

# Home to School Travel Policy for Children and Young People with Special Educational Needs and Disabilities 2021 – 2022

## 1 Background

- 1.1 This policy outlines support arrangements for children and young people with complex special educational needs (SEN) and disabilities with home to school travel/ transport
- 1.2 Most children and young people with SEN and disabilities will access school and college without additional assistance from London Borough of Newham. Where assistance is given it should be seen as part of a plan of support that encourages children and young people to become more independent and resilient in their future lives.
- 1.3 This policy considers transport arrangements for eligible children with SEN and disabilities and has been written with reference to the Education Act 1996 ('the Act'), the SEN and Disabilities 0-25 Code of Practice (2001), the Children and Families Act 2014, the Children Act 2004 and the Disability Discrimination Act 2005 and the Equality Act 2010. This policy contributes to the Sustainable Modes of Travel to School Strategy as required under the Education and Inspections Act 2006, The Education and Skills Act 2008.
- 1.4 In this policy the term 'parents' should be taken to include all those with parental responsibility, including guardians and carers.

## 2 Guiding principles

- 2.1 The guiding principles within this policy are:
  - Parents are responsible for ensuring that their children attend school regularly
  - When travel assistance is offered a child or young person will be assessed so that the assistance offered is appropriate to support the individual needs
  - Assistance will be reviewed with the expectation that children and young people grow in confidence and independence
  - Travel options will take into account opportunities to 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.
  - Assistance offered will look at what is efficient and effective, both in terms of sustainability and cost.
- 2.2 This policy is subject to review every 2 years and in accordance with any changes in the law.

## 3 Eligibility

- 3.1 The local authority will consider requests for assistance for children and young people with SEN taking into account of:
  - whether a child or young person needs specialist transport assistance
  - complex mobility difficulties
  - health and safety issues associated with a child or young person's special educational needs
- 3.2 Applications will look at whether a child can reasonably be expected to walk to school and/ or the use of public transport
- 3.3 Eligibility will be assessed on an individual basis to identify their particular travel requirements.
- 3.4 An example of a child who may be considered eligible would be a child or young person with profound and multiple learning difficulties

#### 4 Accompaniment

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

#### 5 Types of assistance

- 5.1 Children with SEN and disabilities will ordinarily be expected to use the free transport available for children and young people including those with SEN and disabilities through the TfL/ Mayor of London
- 5.2 Beyond that assistance provided for eligible children by the local authority includes:
  - travel training
  - provision of an escort to enable an eligible child with a disability to walk to school in safety or travel on public transport
  - provision of a pass for a parent to take the child to school on a public transport
  - a mileage allowance to the parent for driving their eligible child to school but only in lieu of the local authority making arrangements
  - a direct payment for a parent to arrange for a suitable carer to take the child to school
- 5.3 Exceptional arrangements include:
  - provision of a seat on a bus or minibus provided by the local authority;
  - provision of a seat in a taxi where more individualised arrangements are necessary.
- 5.4 When mileage or direct payments are made a funding plan will be agreed between the parent and the authority.

#### 6 General

- 6.1 Transport assistance is normally only provided to the geographically nearest suitable school to the pupil's home address that is deemed to be suitable for the pupil's age, ability and aptitude for education and special educational needs. If the local authority has determined that the child should be placed in a specialist provision but the parents

preferred school or college is further away, the local authority may agree to this but will ask the parent to provide some or all of the transport funding.

- 6.2 The provisions apply to home to school and home to college travel arrangements, and vice versa. They do not relate to travel between educational institutions during the school day.
- 6.3 All provision of assistance will be reviewed annually by the local authority.
- 6.4 Transport is only recorded in a statement of SEN or an EHC plan in exceptional circumstances e.g. for a child who has particularly high care needs and requires an escort with nursing or specialist medical training.
- 6.5 Many parents find getting their children to and from school inconvenient, difficult, very difficult or sometimes extremely difficult due to competing demands on time and domestic circumstances. The SEN Travel Policy does not seek to address these situations.

## 7 Applications

7.1 Applications are reviewed taking the following into account as relevant:

- the distance from home to school
- the statutory walking distances to school if relevant (under 8 year 2 miles, over 8 years 3 miles)
- the age of the pupil
- the availability of places in the nearest suitable school or schools
- the nature of the route to school including the safety of the route and alternative routes available
- the nature of the pupil's special educational needs
- the benefit in a child receiving travel training
- the need for specialist transport (e.g. does the pupil need specialist seating rather than just access to a public bus with space for a wheelchair)
- the need for supervision
- whether the child could move to a school closer to the family's home  the efficient use of the local authority's resources.

## 8 Families in receipt of Disability Living Allowance (DLA) for children and young people

8.1 If a parent receives the Higher Rate Mobility Component (HRMC) of the DLA for a pupil, the family is entitled to a vehicle through the mobility scheme. If a car has been provided for a child through this scheme, Newham will take this into account when making its decision to provide travel assistance or not

## 9 Preference for particular schools

9.1 For children with statements of SEN or Education, Health and Care plans (EHCs) 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.

- 9.2 For the purposes of this policy parents of children with SEN should note that if a child is allocated a mainstream placement and the parent then seeks a place in a particular school so that the child can indirectly benefit from the expertise of a resourced provision mainstream school, that school will not be considered by the local authority as the nearest suitable school.

## 10 Residential placements

- 10.1 Weekly placements will be funded for one journey at the beginning and end of each week.

- 10.2 Termly residential placements will be funded for 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. One return visit will be funded to enable parents to attend the annual review. Funding is based on second class public transport or car mileage as determined as at the Community Transport Association mileage rate for volunteer drivers, whichever is the cheapest and subject to the approval of the authorised officer.

## 11 16-18 transport duty and 18-25 duties for learners with learning difficulties and/or disabilities

- 11.1 The following arrangements apply to:

- young people (over compulsory school age) aged 16-18 with special educational needs and disabilities who are continuing learners and who have started their programme of learning before their 19th birthday; and
- young people with learning difficulties and/or disabilities up to the age of 25

- 11.2 The transport needs of young people with learning difficulties and/or disabilities will be reassessed when a young person moves from compulsory schooling to post-16 education.

- 11.3 The local authority will ask learners and their parents for a contribution to transport costs following a financial assessment. This can include use of Disability Living Allowance.

- 11.4 The local authority and/or providers operates an independent travel training scheme and will encourage use of this arrangement as young people are moving towards adulthood.

11.5 The local authority will take receipt of 16-19 bursary funding into account in assessing an individual's need for financial help with transport.

11.6 The local authority may use central pick up points as appropriate.

Any agreements to funding are subject to a funding plan being agreed between the parent and the authority.

## 12 Review of travel arrangements and changes to the assistance that is given

- 12.1 Each travel arrangement is subject to review at least annually. Discussions on changes may arise as part of a review but can also be a result of direct discussion with families. For example a change could mean that a young child who was taken to primary school in a minibus uses public transport when older.

## 13 Poor behaviour on school buses/other modes of transport

13.1 The Local Authority promotes and expects appropriate standards of behaviour by pupils on their journey to and from school. The Local Authority may consider withdrawing transport, either for a temporary period or permanently for more serious or repeated cases of misbehaviour.

#### 14 Parents who are disabled

14.1 If a parent's disability prevents them from accompanying their child/ren along a route to school, the local authority may provide free travel support for the children.

Exceptions are:

- parents who are disabled and who have a mobility car will not receive support.
- parents who are disabled and who receive DLA will be assessed to determine if additional support can be given

#### 15 Children in early years settings and nurseries

15.1 Applications for home to school travel assistance will only be considered for children of statutory school age unless the local authority has placed a child in a specialist nursery provision for full time education. Given the young age of the child the parent(s) will be expected to escort the child.

#### 16 Complaints

16.1 Any complaints will be dealt with in accordance with Newham's Corporate Complaints Policy. This is available from the Newham website or local service centres.

#### 17 Applying for assistance with home to school travel

17.1 Parents/ carers of children with special educational needs should apply for travel assistance by completing a standard application form and returning it to the address below.

SEN Section  
London Borough of Newham  
Newham Dockside  
1000 Dockside Road  
London E16 2QU  
Tel: 020 8430 2000

#### 18 Appeals – Stage 1 and stage 2

##### Stage 1

- 18.1 A parent has 20 working days from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision.
- 18.2 The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be taken into consideration.
- 18.3 Within 20 working days of receipt of the parent's written request, a senior officer will review the original decision and send the parent a detailed written notification of the outcome of their review,

18.4 Stage 1 appeals should be sent to:

SEND Travel Assistance Contract Lead  
SEN Section  
London Borough of Newham  
Newham Dockside  
1000 Dockside Road  
London  
E16 2QU  
Tel: 0203 373 3325

## Stage 2

18.5 A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.

18.6 An independent appeal panel considers written representations from both the parent and officers involved in the case. Stage 2 appeals should be sent to:

Director's office CYPS  
London Borough of Newham  
Newham Dockside  
1000 Dockside Road  
London  
E16 2QU

18.7 If parent would like an officer to explain the decision from a stage 1 or stage 2 appeal they should contact the SEN Section who will arrange a meeting.

## 19 Contacts

19.1 Any questions or matters arising from this policy should be directed to:

SEND Travel Assistance Contract Lead  
SEN Section  
London Borough of Newham  
Newham Dockside  
1000 Dockside Road  
London  
E16 2QU

T: 0203 373 3325

E: [john.wood@newham.gov.uk](mailto:john.wood@newham.gov.uk)