

# SEND Home to School Travel policy for compulsory school age children 2024/25

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## **Glossary of terms:**

Terms we use in this document and what they mean:

**Parents:** The term “parents” should be read to include foster parents, carers and other guardians of children and young people

**Child:** refers to child or young person throughout

**The Council / LA:** Bath and North East Somerset Council

**SEN / SEND:** Special Educational Needs/Special Educational Needs and Disabilities

**Special School:** A school is a special school if it is specifically organised to provide special educational provision for pupils with SEN

**Mainstream School:** Means a maintained, free school or an academy that is not a special school

**EHCP:** Education, Health and Care Plan

**SEND Service:** The Council team which assesses and maintains Education, Health and Care Plans

**Passenger Transport Team:** The Council team which commissions, allocates and manages the home to school transport contracts

**Travel Support:** The term we are using to describe the support available to help children/young people attend school

**School:** In this policy, we refer to school as any setting a child attends that provides education, and has been agreed by the Local Authority

**‘Suitable’ school:** A suitable school is one that provides education appropriate to the child’s age, ability, aptitude, and any special educational needs they may have

If your child has an Education, Health and Care plan, the school named in their plan will usually be considered their nearest suitable school for travel purposes

## **Introduction:**

Bath and North East Somerset Council are committed to improving people's lives. We do this while ensuring we are also making the best use of Council resources. You can find details of our [Corporate Strategy](#) on our website.

Parents and carers have a legal duty and a responsibility to ensure that their children attend school regularly and to make any necessary arrangements to ensure that they attend. In certain circumstances based on statutory guidance, the Council has a duty to provide school Travel Support and this document sets out these circumstances.

Parents are encouraged to support their children to walk or cycle when the route is safe. There are health benefits for children who walk or cycle to school, but local communities also benefit through improved road safety, reduced traffic congestion and associated noise and air pollution.

One of our service aims is to promote the independence of our children wherever possible. For those children who do qualify for school Travel Support, the Council reserves the right to decide on the type of Travel Support offered and where best to collect the child/young person from. The categories of children who are eligible for Travel Support are defined below. These apply to children of compulsory school age (5-16).

The nature of Travel Support will be determined by the Local Authority and will be one that is consistent with the Local Authority's duty to ensure it makes the most effective use of resource. It will normally be provided at the standard school hours, at the beginning and end of the school day.

## **School Travel policy for mainstream and post 16 young people with an Education, Health and Care Plan (EHCP)**

This policy is for SEND Travel Support, but the eligibility criteria outlined below shows criteria for all travel support options. Details of Bath and North East Somerset Council's mainstream and post 16 Travel Policies can be found on the [school transport](#) webpage.

## **Eligibility:**

The Local Authority has a strict duty to ensure that suitable travel arrangements are made to facilitate a child's attendance at school, where it is deemed absolutely necessary. The four categories of eligibility are outlined below and can be found in [Home to school travel and transport guidance January 2024](#).

### **Statutory walking distance eligibility**

Provide transport for those children who live more than the statutory walking distance from their home address to the nearest suitable school, as calculated by the Council;

- beyond 2 miles (if below the age of 8)
- beyond 3 miles (if aged between 8 and 16)

### **Unsafe route eligibility:**

Provide transport arrangements for all children who cannot reasonably be expected to walk to their nearest suitable school because the nature of the route is deemed by the Council unsafe to walk even if accompanied by their parent.

### **Extended right eligibility:**

Provide transport where pupils are eligible for benefit related free school meals or one of their parent/carers are in receipt of maximum Working Tax Credit **and** if;

- The nearest suitable school is beyond 2 miles (aged 8-11); or,
- The school is between 2 and 6 miles (aged 11-16 and they are attending one of their 3 nearest suitable schools)
- The school is more than 2 but not more than 15 miles from their home address and their parents have chosen the school on the grounds of their religion or belief if, having regard to that religion or belief, there is no suitable school nearer to their home and the child is aged 11 to 16.

### **Special educational needs, a disability or mobility problems eligibility:**

If a child's special educational needs, disability or mobility problems mean that they could not be reasonably expected to walk to school, then the Council will assess each child on an individual basis to identify the most appropriate travel option.

A child may be eligible for Travel Support if:

- The child is attending the nearest suitable school as determined by the Local Authority.
- The child cannot reasonably be expected to walk to school, even when accompanied by an adult.
- There is professional evidence that their medical condition, mobility issues or special educational needs affects their ability to travel to and from school.

The Council will consider relevant evidence from a consultant or other relevant medical professional such as a Community Paediatrician, Occupational Therapist or Physiotherapist (this list is not exhaustive) to demonstrate the difficulties they have in walking or travelling on public transport in order to go to and from school, accompanied as necessary by a responsible adult or parent.

Please note that not all children with an Education, Health and Care Plan (EHCP) are eligible for Travel Support, and having an EHCP does not automatically entitle one to Travel Support. Furthermore, parental working commitments will not be taken into account when deciding whether to grant Travel Support, except in exceptional circumstances (see page 9).

## **Accompaniment**

In determining whether a child cannot reasonably be expected to walk for the purposes of 'special educational needs, a disability or mobility problems eligibility' or 'unsafe route eligibility', the Local Authority will need to consider whether the child could reasonably be expected to walk if accompanied and, if so, whether the child's parent/carer can reasonably be expected to accompany the child. When considering whether a child's parent/carer can reasonably be expected to accompany the child on the journey to school, a range of factors may need to be taking into account, including the parent/carers own disability.

The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.

## **Types of Travel Provision:**

Our Transport Officers will help parents/carers explore different options for getting their child to and from school. Here are some ways we may be able to assist:

- Offering training so that young people can travel independently
- Encouraging walking and cycling, where appropriate
- Directing young people and their families to additional Travel Support available through other government programs or local services
- Exploring a Personal Travel Budget (PTB)
- Providing travel passes for public transport
- Offering a seat on existing school transport
- Providing the option of an extra seat on a Council-contracted bus

## Personal Travel Budgets:

Personal Travel Budgets (PTB) can be a great way to make your child's journey to school more comfortable and enjoyable. By offering 50 pence per mile for 4 journeys a day, we aim to help parent/carers take their child to and from school in a way that suits them best. With Personal Travel Budgets, your child can travel to school with family members, which means fewer transitions during their school day, a stronger link with the school and it will mean the child won't need to adapt to varying drivers/Guide Escorts. This payment is tax free and doesn't affect any benefit entitlement.

Below is an example of how much you could get with a Personal Travel Budget depending on the number of miles between home and school:

<b>Miles between home and school</b>	<b>How much you could get (per week)</b>	<b>Per year (38 weeks)</b>
3 miles	£30	£1,140
5 miles	£50	£1,900
7 miles	£70	£2,660
10 miles	£100	£3,800

There are several ways in which Personal Travel Budgets can be used, including:

- Shared travel arrangements with other parent/carers, such as shared driving responsibilities, walking buses or joint taxi bookings
- Overcoming barriers that may prevent parent/carers accompanying their child to school, e.g. travel/childcare arrangements for siblings (this payment could be used to pay for Breakfast club for siblings in mainstream school)
- Covering the cost of parent/carers driving or cycling with their child to school
- Paying for a Guide Escort for the child to walk to school or travel by public transport. Parent/carers may also choose to do this themselves.

Personal Travel Budgets are granted at the discretion of the local authority, where it is cost effective for the authority to do so. To enable monthly payments, parent/carers will need to sign an agreement with Bath and North East Somerset Council and provide their bank details.

To find out more about Personal Travel Budgets and to see if you are eligible, contact the Travel Team by email: [SENDSchool\\_TravelTeam@BATHNES.GOV.UK](mailto:SENDSchool_TravelTeam@BATHNES.GOV.UK)

## Independent Travel Training

Independent travel training is a tailored and practical support for young people with Special Education needs or disabilities (and an Education Health and Care Plan) to travel by public transport, on foot or by bike. It aims to help children and young

people travel independently and without fear so they can get to school or college and learn skills for later in life such as work and for social and leisure activities.

The training is usually provided through school in transitions to college from Year 10 onwards, and is a set programme of learning that can be delivered one-to-one, in groups or in a classroom. Key skills include personal and road safety awareness, journey planning and preparing for a journey, leaving the home safely, coping in emergencies or unexpected circumstances, and using technology such as smart travel cards and mobile phones. Travel training could increase a young person's independence by developing these transferable skills, improving their self-esteem and confidence. Being less reliant on parents and carers to take them to places can lead to more opportunities to take part in social and community activities.

## **Applying for SEND Home to School Travel**

Applications for Travel Support beginning in September must be submitted before 30<sup>th</sup> June. Parent/carers will be notified of the outcome in August. You can find the online application form on the School Transport section of B&NES Council website.

To apply for SEND Travel Support during the academic year, please fill out the online application form. After submitting your application, the SEND Travel Team will review your eligibility and arrange the most suitable Travel Support for your child within 15 days, if applicable.

If there are any changes in circumstances, such as moving home, that may affect your child's eligibility for Travel Support, please inform the Local Authority as soon as possible. Once notified, the Council will re-check eligibility and arrange the most suitable Travel Support, if necessary, within 15 days.

## **Explanation of Terms:**

### **Home address**

The home address is where the child resides and spends the majority of their time and is the address registered with a GP surgery. Occasionally a child will have more than one address; in this situation the address used for determining travel support will be the one at which the child spends most of their time, including weekends and school holidays as well as during the week. When the child lives at the other address, they will not qualify for any travel support arrangements other than the one provided from the primary address. If there is a legal court order stating 50/50 dual residency for a child and both addresses are within B&NES, Travel Support will be considered on a case-by-case basis, following evidence being provided.



## **Guide Escorts**

A Guide Escort may be allocated in exceptional circumstances through an assessment of the child's Special Educational Needs and/or medical requirements, tailored to the student's travel needs. This assessment, which may vary in a school or home setting, is conducted by the SEND Service in collaboration with the Passenger Transport Team. Factors considered include:

- Medical needs of the student, especially if emergency intervention may be required.
- Instances where an individual student's needs pose a clear danger or health and safety risk to themselves and other passengers.
- Where there are multiple children/young people in a vehicle, to support the driver or when the route requires one.

Guide Escorts are responsible for ensuring the well-being and supervision of children or young people traveling to and from school. Their role includes overseeing the conduct and safety of the child or young person, allowing the driver to focus on their responsibilities. The provision of a Guide Escort will be reviewed on a regular basis.

## **Exceptional Circumstances**

The Local Authority will look at each case separately while also considering the Council's efficient use of resource. Exceptional circumstances will be recognised for the most vulnerable children when there is a strong need and the required transportation criteria are not met. This special consideration is a temporary solution and will be regularly reviewed to ensure the Local Authority's resources are used efficiently. This approach will only be taken when a child's education would face significant disruption otherwise.

## **Nearest school**

Where parents/carers apply for the nearest suitable school and the school is unable to offer a place, support with Travel Support may be offered to the next nearest school with a place, providing the eligibility criteria are met. This will be reviewed at each Annual Review and the Local Authority may exercise their right to request a school change if it would make more efficient use of Council's resource.

## **Review of Eligibility:**

The Local Authority has the right to re-evaluate the Travel Support requirements of a child or young person, and may change the type of Travel Support provided or

discontinue it if it is deemed the individual is no longer eligible. If the child/young person no longer qualifies for Travel Support, the Council will provide written notice to the parent/carers and the current Travel Support will cease at the end of the current term or after 4 weeks, whichever is longer.

Eligibility reviews will include discussions on Travel Support arrangements, and these are scheduled at, but not limited to, specific milestones, such as;

- the end of Year 3,
- Year 6 in preparation for secondary education,
- Year 9 for potential extended curriculum studies,
- Year 11 for those moving to Post 16,
- completion of Independent Travel Training,
- and in cases of change in address or family circumstances.

The Council may decide to change the type of Travel Support provided if the outcomes of a young person's EHCP relate to supporting greater independence or the annual review process deems it appropriate to do so.

The Council may consider amending the named school on an EHCP if there is a nearer suitable school that would make more efficient use of the Council's resources.

## **Parental Preference**

If a parent/carers has requested a school to be named in the EHCP but there is a place at a nearer suitable school, generally the parent/carers will be responsible for transport to this school.

## **Behaviour on school transport**

Details regarding the child's code of conduct during Home to School Travel are provided in the offer letter, and it is expected that all children and young people comply with this.

Given that a child's challenging behaviour may be a result of their special educational needs or disability and can be a form of communication, we will work together with transport providers to understand and assist these children and young people. However, it is important to note that the Local Authority has a responsibility to ensure the safety and well-being of both the children and young people being transported as well as the driver and Guide Escorts.

In the event of an incident occurring during the journey, it might be essential to temporarily halt transportation for a period of 10 working days pending an investigation. This pause is crucial to enable a thorough assessment of future transportation alternatives to ensure the safe transport of the student. During this period, parents/carers are expected to take responsibility for organising their child's transportation to and from school until the matter has undergone a comprehensive review.

## **Exclusions**

Under this policy, the Council typically does not provide Travel Support in the following situations:

- For the purpose of enabling parents to take siblings to different schools or to commute to work at specific times.
- To attend extracurricular activities.
- For attending doctors, dental, or any other appointments.
- For participation in breakfast or after-school clubs/activities.
- For students excluded during the school day (week/term for boarding placements).
- For students attending work experience placements, taster or open days.
- For students who are unwell and need to be collected from school during the school day, including those in residential settings unable to use scheduled transport
- For transitions
- Part time timetables will be considered on a case-by-case basis
- To or from childminders, friends, or other family members' addresses
- At a differing time due to detention
- To or from part-time provision off the school site organised by the school (e.g., vocational classes at a college, including movement between educational establishments/sites).

## **Car seats:**

Children must use an appropriate child seat from birth until they reach either a height of at least 135cm (4'5") or 12 years old, whichever happens first. Afterward, if a seat belt is available, they should use that.

Home to School Transport services (such as taxis, mini-busses, and private hire vehicles) are not required by law to provide child seats; it's the responsibility of the parent/carers to provide one. If a professional or independent assessor deems that a child needs a specialized car seat (not a standard booster seat), parent/carers should supply and make it available for school transport. Note that ISOFIX may not

be available in all vehicles, so ensure any equipment provided is compatible with a standard 3-point seatbelt.

## **Appeals process**

Every application for Travel Support is reviewed based on criteria outlined in this policy. If an application does not meet the outlined policy conditions, a careful evaluation of the individual's circumstances will be undertaken. Importantly, students and parents/carers retain the right to appeal decisions that do not align with their expectations or specific situations.

To initiate an appeal, the applicant is required to provide a written statement outlining the grounds for the appeal, along with any supporting documentation, such as a medical report, which should be submitted to either of the following:

by email to: [SENDSchool\\_TravelTeam@BATHNES.GOV.UK](mailto:SENDSchool_TravelTeam@BATHNES.GOV.UK)

*or*

by post to:

Bath and North East Somerset Council  
SEND Service  
Lewis House  
Manvers Street  
Bath BA1 1JQ

There are two stages of the appeals process, which are outlined below

### **Stage 1 – Appeal to a Senior Officer:**

Parents/carers have 20 working days from receiving our decision to request a review in writing. In this initial stage, the Team Manager, overseeing SEN school travel, carefully examines the evidence to ensure the fair and proper application of our policy. If it is determined that the policy was not appropriately applied, and entitlement is established, travel support will be provided. However, if the policy application is found to be fair and proper, the Stage 1 appeal is rejected, and a response is provided within 20 working days, explaining the decision.

### **Stage 2 – Appeal to a Senior Officer Panel:**

Parents/carers dissatisfied with the Stage 1 outcome can proceed to Stage 2 – Appeal to a Senior Officer Panel. They must submit a request for a Stage 2 appeal within 20 working days of receiving the Stage 1 response and may include additional evidence to support their stage 2 appeal. The appeal is directed to a senior officer

panel, including representatives from both Transport and Education services, who organise a hearing within 40 working days. The commitment is to conduct a transparent and fair appeal process, providing parents/carers the opportunity to present their case.

Approximately 10 working days before the hearing, parents/carers receive an invitation to provide information and evidence supporting their appeal. Documents are treated confidentially, and hearings are private. If parents/carers cannot attend, the appeal panel may proceed in their absence and make a decision on all the written evidence available including any written statements from the parents. However, if the parents wish to attend a hearing, the Authority will make reasonable efforts to accommodate that request.

Following the hearing, the panel reviews all information submitted for both stages of the appeal, as well as any additional information gained during the hearing. Within five working days, the parent/carer receives a detailed explanation of the decision, including how it was made, how the review was conducted, and any professionals consulted or other factors considered.

Parent/carers can make a complaint to the [Local Government and Social Care Ombudsman](#) if they believe the Local Authority has made a mistake in the way they handled their case. If a parent considers the decision of the independent appeals panel to be flawed on public law grounds, they may apply for a judicial review.

## **Information sources:**

### **Live Well B&NES - The SEND Local Offer Website:**

B&NES SEND Local Offer is the source of information for young people with SEND and their families. It includes information about services provided by and commissioned through B&NES, alongside services provided in the community, by voluntary and charity groups across education, health and social care. You will find information to support you and your child through their education, social opportunities, signposting to a variety of support services, details of holiday playschemes and short breaks, benefits and funding information and much more. You can also apply for your child's free Rainbow Resource card by visiting the site: <https://livewell.bathnes.gov.uk/special-educational-need-or-disability-send>

Facebook: <https://www.facebook.com/livewellbathnes/>

## **SENDIAS BathNES (SEND information, advice and support)**

The Special Educational Needs and Disability Information, Advice and Support Service (Sendias Service) for Bath & North East Somerset is provided by Sendias Bathnes.

Sendias Bathnes offers a free, confidential and impartial service for children and young people aged 0-25, and their parents and carers, who live in Bath and North East Somerset.

The service can provide information advice and support throughout a child or young person's SEND journey, from initial concerns through to help with appeals.

The service offers face to face appointments, information sessions a telephone and email helpline and signposting service.

For more information and resources, please visit:

Website: <https://sendiasbathnes.org.uk>

Email: [sendias@bathnes.gov.uk](mailto:sendias@bathnes.gov.uk)

Telephone: 01225 394382