

School Travel Policy Framework



INTRODUCTION AND BACKGROUND

Waltham Forest is strongly committed to safe and inclusive travel for all children and young people to and from school and believes that travel can provide important and varied opportunities in respect of delivering the 5 outcomes of the Every Child Matters agenda:

- Be healthy – by encouraging regular exercise
- Stay safe – by improving road safety skills, cycle proficiency, competence in using public transport
- Enjoy and achieve – by increasing opportunities for social interaction, communication and participation in clubs etc
- Make a positive contribution
- Achieve economic well-being – by developing confidence and resourcefulness to travel independently and support options/choices for post 16 education or employment.

The majority of young people wish to become more independent with regard to travel, developing skills as adolescents that will be extremely valuable in their future. Supporting young people in travelling to and from school is an important aspect of their social inclusion and, in the longer term, vital for attaining maximum independence and life choices.

A range of options for support with travel in Waltham Forest are available and are able to be reviewed at regular intervals throughout a young person's education or care. Waltham Forest has a policy that taxi and minibus transport will only be provided where there is no viable alternative. Support with travel will be considered on the basis of each pupil's individual need and wherever feasible, we will seek to uphold the principle of encouraging independent or peer group travel for all pupils, as appropriate to their age and ability.

This policy supports and promotes the Government's initiative to increase walking, cycling and bus travel and meets the duties introduced in the Education Act 1996 and updated by The Education and Inspection Act 2006. A primary new duty is to promote the use of sustainable travel and transport (section 508A).

This policy revises and replaces the previous policy Home to School Transport Policy for Children aged 5-16, dated September 2003 and revised in October 2005. Revisions to the policy have been made in light of sections 508A, 508B, 508C, 509AD and Schedule 35B of the Education Act 1996 (inserted by Part 6 of the Education and Inspections Act 2006). This policy will form part of the Local Authority's Sustainable Modes of Travel to School Strategy as required under the 2006 Act.

This new policy will operate for all pupils requesting transport from 1 January 2009.

KEY PRINCIPLES

The guiding principles of this policy are:

- Any transport assistance offered will be the most efficient and effective available, in terms of both sustainability and cost. Therefore, unless there are exceptional circumstances, where transport is offered on a vehicle supplied by Waltham Forest Council, parents* will be required to escort their child to and from a designated pick-up point.
- The policy will promote and encourage the growing independence and social inclusion of all children and young people, as appropriate to their age and ability.
- Transport assistance will be offered which is appropriate to support the individual needs and circumstances of children and young people and which will enable them to grow in confidence and independence.
- The policy will encourage and promote travel options which may improve the physical well-being of those who use them and/or the environmental well-being of all or part of the local authority's area. To this end sustainable transport modes such as walking, cycling and use of public transport will be prioritised where possible.

LINKS TO SCHOOL TRAVEL PLANS

The implementation of this policy will be supported by the School Travel Plan programme and individual school plans. Through School Travel Plans, school communities will be:

- Promoting the use of public transport
- Encouraging and enabling cycling through provision of secure cycle parking, cyclist training and an increase in the number of safe cycle routes across borough,
- Promoting walking through initiatives and campaigns such as the Local Authority's annual 'Walk to School Week' and the WOW campaign.

Free travel in London provided by Transport for London

Transport for London provide free or discounted travel for young people in London under the ZIP Oyster scheme. All under-16s can travel free on buses and trams and at a child-rate on Tube, DLR and London Overground services, if they have an Oyster photocard.

Under-5s

Children under five can travel free at any time on buses, Tube, trams, DLR, and London Overground services as long as they are accompanied by someone who has a valid ticket, is using Oyster to pay as they go or has a Freedom Pass.

* Where the word 'parents' appears in document – we refer to parents or carers of young people.

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5 to 10-year-olds

Children aged 5 to 10 years can travel free at any time on buses, Tube, trams, DLR and London Overground services at any time.

On buses and trams:

- Unaccompanied 5 to 10-year-olds can travel free at any time. They do not need a ticket or photocard to do so on Tube, DLR and London Overground services:
- A maximum of four 5 to 10-year-olds can travel free when accompanied by an adult who has a valid ticket, is using Oyster to pay as they go or has a Freedom Pass
- If they are travelling unaccompanied, 5 to 10-year-olds will need a 5-10 Oyster photocard to travel free at any time.

11 to 15-year-olds

Children aged 11 to 15 years can get an 11-15 Oyster photocard to travel free on buses and trams and at child-rate on Tube, DLR and London Overground services.

16+

All 16 to 17-year-olds can travel at child-rate on bus, Tube, tram, DLR and London Overground services with a 16+ Oyster photocard.

Those 16 to 18-year-olds who live in a London borough and are still in qualifying full-time education can also apply to get free travel on buses and trams.

To find out more about free and concessionary travel for school children and students visit the Transport for London website.

APPLICATIONS AND ASSESSMENT FOR SUPPORT

1. General eligibility & entitlement in law

The Local Authority has a statutory duty and, in appropriate circumstances, discretionary powers, to provide assistance with home to school travel, based on a child or young person's individual needs and circumstances.

The duty applies to children and young people who are:

- of compulsory school age or below
- aged 16 – 19 and in full-time education
- aged 19 and over in continuous learning.

It applies to all children and young people who are resident in Waltham Forest and receiving education or training within the authority, or in the area of another authority.

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It relates to journeys to and from schools and other settings at the start and end of the day (including attendance at pre and after school activities) and journeys between institutions during the day. Journeys may be to, from or between schools (including independent schools), further education institutions and other institutions where education or training might be delivered. The policy, therefore, includes consideration of the travel implications of extended schools, and the delivery of education and training at different institutions as part of the 14 to 19 curriculum.

Statutory walking distances

Government guidance states that children are entitled to support with travel when they:

- attend the nearest educational setting, as determined by the Local Authority, and
- the distance between their home address and educational setting is more than the statutory walking distance.

The “statutory walking distances¹” are defined as:

- a maximum of 2 miles - for children under 8 years of age
- a maximum of 3 miles - for children aged 8 and over

Where the above conditions exist, children of compulsory school age, but under the age of eight, are entitled to free travel arrangements regardless of the level of family income. Below these distances the responsibility for the journey from home to school and back rests with the parent/carer. In Waltham Forest public transport is free for children travelling to and from school however if the child meets the criteria support with travel will be provided for an adult accompanying a primary school child.

Low income families

One of the aims of the new school travel legislation is to secure fair access to education – especially for children from low income groups, where a lack of affordable transport can act as a barrier to school choice. New rights and duties came into force from September 2007².

¹ The “statutory walking distance” shall be measured along a route that the child might reasonably be expected to walk to school (accompanied as necessary) from their home and to return along at the end of the school day.

Walking routes will be assessed for suitability in view of the age of the child, the mitigation of risks if the child were to be accompanied, risks from traffic, the existence of a paved surface, the existence of street lighting, the condition of the route, rights of way and for the risk of crime. The assessment will be made taking account of lighting and any other consideration that might apply at the time a child will be expected to walk the route in order to attend school during normal timetabled school hours.

² Section 508B of the 1996 Education Act (inserted by the Education and Inspection Act 2006).

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Children aged 8 but under 11 from low income families will be supported with travel where they live more than 2 miles³ from their nearest appropriate school with places available in the relevant year group. Low income families are defined as those who are entitled to free school meals or those who are in receipt of their maximum level of Working Tax Credit (WTC). The family's WTC award notice will show whether they are receiving the maximum level. Where parents accompany children under 11 travelling on public transport the local authority will

Support with travel for children from low income families (defined as above) will be offered in one of two ways:

- to a school within 6 miles (but greater than 2 miles) of the child's home; and
- to the nearest school preferred by reason of a parent's religion or belief up to a maximum of 15 miles from the child's home⁴.

A child's 'home' is the place where s/he is normally resident.

From September 2008, this provision is extended to children and young people aged 11 and over but still of compulsory school age. As above travel support will be provided for an adult accompanying a primary school child where they are using free public transport.

Once eligibility on income grounds has been confirmed, this is established for the entirety of the school year for which the assessment has been made.

Disabled parents

Since December 2006, the Disability Discrimination Act 2005, has placed a duty on local authorities to promote equality of opportunity for disabled people and to eliminate discrimination. This duty is anticipatory, meaning that public authorities must aim to plan all their services with disabled people's needs fully considered in advance.

Therefore where a parent's disability prevents them from accompanying their child/ren along a walking route to school, the local authority may provide free travel support for the children even within the statutory walking distance. However, if parents are in receipt of transport assistance as part of their disability living allowance they will not receive this support.

³ This two mile limit should be measured in the same way as the "statutory walking distance", i.e. along the "nearest available route".

⁴ The route will be measured from the boundary of the child's home with the public highway to the main entrance door to the school. Where the home is served by private roads and paths that are freely accessible to the general public, and that connect to the public highway and footpath network the measurement shall be from the closest spot, in the open air, at ground level, to the main entrance to the child's home.

2. Support with travel

Where a pupil qualifies for support with travel between their home or care placement and school, the nature of that support will be determined by the Local Authority primarily according to the pupil's needs. Consideration will also be given to the availability, cost efficiency and sustainability of each option.

Where it is determined that the option of free travel as provided by Transport for London is not practical or appropriate, alternative travel support options provided by the Local Authority may include but are not limited to:

- Provision of a bus, tube or rail pass
- Reimbursement of mileage for parents / carers
- Other forms of travel assistance in keeping with the Council's commitment to the "best value" option.

It is anticipated that for most children and young people, the free travel provision offered by Transport for London will enable them to access the school of their choice. For those parents who believe that this option is not appropriate for their child, they may apply for additional travel support from the Local Authority under the terms of this policy.

Details of the criteria for support and the application process are provided in sections 3 and 5 below.

As a general guide:

- Applications in respect of pupils with special educational needs (SEN) should be made to the SEN Team;
- Applications in respect of other pupils should be made to the Commissioning Team in Children's and Young People's Services. Contact details for this team are given on page 13 of this document.
- If parents choose to send their child to a school other than the nearest appropriate school (as determined by the local authority), then parents must take full responsibility for the cost and arrangements of their child's travel to and from school.
- The offer of a place at a particular school does not in any way guarantee support with travel costs or arrangements.
- The legal responsibility for ensuring a child's attendance at school rests with the parents.

3. Categories of need

Please note that all assessments are subject to the conditions and criteria set out in sections 1) 'General eligibility & entitlement in law' and 2) 'Support with travel' above.

The following sections set out additional conditions or criteria relating to particular categories of need.

3.1. Children aged under 16 with a statement of Special Educational Needs (applies to young people up to age 19 if attending a Special School)

This section of the policy covers travel between home and educational settings for pupils with a statement of Special Educational Needs (SEN) but no entitlement on grounds of distance. In such instances, support may be offered due to impairment, health related need or other related need.

The assessment of eligibility will be undertaken, in the first instance, by the SEN Team in accordance with this policy. The following factors will be taken into account when assessing eligibility for support:

- the child has a special educational need, impairment or medical condition the nature and severity of which means they **are unable to walk to their educational setting**, even when accompanied by a parent, and/or even where this is a relatively short distance (medical reports will need to be produced and considered in such cases); and/or
- the parent is a disabled person where the nature of the impairment means that they would be **unable to accompany their child** walking (medical reports will be required).

Parents are encouraged to transport their child to and from school themselves. Mileage reimbursements to parents can be made for return journeys at the beginning and end of the school day. (To a maximum of 30 miles per return journey).

Where Local Authority transport is deemed to be the appropriate option, then an individual risk assessment of the journey will be carried out based on information supplied by the Local Authority, school and parents.

Residential placements

The SEN Team or social worker will agree with the child and their parents the frequency of journeys between home and college. Waltham Forest Council will fund a **maximum of 6 return journeys per year** i.e. at the beginning and end of each term and the beginning and end of each half-term holiday.

Reviews

One return visit will be funded to enable parents to attend the annual review of the child's needs. All support with travel will be reviewed as part of the Annual Review of the SEN statement. Travel support may be amended in line with the changing needs of the child and/or the family's circumstances. Travel support may also be amended following an SEN appeal (see section 6 of this document)

Parental Choice

The Local Authority consults parents on the appropriate educational setting for their child. If the parent's preferred school is further away from the child's home than another school that can meet the child's needs, the local authority may agree to name the preferred school **on condition that the parents are responsible for all costs related to travel from home to school.**

3.2. Children or young people with medical needs

In some circumstances, support may be available to enable pupils to continue attending their nearest appropriate school even if they live within the statutory walking distance (see page 3 and footnote 2 at bottom of page 4). Such support will only be granted on the basis of medical need (with written evidence supplied by the appropriate medical practitioner) and will be reviewed at regular intervals. When the medical need ceases, support will be discontinued.

Inconvenience to the parent/carer is not considered to be sufficient reason to provide travel support.

3.3. Children in care

Additional travel support may be available for children in care, to ensure that their care arrangements are supported by appropriate home to school travel arrangements.

Responsibility for travel support is divided between that provided through the home to school travel policy (in accordance with the Education Act 1996) and that provided through social care policies (in accordance with the Children Act 1989 and the Children and Young Person's Bill 2007 and other legislation stemming from the "Care matters: time for change" white paper).

As a Corporate Parent, Waltham Forest takes seriously its commitments and responsibilities for children in care. It therefore welcomes the requirement introduced in the Children and Young Persons Bill 2007 to minimise changes of school for children in care.

The Bill places specific requirements on local authorities to ensure that:

- a child or young person does not change schools unless it is “reasonably practicable and consistent with their welfare”; and
- a young person must not change schools in years 10 and 11, except in exceptional circumstances.

The child’s Care Plan sets out how a child will be cared for and how their needs will be met. The Care Plan is agreed at the child’s statutory Child in Care Review which is chaired by an Independent Reviewing Manager. The Care Plan will set out whether it is in the child’s interests to move school and how and when this should happen.

When a child enters care or moves placement in an unplanned way, every effort should be made to enable the child to remain at their current school unless this is impossible. This may require specific arrangements to be made for their travel between the care placement and the school.

If a child who is not in years 10 or 11 is to remain in a settled placement, then the option of moving to a school nearer the placement will be considered at the next Child in Care Review. The decision will be made by the child’s social worker in consultation with staff at the schools concerned.

All options for travel to school will be explored with regard to the specific needs of the child being paramount. Arrangements will be reviewed regularly, at each Child in Care review, to ensure that journey times are not extended unreasonably and that pupils move to an appropriate local school in accordance with their Care Plan

3.4. Children under 5 years of age (i.e. below statutory school age)

Travel support is only available for parents of children under 5 if their child is in full time school education (as opposed to childcare). Support is provided only for the beginning and end of the school day.

3.5. Children or young people in temporary accommodation

Where the Local Authority has housed a family in temporary accommodation pending a move to a permanent address, support with travel to and from school may be available to enable a child to remain at their current school. The Local Authority aims to avoid the need for a child to have two changes of school in a short period of time.

Support may be available up to a maximum of 12 weeks, by which time either the family will have been re-housed and/or the child will be attending a nearer school. If parents choose to keep the child at the original school for longer than 12 weeks, then they will take on the responsibility for arranging and financing travel to and from school.

3.6. Children attending voluntary aided denominational schools

Support with travel to voluntary aided denominational schools may be provided where all the following criteria are met:

- Pupils attend their nearest appropriate denominational school;
- Pupils live more than the statutory walking distance from the school; and
- Parents have expressed a preference for denominational education and applied for a place at a denominational school **prior to the start of the admissions process.** (“Late” applications might be considered individually on their merits.)

In the event of travel support being awarded in error, the parents will be given two weeks’ notice of the withdrawal of support.

3.7. Young people aged 16+ with special educational and other needs

This section covers young people aged 16-19 years who require support due to disability, health related need or other special educational need. In exceptional circumstances, support may be provided for those young people aged between 19 and 21 in continuous education.

In line with one of the key principles of this policy, Waltham Forest encourages young people to travel as independently as possible.

Potential applications for travel support for young people aged 16+ should be fully discussed during the Transition Planning period and must include the views of the young person. Applications should be made to the Commissioning Team as early as possible (contact details are given on page 13 of this document).

Eligibility

Travel support is available to young people resident in Waltham Forest to enable or to support them in attending sixth form, college or further education colleges within or outside the borough.

A young person is entitled to apply for travel support if all the following conditions are met:

- he/she is aged 16 but under 19 at the start of the academic year in which the course begins;
- he/she is attending college on a full-time basis;
- he/she is attending the nearest appropriate school or college, having taken account of the young person’s needs, chosen course of study and any preference on grounds of faith;
- the distance from home to the place of study is more than 3 miles;

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- he/she or their family are in receipt of one of the benefits specified below⁵; and

If the young person has previously has a statement of SEN, then the need for travel support post 16 should have been explicit in the Transition Plan.

In addition to the above, when reaching a decision the Commissioning Team will also consider whether there is evidence that:

- the young person wishes to attend the nearest appropriate educational establishment offering a suitable course, and that there is evidence of progression (i.e. the young person is not seeking to repeat a course of study that has already been completed); and
- the young person has a medical need or impairment which renders him/her unable to travel safely walking, cycling or on public transport without support and without risk of harm (medical reports will need to be provided by a senior medical practitioner, for example, a hospital consultant or community paediatrician).

In exceptional circumstances, the Local Authority may exercise discretionary powers to provide support for young people whose circumstances are different from those set out above. For example: young people who are or have been in care; young people moving home due to domestic violence; or change of school / college following exclusion.

As for other age groups where eligibility for support with travel is established, the most appropriate form of support will be determined by Waltham Forest Council primarily according to the young person's needs. Wherever feasible, we seek to uphold the principle of encouraging independent or peer group travel for all students, as appropriate to their age and ability. Consideration will also be given to the availability, cost efficiency and sustainability of each option.

Residential Educational Placements

The Commissioning Team will agree with parents and the young person the frequency of journeys between home and college.

For young people over 16, payment may be made for **a maximum number of three return journeys per year** i.e. the beginning and end of each term. One return visit

⁵ The young person or their family are receiving one of the following benefits:

- Income Support or
- Jobseeker's Allowance (income-based) or
- Child Tax Credit but NOT also Working Tax Credit and have annual taxable income of less than £14,455 or
- Working Tax Credit or
- Financial support under the Immigration and Asylum Act 1999, from the National Asylum Support Service (NASS) or the local authority's Asylum Resettlement Team.

will be funded to enable parents to attend the annual review of a young person's needs.

Education Maintenance Allowance

Students in receipt of Education Maintenance Allowance (EMA) may have this taken into account when the Local Authority calculates their income, but the Council does not expect students to have to use their EMA to cover transport costs⁶

Further information about EMA can be obtained from the school or college, or from the EMA website: www.ema.direct.gov.uk or helpline: 0800 121 8989 (open Monday to Friday 7.00 a.m. to 8.00 p.m.)

4. Independence / Mobility training

There will be some children and young people who will need transport assistance due to the distance they live from the nearest educational setting (as determined by the local authority), their age, special educational need and/or disability, but for whom it would be appropriate to offer independence training to enable them to travel successfully on public transport.

In some special schools within Waltham Forest this training is offered by the school. As part of the Sustainable Modes of Travel to School Strategy of which this policy forms part, the Local Authority is investigating the options of expanding the availability of independent travel training within the borough.

While the child or young person is taking part in independent travel training and until he/she is considered competent to travel independently the local authority will provide a travel pass for an appropriate adult to accompany him/her to and from school.

5. How to apply

Parents or carers who believe that their child may be entitled to travel support (according to the criteria set out in this policy), should obtain and complete an application form for 'School Travel Support'.

Application forms can be obtained from, and should be returned to, the offices detailed below. When completing the application, parents may find it helpful to refer to the appropriate section/s of this policy.

For pupils with special educational needs (up to age 16):

School Travel Support
SEN Team
Education Centre
Queens Road
Walthamstow
London E17 8QS

⁶ LA Support Guidance 2008/09, issued by the Learning and Skills Council (paragraph 3.9).

For young people with special educational needs in continuing education (16-21) and for other pupils:

School Travel Support
Commissioning Team
Children and Young People Services
Silver Birch House
Uplands Business Park
Blackhorse Lane
London E17 5SD

Notification of decision

All applications will receive careful consideration and parents will be informed of the Council's decision in writing within ten working days of the receipt of the application.

6. Reviews

Where an application for school travel support has been refused and parents wish for further consideration of their particular circumstances, a request may be made to for the decision to be reviewed.

In requesting a review, it is important for parents to supply as much evidence as possible in support of their request. For example, it may be helpful for the review panel to have information about family circumstances, details of how the child currently travels to school and any concerns arising from that, whether a responsible adult is able to accompany the child to and from school etc. All evidence supplied will be taken into account by the review panel.

Parents may be contacted for further information or for verification of information supplied.

Parents will be invited to make an oral representation to the appeal panel if they wish.

While the outcome of the review process is awaited parents remain responsible for ensuring their child continues to attend school. It is not possible to provide any kind of interim support during this period.

For pupils with Special Educational Needs, the review panel meets during the fourth week of each school half term. Parents need to ensure that all information supporting their review request is submitted to the review panel by the end of the second week of each half term.

Application forms for review can be obtained from and should be returned to the address given in section 5 'How to apply'.

7. Appeals

If the review upholds the decision to refuse the application for support and parents still believe that their circumstances warrant special consideration, they are entitled to make an appeal. **This must be made in writing** to the appropriate office mentioned in section 5 'How to Apply'.

An appeal must be made within four weeks of the review decision; otherwise the local authority's decision will stand.