



Home to School Transport Policy Consultation

Supporting information

Name of Local Authority: Buckinghamshire Council

Department Responsible: Children's Services



Why is Buckinghamshire Council consulting?

We want to update the current Home to School Transport Policy and associated Post-16 Transport Policy Statement which came into effect in September 2019, following a previous review in 2018/2019.

The aim of this consultation is to ensure we are providing clear and easy to understand information and guidance to pupils and families, to help them make informed choices about their educational transport.

Proposed changes are planned to be published in a new Home to School Policy and associated Post-16 Transport Policy Statement in March 2021 for the academic year 2021/22. The new Policy and associated Statement will apply to all pupils and students, including those with existing transport arrangements.

What are the main changes being proposed?

Home to School Transport Policy

There are no major changes proposed for the overall Home to School Transport Policy. We are asking for views on proposals to update the content of the main Policy by providing clarification and more detail to some parts of the Policy. These are **highlighted in yellow** in the Home to School Transport Policy document. They are:

- Revised layout to reflect the pupil's journey from age 0-25 years and the support available at each stage. This aims to make information clearer for families;
- Clarification on the travel assistance available to 0-4 year olds (section 2)
- Clarification on the need to name the nearest suitable school in order to be considered for travel assistance (section 3)
- Clarification on who decides whether a school is classed as suitable (section 3)
- Clarification on aspects of Extended Rights for low income families (section 3)
- More clarity on how travel assistance applies to 19 year olds (section 4)
- More details about the content of the Post-16 Transport Policy statement, including the inclusion of those students aged 19 and over (section 5)
- Expanded information on Personal Transport Budgets and mileage forming part of a Personal Transport Budget (section 7)
- Clarification on the Spare Seats Scheme and the way that spare seat allocations are prioritised (section 9)
- Clarification that it is the Transport Exceptions Panel that considers exceptional circumstances relating to transport (section 10)
- Provided information on transport arrangements for students with SEND transferring in year to a new school (section 10)
- Information on what you should do if a driver or passenger assistant is unable to show you their ID badge (section 10)

- Clarification on the role of the Passenger Assistant (section 10)
- Clarification on the information about transport to residential placements (section 10)
- More detailed information on behaviour expectations (section 10)

Post-16 Transport Policy Statement

We are asking for views on proposals to update the content of the Post-16 Transport Policy Statement, to help provide clear information for young people and parents/carers.

As charging for Post-16 educational transport will continue from September 2021, we are also asking for views on three potential options for how future transport for students aged 16–19 with SEND will be arranged and paid for.

The key changes we are consulting on are **highlighted in yellow** in the Post-16 Transport Policy Statement. These are:

- Clarification of the fact that the Statement refers to those students who are above statutory school age, which ends on the last Friday in June in the academic year in which they turn 16 (sections 1,3);
- Added detail on the consultation process (section 2);
- More clarity on how travel assistance applies to 19 year olds (section 3);
- Clarification on the Spare Seats Scheme and the way that spare seat applications are prioritised (section 4);
- More clarity on the eligibility criteria for travel assistance for students with SEND (section 6);
- Added information on Personal Transport Budgets which are available to all age groups with SEND (section 7) subject to meeting eligibility criteria;
- Clarification that mileage payments are still available as part of a Personal Transport Budget (section 7);
- Sets out three options that relate to how transport to educational settings is arranged and paid for from Sept 2021 (section 8)
- Clarification of how financial hardship is determined (section 8);
- Clarification of how non-payment is managed (section 10);
- Clarification of payment expectations for students from the same household and circumstances where payment is not required (section 10).

How did the Council develop the consultation?

We have been very keen to take into account the views of stakeholders to help shape this consultation. We have considered the feedback received about the Policy and associated Statement over the last 12 months.

We have also worked with parent representatives from FACT Bucks, the parent / carer forum, to develop the proposed changes that we are asking for feedback on.

In addition, we have held a discussion group with parents / carers of children with special educational needs and disabilities which has helped to shape our proposals.

Guidance to help families understand how the proposed Home to School Transport Policy would apply in practice

How is full-time education defined?

Full-time education for children of statutory school age is defined as attending a school or educational setting for 190 days (or 380 sessions) each academic year. Please see **section 3** of the policy for further information.

Post-16 students are now required to be in education, employment or training until their 18th birthday. This could involve mixing full-time work with study, following an apprenticeship, continuing full-time in school or college, or combining part time training with volunteering. Please see **section 4** of the policy for further information.

My child is under 4 years old and will be attending a nursery; can I get transport?

No, parents / carers are responsible for transporting their child to and from nursery provision unless their child has an Education, Health and Care Plan (EHCP). Please see **section 2** of the policy for further information.

My child will be away from school for a short time to attend a work experience placement. Will the Council provide transport to the alternative location, or provide a refund if I have paid for transport under the spare seats scheme?

No - the policy is based on travel from home to the child's school or educational setting only and is based on full-time attendance. This means alternative transport cannot be provided to alternative locations for short-term reasons, for example work experience placements, and no refund will be applicable in those circumstances.

What is the statutory walking distance?

The statutory walking distance is set by government and is the distance between home and school or educational setting that pupils and students are expected to walk. Any journey longer than the statutory walking distance will mean a child is automatically entitled to help with transport. Distance is measured along the shortest safe walking route. Please see **section 3.2** of the policy for further information.

What do extended rights mean?

Extended rights is a form of additional support provided to low income families. The Council defines low income families as those where a child receives free school meals because their parents or carers receive at least one of the benefits listed below:

- Income Support
- Income-based Jobseeker's Allowance

- Income-related Employment and Support Allowance
- Child Tax Credit – provided you are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190
- Universal Credit - with an annual earned income of £7,400 or less (after tax and not including any benefits you get)
- The guaranteed element of Pension Credit
- Support under Part VI of the Immigration and Asylum Act 1999

If you are not entitled to free school meals, another benefit that is accepted is entitlement to the **maximum level of Working Tax Credits**. This means that there is no reduction due to income in the Working Tax Credits elements section of your HM Revenue & Customs award notice for the current tax year and your annual income is no more than £16,190.

Please see **section 3.5** of the policy for further information.

What is meant by the nearest suitable school?

The nearest suitable school is defined as ‘the nearest qualifying school with places available that provides education appropriate to the child's age, ability, aptitude, gender and any special educational needs they may have’. Where a child has an Education, Health and Care Plan (EHCP), this is the school named on the EHCP, or the nearest school or setting if more than one is named due to parental preference.

The Council will determine whether places are available and therefore it is important that parents/carers express their nearest suitable school as one of their preferences, even if they do not think their child will get a place. Please see **section 3** of the policy for further information.

When listing my school preferences on my school application, if my preferences include schools that are not my nearest, do I have to put the nearest suitable school as my first preference in the list?

No, you do not need to list the nearest suitable school as your first preference, but it has to be listed as one of the preferences. Please see **section 3.7** of the policy for further information.

What is a Transport Exceptions Panel?

The Transport Exceptions Panel is a panel of Council officers from across Transport and Education teams who consider applications from families for transport for exceptional reasons. All applications to the panel are reviewed on a case by case basis in line with set procedures.

What is the Special Educational Needs and Disability Code of Practice?

The SEND Code of Practice 0 – 25 is a government code that sets out the duties of local authorities, health bodies, schools and colleges to provide for those with special educational needs under part 3 of the Children and Families Act 2014. This is available on the [government website](#).

If a student is transferring to a different school will transport be provided to support the transition arrangements?

Transport is arranged for home to designated school only, but we do try to accommodate requests for changes in year where we can. Any request for transport to other schools or settings during transitions would need to be submitted to the Transport Exceptions Panel for consideration.

Can I apply to the Council for transport if my family lives outside of Buckinghamshire but my child will be attending a Buckinghamshire school?

No – you would need to apply to the local authority for the area where you live for transport assistance to the Buckinghamshire school. Please see **section 10.5** of the policy.

What is meant by ‘the school day’?

This is the usual start time and end time for each individual school as set out on their website or in their school guidance. Please see **section 10.7** of the policy for further information.

If my child finishes school early one (or more) days per week in line with their timetable, will the Council provide transport home early?

No, transport can only be provided in line with the school day. Please see **section 10.7** of the policy for further information.

If a personal transport budget was in place in this situation, it would provide families with the freedom and flexibility to organise transport arrangements that suit their own individual circumstances.

How will I know if my school transport is operating if there is a possible closure of a school or educational setting?

If a school or educational setting needs to close early or not open at all, the school or setting will make every attempt to contact parents and carers to let them know about the closure. Each school or setting will also advise parents and carers of their procedures in the event of an emergency closure.

Parents and carers can check the Council’s [school closure webpage](#) and [school transport status webpage](#) for information. Local news websites and radio stations also provide updates to the public on major school closures or transport problems.

Please see **section 10.10** of the policy for further information.

What are Disclosure and Barring Service (DBS) checks?

The government’s Disclosure and Barring Service carries out DBS checks to help employers make sure that people who work with vulnerable groups, including children, are safe to do so.

The Council carries out enhanced DBS checks on all drivers and passenger assistants before they are employed on Home to School Transport contracts. The Council carries out DBS checks every three years.

Following a satisfactory check and appropriate safeguarding training, an ID badge will be issued to drivers and passenger assistants for them to wear while working. The ID badge is confirmation that the holder has met the standard required to work on the Council's Client Transport specialist contracts.

Please see **section 10.11** of the policy for further information on DBS checks.

What should I do if a driver or passenger assistant is not wearing an identity badge?

If a driver or passenger assistant cannot produce their ID badge, you should notify the Client Transport Team immediately on 01296 387439 and do not let your child travel in the vehicle.

Why is my child's transport journey so long?

The Council will make every effort to ensure that travelling times to and from school are a maximum of 45 minutes each way at primary school age and 75 minutes each way at secondary school age.

In some cases, the distances involved may mean that some pupils will have longer journeys. Return (homeward) journeys are not constrained by specific times and therefore may be quicker than advertised.

Please see **section 10.14** of the policy for further information.

Parents may wish to explore having a Personal Transport Budget as this would provide families with the freedom and flexibility to organise transport arrangements that suit their own individual circumstances.

I have been allocated Council transport for my child who has SEND, what happens next?

Before transport starts, the transport operator will make contact with each family. The operator will offer a meeting with parents/carers and their child and will arrange this to take place before transport starts.

Will my child's transport include a passenger assistant to help them to travel?

The needs of each individual child will be assessed to determine whether they will require supervision by a passenger assistant. Please see **section 10.17** of the policy for further information.

What happens if my child becomes ill on a home to school transport journey?

If a medical incident happens on a Council organised transport journey, the transport staff are instructed to immediately inform the parent/carer of the passenger, as well as calling the emergency services if necessary.

What can I do if my child has been suspended from using their school transport?

Parents/carers will always be notified in writing if transport is suspended or withdrawn and 5 days' notice will be given for the suspension or exclusion (unless transport has been withdrawn because of an exceptional situation). Parents and carers can appeal against this decision and further details about how to do this will be included in the suspension letter.

Please see **section 10.19** of the policy for further information.

If my child's school transport is withdrawn following a review, how could I make my views on this known?

The Council regularly reviews all transport arrangements for children with SEND to ensure that the transport provided is still appropriate for each child's needs. This means that Council arranged transport is not necessarily an ongoing arrangement. Parents and carers can give their views on the transport requirements through involvement in the EHCP Annual Review meeting. Families are able to appeal through the Transport Exceptions Panel following a decision.

For other pupils, parents can give their views through the transport application process.

Please see **section 10.20** of the policy for further information.

What is the Council's Spare Seats Scheme and how can I buy a seat for travel for my child?

The Council contracts with companies to provide bus transport for students who are eligible for free transport. Spare seats on these vehicles may be sold where there are seats remaining after the allocation of seats to qualifying students have been made.

Spare seats on Council provided transport are extremely limited. Spare seats are allocated in the order of priority set out in the Home to School Transport Policy and on our website.

To find out more about the Spare Seats Scheme go to our [website](#) and please see **section 9.2** of the policy for further information.

Do I qualify for travel assistance if my course is less than 540 guided learning hours per year?

No; students who are studying on courses that are not full-time, i.e. at least 540 guided learning (planned and funded) hours per year, will not qualify for travel assistance from the Council.

What transport is available for children of Armed Forces personnel?

An Armed Forces Covenant is a promise by an organisation ensuring that those who serve or who have served in the Armed Forces, and their families, are treated fairly. The Council has a duty as part of the Buckinghamshire Armed Forces Covenant to ensure that the local Armed Forces community is treated fairly and not disadvantaged because of their service.

Children of Armed Forces personnel who meet the eligibility criteria for free home to school transport can apply for and will receive free transport in line with our policy.

Pupils of Armed Forces personnel who would like to apply for the Spare Seats Scheme can apply on our website. The Council will publish on the website when the Scheme is open to receive new applications. We will prioritise applications for spare seats from the Armed Forces community in a specific order in line with our policy. However, these seats are extremely limited.

Please see **section 9.2** of the policy for further information.

Guidance to help families understand how the proposed Post-16 Transport Policy Statement would apply in practice

Does the Council provide free transport for students aged 19?

If a student aged 19 started their programme of learning before their 19th birthday (i.e. in school years 12, 13 and 14), the Council is required to facilitate attendance to the education setting but this travel assistance may be chargeable, i.e. an annual fee would be charged if the child has their transport arranged by the Council. Families could still apply for a Personal Transport Budget if they would prefer to organise the transport themselves.

Where a student starts a new course of education at aged 19 or older, any transport assistance will be provided free of charge.

Please see **section 3** of the Post-16 Transport Policy Statement for further information.

What is meant by educational placement?

Transport assistance for Post-16 students with SEND is based on travel from the home address to the educational placement named in section I of the Education, Health & Care Plan. Transport can only be provided to one placement. Please see **section 10.2** of the Home to School Transport Policy and **section 6.1** of the Post-16 Transport Policy Statement for further information.

How can I apply for a bursary to help with the cost of my child's transport?

In the first instance, talk with your child's school or educational setting to find out which of the two bursaries you might be able to apply for. Your school will be able to let you know how to apply. Please see **section 5** of the Post-16 Transport Policy Statement for further information.

I'm interested in my child receiving independent travel training; how can I arrange this?

Talk with your child's school or educational setting in the first instance as they may offer independent travel training. If the school doesn't currently provide this training, you can discuss with your child's Education, Health and Care Coordinator as part of the overall planning for preparing your child for adulthood. Please see **section 9** of the Post-16 Transport Policy Statement for further information.

Guidance on Personal Transport Budgets

Can I apply for a Personal Transport Budget for my child who has SEND?

Yes, you can apply through [contacting the Client Transport team](#) in the first instance. Please see **section 7** of the of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.

Would I be able to arrange a combination of a Personal Transport Budget and Council-organised transport for my child?

No, this wouldn't be possible. You would need to select either a Personal Transport Budget or Council arranged transport for the whole school year. Please see **section 7** of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.

How do you decide the Personal Budget amount?

We take a number of factors into account when agreeing a Personal Transport Budget. This includes the number of pupils/students in the household who require transport. Please see **section 7** of the of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.

If you allocate me a Personal Transport Budget amount that I don't agree with, what happens?

Personal Transport Budgets amounts would be agreed following discussion with the family. When agreeing the amount, we always take into account the family's individual circumstances (including the number of children in the household who require transport) as well as the specific needs of each child to ensure that the amount allocated would allow suitable transport options to be considered by families.

If a family did not agree with the amount allocated, we would do our best to come to an agreement that works for all parties. If an amount could not be agreed, then families could pay an annual fee to use Council arranged transport.

Please see **section 7** of the of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.

Can everyone have a Personal Transport Budget if they wish?

Personal Transport Budgets are only available for families who have children with SEND who have an EHCP.

There may be circumstances where a Personal Transport Budget is not appropriate; this could include where the Council can arrange transport at a cheaper cost. This will be assessed as part of

the application process, on a case by case basis. The Council will make the final decision based on all the available information.

Would I receive a Personal Transport Budget for all my children with SEND?

Not necessarily. There could be some circumstances where it is appropriate for a family to receive a Personal Transport Budget for one child but receive Council organised transport for another child in the household. Each family's circumstances and needs are individually assessed and discussed with the family to understand what works best for that family.

Can Personal Transport Budgets be organised on a temporary basis?

No, Personal Transport Budgets are arranged to stay in place for the entire school year. However, there may be exceptional situations where a Personal Transport Budget is arranged to cover a shorter time period.

What happens if I choose to have a Personal Transport Budget for the year but part-way through the year I want to revert back to Council organised transport?

We would ask families to contact us in the first instance so that we could work with families to try and resolve any issues they might have with using their Personal Transport Budget.

In the event that we do ultimately need to arrange Council transport in place of a Personal Transport Budget, we would stop making personal budget payments from the date that the Council transport starts. Please see **section 7** of the of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.

Will you advise or tell families how Personal Transport Budgets can be spent?

No – it is entirely up to each family as to how they use their Personal Transport Budget, provided they meet some conditions set out in the policy. There are some circumstances where a Personal Transport Budget can't be used. Please see **section 7** of the of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.

Would a Personal Transport Budget amount be awarded separately for each eligible child in a family?

A Personal Transport Budget would be assessed and awarded for each household, taking into account the individual circumstances of each family as well as the number of pupils requiring transport. Please see **section 7** of the of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.

Could a Personal Transport Budget be withdrawn from a family?

A Personal Transport Budget could be withdrawn in some circumstances, including:

- if a student's attendance falls below 90% (although we recognise that some students' attendance might be affected by their medical needs)
- if a student regularly arrives late at school in the mornings or in an unfit state to learn;
- if there is a change to national legislation and / or the Council's policies.

The Council would always contact the family in the first instance to discuss any issues. We would work together with a family to improve the situation. If this is unsuccessful, the Council might then withdraw the Personal Transport Budget.

Please see **section 7** of the of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.

If mileage is used to calculate a Personal Transport Budget, how many journeys are taken into account?

The Personal Transport Budget would cover two return journeys per day of attendance at school (i.e. all four legs of the journeys). The mileage used to formulate the Personal Transport Budget will be that between home and the school or educational setting by the shortest possible route and will be assumed to be a return journey at the start of the school day and at the end of the school day. Please see **section 7** of the of the Home to School Transport Policy and **section 7** of the Post-16 Transport Policy Statement for further information on Personal Transport Budgets.