

**Report to:** Lead Member for Education, Inclusion, Special Educational Needs and Disabilities

**Date of meeting:** 2 June 2025

**By:** Director of Children's Services

**Title:** Response to petition regarding Home to School Transport provision

**Purpose:** To consider a petition regarding the Home to School Transport provision of bus passes for children within the 3-mile radius of Chailey School

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***RECOMMENDATIONS: The Lead Member is recommended to advise petitioners that:***

- (1) The home to school transport policy (HTST policy) has not changed, and is being consistently applied to families across the county; and**
  - (2) Parents of children who are not entitled to transport assistance can appeal via a two-stage process; and**
  - (3) The possibility of combining current services into a supported bus service available to fare-paying passengers is being explored. Should this be successful, children who do not qualify for transport assistance would be able to travel by bus on payment of the appropriate fare.**
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## **1 Background**

1.1 At the County Council meeting on 20 March 2025, a petition was presented to the Chairman by Councillor Milligan calling on the County Council 'for a bigger school bus to transport the rural children Barcombe safely to and from Chailey Secondary School'.

1.2 Standing Orders provide that where the Chair considers it appropriate, petitions are considered by the relevant Committee or Lead Member and a spokesperson for the petitioners is invited to address the Committee. The Chairman has referred this petition to the Lead Member for Education and Inclusion, Special Educational Needs and Disability. A copy of the petition is available in the Members' Room.

1.3 East Sussex County Council's (ESCC) [home to school transport \(HTST\) policy](#) ('the policy') follows statutory requirements and the guidance set out in the Department of Education (DfE) statutory guidance entitled 'Travel to school for children of compulsory school age', which was published in January 2024.

1.4 The HTST policy sets out the eligibility criteria for assistance with transport for children of compulsory school age. Children only qualify for assistance if they are attending the nearest suitable or 'designated' school.

1.5 Children qualify for transport where the only available (or all available) walking routes to school are in excess of 3 miles (2 miles for children aged under 8). These distances are set out in Section 508B of the Education Act 1996. and are referred to as the 'statutory walking distance'.

1.6 A route is considered 'available' if it can be walked in reasonable safety by a child accompanied by a parent or other responsible adult.

1.7 The HTST policy sets out that eligibility for assistance may change as a result of improvements in Geographic Information System (GIS) accuracy and/or re-assessment of route availability. It also sets out a two stage appeal process which can be accessed here: [SEND transport appeals | East Sussex County Council](#)

## **2 Supporting information**

2.1 The HTST policy aligns with the Education Act 1996 and has remained substantially unchanged. ESCC policy has been to provide transport only to children whose available walking routes to their local school are further than the statutory walking distance of three miles, unless they are medically unfit to walk to school or qualify under extended rights for low-income families.

2.2 Where walking routes have been assessed as unavailable, transport assistance is supplied. Transport assistance is withdrawn if alternative routes are found to be available and within the statutory walking distance. In this case a route safety report was requested following an application for transport from a family living on the route, as the previous assessment was out of date.

2.3 Road routes are assessed by the ESCC Road Safety team in accordance with the '[Assessment of Walked Routes to Schools Guidelines](#)', published by Road Safety GB.

2.4 Off-road Public Rights of Way (PROWs) have been included in the route assessment since 2017. In this case there is a PROW available, which avoids the use of a road (Markstakes Lane) which has been assessed as unavailable.

### ***Villages listed in the petition***

2.5 The petition lists a number of villages as potentially affected by the policy. A high level overview for children living in these villages and attending Chailey School is set out below, applying the criteria set out in the HTST policy.

- Chailey: some children are entitled to transport, and others are not, depending on the route in question;
- Spithurst: currently no children are entitled to transport. Should any apply, they may be entitled depending on the route in question;
- Barcombe: some children are entitled to transport, and others are not, depending on the route in question;
- East Chiltington: children have no statutory entitlement to transport as the route is available and shorter than three miles;
- Streat: children typically have no statutory entitlement to transport to Chailey as it is not the nearest available school. Any children who are not able to secure a place at the local school would be assessed on a case-by-case basis;
- Plumpton Green; most children have no statutory entitlement to transport as the route is available and shorter than three miles. A few homes are outside this limit;
- Wivelsfield Green: all children have an entitlement to transport as the route is unsafe and is in any case longer than three miles in most cases.

2.6 Routes may be re-assessed at any time and it is possible that the above situation may change, should routes become available as a result of improvements to infrastructure and/or measuring systems.

### ***Expectation that children be accompanied***

2.7 The HTST policy mirrors the DfE guidance, which sets out that 'Where the local authority determines 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'.

2.8 The HTST policy sets out that parental work commitments will not normally be considered to be a good reason for being unable to accompany their child on the home to school journey. This applies to many parents and in most cases, it is reasonable to expect parents to make suitable arrangements to fulfil both working and childcare responsibilities.

2.9 The petition sets out that there are four families with six children affected in this case. ESCC considers it reasonable to expect these families to work together to ensure that the children are able to make the home to school journey in reasonable safety.

### ***Provision of a bigger bus***

2.10 The possibility of combining current services into a supported bus service available to fare-paying passengers is being explored. Should this be successful, children who do not qualify for transport assistance would be able to travel by bus on payment of the appropriate fare and petitioners will be notified.

## **3. Conclusion and reasons for recommendations**

3.1 The HTST policy has not changed and is being consistently applied to families across the county. Parents whose children are not entitled to transport assistance are able to appeal via a two-stage process. Whilst it is not recommended that any changes to the policy are made, the possibility of combining current services into a supported bus service available to fare-paying passengers is being explored.

### **CAROLYN FAIR Director of Children's Services**

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### **LOCAL MEMBERS**

Councillor Matthew Milligan

### **BACKGROUND DOCUMENTS**

None