their concern.

- **Final Outcome**
  - Ideally, the concerns will be discussed and a decision reached at the meeting. This may not be possible in some cases, where further reflection, research, or assessments are required. However, a decision should typically be reached within five working days of the meeting. The decision is final.

The council wants to provide the most appropriate and economic/sustainable service possible to all children and young people entitled to travel assistance. Only the needs of the child will be considered throughout this process. The needs of the parents/carers or wider family are not factors this process can consider. This protocol has been specifically included to ensure the best possible decision-making for each child based on its needs.

The council has a duty to spend public money appropriately, and therefore it may not be possible to meet all the expectations of parents. Requests for support that are not backed by strong evidence of the child’s needs are unlikely to be successful.

The council will adopt a ‘case law’ approach, and any decisions reached through this protocol will be formally recorded and used to inform future decision-making on similar cases.
Annex 3 - Appeals Process

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

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

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

a) The first stage of the appeal process is in writing to the relevant ASNM. 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.

b) 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 1 decision.

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 Special Educational Needs Service and partner agencies considers Stage 2 appeals.

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

Stage 3 – review by an independent appeals panel

If the decision remains unchanged, the parents/carers can progress their appeal to Stage 3 of the process. A panel of elected members considers Stage 3 appeals.

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

- the nature of the decision reached;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parents’ right to put the matter to the Local Government Ombudsman.

The independent appeals panel members should be independent of the original decision-
making process and should be suitably experienced (at the discretion of the local authority).

Local Government Ombudsman

Parents can contact the Local Government Ombudsman at any time; however, the Local Government Ombudsman will normally expect them to have completed all stages of the council's complaints procedure before considering their complaint. Further advice is available at http://www.lgo.org.uk or on the Local Government Ombudsman advice line on 0300 061 0614. This is the final stage in the appeals process.
Annex 4 - Comments, Compliments, and Complaints

The council is constantly looking at ways of improving the SEND Transport Service and welcomes comments from parents, carers, pupils, and school staff on any issue relating to the service. Comments or concerns about operational issues should be addressed to the relevant bus or taxi provider in the first instance. If the provider cannot resolve the concern, the issue should be brought to the SEND Transport Service for resolution.

Formal complaints will be managed in line with the council’s complaints procedures which are available online at….
Annex 5 - Review of this Policy

The SEND Travel Assistance policy for children and young people under 16 with an EHCP/ SSEN will be reviewed annually and consulted upon in accordance with statutory guidance, should changes be considered.