

Committee:	<b>Lead Member for Learning and School Effectiveness</b>
Date:	<b>11 November 2013</b>
By:	<b>Interim Director of Children's Services</b>
Title of Report:	<b>Removal of community areas from the Home to School Transport policy</b>
Purpose of Report:	<b>To seek the Lead Member's approval to consult on the removal of the community areas from the home to school transport policy from September 2015</b>

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**Recommendation:**

**The Lead Member is recommended to approve the proposal to consult on removing the community areas from the Home to School transport policy for statutory aged pupils from September 2015.**

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**1. Financial Appraisal**

1.1 There is no discernable financial impact resulting from this proposal, because any savings that may be realised would depend on parents' preferences for schools in the 2015/16 school year onwards. Consequently this proposal has not been included in the Medium Term Financial Plan (MTFP) for Admissions and Transport. However, the Lead Member is advised this proposed change to the home to school transport policy will be necessary to ensure the County Council retains some control of expenditure from the home to school transport budget.

**2. Supporting Information**

2.1 Currently, for the purpose of allocating school places, all addresses in East Sussex fall into 'community areas'. These areas are served by one or more school, and children who live within a community area have priority for admission to the school or schools that serve that area. The Lead Member is advised that there are **no proposals to remove the community areas from the admissions policy** for community and voluntary controlled schools but this proposal does recommend removing the community areas from the **home to school transport policy from September 2015**. At the time of writing, the County Council had not been advised of any current proposals from any of the schools that control their own admissions to consult on removing these community areas from their admissions arrangements.

2.2 The home to school transport policy mirrors the admissions policy in that free home to school transport is provided to the 'designated school' i.e. the school (or the nearest school in joint areas) that serve the particular community area, provided the eligibility criteria are met. The East Sussex community areas are shown as Appendix 1 and the current home to school transport policy is shown as Appendix 2.

2.3 An increasing number of schools in East Sussex are becoming their own admissions authorities and set their own admissions arrangements. Community areas are part of the admissions arrangements, and individual schools that are their own admissions authorities can change their community areas through the annual consultation exercise. One academy in East Sussex has already extended their community area through consultation and determination of their admissions arrangements for the 2013/14 school year. The potential impact of this is to give priority for admission to children who live further away, many of whom will live further than the qualifying distance for free home to school transport. As a result this would increase costs for the County Council for home to school transport. It is an issue facing many other rural authorities, and a number, (e.g. Hertfordshire and Oxfordshire) have already removed their community areas from their transport policies for this reason.

**3. Eligibility criteria**

3.1 The provision of free home to school transport is a legal requirement for eligible pupils of statutory school age. Local authorities must provide transport free of charge to a child who has to

travel over the qualifying distance to the nearest suitable school. These distances are two miles for a child aged below eight and three miles for children aged eight and over. The Lead Member is advised that the eligibility criteria for children from low income families (i.e. that qualify for free school meals) are different. Children from low income families will receive free home to school transport if they are travelling to one of the three nearest schools between two and six miles from their home.

3.2 It is proposed that the County Council consults on amending the home to school transport policy so that references to the designated school (i.e. the school(s) serving the community area) is removed and replaced with 'nearest suitable school' so that it continues to reflect the statutory duties with regard to home to school transport, but ceases to mirror the school admissions arrangements. The proposed policy is shown in Appendix 3.

3.3 It is proposed that community areas will be retained as part of the County Council's admissions arrangements so that the duty to ensure parents can determine whether they may be offered a place at their preferred school is retained. The impact on families living in East Sussex will vary depending on which schools parents choose as their preferences on their application forms, but it will have an impact on eligibility for some children. For example, a child living in Fairlight is within the community area for Rye Academy, and under the current transport policy, would qualify for free home to school transport if they attended Rye Academy. However, their home address would be closer to The Hastings Academy, so under the new proposal, the same child would not receive free home to school transport to Rye, because it is not their nearest school. Conversely, a child living in Halland and attending their nearest school, Uckfield Community Technology College, currently would not qualify for free home to school transport even though they meet the distance criterion. This is because Halland is in the community area served by Ringmer Academy, so the child does not attend their designated school. Under the proposed policy, this child would qualify for free home to school transport to Uckfield. For these reasons, if following consultation the proposed policy came into effect, it would have to be extremely well publicised so that parents have all of this information readily available when applying for school places. Pupils receiving transport under the current arrangements will continue to do so until their circumstances change.

#### **4. Equalities considerations**

4.1 The Lead Member is advised an Equality Impact Assessment will be carried out as part of the consultation process.

#### **5. Conclusion and Recommendations**

5.1 The Lead Member is recommended to approve the proposal to consult on removing the community areas from the home to school transport policy for statutory aged pupils from September 2015. This proposal is necessary to ensure the County Council retains some control of expenditure from the home to school transport budget should academies choose to change their community areas through an annual consultation.

GED ROWNEY

Interim Director of Children's Services

Contact Officer: Sheila Locke, Head of Admissions and Transport

Tel: 01273 335771

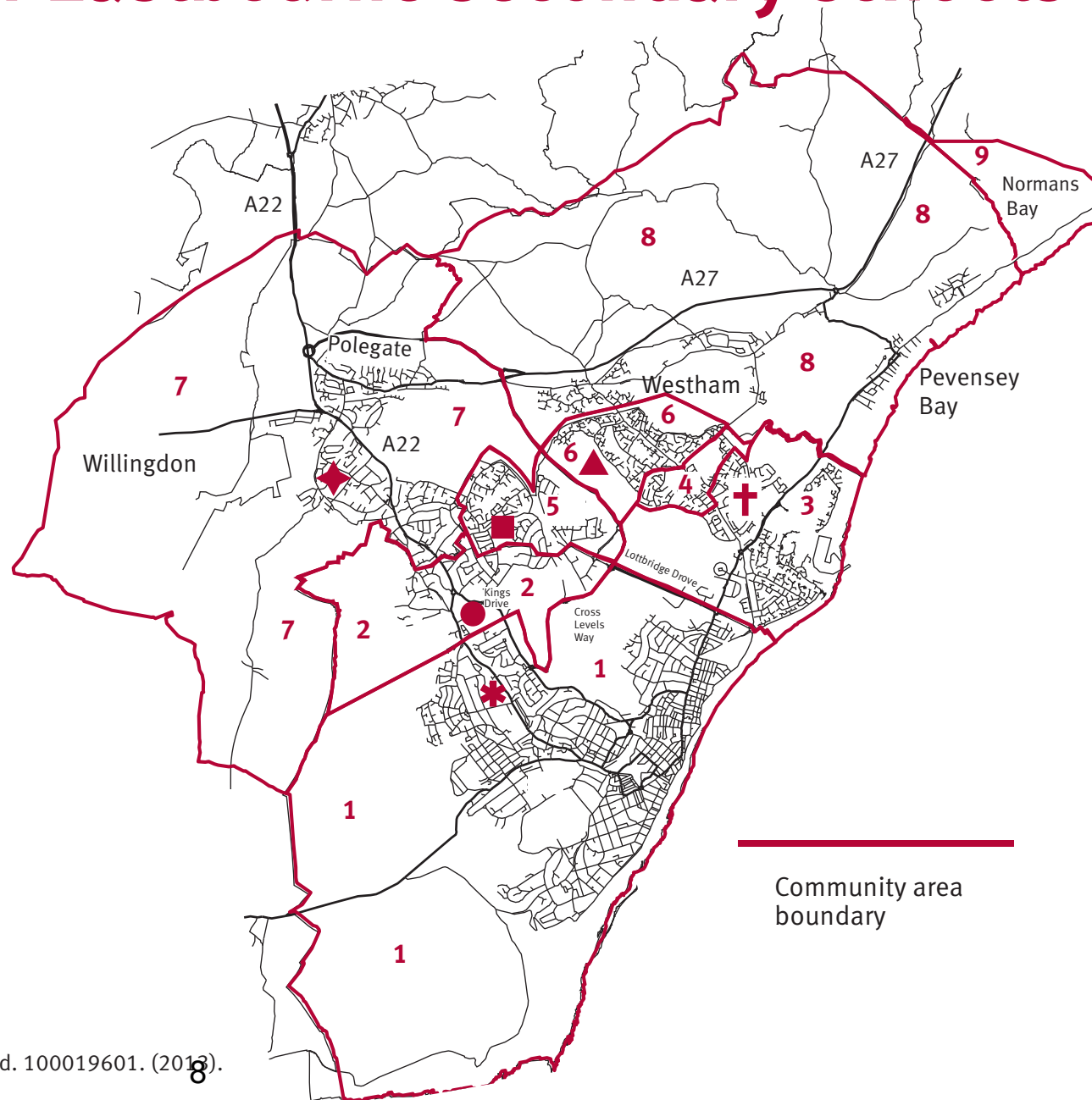
Local Members: All

Background Documents: None



# Community areas for Eastbourne secondary schools

Name and type of school	Areas served
GH Gildredge House > F	n/a
● Ratton School Academy Trust > A	1 and 2
⊕ The Bishop Bell CE School > VA	3
▲ The Causeway School > C	3, 4, 6 and 8
* The Cavendish School > A	1 and 2
■ The Eastbourne Academy > A	2, 5, 6 and 7
◆ Willingdon Community School > C	7, 8 and 9





# School Transport Policy

Date: modified on 5.9.13

## Document summary

This document sets out the East Sussex County Council's home to school transport policy for pupils and students who are resident in the county. This policy takes account of obligations and discretions set out in the relevant legislation and regulations.

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## Qualifying for home to school transport

The following circumstances explain when support can be given. If your situation does not fit the policy, then you will be responsible for making the transport arrangements.

### **Statutory walking distance**

We will provide free transport between home and school for children over 8 years of age who live more than three miles (4828 metres) from the designated\* school, or two miles (3218 metres) for children under 8 years of age. This is known as the *statutory walking distance*.

Distances are measured by the shortest available walking route using our Geographical Information System, taking account of, for example, passable public footpaths.

\*The designated school is either the school suitable to the child's age, ability and aptitude which serves the area in which the child lives, or if there is more than one school, the nearest school to the home which is suitable for the child and at which a place is available.

### **Route safety**

Where parents challenge the suitability of a route to school, the Director of Transport and Environment will assess the route and report on its safety using nationally set standards. The standards assume that the child is accompanied by a responsible adult. To qualify for help the child must be attending the *designated\** school. If alternative safe routes are available within the statutory walking distance then no help will be given.

### **Low income groups**

Children from low income groups are defined as those who are entitled to free school meals (for criteria go to - [eastsussex.gov.uk/educationandlearning/schools/meals/free](http://eastsussex.gov.uk/educationandlearning/schools/meals/free)) or those whose families are entitled to the maximum level of Working Tax Credit (WTC).

You can tell if you are in receipt of maximum WTC from your tax credit award notice issued by HM Revenue & Customs. Part 2 entitled 'How we work out your tax credits' includes details of WTC elements other than child care. It then lists 'any reduction due to your income'. You are in receipt of the maximum where the reduction shows nil (£0.00).

**Primary age pupils** – Children who qualify for assistance until age eight because their *designated\** school is more than two miles but less than three miles from their home, will continue to receive transport help if they are from a low income family.

**Secondary age pupils** – Children from low income families will qualify for free transport to one of their three nearest schools from where they live, provided the school attended is more than two miles but less than six miles. Distances up to two miles are determined by using the shortest available walking route whereas the six mile upper limit is measured using roads only.

**Secondary age pupils attending church aided schools** – Children from low income families attending the nearest church school preferred on grounds of religion or belief will qualify for free transport to that school if it is more than two miles but less than fifteen miles from home. Confirmation of baptismal status or support from the parish priest/minister is required.

### **Pupils unable to walk to school**

Some children with SEN and/or a disability may not be able to walk even relatively short distances to school. Similarly, children with a mobility problem (including temporary medical conditions) may also be unable to walk to school.

To qualify for help, your child must be attending the *designated\** school. We will need to see medical evidence from a consultant or GP who must confirm the medical condition and that your child cannot walk the statutory distance. We will also need to know how long transport assistance is required and an indication of what mode of travel is appropriate. Where agreed, cases will be subject to review.

If you believe that your child needs help with the home to school journey due to their SEN or disability, you should call the Specialist Transport Officer on 0345 60 80 190 or email [sen.transport@eastsussex.gov.uk](mailto:sen.transport@eastsussex.gov.uk) for more advice.

### ***Disabled parents/carers***

If you are prevented from walking or accompanying your children on the home to school journey because of a disability, we may be able to assist with travel costs. This generally applies to parents of primary aged children as secondary aged pupils are expected to undertake the journey to school unaccompanied.

To receive help, your child/children must be attending the **designated\*** school and in deciding whether to assist, account will be taken of the distance to school. Where the distance is very short, assistance may not be agreed, especially for a child in the upper juniors.

You will need to complete an application form and must attach medical evidence from a consultant or doctor (note – a fee may be charged for supplying relevant medical evidence and any costs would be met by the parent). We will not pay for this evidence. Transport will not be arranged until relevant evidence is provided. Cases agreed will be subject to regular reviews.

Transport assistance is not provided when parents are not available to accompany their child to school for other reasons.

### ***Permanently excluded pupils returning to a school***

Transport to a more distant school will be given if a child has been permanently excluded and can no longer attend their **designated\*** school provided that they meet the distance or low income rules. Transport will be in place on the sixth day following the exclusion.

### ***Attendance at College Central***

Children attending College Central (formerly known as a Pupil Referral Unit) will be considered for assistance with transport in the same way as children attending **designated\*** mainstream schools i.e. distance/low income reasons.

Travel provision given to 'eligible children'

### ***Mode of travel***

In most cases, we provide transport to get pupils between home and school at the beginning and end of the school day. This is done by supplying a ticket for use on public services or by allocating a seat on a hired vehicle.

### ***Pick-up points***

Pupils and students are collected as near to their home as possible although they may have to walk a 'reasonable' distance to meet the transport. This will usually not exceed one mile from the home address. The responsibility for ensuring a child's safety in getting to and from the picking up/setting down point rests with the parent/carer.

### ***Journey time***

There are no legal guidelines for what is a reasonable journey time. This will depend on the age and individual needs (e.g. SEN) of a child and the nature of the journey. However, we aim to ensure that no child will have a journey of no more than 75 minutes with the exception of school placements outside of the county, which will inevitably take longer.

## ***Payments to parents***

When there is no suitable public service or hired vehicle, parents willing to make their own arrangements receive help with the cost of two return journeys per day based on the distance between home and school. Payment is made on a family basis at the current rate of 25p per mile since the cost will be the same whether a parent takes one child or more.

Assistance will not normally be given to parents who prefer to make their own arrangements to transport their child to the **designated\*** school where a public service or a hired vehicle is available.

**Circumstances when transport is not supplied**

## ***Provision other than at the start or end of the school day***

Our duty is to provide assistance to get children to and from school at the beginning and end of the school day. It is the responsibility of parents/carers to arrange and pay for transport at other times. For example, we do not provide transport for:

- Breakfast or after school clubs/extra curricular activities
- Medical appointments
- Parents evenings or 'taster' days
- Work experience
- Fixed term exclusions
- Off site educational placements

## ***Independent or private schools (including nurseries)***

Assistance is not given to children attending schools in the private sector unless the placement has been made by the Special Educational Needs team and transport has been recommended.

## ***Dual addresses***

We only accept responsibility for the transport of children between their **main** residence and school. Where children have more than one address, a determination needs to be made as to which address the child/ren in question habitually reside. This would generally be where most school nights are spent but may include factors such as where the child is registered with a doctor or where the child benefit is paid.

## ***Living within the statutory walking distance***

No assistance with travel costs will be given where the distance between home and either the designated school or the school attended is less than three miles (two miles for children under the age of 8 or low income families) unless the route has been classified as unsafe **or** the child/parent has a disability **or** the Transport and Student Support Panel has agreed to make an exception to the normal policy.

## ***Denominational primary schools***

There is no policy to support children attending a denominational church aided **primary** school for reasons of religion or faith.

**Pupils with special educational needs**

## ***Who is eligible?***

Children are entitled to assistance with transport in accordance with the policies outlined earlier in this statement. As a result, transport is not automatically given just because a child has a statement of special educational needs.

Some children with special educational needs, especially those attending special schools, will require extra help and we will consider the additional needs of each individual child. This includes; a) the physical ability of the child to walk the prescribed distance and b) the capability of the child to walk (bearing in mind it is assumed that the child will be accompanied by a responsible adult). Transport is **not** provided because of



working commitments.

It should be noted that we are obliged to consider transport to the *nearest suitable school*. If by parental preference a more distant school is named in the child's statement but in the authority's view the child's needs could be suitably met at a nearer school, any transport shall remain the responsibility of the parent.

A separate document detailing the full transport policy for pupils with special educational needs is available.

### **Spare seats on hired vehicles**

#### ***Vacant Seats Scheme***

Requests are sometimes received from parents who wish their children to use a hired vehicle when they do not qualify travel assistance. If spare places exist, the parent may purchase a travel permit.

Payment must be made in advance and the cost from September 2013 is £120 per term\* for a secondary aged pupil and £60 per term\* for pupils attending a primary school (\*based on the six term year).

A second or subsequent child from the same family is entitled to a 25% reduction in the cost. These charges are subject to a yearly review.

#### ***Seat allocations***

Where there is more demand for places than seats available, the following priorities will be used to determine who can travel.

1. Pupils attending the **designated\*** school but do not qualify for free school transport. Those living furthest from the school are given the highest priority.
2. Other pupils. Those living nearest to the school are given the highest priority.

Places cannot be guaranteed and it must not be assumed that this scheme will always be available. For instance, if a statutory traveller needs a place on a hired vehicle, **non-statutory** travellers will have to be removed. If this is the case, it will be for parents/carers to decide how to get their children to school in the future. Full details of the Vacant Seats Scheme are available from the Client Services Transport Team on 01273 335088.

### **Post 16 transport**

#### ***Commitment***

The providers of post 16 education in East Sussex believe in the principle that no student aged 16 to 19 should be deprived of the opportunity to continue their learning because of the lack of transport or the finance to enable them to use transport. The providers have, therefore, developed policies which ensure there is provision for students in greatest financial need by assisting in whole or in part towards the cost of transport. A statement is revised annually and is available online - [connexions360.org.uk/workandmoney/fesupport](http://connexions360.org.uk/workandmoney/fesupport)

### **Appeals and complaints procedure**

#### ***Transport and Student Support Panel***

Staff in the Children's Services Department are not empowered to deviate from the stated policy outlined in the section *Qualifying for home to school transport* on page 2. Where applications for assistance with transport are refused, parents may appeal to the Transport and Student Support Panel which can consider particular personal and/or financial circumstances. The Panel comprises three elected County Councillors who consider applications for assistance with transport that fall outside of the stated policy.

The Panel exercises the discretion available to them very carefully, and it is only in the most exceptional circumstances that assistance is agreed. The Panel's decision is final and there is no right of appeal.

Parents will need to fill in an application form and supply any supporting evidence at the same time. Call the Principal Admissions and Transport Officer on 0345 60 80 190 for more details.

### ***How to complain***

The County Council is here to serve the people of East Sussex. Services are provided as efficiently as possible and it is expected that staff are helpful, courteous and explain things clearly whether on the telephone, in writing or face to face.

Sometimes things do go wrong and parents/carers may not be happy with the service received. We welcome comments, good and bad, as an opportunity to put things right and improve our services. Complaints will be looked into fully and fairly. If it is found that something is wrong it will be put right. Parents should inform us if it is felt that the council has *failed to do something, done something wrong or acted unfairly or discourteously*.

Contact the Departmental Complaints Officer who will be able to give advice – the details are shown below. Written complaints can be sent via email or addressed to the department concerned marked for the attention of the Departmental Complaints Officer at County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1SW.

### ***Contact details for complaints officers***

**for issues related to eligibility:**      **for issues related to daily operation:**

Children's Services

01273 482511

[childrenservices@eastsussex.gov.uk](mailto:childrenservices@eastsussex.gov.uk)

Transport and Environment

01273 482317

[tecomplaints@eastsussex.gov.uk](mailto:tecomplaints@eastsussex.gov.uk)

### ***Contact your County Councillor***

Parents can also contact their local County Councillor – details can be found in the leaflet 'A guide to your Council and Councillors' available in council offices and libraries, or on our website.

### **Ombudsman**

If we do not succeed in resolving your complaint, you may wish to refer your complaint to the Local Government Ombudsman. The Ombudsman is independent of all government bodies and can look into your complaint. They will usually only investigate your case after you've given us a chance to deal with it.

Contact details:

Phone: 0300 061 0614

Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)

Website: [www.lgo.org.uk](http://www.lgo.org.uk)



# Proposed School Transport Policy from September 2015

## Document summary

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Pupils and students are collected as near to their home as possible although they may have to walk a 'reasonable' distance to meet the transport. This will usually not exceed one mile from the home address. The responsibility for ensuring a child's safety in getting to and from the picking up/setting down point rests with the parent/carer.

## ***Journey time***

There are no legal guidelines for what is a reasonable journey time. This will depend on the age and individual needs (e.g. SEN) of a child and the nature of the journey. However, we aim to ensure that no child will have a journey of no more than 75 minutes with the exception of school placements outside of the county, which will inevitably take longer.

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When there is no suitable public service or hired vehicle, parents willing to make their own arrangements receive help with the cost of two return journeys per day based on the distance between home and school. Payment is made on a family basis at the current rate of 25p per mile since the cost will be the same whether a parent takes one child or more.

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for:

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### ***Living within the statutory walking distance***

No assistance with travel costs will be given where the distance between home and either the nearest available school or the school attended is less than three miles (two miles for children under the age of 8 or low income families) unless the route has been classified as unsafe **or** the child/parent has a disability **or** the Transport and Student Support Panel has agreed to make an exception to the normal policy.

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There is no support for children attending a denominational church aided **primary** school for reasons of religion or faith.  
**Pupils with special educational needs**

### ***Who is eligible?***

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It should be noted that we are obliged to consider transport to the *nearest suitable school*. If by parental preference a more distant school is named in the child's statement but in the authority's view the child's needs could be suitably met at a nearer school, any transport shall remain the responsibility of the parent.

A separate document detailing the full transport policy for pupils with special educational needs is available.

### ***Spare seats on hired vehicles***

### ***Vacant Seats Scheme***

Requests are sometimes received from parents who wish their children to use a hired vehicle when they do not qualify travel assistance. If spare places exist, the parent may purchase a travel permit.

Payment must be made in advance and the cost from September 2013 is £120 per term\* for a secondary aged pupil and £60 per term\* for pupils attending a primary school (\*based on the six term year).

A second or subsequent child from the same family is entitled to a 25% reduction in the cost. These charges are subject to a yearly review.

## **Seat allocations**

Where there is more demand for places than seats available, the following priorities will be used to determine who can travel.

3. Pupils attending the **nearest available school\*** school but do not qualify for free school transport. Those living furthest from the school are given the highest priority.
4. Other pupils. Those living nearest to the school are given the highest priority.

Places cannot be guaranteed and it must not be assumed that this scheme will always be available. For instance, if a statutory traveller needs a place on a hired vehicle, **non-statutory** travellers will have to be removed. If this is the case, it will be for parents/carers to decide how to get their children to school in the future. Full details of the Vacant Seats Scheme are available from the Client Services Transport Team on 01273 335088.

Post 16 transport

## **Commitment**

The providers of post 16 education in East Sussex believe in the principle that no student aged 16 to 19 should be deprived of the opportunity to continue their learning because of the lack of transport or the finance to enable them to use transport. The providers have, therefore, developed policies which ensure there is provision for students in greatest financial need by assisting in whole or in part towards the cost of transport. A statement is revised annually and is available online - [connexions360.org.uk/workandmoney/fesupport](http://connexions360.org.uk/workandmoney/fesupport)

Appeals and complaints procedure

## **Transport and Student Support Panel**

Staff in the Children's Services Department are not empowered to deviate from the stated policy outlined in the section **Qualifying for home to school transport** on page 2. Where applications for assistance with transport are refused, parents may appeal to the Transport and Student Support Panel which can consider particular personal and/or financial circumstances. The Panel comprises three elected County Councillors who consider applications for assistance with transport that fall outside of the stated policy.

The Panel exercises the discretion available to them very carefully, and it is only in the most exceptional circumstances that assistance is agreed. The Panel's decision is final and there is no right of appeal.

Parents will need to fill in an application form and supply any supporting evidence at the same time. Call the Principal Admissions and Transport Officer on 0345 60 80 190 for more details.

## **How to complain**

The County Council is here to serve the people of East Sussex. Services are provided as efficiently as possible and it is expected that staff are helpful, courteous and explain things clearly whether on the telephone, in writing or face to face.

Sometimes things do go wrong and parents/carers may not be happy with the service received. We welcome comments, good and bad, as an opportunity to put things right and improve our services. Complaints will be looked into fully and fairly. If it is found that something is wrong it will be put right. Parents should inform us if it is felt that the council has *failed to do something, done something wrong or acted unfairly or discourteously*.

Contact the Departmental Complaints Officer who will be able to give advice – the details are shown below. Written complaints can be sent via email or addressed to the department concerned marked for the attention of the Departmental Complaints Officer at County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1SW.

## **Contact details for complaints officers**

**for issues related to eligibility:**

Children's Services  
01273 482511

**for issues related to daily operation:**

Transport and Environment  
01273 482317

### **Contact your County Councillor**

Parents can also contact their local County Councillor – details can be found in the leaflet 'A guide to your Council and Councillors' available in council offices and libraries, or on our website.

### **Ombudsman**

If we do not succeed in resolving your complaint, you may wish to refer your complaint to the Local Government Ombudsman. The Ombudsman is independent of all government bodies and can look into your complaint. They will usually only investigate your case after you've given us a chance to deal with it.

Contact details:

Phone: 0300 061 0614

Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)

Website: [www.lgo.org.uk](http://www.lgo.org.uk)