

# Warrington Borough Council School Transport Policy

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**WARRINGTON**  
Borough Council

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## Introduction

This policy sets out how we will provide funded home to school transport for those who qualify under the Council's statutory duties. The Council's arrangement for transport is in-line with the parental responsibility to ensure their child attends school, including making arrangements to travel to and from school.

This policy provides information against which we will assess eligibility and reassessment as circumstances change. There is also guidance for children, young people, parents/carers and schools about how we fulfil our legal duty in providing Council funded transport for residents.

We offer several types of transport arrangements to assist children and young people:

- Independent Travel Training
- Public transport (bus/rail) pass
- Local travel arrangements such as walking bus or cycle allowance
- Personal Transport Budget/Grant or mileage allowance
- A place on a dedicated school bus
- Minibuses & Taxis shared or individual

## Warrington's Principles

We aspire to deliver home to school transport to correspond with the Council's key principles and vision. In some circumstances we have a duty to provide transport and applications will be assessed to establish those who are eligible, and where necessary provide an offer that may be graduated in terms of support that aims to meet an individual's needs.

The Corporate Strategy Pledges and WBC Local Transport Plan link with this policy and includes:

- ensuring the safety of our vulnerable children and young people
- supporting people to live as independently as possible
- sustainability and creating a cleaner environment
- supporting residents to be well educated and have opportunities
- making smarter travel choices

In determining the transport offer for eligible children and young people, there is a committed to reducing traffic congestion, improving road safety and reducing the environmental impact of vehicle journeys by promoting the use of alternative forms of travel - such as walking, cycling, provision of passenger assistants and the use of integrated public transport.

To achieve this, families and carers will be involved in identifying the most appropriate means of transport for their child that complies with the home to school transport policy in accordance with the Education Act 1996 ([legislation.gov.uk](http://legislation.gov.uk)).

When considering whether to assist with home to school transport, we have a statutory duty to have regard to the Education Act 1996 and Schedule 35B of the Act, which was inserted by Part 6 of the Education and Inspections Act 2006. Sections 508B and 508C of the Act make provision for Local Authorities to ensure that suitable transport arrangements are made, where necessary, to facilitate a child's attendance at school. Also, with reference to the Department for Education '[Travel to school for children of compulsory school age](#)' statutory guidance.

Warrington has developed the transport policy guidance in accordance with this legislation to ensure it is able to meet its statutory duty for pupils up to Year 11 (16 years old). Transport provision is different for pupils in Year 12 onwards (16 to 25 years), which is explained in more detail in the relevant section of this document.

We are committed to spending Home to School Transport funding responsibly, therefore will carry out regular reviews of arrangements in each case, aimed at ensuring the correct use of funding and that there is appropriate support.

## **Definition of terminology used in relation to home to school transport**

### **Age Ranges**

The legal duties that we respond to vary for different age ranges. We therefore encourage you to consider your circumstances relevant to the age of the child or young person in each individual case. When considering whether to assist with home to school transport, Local Authorities are under a statutory duty to have regard to the Education Act 1996 and Schedule 35B of the Act which was inserted by Part 6 of the Education and Inspections Act 2006. In summary:

#### **Children aged 0 - 4 (pre-school)**

There is no statutory entitlement for funded transport for pre-school learners. We do not normally fund transport for this age group. Pre-school learners who do not have an Education, Health and Care Plan (EHCP) but who may need access to assessment centres or similar resources as determined by the Early Years team will not be entitled to transport.

#### **Statutory school age 5 – 16 years (compulsory school age)**

For children and young people of statutory school age, local authorities are required to arrange free, suitable, home to school transport for children of compulsory school age who meet the eligibility criteria related to their nearest suitable qualifying school.

#### **Non statutory school aged 16 - 19 years (sixth form age)**

There is not a duty for local authorities to provide transport for 16 to 19 year olds who attend school or college in the same way there is for 'eligible' children of compulsory statutory school age. If we consider exceptions and the use of discretionary powers to assist with transport arrangements towards students in particular circumstances (such as those with SEN or from low-income families), the transport assistance is likely to be by way of a contribution rather than fully funded transport.

There is Department for Education (DfE) statutory guidance [‘Post-16 transport to education and training’](#) (January 2019) which guides local authorities to take account of its duty to encourage, enable and assist the participation of young people with learning difficulties and disabilities up to the age of 25 in education and training pursuant to Education and Skills Act 2008 section 68.

## Non statutory school aged 19 – 25 years

There are some circumstances where transport may be arranged for 19 to 25 year old young adults in education. This is for those with an Education Health and Care Plan (EHCP) where the education setting is secured and named as suitable provision. Transport assistance is likely to be a contribution rather than fully funded transport.

### Explanatory Notes

Funded transport is only available where a student fulfils strict criteria, so many applications for funded transport may be unsuccessful. It is important that parents/carers/applicants understand whether they meet the criteria for funded school transport before taking the time to make an application. It is strongly recommended that all parents/applicants read this document carefully.

Where funded transport is offered, it will only include travel to school for the beginning of the school day, and to return home at the end of the school day. It will not include travel between institutions, nor shorter school sessions, nor will it enable children to attend extra-curricular activities outside of school hours, nor will it enable children to get to and from before and after school childcare, whether formal (for example, a childminder) or informal (for example, grandparents).

To assist in considering an application for school transport support, there are some helpful guidance notes below to consider in this policy.

## Nearest Suitable school

The nearest suitable school means the nearest qualifying school with places available that is suited to the pupil's age, ability and aptitude and any special educational needs the pupil may have. Parents can find the nearest school to their home by contacting [schooladmissions@warrington.gov.uk](mailto:schooladmissions@warrington.gov.uk)

Qualifying schools for these purposes include all academies, free schools and faith schools, even if a child or young person is not of the same faith. In some parts of the Borough, the nearest suitable school may be located in another education authority, outside of Warrington. Beyond this definition, no further consideration will be given for a preference for a single-sexed, mixed, specialist or particular type of school.

## Home address

A child's home address is the place where they normally live in the Borough of Warrington. Proof of child support/benefit or where the child lives on the council tax register is classed as the main address for transport purposes. There may be circumstances, where a pupil has more than one home address, for example where parent or carers are separated or where a pupil regularly resides with other family members. Any evidence you provide must show that the parent or main carer lives at this address. We do not normally provide assistance with transport from more than one home address.

All home to school transport is arranged based on a single agreed location or pick up and drop off point.

If a situation arises where a child needs to be transported to an emergency alternative address, this can only happen if authorised by the transport team. Frequent use of the emergency alternative address will result in a review of the transport arrangements.

Approved transport arrangements to different sites in exceptional circumstances, such as temporary relocation to emergency housing, can only be authorised by the Head of Education.

## Extended rights (low income)

Children and young people may be considered for free transport where they are entitled to free school meals, or their parents are in receipt of maximum Working Tax Credit if:

- the nearest suitable school is beyond 2 miles (for children over the age of 8 and under 11)
- the school is between 2 and 6 miles (if aged 11-16 and there are not three or more suitable nearer schools)

- the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16)

All distances between the home and school are measured using a Geographical Information Address Point system based on the Local Land and Property Gazetteer (LLPG), which is the shortest safest available walking route.

## Parental school preference

Parents have the right to express a preference for a school, however they do not have a right to Council funded transport arrangements to that school. If a parent has chosen to express a preference for a school which is not the nearest suitable school to home and they do not qualify for consideration against the extended rights criteria, they will not be eligible for funded transport.

Parents need to think about the costs involved with getting their child from home to school and back on time as we do not have a duty to provide funded transport based on parental preference, this is a parent's responsibility.

Further clarity on parental preference with regards to SEND is described further in the policy.

## Parents moving home

If a family move home and choose to keep their child at a particular school the eligibility for funded transport will be reviewed. If the school is no longer the nearest suitable school or the family have moved closer to the school and it is deemed within reasonable safe walking distance, the child may not meet the eligibility criteria for funded transport.

## Accompaniment

A child will not normally be eligible for funded transport to school on the grounds of their special educational needs, disability, or mobility problem, or on the grounds that the route is unsafe if they would be able to walk to school if they were accompanied.

Where the Council determines, following an individual assessment, that a child would be able to walk if they were accompanied, the general expectation is that the parent will accompany them or make other suitable arrangements for their journey to and from school. A child will not normally be eligible solely because their parent's work commitments or caring responsibilities mean they are unable to accompany their child themselves.

Consideration will be given where parents have a disability or mobility problem that would make it difficult for them to accompany their child. We will consider the parents' reasons for not being able to accompany their child or make other suitable arrangements and would require evidence of the parental disability as part of the application.

Reasons such as the parent's working pattern or the fact they have children attending more than one school, on their own, will not normally be considered good reasons for a parent being unable to accompany their child. These apply to many parents, and, in most circumstances, it is reasonable to expect the parent to make suitable arrangements to fulfil their various responsibilities (for example, their responsibilities as an employee and as a parent).

Where we have determined, following an assessment, that a child could not reasonably be expected to walk even if they were accompanied, they will be eligible for home to school funded transport regardless of whether their parent would be able to accompany them or make other arrangements for their journey.

## Exceptional circumstances

Although there is no statutory duty for the Council to provide school transport arrangements outside of the remit of the legal eligibility criteria, we recognise that there may be circumstances that may prevent a child, or their parent/carer, accessing their usual method of school travel.

Where a child or young person does not meet the eligibility criteria, parents may apply for Council funded transport under exceptional circumstances. Applications will be determined on personal circumstances and consider whether on the evidence provided, a child would not be able to travel to and from school without support and evidence of it being unreasonable for a parent to meet the responsibility of securing attendance. We would not however consider work or care commitments as exceptional circumstances as these apply to many parents, and it is reasonable to expect the parent to make suitable arrangements to fulfil their responsibilities.

Any arrangements for applications made under exceptional circumstances may be interim or temporary solutions that have been agreed in the short term and will be subject to regular review/change.

Where situations arise that are not directly addressed within this policy, the Transport Panel will request additional information and apply our principles to reach a fair resolution.

## Behaviour on School Transport

All children and staff are expected to be transported safely to school. Where a child's behaviour is indicative of their special educational needs or disability, for example a way of communicating they are in distress, personalised guidance and/or risk assessments will be provided to the transport provider, following information gathered by school and parents, on how to best manage these situations.

If the journey cannot be carried out safely within the transport offered, there may be circumstances where transport arrangements may be withdrawn as a last resort and, in these circumstances, the Council will meet its duty in respect of the eligible child in an alternative way.

## Children in Care (under the care of the Council - all ages)

We are committed to supporting those most in need, ensuring that transport is available to those who require it. It is recognised that children in care face specific challenges and barriers to achieving their education potential, and as corporate parents (this is when a local authority has special responsibilities to care for children and young people within their organisation) we are committed to reducing those barriers.

This may include:

- those in residential care
- those in foster care
- those in kinship care, who live with a family member other than a parent
- those who are looked after at home
- former looked after children/those previously in care

In basic terms, a corporate parent is expected to carry out many of the roles a parent should. We recognise the importance of being a good corporate parent/carer and supporting the child or young person in choices on the important decisions in their lives, such as stability in their education. Each circumstance is unique.

In general, for children under our care, school transport will be provided as follows:

- if a child in care is educated at a school that is not the nearest suitable school for less than one term, in agreement with social care, transport will be provided for this period;
- if a child in care is educated at a school that is not the nearest suitable school for more than one term, transport will be provided for one term. During this term it is expected that an application will be made to the nearest suitable school, unless there are exceptional circumstances as to why the



pupil should not move to this school, based on information provided by professionals working closest with the child.

Should any Council funded transport be arranged, there would be termly reviews undertaken by both our transport panel and the professional services closest to the child. This ensures that transport is provided to meet the need, accounting for the eligibility criteria within this policy and considered by Education and Social Care as a shared responsibility.

## Statutory School Aged children 5-16 years

### Eligibility

There are four categories of students at statutory school age living in the Borough of Warrington and attending their nearest suitable school who may be eligible for consideration of Council funded transport (set out in Schedule 35 EA 1996), as follows:

1. children who live beyond the statutory walking distance
2. children from low-income families (where extended rights apply)
3. children whose walking route to school is assessed as being hazardous
4. children with Special Educational Needs (SEN), a disability or a mobility difficulty

### Children who live beyond the statutory walking distance

Children and young people will be assessed on their individual circumstances and distance will be considered from their normal home address (as defined in 'definition of a home address') and must meet the following criteria for pupils of statutory school age (5-16 years)

- attendance at their nearest suitable school
- the distance between their home and school is beyond 2 miles (if below the age of 8); or beyond 3 miles (if aged between 8 and 16)

All distances between the home and school are measured using a Geographical Information Address Point system based on the Local Land and Property Gazetteer (LLPG).

The child or young person's nearest suitable school will initially be identified via the shortest available walking route. School transport distances are calculated between the 'home address' and the school. Route assessments may take into account public footpaths, bridleways, other footpaths as well as recognised roads where they are available. Distances used for transport eligibility assessments are different to those used for admissions purposes, as school admissions measure by straight line distance.

When a child reaches 8 years of age and has previously received transport arrangements on the grounds of distance, transport will be withdrawn if they live less than 3 miles from school. This is normally from the beginning of the term after their 8th birthday.

### Children from low-income families (where extended rights apply)

A child of statutory school age may potentially qualify for funded transport eligibility under the 'low income' provisions if they are entitled to free school meals.

Primary school junior age children (aged 8 – 10) from low-income families who live more than 2 miles from their nearest suitable school are eligible for funded school transport from the local authority.

Secondary school aged children (aged 11 – 16) from low income families who attend schools over 2 miles (and up to 6 miles) from their 'home address' will be eligible for funded school transport even if the school they attend is not their nearest suitable school, providing there are not three or more suitable schools

which are nearer to their home. For a secondary school child where there is a parental preference on the grounds of religion or belief the nearest suitable school may be between 2 and 15 miles.

### **Children whose walking route to school is hazardous**

A route is considered hazardous where we have assessed it as being hazardous for a child to make use of it and there is no alternative route within the statutory walking distance that they would be able to walk, even if they were accompanied by a responsible adult.

If the route to school is assessed as being hazardous, where a child lives within statutory walking distance of their nearest suitable school, we will make suitable transport arrangements free of charge.

It is a parents/carers responsibility to decide if they wish their child to travel to school without an accompanying adult or friend and make alternative arrangements if they do not feel that this is appropriate.

We will assess the route at the times the child would be using it and will take into account:

- the age of the child
- whether risks might be less if the child were accompanied by an adult and whether that is practical
- the width of the road and the existence of pavements
- the volume and speed of traffic

A route is deemed available (non-hazardous) if a child, accompanied as necessary, can walk with reasonable safety to school, even if part of the route can be avoided by taking a slight detour (including crossing the road). It does not mean a route would qualify as hazardous because the parent/carer perceives the route to be unsafe on the grounds of personal safety and security (such as no street lighting); or because of dangers which would arise if the child was unaccompanied; or because there are low level hazards – mud, puddles.

### **Children with Special Educational Needs, a disability or a mobility difficulty (SEND)**

We will consider and support arrangements for all children who cannot reasonably be expected to walk to school because of the associated health and safety issues related to their SEND.

An education, health and care plan (EHCP) is useful in identifying a person's needs, although having an EHCP does not mean that a child is eligible for funded transport, nor does it mean that a child who has yet to receive an EHCP will not be eligible for funded transport. We will assess and identify the transport requirements for each child on an individual basis and put suitable arrangements in place, where necessary.

We will take the following into account when determining eligibility for transport assistance for pupils with SEND:

- mobility
- medical needs
- capability
- vulnerability (including age, those at risk of disengaging from education or training)
- practicality
- travel training
- nearest suitable school

The above list of considerations is for guidance only, and satisfaction of one or more of these factors does not automatically guarantee entitlement to transport assistance.

During the application process it is important to attach copies of any further information not captured in the EHCP that evidences a child's special educational needs and/or disability and/or mobility problems that supports their application for transport assistance. This may include information from the child's doctor or consultant. Any evidence provided should support the parent's request for transport where their child's needs may affect their ability to walk to and from school or where they cannot access public transport.

If a child is eligible because they have SEN, a disability or mobility problems, whether or not they live within statutory walking distance of the school is not relevant. If their Special Educational Needs or Disability (SEND) does not hinder their ability to walk to school, they may be eligible to be considered for transport under one of the other categories (walking distance, hazardous route, low income).

If a parent/carer requests a preferred school for their child with SEND, they should be mindful that the Council could possibly name their school of preference within the EHCP, however, this is not an automatic right to funded transport. If there is a closer suitable school that can meet the educational needs of their child, then transport to the school preferred by the parent/carer would not be funded. School preference should be discussed at the earliest opportunity in order to take account of transport needs to ensure there is full transparency of what is funded and what is not, which is then noted in the EHCP as appropriate.

## **Non-statutory school age young people 16-25 years**

Statutory school age ends at the end of the academic year where the student turns 16. Under the current law, there is no automatic entitlement to Council funded transport from home to an educational setting once a student is 16 and over.

### **Transport for young people aged 16-19 years**

Students are required to be in education, employment or training until their 18th birthday. This could involve staying in full-time education in school/college, starting an apprenticeship, or spending 20 hours or more a week working or volunteering while in part-time education or training.

We are required to facilitate the attendance of all those of sixth form age i.e. those students over compulsory statutory school age who started their programme of learning before their 19th birthday, however the responsibility for attendance lies with the student and their parents/carers. Support can be offered with regards to travel arrangements, but we do not need to provide transport free of charge.

Warrington and the wider Cheshire and Merseyside regions are predominantly a large urban area that is well served by an extensive bus and rail network. Many schools and colleges are well served by this network. In any application for transport, we will need evidence that other funded support options have been considered, including 16-19 Bursary Fund (via your sixth form school or college), public travel saver pass, and Care to Learn scheme. Contact your sixth form school or college for information on transport support.

Concessionary tickets are available from Warrington's Own Buses (WOB), where WOB is the company operating the majority of bus services within the Warrington area. WOB also run services to Leigh, Altrincham, Northwich, Newton-le-Willows and Earlestown.

Under 21's are entitled to a discount on Touch & Go tickets. This discount will apply up until the young person's 21st birthday. For example, if you are aged 20 years, 10 months you may buy an annual under 21 tickets as you are eligible at the time, but the pass will not work from your 21st birthday.

For more information about the Touch & Go ticket, please visit [Warrington's Own Buses website](#).

If, however, you have special circumstances which is believed should make you/the applicant eligible to receive help of an alternative nature than those above, an application can be made for additional transport support by email to [schooltransport@warrington.gov.uk](mailto:schooltransport@warrington.gov.uk)

If parents or the young person themselves choose to attend a school or college which is not the nearest suitable setting, assistance with transport may not be provided by the Council. A balancing exercise may take place to consider the arrangements and any special educational needs a person may have.

There are particular circumstances where an individual consideration may be required. The elements below are considered though do not assure eligibility for additional assistance.

- Where there are SEND issues, particularly where it is not/would not be reasonably practicable to attend the educational establishment or training provider. We recognise that in some circumstances public transport may not be appropriate as a result of special educational needs, a disability or a mobility problem and where there is additional information in these exceptional circumstances other means of support will be considered. We will consider the impact of a learning disability on the young person's ability to walk to their educational setting. This may also consider where a learner with a learning disability may take longer to complete a particular programme and the transport arrangements needed for that period.
- Engagement and access to public transport previously, to include Independent Travel Training to be trained to use public transport. Refusal to embark on such training where this is considered appropriate by the individual's professional team, may affect any future decisions where additional support for transport is being requested.
- Assessment of the distances and/or journey times, between the learner's home and the educational establishment or training provider at which they are registered makes the use of bus pass or public transport impractical without additional assistance.
- That you and your family cannot afford the Warrington's Own Buses Touch & Go ticket and have been unable to secure financial support from your learning provider. This will normally require proof of receipt of benefits.

Subject to application, transport will normally only be given where the educational establishment or training provider is not more than 6 miles from home, should SEND not be applicable. Any additional provision or assistance would be reviewed on an annual basis and you/your parent/carer would be required to provide the Council with up-to-date proof of the family's income at that time.

During the application there should be evidence provided to support any case that you may present, for example and where relevant: (i) proof that you have applied to or are registered at a particular educational establishment or training provider such as a copy of your acceptance/offer letter from the college; (ii) proof of your and/or your family's income and savings e.g. TC602 from HMRC; (iii) proof of any SEND or mobility problems that you have; (for example, a copy report from a medical consultant or from your SEN team or a health or educational professional providing confirmation that you are unable to access a suitable educational establishment or training provider nearer to your home and/or are unable to access public transport.

In general, we are not able to seek this information on an applicant's behalf and we cannot return documents that are supplied to us, and so you are requested to only provide copies of documents that you may wish to send accompanying or supporting your application.

Where there are operational teams engaged with the young person, such as the SEND team, there will be an expectation the SEND teams will exchange information between school and 6th form. This will coincide with the EHCP transition review considering the next phase of education.

All young people carrying on their education post 16 must reapply annually for transport.

We are required to publish our [Post 16 Transport Policy Statement](#) each year. This provides further information on bus routes and other appropriate modes of transport.

## Transport for young adults aged 19 – 25 with an EHCP

Transport arrangements will be considered for a young adult learner where the Council have secured and named a setting in an EHCP which provides both the provision of education or training or provision of boarding accommodation. This applies to an adult learner aged under 25, subject to an EHCP and where it is considered necessary to facilitate that person's attendance at the place of education or training.

We recognise our duty to facilitate the attendance of adults receiving education at institutions:

- maintained or assisted by the authority and providing further or higher education (or both), or
- within the further education sector.

In deciding whether it is necessary for us to make transport arrangements for an adult learner, amongst other things, we would consider:

- the learner's age, ability and aptitude
- any SEND the person may have
- the locations and times at which the education or training is provided
- the nature of the route, or alternative routes, which the learner could reasonably be expected to take

For the purposes of deciding whether to make transport arrangements we would consider the individual case, the educational progress and potential for increased independence.

## Concessionary fare paying seats/spare seat

The concessionary fare paying scheme allows young people to buy a pass for a spare seat on an operating Council home to school transport route, when they are not eligible for funded home to school transport. This is available for young people in post-16 education only if and while there is a seat available.

For further information on available seats contact [schooltransport@warrington.gov.uk](mailto:schooltransport@warrington.gov.uk)

We reserve the right to withdraw a concessionary seat if that place should be needed to transport an entitled child.

## Transport offer in Warrington

In determining the form of transport offer that will be granted, we will consider the following factors:

- age of the child or young person
- nature and severity of the pupil's SEND
- availability of public transport
- the development of independent travel skills
- length and nature of the journey
- most cost-effective and efficient use of Council funding

The transport on offer will be considered in a graduated approach, which meets with a number of factors relating to the individual child/young person and support our principles. They include:

- Independent Travel Training: to enable young people to travel independently between home and school utilising public transport when appropriate. It is an ambition of this policy to have this in place for all secondary age children and above.
- Public Transport: the provision of a bus pass for the child or if appropriate the child and accompanying adult/escort.
- Innovative local travel arrangements: these may include a walking bus or cycling allowance and involve liaison with family.
- Personal Transport Budget: a personal transport budget may be agreed with parent/carers to assist them with transporting their child to school, based on meeting the eligibility requirements.
- A place/seat on a dedicated school bus; where a child/young person would be on a vehicle shared with other children/young people attending the same school, where professionals deem this appropriate.
- Minibuses and taxis: where assessed as essential due to the particular needs of the child or young person, we may provide a minibus, taxi or adapted vehicle. Generally, the number of children in each vehicle will be maximised. Route planning may require children to be collected from agreed pick-up points. This will involve the operational teams such as SEND to discuss within the EHCP.

## Independent Travel Training (ITT)

Our vision is that children and young people will be supported through Independent Travel Training (ITT) and encouraged to develop their independence by using public transport. We currently offer ITT within a number of our colleges and schools and are working to widen the ITT offer in Warrington. ITT supports young people to travel independently on public transport, helping them to live more independently through acquiring important life skills as they transition to adulthood.

We assess the needs of each individual pupil or student to determine the most appropriate type of transport offer. In preparation for adulthood, it is expected that the majority of young people beyond the age of 16, and increasingly with dedicated ITT for those from Year 9 and beyond, pupils will be encouraged to develop skills to travel independently to their place of education. This may involve the pupil having a dedicated travel buddy to join your child on public transport to and from school, as agreed.

To access information on available ITT support programmes please email [education@warrington.gov.uk](mailto:education@warrington.gov.uk)

## Public Transport Travel Pass

As the Education and Transport provider we promote sustainable education travel and transport predominantly through School Travel Plans and our contracted Home to School Transport providers (School buses and vehicles).

The child or young person may be eligible for a bus pass to travel to school. We may also offer parents or carers a monthly bus pass to travel with them in certain cases. A bus pass can help prepare children and young people for independence and adulthood.

## Personal Transport Budgets

Students of all ages who are eligible for transport are able to apply for a Personal Transport Budget. This may be awarded at our discretion and is a sum of money to support the pupil to travel from home to their school or educational setting.

A Personal Transport Budget is paid on the assumption that a pupil of statutory school age attends their school/educational setting on 190 days a year; or for students who are over 16 years old, that they attend a full-time programme of learning that is at least 540 guided learning (planned and funded) hours per year.

If a pupil or student receives a Personal Transport Budget part way through the school year, or attends school or learning on a part-time basis, the total payment would be on a pro rata basis to account for the reduced amount of time that a parent/carer would be responsible for transport arrangements.

A Personal Transport Budget allows families to have the freedom and flexibility to make their own travel arrangements, rather than travelling on Council organised transport, furthering their independence.

The budget could be used in many ways, including:

- to pay for fuel and/or running costs on a family vehicle that is used to transport a student to school/educational setting
- lease a vehicle to use if the family don't have one
- paying for a shared taxi with other pupils
- paying for another person to take a sibling to school to free a parent/carer up to transport the pupil with SEND
- buying travel passes for other children in the family so that they can travel to and from school, allowing the parent/carer to transport the pupil with SEND
- paying for childcare for another child to allow a parent/carer to take the pupil with SEND to school/educational setting
- working with the school to join up transport options with other parent/carers (for example car sharing), encouraging a sense of community

All eligible students requesting a Personal Transport Budget will have their application assessed taking into consideration any cost to the Council for arranging the transport and will make a best value assessment based on the specific needs of the student.

To apply for a Personal Transport Budget the pupil/student will need to:

- live within the Borough of Warrington
- attend the suitable school/s or educational setting

All children with an EHCP in the same family would be considered together when agreeing the amount awarded via a Personal Transport Budget.

A Personal Transport Budget may be withdrawn in some circumstances or a reduction in the payment amounts made, including if:

- a pupil's attendance falls. It would be recognised that attendance for some pupils may be affected by their wellbeing and medical needs, and this will be taken into consideration in determining whether to withdraw, reduce or reclaim a Personal Transport Budget
- a pupil regularly arrives late at school in the mornings or in an unfit state to learn
- if it becomes evident that a Personal Transport Budget is not being used appropriately
- it is not cost-effective for the Council to continue providing the Personal Transport Budget
- it has been assessed that the pupil is no longer eligible for funded transport.

## Agreeing the amount of Personal Transport Budgets

The following factors will be taken into consideration alongside discussion with the family, to determine the appropriate personal budget amount:

- the special educational needs, disabilities and mobility of the pupil
- the travel distance
- how the pupil might travel to school
- the time the journey takes
- whether the pupil is able to travel alone or if they need to be accompanied
- the age of the pupil
- whether any specialist equipment might be required

The standard amount that would be awarded with a Personal Transport Budget is based on mileage. The cost of two return journeys per day of attendance at school (i.e. all four legs of the journeys) would be included in the Personal Transport Budget amount. Any variation to the standard amount will be considered as part of the pupil's travel assessment.

There might be circumstances where a Personal Transport Budget is not appropriate. This could include where we can arrange transport at a lower cost. This will be assessed as part of the application process. We will make the final decision based on all the available information.

## Walking Bus/ Cycling allowance

A walking bus is the name for a supervised group of children walking to or from school. It is made up of at least two adult volunteers, a 'driver/leader' and a 'conductor' to escort the children. Adults and children all wear high-visibility waistcoats. The school of the students who benefit from the walking bus would normally arrange and manage this.

The bus follows a set route and 'walks' to a published timetable. Children can join or leave the bus at set points along the route. The decision on when and where a walking bus operates is left to the school and volunteers, considering distance and route.

We are already involved in the promotion of cycling. Warrington's Local Transport Plan includes schemes to improve and expand the cycling network and services for cyclists, including cycling proficiency training for

school aged children. In collaboration with schools, through School Travel Plans, we encourage a wide variety of initiatives to encourage the establishment of school cycling policies and safe cycling codes for staff and pupils.

## **An allocated seat on a dedicated school bus**

Where there are spare seats remaining on buses contracted by the Council to transport eligible children, these may be sold after the allocation of seats to qualifying students have been made. On routes where spare seats are available and where applications are received by the advertised deadline, spare seats will be prioritised and allocated in line with our policy.

Dedicated school bus transport only carries school pupils; members of the public cannot travel on these services. Pupils are expected to make their own way to and from their nearest bus stop on the route at the beginning and end of the school day.

To find out more about the spare seat scheme email [schooltransport@warrington.gov.uk](mailto:schooltransport@warrington.gov.uk)

## **Shared or Individual Minibuses & Taxis**

If your child is eligible for funded school transport, they may be allocated a seat on a contracted taxi, minibus or modified vehicle, with or without a passenger assistant. This would depend on your child's needs. The use of taxi or minibus will only be granted when it is deemed essential to the child needs. We will provide suitably qualified, registered vehicles from a commercial provider that adhere to the contractual standards that we have set.

In a bid to reduce congestion and to make best use of our resources, children and young people will mostly travel together. We will only provide an individual minibus/taxi based on the assessed needs of the child. This might also be offered where the child/young person is the only person, or a small number of children and young people, who attend a particular school or placement.

We will take account of the duration of vehicle journeys, considering the route and the individual needs of the passengers on board. Statutory guidance suggests that the maximum each way length of journey for a child of primary school age should be 45 minutes and for secondary school age 75 minutes, although this cannot be guaranteed and some journeys could be longer, particularly those that are across longer than average distances.

Children and young people will only be picked up from their home address if it is essential to their individual needs. In all other cases, we will inform the parents of a local pick up/drop-off point. These locations are usually communal areas where we can pick up/ drop-off children. The reasons for using these are:

- to encourage and maintain independent travel for children
- to reduce the journey times for children/ young people
- to ensure that the route taken is the most efficient

It is the parent/carers responsibility to ensure the safety of their child in the walk from home to and from the designated pick-up point, where appropriate.

## **Passenger Assistants**

There is no specific duty for the Council to provide passenger assistants for children carried on home to school transport. However, fulfilling a duty of care to passengers and others may require a passenger assistant/escort. We may determine an escort or assistant is necessary to ensure the safety and well-being of children, the safe operation of vehicles and/or the care needs of individual children or young people. This will be determined during the eligibility assessment process.



A passenger assistant may be provided to accompany a child with significant needs arising from a medical condition or a disability and where there is an exceptional need for supervision. The decision about whether to provide a passenger assistant will be made as part of the transport assessment which will be a collaboration between those within the SEND team and parent/carers. Passenger assistants are the exception, where possible it is expected that a parent/carers escorts their child to school.

Factors that will be taken into consideration about whether a passenger assistant is required are likely to include:

- medical issues
- health and safety related issues, including risk to self or others
- the child's mobility
- any challenging behaviour arising from the child's special educational needs or disabilities
- the need for continual care and supervision where a child has severe or complex medical needs
- age and capability
- length of journey
- the vehicle type and size

## Applying for Council funded transport

The application process is designed to be as simple as possible, whilst ensuring that full consideration is given to the specific needs of the child or young person.

Parents should allow up to three weeks from the date of application to the start of any transport provided at the beginning of the school year. However, where parents apply for transport during a school year, it can take up to 6 weeks for their child's eligibility to be assessed and for transport to be provided, this period could be extended where the Transport Team has insufficient information to assess a child's school transport application.

This is because more than one team is required to complete this work, and all have to follow national legislation when completing their tasks. The Transport Team work with the SEND teams (where appropriate) and the Specialist Transport Service, who work with transport providers to find suitable arrangements for each child. We are required to complete strict tendering processes where there is a requirement for a new or extended arrangement before they can confirm what transport a child will be given.

## Application

The parent/carer must make a formal application for transport via the Warrington Borough Council's Transport website.

It is a parent's responsibility to apply for transport for their children and not the responsibility of any council department to do so on their behalf. Parents of children with special educational needs, a disability or mobility problems or an EHCP must apply for school transport in the same way as other parents (using the SEND School Transport application form). For those applicants where a child or young person has not got an EHCP there will be support within the SEND team during the application stages.

The Transport Team cannot accept applications or inform you of the outcome of an assessment over the telephone.

## Assessment

The application will be assessed against the Council's eligibility criteria as stated in this policy. If the criteria is met then we will determine the most appropriate transport offer based on the best value option that meets the child's transport needs.

## Decision

Following the assessment process, the parent/carer will be informed in writing of the outcome of the application and will be sent details of the transport offer and any contact details they may require.

If you think that your child or young person is eligible after reading this policy, you can [apply for transport by visiting: warrington.gov.uk/schooltransport](https://warrington.gov.uk/schooltransport)

## Warrington's decision-making process

After receiving an application, an assessment will be made as to whether the child/young person is eligible to receive Council funded transport. All decisions will follow the Home to School Policy which takes into consideration the government statutory guidance and legislation.

Applications for funded transport will be assessed by the Transport Team.

Once a child/young person is deemed to be eligible, we will determine the type of transport that we will provide. We will consider evidence regarding, but not limited to:

- the specific needs of the child/young person, particularly their assessed SEN
- whether the suitable educational establishment is able to fulfil their travel needs
- whether there is a family member/carer who is able to transport or accompany the child/young person
- the distance from home to school
- the complexity of the journey from home to school
- if the child/ young person can become an independent traveller
- the best use of our resources

For SEND transport applications we rely on a number of sources. These include: the information contained in the application form, submitted supplementary evidence, the EHCP, if applicable; risk assessments obtained from schools; route assessments where relevant, carried out by a transport officer; information from passenger assistants/ escorts; information from key workers.

Consequently, it is critical that information about a child's medical needs, ways of communicating with people and challenges are included in their application. As an example, a particular child is a wheelchair user, but can and does prefer to transfer to traditional seats. As a result of being informed of this, we can plan to put provisions in place that reduce the impact of this on the pupil's journey. If the child is receiving travel training, we will take this information into account to ensure the public transport routes they use are accessible.

## Review of Awarded Funded Transport

As a responsible authority, we regularly review the type of funded transport that a child/young person receives. Typically, this will be assessed annually but there are some circumstances that may result in transport arrangements being reviewed more frequently. These include, but not limited to where:

- a child/young person is transitioning from one school to another (primary to secondary and after the child or young person is over 16 years old)
- a child's home address is changing
- a change in the child's needs
- an incident occurring on the current transport arrangements, necessitating the need for a change in the type of transport provided

## Appeals Procedure

A parent/carer (applicant) has the right to appeal decisions that we make around transport arrangements. Reasons for applicants to appeal may include, but are not limited to:

- when an application for Council funded transport is refused
- when we propose arrangements for transport that the parent/carer does not agree to
- when we change the existing transport arrangements for a child that a parent/carer does not agree to
- If you disagree with a decision made about transport, you will need to start by making an appeal through our appeals procedures

The appeal process has two stages. Stage one will look at the original decision and assess whether it had the correct outcome. If a parent/carer is still not happy with the decision of the stage one appeal, they have the right to proceed with a stage two appeal.

Each stage of the appeal will assess:

- the nature of the decision reached
- how the review was conducted
- information about other departments and/or agencies that were consulted as part of the process
- what factors were considered in the decision
- the rationale for the decision reached

Appeals must be emailed to: [schooltransport@warrington.gov.uk](mailto:schooltransport@warrington.gov.uk)

### Stage One appeal

A Stage One appeal must be submitted in writing within twenty working days of the letter or email refusing transport, or where proposing changes to existing arrangements.

Parents/carers should write to the Transport Team, detailing why the decision should be reviewed, giving details of any circumstances and include all supporting evidence to be considered, for example, from a medical professional. The applicant may be asked to complete a form for further information. The parent/carer will receive an acknowledgement when we have received their written request for a review.

This appeal will be reviewed by the Head of Education who has not been involved in the original decision. The appeal will include the reasons why the parent/carer believes the decision should be reviewed and any details of supplementary evidence or reasoning that the parent/carer believes should be considered when the decision is reviewed.

After the appeal has been reviewed, the outcome may be to uphold the appeal with details of the transport offer, or not uphold the appeal and continue to refuse Council funded transport. The person appealing will be informed of the Stage One decision in writing within twenty working days of receipt of the appeal. If a parent/carer is not satisfied with the outcome of the Stage One appeal, they can proceed with a Stage Two appeal.

### Stage Two appeal

Where a Stage One appeal is not upheld, if they wish, they are then able to appeal to the Transport Appeal Panel. The parent/carer can attend the hearing or have the case considered on written submission only.

The Stage Two appeal hearing panel consists of three panel members who are independent of any prior decisions made in the case to this point. The panel will consider whether the policy on home to school transport has been applied properly and, if so, whether the strength of the applicant case outweighs the

most cost effective and appropriate mode of transport. The panel cannot change the policy itself or determination of the nearest suitable school.

There will be the following options offered for your appeal hearing:

- a face-to-face meeting
- a virtual meeting via Microsoft Teams (a secure online meeting)
- a paper-based process, where submitted information for the panel is taken into account when considering the appeal

A parent/carer has twenty working days from receipt of the Stage One written decision notification to make a written request to escalate the matter to Stage Two. Stage Two requests that are received after this date cannot be considered. Applicants will receive a decision in writing within five working days of the appeal hearing. Decisions cannot be given over the telephone.

Beyond the two stages of appeal to us, there is no further appeal within Council procedures. If the parent/applicant believe that they have suffered injustice as a result of maladministration by the panel, then they do have the right to pursue a complaint with the Local Government Ombudsman. This is not a right of appeal and relates only to issues such as failure to follow correct procedures, irregularities on how the appeal was handled or failure to act independently and fairly.

If appellants have a complaint of a procedural nature, they can refer it direct to the Local Government Ombudsman.

## Grounds for appealing

Parents/carers can appeal for any reason or combination of reasons that they wish, but should carefully consider if they have sufficient additional evidence to support a case where their child is not eligible for Council funded transport as a result of selecting a school that is not their nearest appropriate school for transport purposes.

Parents cannot appeal for their child to be transported by a particular driver or transport provider, as the Council are obliged to secure transport through a fair and open tendering process. The Transport Officer will offer a date and time to hear the appeal. If parents/carers wish to, they can, for a good reason, reject the first hearing date. If the second hearing date is also rejected or if parents/carers fail to attend a hearing on a date that has been accepted, they will not, except in exceptional circumstances, be offered a further hearing. The panel members will, however, consider the appeal in their absence, based upon the information that has been provided in writing.

As far as possible parents/carers should send all evidence with their appeal letter. Any additional evidence should be sent to [schooltransport@warrington.gov.uk](mailto:schooltransport@warrington.gov.uk) at least two working days before the appeal hearing. Written evidence produced on the day of the appeal hearing will be considered at the discretion of the Chair of the appeal panel and may lead to the hearing being adjourned to a later date.

## Witnesses

If parents/carers wish to attend the appeal, they are welcome to bring a witness or friend to accompany them at the appeal. They must advise the Transport Appeals Officer at least one day in advance who this will be. Parents/carers may wish to provide a written summary of the witnesses' evidence on the day of the hearing as this may be helpful to those considering the case. Please note that the Senior Officers hearing the appeal have the right to discount any evidence provided by witnesses produced by parents/carers if they believe that the evidence given is irrelevant to the appeal. No fees, expenses or allowances relative to attending the hearing will be paid to the parents/carers or witnesses by the Council.

## School transport and the environment

National traffic data suggests that 20% of all peak time traffic is associated with the school run. Apart from the pollution caused there are issues of safety outside schools from congested traffic and parking problems outside and on nearby roads. Carefully considering the types of transport offered to parents/carers for their children can help to tackle congestion on the school run and help to create a cleaner, greener, healthier school and community.

Warrington's local transport/cycling infrastructure report (2019) reported the aims to increase the proportion of children and young people to walk to and from school with the aim it is safe, calm and free of pollution, with over 50% of children currently walking to school in Warrington. Whilst there are many factors associated with the limited proportion of people walking there is a commitment to improving the walking environment. School children are the commuters of the future and we are supporting the delivery of a safer route to school, including a mixture of new or improved crossing points, widened or improved pavements and Improved street lighting. Each school will have its own specific requirements, and this would be informed by the school travel plans and suitable travel assistance to meet need.

Smarter travel choices and interventions are considered within this policy, particularly to encourage people for whom journeys have become easier. Evidence shows that complementing infrastructure with practical support, independent travel training and promotion of greener travel choices achieves greater levels of uptake in walking and cycling and ultimately better value for money for Council budgets.

Warrington's compact size and fairly flat terrain offers a great opportunity for local journeys, currently made by car, to be made by cycling or on foot. The proposals for funded transport can support greener travel choices, enabling more people to be independent, particularly in short journeys across Warrington. That doesn't mean everyone will be forced to walk, take public transport and cycle. We recognise that not everyone can, but there is a clear opportunity to explore what more people could be supported with a range of options to meet their transport needs.

## Key Contacts and Resources

### The Transport Team

East Annexe Town Hall,

Sankey Street,

Warrington

WA1 1UH

email [schooltransport@warrington.gov.uk](mailto:schooltransport@warrington.gov.uk)

### The SEND Transport Team

East Annexe Town Hall,

Sankey Street,

Warrington

WA1 1UH

email [sentransport@warrington.gov.uk](mailto:sentransport@warrington.gov.uk)

All transport [application forms can be found on our website warrington.gov.uk/schooltransport](http://warrington.gov.uk/schooltransport)

### School Admissions team

[schooladmissions@warrington.gov.uk](mailto:schooladmissions@warrington.gov.uk)

### Education Services general enquiries

[education@warrington.gov.uk](mailto:education@warrington.gov.uk)

### Warrington's Own Buses

Visit Warrington's Own Buses [warringtonsownbuses.co.uk](http://warringtonsownbuses.co.uk)

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