

EDUCATION TRANSPORT POLICY

for the academic year 2011-12

This applies to:

- All schools and further education colleges in Devon.
- The Schools Access Services Team and the Transport Co-ordination Service of Devon County Council.
- All parents and carers of Devon resident children of statutory school age seeking transport assistance to and from an education setting.
- Devon resident students aged 16-19 seeking assistance to and from an appropriate post-16 education setting.
- Learners with learning disabilities and/or disabilities between 19 and 24.

Policy updated: April 2011
Review date: November 2011 for 2012-13 and then annually unless a need to review earlier is identified
Devon County Council, People's Services

Description of Policy

This policy describes how eligibility for transport to and from education settings will be determined and how transport will be provided.

Related Policies

In-Year, Primary and Secondary Co-ordinated Admissions Schemes

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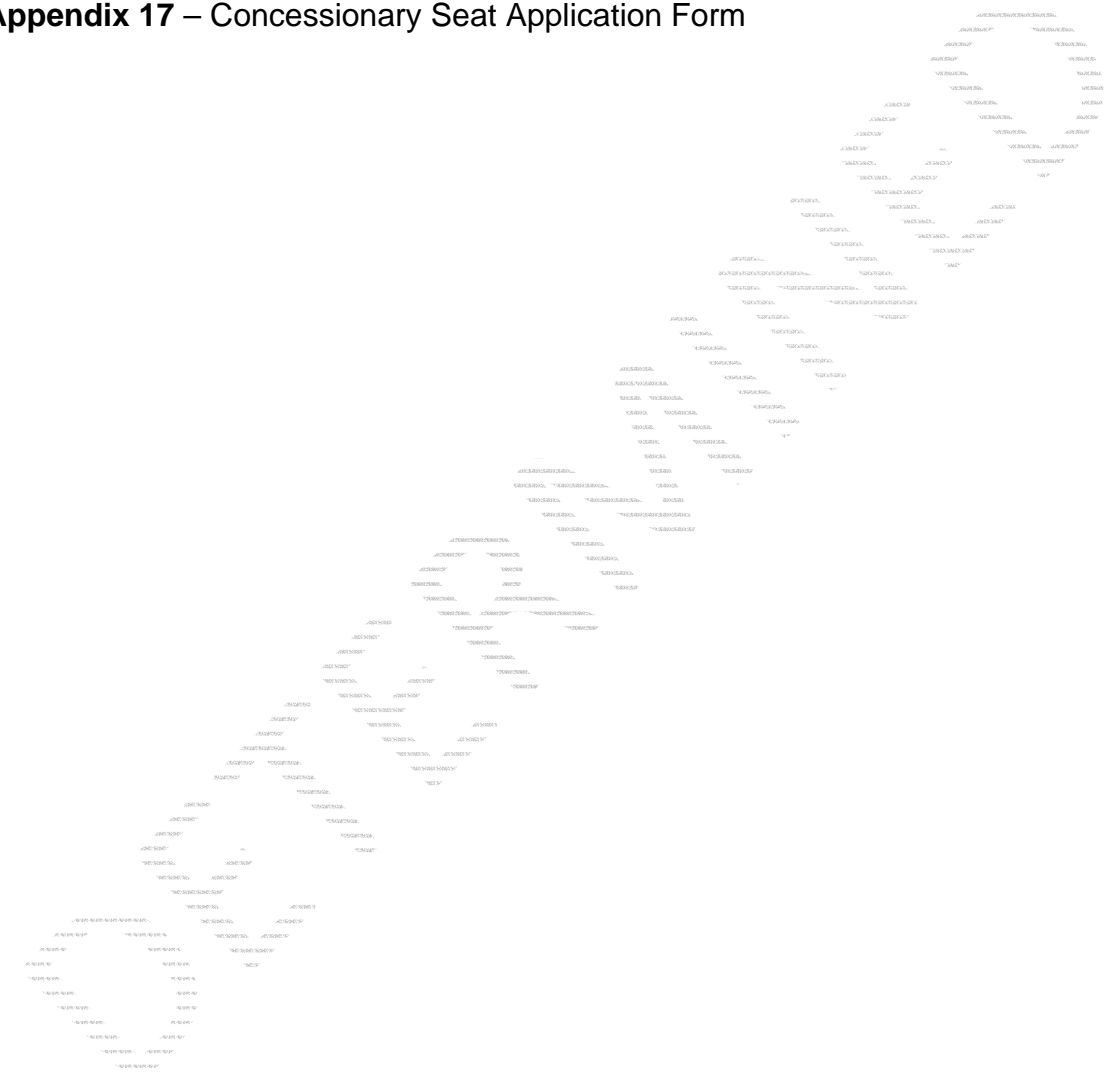
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General Information and Contacts

Date	13 April 2011
Review date	Annual
Approval	by Cabinet Members of Devon County Council
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Useful links	Department for Education

POLICY

1 Equality Statement

- 1.1 Devon County Council will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation.
- 1.2 This policy will be subject to an Equality Impact and Needs Assessment. This assessment will be integral to all future policy and guidance reviews.

2 Safeguarding Statement

- 2.1 Devon County Council and its partners recognise that safeguarding is everybody's responsibility. Whether their interest is in all young people 'staying safe' in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff will have appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out. Schools, settings, children, young people and their parents or carers, or any member of the community should feel secure that they could raise any issues or concerns about the safety or welfare of children and know that they will be listened to and taken seriously. This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of children and young people. This is supported by a clear child protection policy, appropriate induction and training, briefings on and discussion of relevant factors and refreshed learning in line with current legislation and guidelines.
- 2.2 Devon County Council acts as a Corporate Parent for Children in Care. This means that the local authority has a legal and moral duty to provide the kind of support that any good parents would provide their own children. This policy has been written to comply with this principle.

3 Introduction

- 3.1 This policy is made by Devon County Council (DCC), the Local Authority (LA) for the County of Devon, acting under the provisions of the Sections 508 and 509 of the Education Act 1996 and Schedule 35B inserted by Part 6 of the Education and Inspections Act 2006.
- 3.2 This policy details the circumstances in which the LA will assist children with transport to attend their education setting:
1. where there is a statutory entitlement to that assistance.
 2. where there is no statutory entitlement to assistance but the LA has chosen to exercise its discretion to provide transport assistance.

3.3 This policy details how the LA administers education transport. This is separated into two functions:

1. eligibility, administered by the Education Transport Team of Schools Access Services, and
2. provision, administered by the Transport Co-ordination Service (TCS).

4 Roles and Responsibilities of the Local Authority

4.1 The LA is required by law to provide free transport to and from a child's education setting where the child:

- is of compulsory school age; and
- lives within the Devon LA area; and
- attends a state maintained school, Academy or Free School; and
 - qualifies on low income grounds (paragraph 6.12); or
 - lives further from the school than the statutory walking distance for the child's age (paragraph 6.8) and attends the nearest state maintained school to the home address which can provide education appropriate for the child's age and gender.

4.2 Additionally, the LA has exercised its discretion to provide free transport to and from a child's education setting for children living within the Devon LA area:

- by reducing the walking distance expected of primary aged children aged 8 to 11 from 3 miles to 2 miles (paragraph 6.8)
- by providing transport to a single school designated for the home address where this is not the nearest school to the home address (paragraph 6.5)
- by extending eligibility for those children placed by a Reintegration Panel at a school following a Permanent Exclusion (paragraph 9.13)
- by extending eligibility for those children placed by a Reintegration Panel as part of a managed move (paragraph 9.14)
- by considering *rising five* children attending a reception class in school as if they were of statutory school age (paragraph 6.30)
- for children below statutory school age attending a Foundation Stage Support Class (paragraph 6.32)
- for children considered to have an exceptional medical reason for transport (paragraph 9.5)
- for children of parents considered to have an exceptional medical reason for transport (paragraph 9.7)
- for children considered to require transport on the grounds of educational continuity (paragraph 9.11)
- for children considered to require transport during the period of a temporary absence from home (paragraph 9.17)

- for children remaining on roll at a school when a closer school has been opened or reorganised (paragraph 10.3)
- for children of passengers who are eligible for free transport (paragraph 10.10)

4.3 Additionally, the LA has exercised its discretion to provide transport at a cost to and from a child's education setting for:

- post-16 students (paragraph 14)
- post-16 students attending a different location on specific days (paragraph 14.13)
- non-entitled statutory aged children who may purchase concessionary seats on existing transport (paragraph 7.31)
- children of concessionary passengers (paragraph 10.11). Where the child of a concessionary passenger requires an additional seat, this will also be chargeable.

4.4 The LA has a duty to promote sustainable travel (paragraph 7.41).

4.5 The LA will operate a procedure for the consideration of requests for assistance with education transport which do not meet eligibility criteria. (paragraph 12).

4.6 The Education Transport Team will:

- administer this and any other policies which are determined by DCC and which govern eligibility for transport assistance
- determine eligibility
- provide the overall budget for education transport
- be responsible for budget management.

4.7 The responsibility for the management of all operating arrangements lies with the Transport Co-ordination Service. The TCS is responsible for the planning, provision and management of transport in the most appropriate and cost-effective manner. In all cases, the TCS will determine the most appropriate form of transport provision.

4.8 The TCS is responsible for the planning and day-to-day management of education transport as well as the establishment of operating standards and contract compliance. This enables the TCS to integrate the transport needs of the CYPS Directorate with the needs of other Directorates and with the public passenger transport networks. The integration of transport services has produced financial and other benefits for DCC and for the Council Tax-payers of Devon.

5 Roles and Responsibilities of the Parent

- 5.1 It is the responsibility of the parent to ensure that a child of statutory school age receives appropriate full-time education.¹
- 5.2 It is the responsibility of the parent to make necessary arrangements for attendance at an appropriate school or other setting, including submitting applications as necessary for admission and for education transport to the LA.

Forms for transport are available at www.devon.gov.uk/school_transport. Hard copies are available through the My Devon Call Centre. A copy is at Appendix 8.

- 5.3 It is the responsibility of the parent to make a timely application to be admitted to school. Where this is not done and the child is allocated a place at a school further away than would have been the case had the admissions application been on time, there will be no automatic entitlement to transport to the allocated school or nearest or designated school grounds (paragraph 6.5). There may be an entitlement under low-income or faith school grounds (paragraphs 6.12 and 6.13).²
- 5.4 It is the responsibility of the parent to accompany a child as necessary when walking to and from school (paragraph 6.8).
- 5.5 It is the responsibility of the parent to provide evidence of personal circumstances in support of any application or appeal for transport.
- 5.6 It is the responsibility of the parent to submit an appeal to the Transport Eligibility Officer Panel (paragraph 9.2) or Members' Panel (paragraph 11.7) if dissatisfied with a refusal by the Education Transport Team to provide transport.
- 5.7 A post-16 student may submit an application for transport in his or her own name. This may be the case, for instance, where the student no longer resides with a parent.

PROCEDURE

6 Assessing Eligibility for Education Transport

6.1 Residence

As detailed at paragraph 4.1, a child or post-16 student's normal place of residence must be within the Devon LA Area. This comprises those addresses within Devon but not within the Plymouth City Council or Torbay Council areas.

6.2 Education transport will normally be provided only to and from one residential address. Where children or post-16 students have more than one ordinary residence, for example, where parents are separated and care jointly for them, the circumstances may be considered by the Transport Officer Eligibility Panel.³

6.3 Children and post-16 students who move outside the Devon LA area part way through their course must apply to their new home LA for assistance. Assistance from Devon LA will cease where the child no longer lives within the Devon LA area.

6.4 Criteria

In all instances, children must live beyond the statutory walking distance for his or her age from that school (paragraph 6.8) unless the route is deemed by the LA to be unavailable (paragraph 6.15).

6.5 The LA provides transport to the nearest school available or to the school designated for the home address at the time when an application for admission could have been made. The designated areas for schools in Devon can be viewed at www.devon.gov.uk/schoolareamaps. Hard copies of the maps showing designated areas are available through the My Devon Call Centre.

6.6 Devon will recognise one designated school for transport purposes. See paragraph 14.

6.7 Where the designated school is unable to admit a child, free transport is normally available to the nearest school able to offer a place. Evidence must be provided by the parent that the school was unable to admit the child. This may require confirmation by the School Admissions Team.⁴

6.8 Statutory Walking Distance

The maximum statutory distance a child under 8 years of age is expected to walk to and from a school, accompanied by a parent or other adult⁵ as necessary, is 2 miles. The maximum statutory distance a child of or above 8 years of age is expected to walk to and from a school, accompanied by a parent or other adult as necessary, is 3 miles.

However, The LA has exercised its discretion to lower the walking distance expected of primary children aged up to 11 years to 2 miles. The maximum walking distance for all children of primary age in Devon is therefore 2 miles.

The maximum distance a child of secondary school age is expected to walk to and from a school, accompanied by a parent or other adult as necessary, is 3 miles. The LA will consider 3 miles also to be the walking distance for post-16 students.

See also paragraph 6.12 for an exception where a child is from a family on a low income.

6.9 In all cases, distances up to the maximum walking distance are measured by the shortest available walking route. This may include metalled roads, recognised footpaths and bridleways.

6.10 Distances above the maximum walking distance are measured by the shortest available road route for the entirety of the distance. An exception is made where the pupil qualifies under low income criteria. Here, distances above two miles will be measured by the shortest available road route for the entirety of the distance.

6.11 Measurements of distance for transport purposes are made between the nearest entrance to the child's property (for example, a front gate) and the nearest official entrance to the school grounds. Private driveways to homes are not included in measurements; transport is not provided on private property. Eligibility is determined by measurements using Mapscape, an electronic Geographic Information System which is available at www.devon.gov.uk/schoolareamaps or by contacting the My Devon Call Centre.

6.12 **Transport provision on Low-income Grounds**

The statutory right to free transport for secondary education is extended to cover all children aged 11-16 from low-income families to any of the three nearest appropriate schools to the home address. The school attended must be:

- one of the three nearest schools to the home address offering an appropriate education for the child's age and gender; and
- between 2 and 6 miles from the home address.

In considering appropriate schools, comprehensive and faith schools will be included as will selective schools where the child is qualified to attend and could do so if a place were offered.

6.13 **Low-income, to a School on Religion or Belief Grounds**

The statutory right to free transport for secondary education is extended to cover all children aged 11-16 from low-income families to the nearest

school preferred by reason of a parent's religion or belief. The school attended must be:

- the nearest school available according to the parent's religion or belief offering an appropriate education for the child's age and gender; and
- between 2 and 15 miles from the home address.

Attendance at a faith school will not create an automatic eligibility under the terms of this paragraph; the place must have been requested by the parent on faith or belief grounds. Confirmation will be sought from the admission authority for the school.

6.14 **Unavailable Routes**

The LA recognises that not all roads are safe for a child to walk to and from school. A route is considered by the LA to be unavailable when a child could not be expected to walk to school, accompanied as necessary by an appropriate adult, in reasonable safety. Queries regarding available routes should be directed to the Education Transport Team.

6.15 Where a child attends the designated or nearest available school, and the walking route is unavailable and cannot be sufficiently improved, transport will be provided unless there is an alternative walking route under the walking distance.

6.16 The LA will work with schools and transport planners to reduce the number of unavailable routes. Where a route is no longer unsafe as a result of remedial safety works, any transport previously provided but no longer required will be withdrawn. See also paragraph 7.14.

6.17 **Parental Preference**

A child will be ineligible for transport where he or she attends a school which is not designated for the home address or the nearest available to the home address where:

- this is a result of parental preference; or
- a timely application was not received for a place at the normal round of admissions and a school place could have been allocated at a closer school had the application been timely; and
- there is no eligibility on low-income grounds (paragraph 6.12).

Confirmation will be sought by the Education Transport Team from the School Admissions Team whether a vacancy was available at a nearer school at the time of admission and whether a timely application was made for a school place.

6.18 When expressing a preference for a school other than the designated or nearest school, parents are strongly advised to consider their commitment to providing transport for the whole duration of a child's attendance at that

school and to consider whether their ability to provide or pay for that transport is likely to continue over that period of time.

6.19 Particular care should be taken when using a concessionary seat on education transport (paragraph 7.31). These seats are subject to removal with a minimum of one week's notice if required for new passengers who have eligibility for a seat. The withdrawal of a concessionary seat alone will not be considered as grounds for an appeal for assistance from the LA. Parents should consider whether they are likely to be able to make their own arrangements should this occur before taking up a school place or moving house.

6.20 Where a child is withdrawn by a parent from one school and placed in another school, free transport will not be provided unless the child is eligible from the home address to the new school. Such a transfer of school will be regarded as an expression of parental preference. Parents are strongly advised to seek to resolve difficulties locally wherever possible without withdrawing the child from school.

6.21 **Faith-based Schools**

The LA has a duty under The Education and Inspection Act 2006 to have regard to the preference of a parent to have a child attend a school or institution on the grounds of the parent's religion or belief. This is in addition to the duty to provide free transport for secondary phase children resident in families on low income as at paragraph 6.12 above. See also Appendix 1.

It should be noted that the duty to have regard is not a requirement on the LA to provide transport assistance. The LA will not provide transport to a faith-based school for new applicants for 2011-12 where there is not eligibility otherwise, such as on nearest or designated school grounds or where there is a low income entitlement.

Transport will continue to be provided to a faith-based school for those children who were in receipt of assisted transport at the end of the 2010-11 academic year where they continue to attend that school from the same address and while they remain in Years 8-11. This provides for the phasing out of the previous discretionary entitlement up to 2010-11. Children in Year 8 and in receipt of assisted transport to a faith-based school in September 2011 will complete Year 11 in 2014-15.

6.22 **Education Other Than At School**

Where the LA arranges through the Devon Personalised Learning Service (DPLS) or a Reintegration Panel for a child to receive education other than in school and transport has been agreed to be reasonable by the Transport Manager, the location where education is provided will be considered as if it were a school when determining eligibility for free transport. In determining reasonableness, the Transport Manager will take into account the cost to the LA of the proposed transport and the availability of

alternative arrangements.

6.23 Where a parent has decided to educate the child other than at school, no assistance for transport will be available from the LA.

6.24 **Children at Boarding School**

Where the LA arranges for a child to board at a school, transport will be provided in accordance with the boarding arrangements where the usual distance criteria are also met:

- weekly boarders will be provided with journeys from school on Friday afternoons and to school on Monday mornings
- termly boarders will be provided with journeys from school at the end of each term and half-term and to school at the beginning of each term and half-term
- unused journeys will not be carried forward

6.25 Where a parent has decided to educate the child at a boarding school, no assistance for transport will be available from the LA except where there is eligibility otherwise.

6.26 **Selective schools**

There is no additional entitlement to transport on the grounds that the school attended is selective. The LA is not obliged to have regard to a parent's preference for the child to attend a selective school when arranging transport.

The LA will not provide transport to a selective school for new applicants for 2011-12 where there is not eligibility otherwise, such as on nearest school grounds or where there is a low income entitlement.

Transport will continue to be provided to a selective school for those children who were in receipt of assisted transport at the end of the 2010-11 academic year where they continue to attend that school from the same address and while they remain in Years 8-11. This provides for the phasing out of anomalous discretionary entitlement up to 2010-11. Children in Year 8 and in receipt of assisted transport to a selective school in September 2011 will complete Year 11 in 2014-15.

6.27 **Transport for Work Experience and other Reasons**

The LA does not extend entitlement to transport for a child to:

- attend work experience,
- attend a school as part of a foreign exchange programme,
- attend an induction or taster day at another establishment,
- attend appointments and activities for medical or sports reasons,
- accompany a friend home.

6.28 Individual schools may seek to make their own arrangements. The TCS will

assist in facilitating these arrangements wherever possible.

6.30 **Transport for Children below Statutory School Age**

Where a child is admitted as a *rising five* under admission arrangements agreed by the LA, a request for transport will be considered as if he or she were of statutory school age. A child reaches statutory school age at the beginning of the term immediately following his or her fifth birthday. No transport will be provided at lunchtimes or at any time other than the normal start and end of the school day. Transport between these times will remain a parental responsibility.

6.31 The LA does not provide free transport to a nursery or pre-school setting.

6.32 Arrangements may be made for a child below statutory school age with SEN to attend a Foundation Stage Support Class (FSSC) or any similar setting offering special needs provision. When making such arrangements the normal eligibility criteria for children of primary school age, including walking distance, will apply. Where the journey exceeds 45 minutes the LA will provide transport assistance only in exceptional circumstances.

Transport arrangements to attend an FSSC or similar setting are provided on a discretionary basis. Parents are advised not to rely upon the provision of transport assistance to enable attendance at a FSSC or similar setting.

6.33 **Transport on Equal Cost Grounds**

There may be instances where a parent or post-16 student requests assistance with transport to an alternative school on the grounds that there would be no additional cost than would be incurred should, for example, transport be provided to the designated school for the home address. This may be the case where two schools are located close by.

No assistance to transport will be provided in these circumstances to an alternative school. No additional costs will be incurred by the LA. To provide assistance may lead to additional cost to the LA either immediately or subsequently where a vehicle is no longer required for an entitled passenger.

7 Transport Provision

7.1 Transport assistance is provided for one inward and one outward journey to and from the educational establishment at the beginning and end of the official day. There is no additional provision to provide for Extended Schools services such as breakfast clubs, after-school activities or school trips.

7.2 Transport is not necessarily provided from door to door. Children may be required to walk to and from the nearest pick-up point for public or contract transport, accompanied by an appropriate adult as necessary (paragraph 6.8).

7.3 Mainstream Schools

The TCS arranges safe and efficient transport provision at the lowest possible cost commensurate with existing legislation and related DCC policies, where possible using existing public service provision.

7.4 Where it is not possible to use or to establish public service provision, or where the use of such provision would require a significant increase in costs, the TCS use existing contract coach or minibus services. Where no such services exist, the TCS establishes and manages the necessary transport contracts.

7.5 As far as possible, the TCS uses taxis only in order to provide a link between a pick-up point and home. Where there is no reasonable alternative available, the TCS may exceptionally authorise the use of taxis for the whole of a journey.

7.6 Children with a Statement of SEN

Further to paragraph 7.3, children with SEN may have specific needs that require the use of specialist transport provision that is not widely available.

7.7 Even where specialist transport is not required, it may be necessary to use more expensive transport provision, such as taxi transport, in order to meet the specific needs of children. CYPS therefore also contracts with TCS to arrange transport at the lowest possible cost commensurate with the needs of the children being met.

7.8 The County Special Education Team (CSET) and the Special Assistance Transport Team will jointly assess the needs of each child attending a Special School.

7.9 Once eligibility has been determined, the TCS will determine how those needs can be best met. Entitlement and provision will be reviewed at least annually.

- 7.10 **Personal Transport Cost Allowance (PA)**
Where an entitlement to transport exists and there are difficulties in negotiating a suitable transport contract, parents who are willing to convey their children to school, or post-16 students who are willing to use their own transport may, in exceptional circumstances, receive a PA instead of transport being provided. Claims for a PA will require the completion of a Petrol Allowance Form CT7. A copy is at Appendix 4.
- 7.11 The PA is based upon the mileage to and from the school and based on a standard rate for one trip each way per day. The requirements of the journey will be taken into account in determining the actual rate to be paid. Parking, subsistence and other costs will not be met. See Appendix 3.
- 7.12 A PA for a post-16 student is subject to the payment of the contribution required for post-16 transport assistance. The PA will be paid net of any required contribution. Financial contributions will be reduced for children and post-16 students from families on low incomes (paragraph 14.2).
- 7.13 No arrangements are currently in place to pay an allowance in lieu of transport where a child uses his or her own bicycle as transport to and from education. This will be reviewed annually.
- 7.14 **Network Planning and Route Reviews**
The TCS regularly reviews transport networks and individual transport routes. A review may result in a change of arrangements to be provided. Where possible notice will be given to parents of any changes to transport provision.
- 7.15 Consultation with parents will not take place as part of a route review. This is to enable route reviews to be carried out in a timely and efficient manner and to avoid raising parental expectations that preference for a particular form of provision will override the cost-effectiveness or efficiency. However, where a child's special educational needs indicate that he or she is particularly sensitive to change, the impact of any proposed change will be considered. This may involve discussion with the school or the parent and the school.
- 7.16 The anticipated impact of any change of provision will be taken into account particularly with regard to children with Statements of SEN. It is recognised that there may be a greater sensitivity to change for children with a Statement. The opinion of the school will be sought by TCS prior to any change to the provision of transport for a Statemented child.
- 7.17 Parents may receive notification at any time that the type of transport provision for their children's school transport is to be changed as a result of a review. Changes may involve:
- new pick-up and set-down points (paragraph 7.21);
 - changes to timings;

- changes to related arrangements such as escort provision;
- changes to the contractor employed;
- withdrawal of a PA where a vacancy arises on a vehicle.

Notice will be given of changes wherever possible, but some may need to be made at very short notice, for example as a result of sickness, road closures or the termination of a contract with a vehicle operator.

7.18 Children who are not entitled to transport assistance are not included in the planning of transport networks. No additional expenditure will be incurred in order to accommodate non-entitled passengers. This may mean that, for example, a smaller vehicle may be used on a route. The size of vehicle will be sufficient to carry entitled passengers but may not include space for concessionary passengers.

7.19 **Pick-up and Set-down Points**

A child will be expected to walk a reasonable distance to and from home to meet their transport. The distance to a pick up/set down point will not normally exceed:

- 0.75 miles for a child up to primary phase.
- 1.50 miles for a secondary phase child.
- 3.00 miles for a post-16 student.

7.20 Parents are responsible for their children's safety in getting to and from the pick-up/set-down point. They are also responsible for their children while they are waiting for transport and when they leave the transport at the end of the day. Parents are advised not to leave their children unattended while waiting for a vehicle in the event that the vehicle does not arrive.

The LA is unable to provide a service to alert parents of delays on routes. Parents may seek information from My Devon or from www.devonschoolclosures.info where delays have been reported to the LA.

7.21 Parents or post-16 students will be advised of the arrangements for the transport provided. The time given for is the departure time at any given bus stop, station or pick-up point. Children should arrive at least five minutes before the scheduled departure time to ensure that they do not miss their transport.

7.22 Vehicle drivers will not wait for passengers and will seek to operate according to their published timetable except where a contract feeder vehicle links with another vehicle.

7.23 **Journey Times**

The LA will not normally provide transport which requires a journey time greater than:

- 45 minutes for primary phase children.

- 75 minutes for secondary phase children.
- 75 minutes for a post-16 student.

7.24 Journey times may exceed these limits for exceptions such as:

- exceptional traffic or weather conditions;
- attendance at a special school;
- attendance at a remote boarding school;
- attendance at a remote school or institution in order to avoid exclusion; or
- attendance at a remote school following a move in order to maintain educational continuity.

7.25 The LA may determine lower reasonable maximum journey times in individual cases, notwithstanding the exceptional circumstances noted at paragraph 7.4.

7.26 Exceptionally, journey times for post-16 students may exceed 75 minutes depending upon the location of their post-16 establishment.

7.27 **Waiting Times**

Waiting time on school premises before and after school should not exceed 10 minutes.

7.28 Where the school is on a split site, the normal 10 minutes arrival or waiting times will be varied, as time will be required to enable the transport to serve each site.

7.29 Although every effort is made to operate to timetables, where long or complicated journeys are undertaken, it is possible that there may be waiting time between connecting transport provision. Road and traffic conditions may cause these times to vary.

7.30 **Feeder Routes**

In order to design efficient and cost-effective networks, the journey to and from school may involve a change of vehicle at a specified point along the route. Contractors are instructed not to depart from a change-over point until the connecting vehicle has arrived and all the children have been transferred safely. This will not affect public service vehicles which will not wait for connecting public service vehicles.

7.31 **Concessionary Seats**

Where spare seats are available on existing education transport vehicles and where no public transport services exist, children not entitled to assistance may be allowed to travel on a concessionary basis.

7.32 The LA will charge a fee in advance for the use of concessionary seats. The rate of charge will be reviewed annually. See Appendix 3.

7.33 Concessionary seats are not guaranteed and will be withdrawn where the seats are needed for entitled children. This may happen, for instance, when:

- the transport route or network is reorganised, resulting in the provision of a vehicle with fewer seats;
- children move into the area who are entitled to transport; or
- a registered public service becomes available.

7.34 A minimum of one week's notice will be given to a parent when a concessionary seat is to be withdrawn.

7.35 Where a concessionary seat is withdrawn, the LA will make an appropriate refund.

7.36 Waiting lists are maintained and seats may be offered when available. They will not be held on a first-come, first-served basis. The order of priority will be according to the following criteria:

1. the presence of an entitled sibling on the vehicle
2. the presence of a concessionary sibling on the vehicle
3. attendance at the designated school (where the school is under the statutory walking distance and there is no entitlement to transport)

The siblings of entitled passengers will be the first to be offered. In determining priority within each category, those with the longest (by time) overall journey from home will be offered first. In the event that this tie-breaker is insufficient, a random number generator will be used to determine priority.

7.37 The TCS will offer concessionary seats as vacancies arise, subject to the following considerations:

- No concessionary seats will be available until the October half term each year. This is in recognition of the number of entitled passengers added to the transport network at the beginning of each autumn term.
- Where there is a reasonable expectation based on a particular route's operational history that a newly vacant seat will imminently be required for another entitled child, a concessionary seat may not be offered.
- If a route review is scheduled within the next term, a concessionary place may not be offered to avoid potentially offering a concessionary seat and removing it within a short period.

7.38 Where a concessionary seat is withdrawn, this will not be on a last-in, first-out basis. The order of priority will be according to the following criteria:

1. the presence of an entitled sibling on the vehicle
2. the presence of a concessionary sibling on the vehicle

3. attendance at the designated school (where the school is under the statutory walking distance and there is no entitlement to transport)

The siblings of entitled passengers will be the last to be removed. In determining priority within each category, those with the shortest overall journey from home will be withdrawn first. In the event that this tie-breaker is insufficient, a random number generator will be used to determine priority.

7.39 When a concessionary seat is abandoned by a parent or post-16 student, no refund will be given unless the change has been caused by circumstances beyond the parent's control. The LA may seek evidence in support of a claim for a refund.

7.40 Parents and children must sign to agree to a Code of Conduct in the same way as entitled passengers before a place is allocated. Concessionary seats are not available by right and if behaviour is not of an acceptable standard, the seat will be withdrawn (paragraph 7.42).

7.41 **Sustainable Travel**

The LA has legal duties, under the Education and Inspections Act 2006, to promote sustainable travel for children and young people of sixth form age at school. These duties include:

- Assessment of travel and transport needs
- Audit of sustainable travel and transport infrastructure that may be used when travelling to or from school
- Strategy to develop sustainable travel and transport infrastructure
- Promotion of sustainable travel

7.42 **Code of Conduct**

The LA has formulated Codes of Conduct to detail the standards of behaviour required of passengers on education transport. This is in the interests of the health and safety of all passengers, drivers and other road users.

Transport will not be provided for eligible children and post-16 students until an application has been approved by the LA, a photograph and payment (or evidence of low income) provided as necessary and the Code of Conduct signed by the child or post-16 student and/or the parent.

7.43 The parent of a child of statutory school age will also be required to sign to confirm agreement with the terms of the Code of Conduct. Parents of post-16 students are encouraged to be aware of the Code of Conduct and support students in meeting its terms.

7.44 Children and post-16 students will be required to sign to confirm agreement with the terms of the Code of Conduct.

7.45 A child unable to sign his or her name due to age or SEN will not be required to sign to agree to a Code of Conduct. In signing on his or her behalf, a parent will be confirming that the Code of Conduct has been discussed with the child as fully as is possible and the parent is aware of the potential sanctions for inappropriate behaviour.

7.46 The Codes of Conduct for mainstream children, children with a Statement of SEN and for post-16 students are attached at Appendices 5-7.

7.47 **Requirement to Carry a Pass**

All children and post-16 students are required to carry a pass if issued to them where this establishes they may be carried on the vehicle. A pass may be issued where a child or post-16 student has a statutory entitlement, is carried on a discretionary basis or has purchased a concessionary seat on the vehicle. Children need not carry a pass where one has not been issued or where it would be inappropriate due to the child's very young age or the nature of a Statement of SEN.

7.48 A child unable to present a pass when requested to do so by the vehicle driver or officer of the LA may not be carried on the vehicle. Vehicle drivers will be given guidance and training on how to report these instances.

7.49 A child who has been issued with a pass and persistently travels without it will be deemed not to be abiding by the Code of Conduct. A potential consequence is being barred from travel.

7.50 **Form of Provision**

The LA will use the following forms of transport provision:

- Public service vehicles
- Contracted coaches and minibuses
- Trains
- Ferries
- Contracted taxis
- Petrol allowances for parents or post-16 students
- Participation in a scheme to hire a moped for students with an appropriate licence (Wheels 2 Learn), where available

8 Special Assistance

8.1 Children with a Statement of Special Educational Need (SEN)

When a Statement of SEN is issued, consideration will be made of the child's transport needs.

8.2 Where a Special School or a special unit within a mainstream setting is named by the LA on a child's Statement, that school will be deemed to be the child's nearest appropriate school for the purposes of a request for transport unless named as a result of parental preference, with a closer appropriate school available.

8.3 There is no automatic eligibility to free education transport following the issue of a Statement of SEN. The usual distance criteria will also be applied. Parents of children with SEN are strongly advised not to rely upon presenting a case that a school is named in their child's Statement in cases where the school has been named as a result of parental preference.

8.4 A child whose Statement of SEN indicates that his or her needs may be met at a mainstream school must meet the same eligibility criteria for free transport that apply to all children attending mainstream schools, unless they are unable (by reason of disability or medical condition) to walk the specified walking distance for their age.

8.5 A Transport Application Form for children with a statement of SEN must be completed. Transport needs will be reviewed no less frequently than annually. The form is available at www.devon.gov.uk/school_transport. Hard copies are available through the My Devon Call Centre. A copy is at Appendix 9.

r Learners with Learning Difficulties and/or Disabilities aged 19-24

The LA has a duty to encourage, enable and assist participation of all young people with learning difficulties and/or disabilities up to 25 years including in respect of transport arrangements. This will include transport to an establishment funded directly by the YPLA e.g. Independent Specialist Providers for learners with learning difficulties and/or disabilities.

In meeting this duty, the LA must take into account the particular challenges a learner with learning difficulties may face with regard to the distances to education providers and the additional length of time a course of study may take for the learner. This may place a disproportionate financial burden on a learner and his or her family over a longer period of time.

8.7 The transport needs of learners with learning difficulties and/or disabilities will be considered in assessments made under Section 139A of the Learning and Skills Act 2000. The LA may also assess learner transport

needs in more detail beyond the Section 139A assessment.

8.8 Those learners with learning difficulties and/or disabilities not continuing on the same course at the same establishment may seek support with transport provision from the LA until attaining the age of 25.⁶

8.9 **Escorts**

There is no specific legal duty on the LA to provide escorts for children carried on education transport. However, fulfilling a duty of care to passengers and others may involve the provision of an escort.

An escort 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 care or supervision.

8.10 The LA will seek to: -

- set out clear rules for providing transport and escort services
- ensure the safety of staff and each service user or group of service users who meet the criteria for the provision of transport
- incorporate existing best practice in its provision of transport and escorts using its resources in the most efficient and effective way
- provide transport services tailored to the needs of individual service users and carers
- ensure that information on assessed needs is easily accessible and available to all those involved with the provision of the transport service, including any changes to needs identified
- ensure that all parties understand their roles and responsibilities
- promote, encourage and actively support service users to travel independently where appropriate.

8.11 A decision to provide transport to a child does not confer an automatic entitlement to escort provision. Escorts will be provided only where there is an identified and specific need for care or supervision. The decision on whether to provide an escort will be made by the Transport Manager (Special Assistance).

8.12 Where an escort is provided, he or she will:

- travel with the child from an agreed pick-up point to an agreed drop-off point.
- assist with entry to and exit from the vehicle,
- ensure as far as reasonably practicable, a safe journey for the child and other passengers,
- provide a caring environment whilst on the vehicle
- will act as an extended communication channel between home and school

8.13 An escort may supervise more than one child on a journey, consistent with

providing the appropriate level of service for each individual while they are on the vehicle.

- 8.14 First aid may only be given by an escort trained to do so. Some children may be at risk of anaphylactic shock. Risks will be minimised by not allowing anyone to eat on vehicles, except diabetics controlling their blood sugar levels. The escort will not generally administer any form of medication to service users. The escort will only administer any form of medication in an emergency, and only to a child who has a known medical condition and who has the appropriate medication or specific care plan with them; and then only when the escort has been trained to administer the medication or specific care plan.
- 8.15 Parents must provide details of all relevant up-to-date information regarding the child's needs. Once transport with an escort has been arranged, parents must provide full details of any changes in the child's needs and circumstances, including any information specific to the journey or which should be passed on to others at the destination.
- 8.16 Parents must be ready at the arranged pick up and drop off times to ensure the child's safe handover with any medication to and from the escort.
- 8.17 In reaching a decision on whether an escort is to be provided, the Transport Manager (Special Assistance) will decide whether an escort is required for a child following an assessment of need in the light of evidence received. In making that decision he or she will take a number of factors into account. Such evidence may include information relating, but not limited to:
- 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 SEN
 - where a passenger has severe learning or physical difficulties, the need for continual care and supervision
 - age and capability
 - length of journey
 - the vehicle type and size
 - the need to administer emergency medication; and
 - the recommendation of SEN professionals.

The Transport Manager (Special Assistance) will consider these as contributory factors in deciding whether an escort is required. They will not be viewed as determining factors.

- 8.18 Escorts are not assigned for the specific purpose of managing behaviour. An acceptable standard of behaviour is expected of all young people using DCC transport, as detailed in the Code of Conduct for behaviour (paragraph 7.42).

- 8.19 Escorts are not assigned to assist or supervise young people to meet other vehicles or to escort them to their homes. It is a parental responsibility to get a child to the pick-up and from the drop-off point for education transport.
- 8.20 Escorts are not assigned to assist or supervise children between their vehicles and the school buildings at the beginning and end of journeys. It is the responsibility of the Headteacher or Principal to ensure adequate supervision for this transfer.
- 8.21 In exceptional circumstances, arrangements may be made for a parent to act as an escort for his or her own child. This will be where it is not possible to provide an escort and where there is no other child on the vehicle. Such an arrangement will be reviewed with a presumption that the agreement to act as an escort will be withdrawn at such time that an escort can be provided or the child will no longer be the sole child on the vehicle.

9 Exceptional Circumstances

9.1 Transport Eligibility Officer Panel

A Transport Eligibility Officer Panel of the LA will consider requests for children to receive free transport where he or she is not eligible. The Panel will sit weekly as necessary to consider evidence provided by the parent or post-16 student that there are exceptional circumstances.

9.2 The Transport Eligibility Officer Panel will usually consist as a minimum a representative from the:

- Education Transport Team
- Escort Team
- Children with Special Educational Needs Team
- Transport Co-ordination Service

and may also include:

- the Strategic Support and Policy Officer
- a representative from the School Admissions Team.

9.3 The Panel may consider cases up to a cost-limit as determined annually. Where transport costs are expected to be higher than this cost-limit the case will be referred to the County Councillor who is the Portfolio Holder for education transport. See Appendix 3.

9.4 There is a right of appeal against the decision of the Panel or the Portfolio Holder. Further information is available from the Education Transport Team.

9.5 A Child's Exceptional Medical Reasons for Transport

Free transport may be considered where a child lives within the walking

distance to school relevant to his or her age and circumstances and is attending the designated or nearest school available but is unable to walk to school because of a medical condition. This would be for a fixed period of no more than 12 calendar weeks, for example, while he or she is unable to walk the route due to a broken leg. The period may be extended on request by the parent if the fixed term is likely to be inadequate because the medical condition persists.

Similarly, where a child attending a school as an expression of parental preference is unable to travel to school because of a temporary medical condition, alternative transport may be considered by the LA. An upper cost limit may be imposed. See Appendix 3.

The Transport Eligibility Officer Panel may consider requests of this nature.

9.6 It is the responsibility of the parent to produce evidence of the medical condition in all cases. This is normally endorsed by the family doctor or consultant. The LA may ask the parent to provide explicit further medical evidence. If provided, the requirement for transport will be reviewed no less than termly. Any charges incurred by the parent in providing this evidence will not be paid by the LA.

9.7 **A Parent's Exceptional Medical Reasons for Transport**

The LA may exercise its discretion to provide free transport where a child lives within the walking distance to school relevant to his or her age and circumstances and is attending the designated or nearest school available but where his or her parents are unable to accompany him or her on the walk to school because of a medical condition or disability.

Similarly, where a child attending an alternative school as an expression of parental preference is unable to travel to school because of a temporary medical condition, alternative transport may be provided by the LA. An upper cost limit may be imposed. See Appendix 3.

The Transport Eligibility Officer Panel will consider requests of this nature.

9.8 In all cases, the LA will consider the availability of help from immediate and extended family members and from neighbours. The availability of help through a School Travel Plan will be considered as will the use of any disability benefits to help secure attendance. It is expected that the parent will have made every effort to secure other help. The LA may seek confirmation of this from the parent, school or other agencies.

9.9 Free transport will not be provided where the child does not require his or her parent to accompany him or her to school.

9.10 It is the responsibility of the parent to produce evidence of the medical condition. This is normally endorsed by the family doctor or consultant. The LA may ask the parent to provide explicit further medical evidence. If provided, the requirement for transport will be reviewed no less than termly.

Any charges incurred by the parent in providing this evidence will not be paid by the LA.

9.11 **Educational Continuity**

The LA may exercise its discretion to provide free transport to continue to attend a school to which there is no longer eligibility where a child has moved address after the October half-term in Year 10 or during Year 11. This discretion will be exercised where the child has already undertaken half a term of study leading to public examinations.

The Transport Eligibility Officer Panel will consider any requests of this nature.

9.12 An upper cost limit for LA funding may be applied (paragraph 13). The following will be taken into account:

- whether the child was attending the designated or nearest school prior to the move;
- the existing transport network and the reasonableness of transport costs;
- the ease of transferring to a new school;
- whether the house move has been voluntary or involuntary;
- parental ability to provide or fund transport.

9.13 **Admission following Permanent Exclusion**

The LA will provide free transport to support a child placed at a school following a Permanent Exclusion where the placement has been arranged through a Reintegration Panel. Transport arrangements must be agreed by the Transport Manager (Appeals and Policy) before the placement is finalised. This will ensure that transport and the availability of an alternative school place are managed appropriately. An upper cost limit will apply, as detailed at Appendix 3. Transport arrangements with a higher cost will be referred to the Transport Eligibility Officer Panel for further consideration.

9.14 **Transfers Between Schools – Managed Moves**

A managed move is a transfer from one school to another for a child identified as being at risk from a Permanent Exclusion from school, arranged through a Reintegration Panel. It is for a fixed period of time after which a decision will be taken by the schools concerned and the parent whether the child should remain at the new school or return to the original school.⁷

9.15 The LA will provide free transport to support a managed move. Transport arrangements must be agreed by the Transport Manager (Appeals and Policy) before the proposed managed move is finalised. This will ensure that transport provision, the level of costs to be incurred and the availability of an alternative school place are managed appropriately. An upper cost limit will apply, as detailed at Appendix 3. Transport arrangements with a higher cost will be referred to the Transport Eligibility Officer Panel for

further consideration.

9.16 **Transfers between schools - No Change of Address**

Transport will not be provided to facilitate a transfer from one school to another school which has been arranged by a parent as an expression of parental preference unless there is eligibility for transport from the new address to the school. Parents are advised to seek to resolve any difficulties at a school wherever possible and to contact the School Admissions Team before seeking to transfer schools.

9.17 **Temporary Absence from the Home Address**

The LA may exercise its discretion to provide free transport to attend school where a child is absent from the home address due to circumstances beyond the control of the parent. The temporary move must have been involuntary and supporting evidence will be required. This will be provided to the Education Transport Team by the parent.

The Transport Eligibility Officer Panel will consider any requests of this nature.

9.18 This discretion will be exercised where it would be unreasonable for the child to transfer to a closer school.

9.19 Free transport may be provided to and from a temporary address for up to 12 calendar weeks. An upper cost limit for LA funding may be applied (paragraph 13).

9.20 **Temporary Absence from the Home Address - Children in Care**

The LA will exercise its discretion to provide free transport to continue to attend his or her school where a child is temporarily living at a foster placement for up to 12 calendar weeks. The restriction at paragraph 9.18 will not be applied. An upper cost limit for Education Transport Team funding will be applied (paragraph 13). Where a request for transport does not meet these criteria, arrangements for transport will fall to the social care officer responsible, representing the LA, the corporate parent.

Where subsequent temporary placements occur after the period of 12 calendar weeks, no provision will be available with Education Transport funding. Such requests may be referred to the Transport Eligibility Officer Panel.

10 **Other Arrangements**

10.1 **Where a School is Closed, Opened or Reorganised**

Transport is one of a number of factors considered carefully in any discussions that might result in the closure or reorganisation of a school or schools.

10.2 The LA will provide transport only for affected children living beyond

walking distance from the alternative school. Transport will be provided for the duration of their education at that alternative school. There will be no ongoing eligibility for children not directly affected at the time of the closure or reorganisation of the school. Eligibility for transport is limited to children who attend the new designated school or the nearest school to their home address.

10.3 Where a new school is established or another school is reorganised and may now admit a child, children living in the new or reorganised school's designated area may remain at their current school to complete their education. The normal transport eligibility criteria will apply to those children. There will be no eligibility for children not directly affected at the time of the opening or reorganisation of the school.

10.4 **Independent schools** except Academies and Free Schools
Where the LA arranges for a child to receive education at an independent school as part of a Statement of SEN, that school will be deemed to be the child's designated school for the purposes of a request for transport provision except where the school named at Part 4 of the Statement is the result of parental preference, where a closer school could meet the child's needs. In these circumstances, the Statement will have advised the parents that the responsibility for education transport would lie with the parent.

10.5 Where a parent has decided to educate the child at an independent school, no assistance for transport will be available from the LA.

10.6 **Transport provided in Error or following a Change in Assessment**
If transport has been provided as a consequence of an error of the LA, provision will not be withdrawn with less than 12 calendar weeks' notice.

Where an improvement in the accuracy of methods for assessing eligibility identifies that transport has been provided for a non-eligible child, provision will not be withdrawn with less than a school term's notice.

This may occur where the distance from home to school is remeasured and found to be under the relevant walking distance. In this case, the child will have benefited from free transport and would be expected to be able to walk to school and not be obliged to transfer to another school.

Where an improvement to a route is made and results in the route becoming available for a child or post-16 student to walk, accompanied as necessary by an adult, provision will be withdrawn with notice of no less than 12 calendar weeks.

10.7 **Transport provided as a Result of False Information**
If transport has been provided as a consequence of information provided by the parent which was false or misleading and where correct and accurate information would have resulted in a refusal for transport,

provision may be withdrawn immediately and will normally be withdrawn with no more than four calendar weeks' notice. The costs of providing the transport may be sought from the parent.

10.8 **Extended Schools**

Where there is an entitlement to transport the LA arranges it to coincide with normal school session times. No additional vehicles will be provided for children who wish to remain at school beyond the normal school session times, for example, for after-school activities. This policy will be subject to review as more establishments provide extended services.

10.9 However, where public service passes are issued and suitable bus services exist, the passes may be used for journeys at earlier or later times than the end of the normal school day.

10.10 **Children of Passengers**

Where a child is carried on education transport and is, him or herself the parent of a child, the LA will seek to support the parent-child's education and any wish to be accompanied by the child. The following will be taken into account:

- the safety of the parent and child and others on the vehicle;
- suitability of the vehicle;
- costs which carrying the child would incur.

The Transport Eligibility Officer Panel may consider requests of this nature.

10.11 Where the parent-child is a concessionary passenger and the Transport Eligibility Officer Panel agrees that the child may also be carried, both parent and child will be concessionary passengers although no charge will be payable for the child of the parent-child unless an additional seat is required.

11 **Comments, Complaints and Appeals**

11.1 While LAs must exercise discretion and enable parents to seek assistance with transport, there is no requirement on the LA to enable parents to submit an appeal. Nevertheless, the LA provides for parents to pursue their request for assistance to:

- the Education Transport Team;
- the Transport Manager (Policy and Appeals);
- a Transport Eligibility Officer Panel;
- a Panel consisting of elected Members.

11.2 Where a parent or post-16 student wishes to make a comment about the service provided under this policy or has a general query, he or she may do so by telephoning the My Devon Call Centre or by emailing or writing to the Education Transport Team.

11.3 Where a parent or post-16 student is dissatisfied with the service provided under this policy, he or she may:

1. raise the issue with a Transport Officer by telephoning the My Devon Call Centre or by emailing or writing to the Transport Team. If this does not resolve the issue;
2. request a copy of the Transport Request Form APP2 and complete and return this to the address on the form.

11.4 If identified as urgent by a Transport Officer, the issue raised on the Transport Request Form APP2 will be considered by any two of:

- Transport Manager (Policy and Appeals)
- Strategic Support and Policy Officer
- Education Transport Manager (General)
- Education Access Manager

in addition to one other member of the Transport Eligibility Officer Panel. If this does not resolve the issue, it will be referred to the Panel, consisting of DCC officers as detailed in paragraph 9.2 above.

11.5 The Transport Eligibility Officer Panel will meet weekly as necessary to automatically consider cases which have not been resolved.

11.6 Where the Transport Eligibility Officer Panel feels that the personal circumstances of a child merit the provision of transport but the cost of provision is greater than its cost threshold authority (Appendix 2), the case will be referred by the Panel to the Portfolio Holder for education transport.

11.7 Where a parent or post-16 student is dissatisfied by a decision of the Transport Eligibility Officer Panel, he or she may refer the issue to a Panel consisting of LA Members.

11.8 Where a parent or post-16 student is dissatisfied by a decision of the LA Member Panel, there is no further recourse within DCC.

11.9 The Complaints and Appeals Process detailed above does not prevent the parent raising any issue with a County Councillor or any other person.

11.10 Where a parent or post-16 student feels that an appeal has not been conducted in a fair manner, he or she may pursue a complaint with the Local Government Ombudsman.

12 Fees and Charges

12.1 Fees and charges for education transport services will be set by the LA annually and are subject to change at any time. Current charges are detailed at Appendix 3.

13 Multiple Designated Schools

13.1 This Policy is based on the assumption that each address will lie within the designated area of one primary phase and one secondary phase school. This ensures consistency and parity for all residents in that there will be a discretionary entitlement to free transport where the school is further than the walking distances of 3 miles for a secondary-aged child and 2 miles for a primary-aged child.

It does not confer a discretionary entitlement to other schools without an admissions designated area.

13.2 Where an address has more than one designated school for admissions purposes, discretionary transport on designated school grounds will not be extended to cover more than one school. This will arise where a school has amended its designated area to coincide with that of another school of the same phase or where designated areas of own admissions authority schools overlap. In these circumstances, the LA will recognise for transport purposes one designated school for the address. To do this it will accept the admissions designated area in place at the end of the academic year before the designated area was amended.

Where an address has more than one designated school for admissions purposes as a consequence of an inaccuracy in the online maps of designated areas at www.devon.gov.uk/schoolareamaps, that inaccuracy will be corrected at the earliest opportunity.

13.3 Where an address no longer has a discretionary entitlement to transport on designated school grounds, any child or post-16 student in receipt of transport at the time the change is made will continue to receive transport for the remainder of his or her attendance at the school from that address.

13.4 A child's statutory entitlement to transport on nearest school grounds or on low income grounds will not be affected by this limitation.

13.5 Shared Admissions designated areas:

i) Newton Abbot College and Coombeshead College

For 2011-12, the designated area for Newton Abbot College is extended to also coincide with the designated area for Coombeshead College. Assisted transport to Newton Abbot College on solely designated school grounds will be limited to those addresses within its 2010-11 admissions designated area which are further than the statutory walking distance of 3 miles from home. Those addresses in the extended part of the College's 2011-12 admissions designated area which do not have the College as the nearest school will not be entitled to free education transport except where there is an entitlement on low income grounds. See paragraph 6.12. Those addresses in the designated area for Coombeshead College will continue to be entitled to transport on designated school grounds, subject to distance criteria.

ii) Lady Modiford's Church of England Primary School and Meavy Church of England Primary School

The designated areas for the two primary schools overlap at Dousland. This shared area lies within walking distance of two miles to both schools; therefore there is no automatic entitlement to assisted education transport to either school.

iii) Lady Modiford's Church of England Primary School and St Andrew's Church of England Primary School, Buckland Monachorum

Harrowbeer is in the admissions designated area for both St Andrew's and Lady Modiford's and is surrounded by four primary schools: Lady Modiford's and St Andrew's, Meavy and Horrbridge. It lies between approximately 1.4 and 2.2 miles from Meavy, 1.3 and 2.1 miles from Horrbridge, 1.2 and 2.1 miles from Lady Modiford's and over 2.1 miles from St Andrew's. None of the addresses has an automatic entitlement to free transport on nearest school grounds as in all cases, the nearest school is within the walking distance of 2 miles.

All of the Harrowbeer addresses in the secondary designated area for St Andrew's are further than the walking distance of 2 miles. Entitlement to transport on designated school grounds will be recognised with regard to those addresses which are further than walking distance from Lady Modiford's – the closer of the two schools and a school with a single designated area.⁸

Those children in Harrowbeer in receipt of education transport support to St Andrew's on designated school grounds at the end of the 2010-11 academic year will continue to receive that support while they attend that school from the same address. No applications for transport support on designated school grounds will be agreed for new applicants from September 2011. This includes the younger siblings of those in receipt or who have previously been in receipt of transport support on designated school grounds. It should be noted that the Governing Body of St Andrew's has removed the secondary catchment area from its determined arrangements for 2012-13; Harrowbeer will therefore have a single designated school at primary level from 2012-13: Lady Modiford's.

13.6 Schools with multiple sites:

i) Sidmouth Church of England Primary School – formerly St Nicholas' Church of England Junior School, Sidmouth Infants School and All Saints' Church of England Infants Schools

For children attending either former infant school site, transport on designated school grounds will be available to the nearer site, with distances measured by the nearest available route. Designated school transport to the former junior school site will continue unaffected for those children attending in Key Stage 2. Normal walking distance criteria will apply for children living in the designated area for Sidmouth Primary School.

14 Transport for Post-16 Students

Nationally, the provision of education for young people between the ages of 14 and 19 is currently under review. Transport Policy with regard to these students may be revisited in the light of any developments. This includes any changes to legislation following the raising of the participation age for education or training.

14.1 Post-16 Entitlement

As detailed at paragraph 4.1, there is no statutory entitlement to assistance with education transport for post-16 students. The LA recognises the importance of post-16 education for the individual and for the community. It seeks to support the educational attainment of its residents by facilitating attendance at educational settings.

14.2 There is no statutory entitlement to transport assistance for a child chronologically above statutory school age, whether educated in Year 11 or above. However, the LA has exercised its discretion to provide assistance with education transport. Post-16 children being educated in Year 11 will be considered for transport eligibility purposes as if they were of Year 11 age. A financial contribution is required for post-16 children being educated in Year 12 or above. Where the child meets low-income criteria (paragraph 6.12) this contribution may be waived or reduced.

14.3 Either the parent or a post-16 student may submit an application for assistance with education transport.

14.4 All parents or post-16 students, including those with a Statement of SEN, must apply for transport assistance every year by 1 June. It is the parent or student's responsibility to obtain an application form. A photograph and payment or proof of receipt of an appropriate means-tested benefit must be received by 10 August in order for transport to be organised by the beginning of the Autumn Term. In the case of photographs, applications and payments received after these dates students will need to make their own way to and from education establishments until transport arrangements can be made. Any costs incurred will not be refundable by DCC.

14.5 In order to qualify for assistance under this policy a post-16 student must:

- be normally resident in the Devon LA area; and
- attend a full-time course of education, defined as 16 hours or more of supervised study either as a new starter or as a returning student⁹; and
- be under 19 years of age on the 31 August immediately preceding the start of the academic year (paragraph 11.16); and attend
 - the designated sixth form for the home address, where there is a designated sixth form OR
 - the designated Further Education College where there is no designated sixth form; and

- live three miles or more from the establishment; and
- live within a reasonable distance from the establishment (paragraph 7.23)

14.6 An exception may be made where a post-16 student has to attend a particular establishment because the chosen course, or one very similar, is not available at the designated sixth form or Further Education College. For example, it may be the nearest available where one or more A levels essential for entry to the proposed university degree course may be obtained. Students will be required to produce evidence of this, such as a photocopy of current entry requirements or a letter from a university stating that a particular A level is essential for entry onto the proposed degree course. Transport assistance will be provided to such a school where the other eligibility criteria at paragraph 11.5 are met.

14.7 Where a post-16 student has attended a school other than the designated school or nearest school to home at the end of Year 11 in the following circumstances:

- he or she was placed at a school by a Reintegration Panel following a Permanent Exclusion from the designated or a nearer school to home;
- he or she was placed at a school by a Reintegration Panel as a managed move from the designated or a nearer school to home;
- he or she was unable to attend a closer school as none had a vacancy,

transport assistance will not automatically be available from Year 12. Requests for transport in these cases may be referred to the Transport Eligibility Officer Panel which will consider whether it is reasonable for the student to remain at the establishment and receive supported transport.

14.8 It is the responsibility of the parent or post-16 student to make a timely application to be admitted to the sixth form or Further Education College. Where this is not done and he or she attends an establishment further away than would have been the case had the admissions application been on time, there will be no automatic entitlement to transport to the allocated school.

14.9 A post-16 student who is ineligible under these criteria may apply for a concessionary place in the same way as a child of statutory school age (paragraph 7.31).

14.10 A post-16 student who is ineligible under these criteria may apply to their education establishment for financial support.

Further information should be sought from the establishment directly.

14.14 The courses of post-16 study which will be accepted for education transport purposes will be:

- A/AS levels
- GCSEs
- Diplomas
- Vocational courses

'A' levels are adequate for entry to university and therefore the wish to study the International Baccalaureate rather than 'A' levels is considered an expression of preference.

14.12 **Post-16 Provision**

Transport assistance is provided for one inward and one outward journey to and from the educational establishment at which the student is enrolled at the beginning and end of the official day. Students are advised to consider the availability of transport before enrolling on a course of study. Where a student has special educational needs, the availability of supervision between transport and course times may also be a consideration.

14.13 A post-16 student's timetable may require attendance at another site operated by the Further Education College on specific days. By default, education transport, where available, would be provided to the main site. A request may be submitted for transport assistance to the alternative site. It is emphasised such provision would be discretionary. The LA will consider the financial impact of such a request for transport in reaching a decision whether the alternative transport is to be provided. No transport will be provided by the LA to an alternative site which incurs an additional cost to the LA.

14.14 Transport is not provided for induction or taster days or work experience.

14.15 Transport is not provided for weekly or termly travel where a post-16 student lives away from home in order to study at an establishment beyond daily travelling distance. An exception may be made for a post-16 student with a Statement of SEN where the school is named by the LA.

14.16 **Post-16 Students with a Statement of SEN**

Where a post-16 student has been placed at a Special School or unit by the LA, transport assistance will be provided in the same way as for children of statutory school age. The eligibility criteria, as detailed at paragraph 4.1, will apply.

14.17 Transport will not be provided automatically unless the post-16 student cannot walk to school, accompanied as necessary, because of his or her disability.

14.18 An exception to the upper age limit of 19 may be made where a post-16 student has been studying a specific course for those with learning difficulties and is required to attend beyond the age of 19 in order to

complete the course. Support would then continue only until the end of the academic year during which the post-16 student reaches 25, provided that he or she remains on the same course at the same establishment. Transport support will continue without disruption as necessary to that point.¹⁰

Learners with learning difficulties and/or disabilities between the ages of 19 and 24 not continuing on the same course at the same establishment may apply for assistance from the LA.¹¹

- 14.19 Whereas transport is not provided for weekly or termly travel where a post-16 student lives away from home in order to study at an establishment beyond daily travelling distance, an exception may be made for a post-16 student with a Statement of SEN where the school is named by the LA.
- 14.20 Payment of the required contribution applies equally to post-16 students with SEN.
- 14.21 As detailed at paragraph 11.4, all parents or post-16 students, including those with a Statement of SEN must apply for transport assistance every year by 1 June. It is the responsibility of the student or the student's parent to obtain an application form. A photograph, payment or proof of receipt of an appropriate means-tested benefit must be received by 10 August in order for transport to be organised by the beginning of the Autumn Term. In the case of photographs, applications and payments received after these dates students will need to make their own way to and from education establishments until transport arrangements can be made. Any costs incurred will not be refundable by DCC.

Footnotes

¹ Children are of statutory school age from the beginning of the term following the fifth birthday until the last Friday in the June of the academic year when he or she reaches 16 years of age.

² Parents may apply at any time for a school place after the Year Group for the child has begun. Where a place is required at the normal point of entry – Reception for primary and infant schools, Year 3 for infant schools and Year 7 for secondary schools – parents are required to submit an application by published dates as a part of the Primary Co-ordinated Admissions Scheme and the Secondary Co-ordinated Admissions Scheme. Applications submitted after these dates will be considered late unless the Admissions Manager of the LA considers the application is timely. Reasons for this include where a family has moved address and made a fresh application accordingly or there were other circumstances which prevented the application being submitted by the closing date. Further information is available within the Schemes.

³ The terms of a residency order may clarify the home address for the child. In the absence of a residency order, the home address for the child will be with the parent with day to day care and control of the child, normally evidenced by receipt of Child Benefit allowance for the child at that address. In determining the home address for admission or transport purposes, evidence such as receipt of Child Benefit or the child's registration with a GP may be taken into consideration.

⁴ There will be instances where a place was available when the parent could first have applied, for example, at secondary transfer or when the family moved to an area. If the school were to be filled subsequently, there will be no entitlement to transport to an establishment further away. The parent will be deemed to have expressed his or her parental preference to seek education elsewhere and to have accepted the responsibility for providing transport for the remainder of the child's education away from the designated or nearest establishment.

⁵ It will not be the responsibility of the LA to provide an adult to accompany a child when walking to school.

⁶ Discussions are ongoing regarding the budget responsibility for learners with learning disabilities and/or disabilities aged 19-24. This does not affect the duty of the LA with regard to supporting transport to learning.

⁷ For further information on managed moves, parents should contact the School Admissions Team or the school or see the Fair Access Protocol, part of the In-Year Co-ordinated Admissions Scheme.

⁸ The Governing Body of St Andrew's Church of England Primary School has determined to remove the secondary designated area at Harrowbeer from their own admission arrangements for 2012-13. Consequently, the provisions at 14.5iii will not be necessary for the Education Transport policy 2012 and will be removed. It should be noted that those children in Harrowbeer in receipt of education support to St Andrew's on designated school grounds at the end of the 2010-11 academic year will continue to receive that support while they attend that school from the same address. No applications for transport support on designated school grounds will be agreed for new applicants from September 2011. This includes the younger siblings of those in receipt or who have previously been in receipt on transport support on designated school grounds.

⁹ A Returning Student for this purpose is one that has already completed a full-year of FE study at a Sixth Form or FE College and is continuing at that establishment.

¹⁰ Discussions are ongoing regarding the budget responsibility from the beginning of the September term of the academic year in which the learner reaches 19.

¹¹ Discussions are ongoing regarding the budget responsibility from the beginning of the September term of the academic year in which the learner reaches 19.

Policy History				
Date	Summary of change	Contact	Implementation date	Review date
8/2008	Policy introduced	Transport Team	8/2008	8/2009
11/2009	Policy reviewed	Policy Unit	9/2010	11/2010
4/2010	Equality Impact Needs Assessment completed	Policy Unit	4/2010	12/2010
4/2010	Policy approved by Cabinet Members	Policy Unit	9/2010	12/2010
4/2011	<p>Policy approved by Cabinet Members: Equality Impact Needs Assessment updated Dates changed to reflect the 2011-12 academic year Periods previously specified as 3 months or 1 term amended to 12 calendar weeks At 4.1 reference to Academies and Free Schools added to reference to state maintained schools At 4.1 additional statutory entitlement to transport confirmed At 4.2 discretionary extension of free transport for primary aged children on low income attending a faith school removed At 4.2 reference to discretionary transport on designated school grounds limited to a single designated school At 4.3 clarification inserted that seats for children of concessionary passengers will also be chargeable as concessionary seats At 6.2 clarification inserted that transport is normally provided only to one address and that the Transport Officer Eligibility Panel may consider requests for transport from more than one address where a child resides separately with both parents. At 6.6 new paragraph inserted to preclude transport eligibility on</p>	Strategic Support and Policy Officer	9/2011	11/2011

	<p>discretionary designated school grounds to more than one school Former paragraphs 6.6 to 6.10 renumbered to 6.7 to 6.11 Former paragraph 6.11 detailing discretionary transport provision for primary age children on low income grounds removed. At 6.11 clarification that Mapscape is used by the LA to measure distances in assessing eligibility to transport At 6.12 clarification inserted as to the types of schools which will be considered as appropriate schools among the three nearest under low income entitlement Former paragraph 6.14 detailing discretionary entitlement to free transport for primary age children on low income grounds to a faith school removed Former paragraphs 6.15 to 6.29 renumbered to 6.14 to 6.28 At 6.16 clarification inserted regarding the availability of routes following remedial works At 6.20 reference to transport provision “continuing to” be provided removed At 6.21 details provided of the phasing out of free discretionary transport for secondary age children to a faith school At 6.22 clarification inserted regarding decisions to provide education other than at a school and the role of the Transport Manager At 6.23 provision for transport to be provided following parental preference for a child to attend a setting other than school where there is “eligibility otherwise” removed as unnecessary At 6.24 wording amended in the provision that post-16 children with a Statement of SEN in the interests of clarity At 6.26 details provided of the phasing out of free anomalous discretionary transport for children to a selective school Former paragraph 6.30 removed as not necessary Former paragraphs 6.31 to 6.34 renumbered 6.30 to 6.33 At 6.32 guideline maximum journey time for rising five children increased to 45 in line with other primary age children</p>			
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	<p>At 7.1 clarification inserted that there is no transport provision at other times during the day for access to extended services</p> <p>At 7.5 the link more correctly identified as between a pick up point and home rather than school.</p> <p>At 7.6 the provision of a LA fleet of vehicles by the TCS removed</p> <p>At 7.17 additional reason for a change in provision identified where a PA may be withdrawn</p> <p>At 7.19 the distinction in walking distances to a pick up point for rising 5 children removed to bring them in line with other primary phase children</p> <p>At 7.20 advice inserted to provide for parents seeking information regarding delays to transport</p> <p>At 7.22 advice strengthened that drivers of all vehicles will seek to operate by their timetables and will not wait for passengers except where a contract vehicle links with another vehicle.</p> <p>At 7.23 the distinction in guideline maximum journey times for rising 5 children removed to bring them in line with other primary phase children</p> <p>At 7.26 the guideline maximum journey time for post-16 students confirmed</p> <p>At 7.30 alert provided that public service vehicles will seek to operate to their timetable rather than wait for a connecting vehicle</p> <p>At 7.33 a third potential cause of a concessionary seat being withdrawn inserted</p> <p>At 7.36 clarification inserted that length of journey will be determined by time taken and not distance</p> <p>7.40 wording strengthened so that a concessionary seat WILL be withdrawn for unacceptable behaviour</p> <p>At 7.42 alert provided that transport will only provided when certain conditions have been met</p> <p>Former paragraph 7.51 regarding alternative transport provision removed</p>			
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	<p>New paragraphs 8.9 to 8.17 inserted with provision for escorts Former paragraphs 8.7 to 8.11 renumbered as 8.18 to 8.21 Paragraph 8.17, decision-maker changed from the Transport Officer Eligibility Panel to the Transport Manager (Special Assistance) and criteria for decision-making detailed At 8.21 provision for parent to travel with other children removed At 9.5 additional provision inserted to cover temporary medical conditions affecting travel to school and a guideline maximum period of 3 months specified At 9.6 and 9.10 provision inserted allowing for the LA to seek additional information in support of the parent's request. Further clarification that the LA will not pay for any charges incurred by the parent in providing the evidence. At 9.11 wording clarified to provide for a child who has already undertaken half a term of study for public examinations At 9.12 additional criteria added for decisions relating to educational continuity: reasonableness of transport costs. Also provision inserted that there may be an upper cost limit applied. At 9.13 and 9.15 the decision-maker to agree provision identified as the Transport Manager At 9.16 advice to parents widened to include discussion with a school to seek to resolve difficulties At 9.18 provision amended so that transport due to temporary absence may be available for any child where it would be challenging for the child to transfer schools during the absence At 9.20 wording strengthen to clarify the distinction for Children in Care At 10.4 limitation regarding independent schools clarified as not to refer to Academies or Free Schools. Also limitation inserted regarding a school identified in the Statement as being preferred by the parent. At 10.6 notice period for removal of transport extended to one term.</p>			
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	<p>Additionally, the removal of transport may follow from improvements in the LA's eligibility assessments or route safety works</p> <p>At 10.11 clarification inserted regarding charging for the child of a parent-child passenger</p> <p>Sections 12-13 renumbered as 11-12</p> <p>At 11.3 and 11.4 the Transport Complaint Form APP2 renamed as the Transport Request Form APP2</p> <p>New paragraph 13 inserted with regard to multiple designated areas</p> <p>Previous section 11 renumbered as 14</p> <p>At 14.2 clarification inserted regarding contributions for post-16 children being educated a year below in Year 11</p> <p>At 14.4 and 14.21 additionally, a photograph identified as being required</p> <p>At 14.6 the A level necessary for the student's career path replaced by the A level necessary to entry to the student's university course</p> <p>At 14.7 additional criterion inserted for circumstances where transport entitlement at Year 12 may not follow from Year 11</p> <p>At 14.8 wording amended to clarify that transport will not be provided to a more distant establishment attended because the designated or closer establishment was full and there could have been a successful, timely application for admission</p> <p>At 14.13 clarification added that transport to an alternative site of a Further Education College may be provided where there is no additional cost to the LA</p> <p>At 14.18 the upper limit for learners with learning difficulties and/or disabilities continuing on the same course at the same establishment raised from 21 to the attainment of 25. Discussions regarding confirmation of budget responsibility within the LA ongoing.</p> <p>At 14.22 discretionary transport confirmed for post-16 students studying within lower Year Groups</p> <p>At Appendix 2, notes 10 onwards removed as no longer relevant with the phasing out of discretionary faith transport</p>			
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	At Appendix 3 charges updated Appendix 17 (Transport Application form ST4 Faith School) and Appendix 18 (Faith Certification Form ST6) removed as no new faith transport applications to be submitted Appendix 19 (Concessionary Seat Application Form) renumbered as Appendix 17			
4/2011	Policy determined by Cabinet Members for 2012-13	Strategic Support and Policy Officer	9/2011	11/2011
7/2011	New Executive Director's name inserted At 13.6 paragraph inserted to provide for designated school transport in Sidmouth following the establishment of a three-site primary school	Strategic Support and Policy Officer	9/2011	11/2011



Equality Impact and Needs Assessment Form

A) Description	
	Name of service, function, policy (or other) being assessed
	Education Transport Policy
	Directorate or organisation responsible (and service, if it is a policy)
	Children and Young People's Services
	Date of assessment (DD/MM/YY)
	25/03/2011
	Date next assessment due (3 years)
	25/03/2014
	Names and/or job titles of people carrying out the assessment
	Andrew Brent, Strategic Support and Policy Officer
	Accountable person (e.g. Head of Service)
	Lisa Boon, Schools Access Services Manager
	Date EINA Form approved by accountable person (e.g. Head of Service)
	29/03/2011
1.	<p>What are the aims or main purpose of the service, function or policy? What does it provide and how does it provide it?</p> <p>Devon's Schools Access Services aims to assist children and post-16 students to attend school by operating an education transport service, transporting eligible passengers between their home and place of learning.</p> <p>This function is performed in three stages: (a) the assessment of eligibility and administration of applications by the Education Transport Team ; (b) the assessment for and provision of escorts as necessary by the Special Assistance Team and (c) the operation by the Transport Co-ordination Service of a transport network across the county and to appropriate establishments in other local</p>

	<p>authority areas.</p> <p>The service aims to facilitate parental and student preference for education within the limits of published and identifiable criteria for entitlement. It seeks to do this according to relevant legislation and within the budgets set annually by elected Members of the County Council.</p>
2.	Location or any other relevant information
	<p>Current policies and protocols are held on the CYPS Admissions Arrangements website (www.devon.gov.uk/admissionarrangements) and can also be accessed via the Education Transport webpage (www.devon.gov.uk/school_transport).</p>
3.	List any key policies or procedures to be reviewed as part of this assessment.
	Education Transport Policy 2011
4.	Who is intended to benefit from the service, function or policy?
	The intended beneficiaries are Devon learners and their parents/carers; schools, stakeholders and local authority officers.
5.	Who are the stakeholders? What is their interest?
	<p>The stakeholders are:</p> <p>Post-16 students and young people who will be eligible to be students at post-16 level</p> <p>Schools and Colleges – interested in children and post-16 students being able to access them;</p> <p>Local diocese officers – interested in children and post-16 students being able to access particular schools on faith grounds;</p> <p>LA officers (CYPS) – clear procedures to enable applications to be submitted, processed and resolved;</p> <p>LA officers (Transport Co-ordination Services) – clear procedures to understand the expectations of CYPS as commissioner of transport services;</p> <p>LA officers (Adult and Community Services) – identification of transfer of functions with regard to education transport costs for Learners with Learning Difficulties and/or Disabilities (LLDD) over the age of 19;</p> <p>LA officers (Devon Personalised Learning Service headteachers and staff and all other officers with responsibilities for children educated other than in a mainstream school or Academy) – clear procedures to indicate where transport is provided under the Education Transport Policy or by individual establishments;</p> <p>LA officers (social care) – identification of transfer of functions with regard to education transport costs for children in care;</p> <p>The Local Admissions Forum – monitoring the fairness and legality of arrangements including</p>

	<p>transport which impact on admissions preferences of parents and post-16 students;</p> <p>Devon Learning and Development Partnership – with regard to the impact on the Gypsy, Roma and Traveller and wider BME communities.</p>			
6.	<p>Are there any concerns at this stage which indicate the possibility of inequalities/negative impacts? For example: complaints, comments, research, outcomes of a scrutiny review. Please describe:</p>			
	<p>While the budget available with which to administer an education transport network is largely finite, there will continue to be an over-demand for education transport services. Some parents will wish to appeal against a decision to refuse an application for transport assistance or the provision of transport in a particular form or the provision of an escort for a child. Care must be taken to retain public confidence that the policy is as fair as possible and does not result in disproportionate numbers of refusals for particular groups of children. Public confidence must be maintained as far as possible that an appropriate balance is struck between the demand for transport and escorts and the requirements to provide a cost-effective, efficient service.</p>			
B) Relevance – Note: if not relevant, do not complete this form				
	Select all that apply:		Scale of relevance	
7.	Service or function that people use.	Yes	Low	
8.	Discretion is exercised, or potential for people to experience different outcomes or level of satisfaction.	Yes	Medium	Section C applies
9.	Employment policy – where discretion is not exercised.		Medium	
10.	Employment policy – where discretion is exercised (e.g. recruitment or disciplinary process).		High	Sections C & E apply
11.	Concerns at a local, regional or national level of discrimination/inequalities.	Yes	High	
12.	Major change such as the closure, removal or transfer of a service/provision.	Yes	High	
13.	Community and regeneration strategies, local area agreements and organisational or directorate/partnership strategies/plans.		High	
<p>Other:</p> <p>State why it is relevant:</p> <p>How relevant (high, medium or low?):</p>				

Mark 'X' to confirm which strands are relevant to the review:			
Age	X	Disability	X
Gender (men and women)	X	Race/ethnicity	X
Trans-gender	X	Religion/belief	X
Sexual orientation	X	Other (state below)	
Any other (such as Human Rights, people on low incomes and specific sub-strands requiring particular focus such as Travellers and Gypsies, Deaf people):			
The Gypsy, Roma and Traveller Community, Children in Care			
C) Information			
14.	What information (monitoring or consultation data) have you got and what is it telling you? <i>Required where relevance is Medium or High.</i>		
	<p>Future surveys are intended to analyse the outcomes for service users: is any group in the community disproportionately represented among those refused assisted transport? What levels of satisfaction with the service are demonstrated across different communities, irrespective of the service outcome? Of particular note will be the make up of those families who have been refused transport and have subsequently appealed that decision. This analysis will be carried out by the Strategic Support and Policy Officer to assess the impact of the policy. Records are kept of all referrals to the Transport Officer Panel to ensure that each is considered fully and that decisions reached in a consistent, fair and transparent manner.</p>		
D) Assessment			
15.	Describe any NEGATIVE impacts (actual or potential):		
	Gender	<p>Is the service easier to access for either gender? Fathers who are not resident with their child may feel disenfranchised from the application process. The information process does not take into account whether a child lives with one or both parents. Literature is sent to the child's registered address unless there is a specific request for it to be sent to an additional address. For new Reception children, literature is sent out where officers proactively assess there is an entitlement to transport; this does not take account of the home circumstances.</p>	
	Race/ethnic origin	<p>Parents and carers for whom English is a second language or without any knowledge of the English language may have difficulty in accessing information about transport.</p> <p>Parents and carers may not feel that the service is operated by or</p>	

		<p>for their community representatives. Cultural norms for some communities may combine with other issues to make access to transport services more difficult.</p>
	Disability	<p>Parents and carers with visual impairment may have difficulty accessing information.</p> <p>Children or parents and carers with mobility challenges may feel it is more difficult to access maintained education establishments. Where mobility has been identified as an issue, all reasonable measures are taken to meet individual need.</p> <p>People with learning disabilities may find it difficult to access information or to communicate with staff.</p>
	Sexual orientation	<p>People who are lesbian, gay, bisexual or transgender may feel that the language used is not inclusive and they are thereby less comfortable accessing it.</p>
	Age	<p>While the large majority of service users are aged below 50, older parents and carers may feel isolated by use of language and assumptions regarding the relationship with the child.</p> <p>The needs of service users of working age may be ignored through the provision of Admissions and transport meetings and open days which are at an inconvenient time.</p> <p>Access to education transport is limited to people within a set age range. Devon does not offer education transport to maintained schools or colleges to adults without special needs.</p> <p>Education Transport support is not available to learners above the age of 19 except for those with learning difficulties and/or disabilities. Those enrolling on new courses between 19 and 24 are not supported under this policy and are obliged to seek support from the Adult and Community Service.</p>
	Religion or belief	<p>Does the provision of the transport service and choice of school in Devon reflect the needs and preferences of members of different religious faiths? There are no maintained schools serving the Muslim, Hindu or Jewish faiths for example within the county.</p> <p>Those newly attending a school on the grounds of religion or belief will receive no support unless they are either on a recognised low income or the school attracts transport support on nearest establishment or designated school grounds. Consequently, the 2011 policy does not reflect the preferences of members of different religious faiths. This reduction in provision is not specific</p>

		to any faith group and will apply equally to all non-secular education preferences.
	Other socio-economic factors	<p>Is the means of presentation of information socially divisive – do those people without internet access have reasonable options to access information? Are groups such as ex-offenders or unemployed people disadvantaged by the practices of the service? Is there a fair distribution of resources across areas of Devon?</p> <p>Do economic considerations prevent access to education? Does the Education Transport policy deny access to transport where it would be unreasonable to do so according to an individual's circumstances?</p> <p>The provision of education transport to those of statutory school age does not impact on any one socio-economic group more than another where this is not a statutory requirement. Children from families on a recognised low income have additional statutory entitlements over and above other children – a shorter walking distance and a choice of eligible establishments. However, non-entitlement where income does not qualify on low income grounds is not viewed as unreasonable.</p> <p>Contributions to costs for post-16 transport, remaining discretionary selective or faith school transport and concessionary seats have been proposed to increase to a level which will be increasingly difficult to manage for more families. Proposed reductions for those on low income will lessen the challenge faced by families.</p>
	Human rights	<p>Does this service impact on freedom of expression, thought or belief? Does it respect the right to privacy and family life?</p> <p>It is not the view of the LA that this policy impacts on the human rights of Devon residents. Where the policy no longer supports new applications for transport to schools attended on the grounds of belief in a faith or in selective education, the policy is compliant with legislation and Guidance produced by central government.</p>
16.	Describe any POSITIVE impacts:	
	Gender	<p>The service makes no distinction between gender, either for applicants or passengers. All Devon education transport is co-educational.</p> <p>Devon's Wheels to Learn service is open to both genders of post-</p>

		<p>16 learners although the take up may be weighted by male students.</p>
	<p>Race/ethnic origin</p>	<p>The service makes no distinction between race or ethnic origin, either for applicants or passengers. All Devon education transport is available to any eligible passenger.</p> <p>The admissions arrangements enable children and post-16 students to seek admission to schools and colleges away from the home local area. Where an area is home to a greater proportion of children from a minority ethnic group, the service facilitates greater integration at other establishments.</p> <p>Interviews do not form part of the admissions process, reducing the risk that a member of the black or minority ethnic communities may feel their outcome was adversely affected.</p> <p>Transport information is available for translation on demand into other languages.</p> <p>The Devon Choice Advice service and the Parent Partnership compliment the Education Transport Team in providing support and guidance, including where language or education would otherwise be a barrier.</p>
	<p>Disability</p>	<p>Information is available through the Choice Advice service and the Parent Partnership for those with visual impairment or where the person is unable to attend at school open days.</p> <p>All schools seek to enable access to people with physical disabilities and mobility challenges. The provision of transport accommodates passengers' individual physical needs. Support will be available from Parent Carers Voice and the Parent Partnership for those families where a child has special educational needs.</p>
	<p>Sexual orientation</p>	<p>Applications for education transport are welcomed from any person holding parental responsibility for a child. Language used seeks not to make express assumptions regarding gender or sexual orientation.</p>
	<p>Age</p>	<p>Applications for education transport are welcomed from any person holding parental responsibility for a child. Language used seeks not to make express assumptions regarding a person's age or relationship to the child. Devon offers information regarding the provision of adult education transport services.</p> <p>Devon extends its support for those children below statutory school age where a place is taken in Reception as a Rising 5.</p>

	Religion or belief	<p>Applications for education transport are welcomed from any person holding parental responsibility for a child. Language used seeks not to make express assumptions regarding a person's religion or belief. Information is available online every day. Hard copy and access to advice from the Education Transport Team and the Choice Advice Service is not restricted to days which may preclude contact from observers of any religion.</p> <p>Devon offers transport to a range of schools for those of no faith or Christian faith.</p>
	Other socio-economic factors	<p>Advice from the Education Transport Team, Choice Advice Service and Parent Partnership is free to the service user.</p> <p>Where there is a statutory entitlement to transport, this is provided free. Where legislation allows for a contribution to be charged, the level of contribution is kept as low as possible through subsidy. The level of contribution for those living furthest away from the establishment and those post-16 students with additional needs is not charged at cost. Devon has exercised its discretion to provide free transport in other, published circumstances. Where free transport is not provided, an assistance scheme operates to provide transport to schools attended by reason of faith or belief at the end of the 2010-11 academic year in return for a contribution towards costs. Similarly, an assistance scheme is available for post-16 students not entitled to free transport. In all cases, specific low-income brings with it a reduction in contributions.</p> <p>Where there is no entitlement to transport and spare seats are available of Devon vehicles, these seats are available to other children in return for a contribution to costs. This concessionary transport scheme offers a saving on costs to families and does not vary according to the length of journey from more remote rural areas.</p> <p>A system of appeals enables parents and post-16 students to put forward their individual circumstances for further consideration.</p>
	Human rights	<p>The service supports freedom of thought, belief and religion and respects the right to privacy and family life. No information is requested of parents or post-16 students not required to administer education transport.</p>
17.	Provide any information about NEUTRAL impacts that have been identified (there is neither a	

	positive or negative impact):	
	Gender	Applications for education transport are welcomed from any person holding parental responsibility for a child without reference to gender. Non-resident parents and carers may apply for transport though this may conflict with the preference of a resident parent or carer.
	Race/ethnic origin	Applications for education transport are welcomed from any person holding parental responsibility for a child without reference to race or ethnic origin.
	Disability	Applications for education transport are welcomed from any person holding parental responsibility for a child without reference to disability. Information and access to it is provided in different formats on request.
	Sexual orientation	Applications for education transport are welcomed from any person holding parental responsibility for a child without reference to sexual orientation.
	Age	Applications for education transport are welcomed from any person holding parental responsibility for a child without reference to age.
	Religion or belief	Applications for education transport are welcomed from any person holding parental responsibility for a child without reference to religion or belief.
	Other socio-economic factors	Applications for education transport are welcomed from any person holding parental responsibility for a child without charge.
	Human rights	The application for and provision of education transport do not breach any Human Rights.
E) Consultation		
18.	Did you carry out any consultations? <i>Required where relevance is High.</i>	
	YES	
19.	Who was consulted? Include your findings in 15, 16 and 17 above.	
	<p>There is a formal, statutory consultation on the admission arrangements proposed within Devon. This takes place in the academic year before applications to schools are made. This consultation includes parents and the wider community, schools, faith groups and local authorities. For the 2011-12 academic year, this process included the proposed education transport policy.</p> <p>Comments are invited regarding every aspect of the arrangements detailed in the Education</p>	

	Transport Policy.			
	As at 14, a post-process survey is to be undertaken.			
20.	Describe other research, studies or information used to assist with the assessment and include your findings above:			
	The arrangements for neighbouring local authorities are reviewed as a benchmarking exercise to identify good practice. Guidance from the DfE is also consulted.			
F) Conclusions				
	Action/objective/target OR Justification	Resources required	Timescale	I/R/S/O
a)	The policy complies with legislation – the Education Act 1944 and the Education and Inspections Act 2006. It will be reviewed annually to ensure continued compliance and fairness (as required under the School Admissions Code).	Review by Strategic Support and Policy Officer	Following determination of policy April 2011	R
b)	In order to improve access for those communities identified above, the Education Transport Team, School Admissions Team and Choice Advice Service should review their publicity and publications to the public and within the County and its partners.	Review by Education Transport, Special Assistance Transport Team, School Admissions Team and Choice Advice Service	ongoing	O
c)	Provide support and advice from Ethnic Minority Achievement, the School Admissions Team or Choice Advice Service to overcome accessibility issues.	Review by Ethnic Minority Achievement, the Education Transport Team or Choice Advice Service	ongoing	O
d)	Ensure that procedures for translation of the policy into other languages are in place.	Review by Ethnic Minority Achievement	ongoing	O
e)	Ensure language is not gender-specific or assumes any particular relationship or	Language used	In place	I

	orientation.	complies with this aim		
f)	Reduce the costs to be incurred by any parent seeking to access the education transport process by establishing freephone number and freepost address for enquiries to the Education Transport Team, Choice Advisers.	Consider bid for resources by Access Services Manager	Budget preparation round	0
g)	Review the provision of transport to ensure that vehicles are appropriate for the passengers allocated for their use and the journeys are of appropriate length and nature.	Review by Transport Co-ordination Service and Special Assistance Transport Team	Ongoing	0
h)	Ensure that decisions to refuse education transport are open to challenge by parents and post-16 students who are then able to present circumstances which may require the policy to be set aside.	Provision of an appeals system – senior officers and elected Members	Ongoing	0
i)	Ensure that budget responsibility for the new responsibility to provide transport support for learners with learning difficulties and/or disabilities is confirmed within the LA without disruption to the service to learners.	Discussion within the LA: CYPS and ACS	Ongoing	0

(I) Taking immediate effect.

(R) Recommended to Council/Directors through a Committee or other Report*.

(S) Added to the Service Plan.

(O) Added to the Fair for All Programme (as an organisational improvement)**

Provide information in local community languages and undertake outreach work with the voluntary sector to provide information to key under represented communities. Provide some men only and women only sessions at leisure centres. Target recruitment publicity to better reach under-represented groups Introduce positive action schemes to encourage greater recruitment of underrepresented groups, including work placement schemes for school leavers. Consult with local people about how to make the services on offer more appealing to the diverse communities in the city, including those that are currently not taking up the services in sufficient numbers. Images used in local publicity may put off groups in the community, such as disabled people and people who are gay or lesbian. If groups are not represented in photographs and images used in publicity they may feel that the service is unlikely to respect or reflect their needs. Consider using different images in publicity to make it more representative of the community. The charging or membership policies may make it difficult for

people on very low incomes to access services at all, even during off-peak times. Introduce substantial reductions for those on low incomes.



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Transport on the Grounds of Religion or Belief

1. The definitions of “religion” and “belief” are determined by the courts and a substantial body of case law exists with regard to these definitions.
2. Under the Education and Inspections Act 2006, “religion” means any religion and “belief” means any belief.
3. The main limitation on what constitutes a “religion” is that it must have a clear structure and belief system.
4. The definition of “religion” includes those religions widely recognised in this country such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha’is, Zoroastrians and Jains. This list is not meant to be exhaustive.
5. Equally, denominations or sects within a religion may be considered as religions in this context, such as Catholicism or Protestantism within Christianity.
6. For a “belief” to be worthy of protection in this context, it must attain a certain level of cogency, seriousness, cohesion and importance, be worthy of respect in a democratic society and be compatible with the human dignity and fundamental rights of the child.
7. “Belief” may be understood as equating to “conviction” and must be more than an opinion or idea. It must be genuinely held and parents bear the burden of showing that it constitutes the reason for placing their children at a given school, or not placing them at a particular school.
8. Based upon existing case law, “beliefs” would include the requirement for single sex education where that requirement is based upon the parents’ religious convictions.
9. “Beliefs” that have been considered as *not* meeting the criteria outlined above, include the wish for a child to attend a particular category of school, such as a grammar school, a preference for a particular style of management or governance which does not affect the teaching at a school, a belief that a child should be educated privately, a wish for a child to be taught in a particular language, an objection to rules requiring school uniforms, an objection to the content of the school curriculum, for instance, the teaching of sex education, provided that the curriculum is not incompatible with religious or philosophical convictions, objections to the curriculum where special arrangements have been made to ensure the curriculum is not “forced” on the child or the belief that a child should receive a particular type of educational provision.

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Schedule of Fees and Charges

Contribution for concessionary passengers	£500 per year
Contribution for post-16 passengers (new starters)	£500 per year
Contribution for post-16 passengers (returning students)	£378 per year
Contribution for faith transport	£378 per year
Discount on contributions if paid in full in advance	£30
Discount on contributions for those on low income	50%
Upper limit for transport provided on temporary absence from home address grounds	£35 per day
Upper limit for transport provided on temporary medical grounds	£35 per day
Upper limit for transport provided on educational continuity grounds	£25 per day
Petrol Allowance	14p per mile

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Glossary of Terms

Code of Conduct	A written agreement between the local authority and the child and or the parent. It acknowledges the standards of behaviour required of passengers on education transport and the potential sanctions should behaviour be unacceptable.
Compulsory or statutory school age	The age at which children in England must receive full-time education at school, at home or otherwise. This is from the beginning of the term following a child's 5 th birthday until the last Friday of June during the academic year when the child reaches 16.
Concessionary seat	A seat on a vehicle provided for education transport purposes to a child or post-16 student who does not have an eligibility for transport. Concessionary seats are provided on a non-guaranteed and chargeable basis.
Contract vehicle	A bus, coach or taxi which has been hired by the Transport Co-ordination Service to serve a particular route to a school.
CSET	The County Special Education Team, a part of the Schools Access Services within the Children and Young People's Services Directorate of Devon County Council. Responsible for assessing additional needs of children and allocating education placements for children with particular needs.
DCC	Devon County Council, the local authority for the county of Devon.
Designated school	The school which serves a particular geographic area. While admission is not limited to children living in the designated area, priority is given to residents for admission. Entitlement to free transport is linked to residency within a designated area. Previously called the catchment school.
Education Transport Team	A part of the Schools Access Services within the Children and Young People's Services Directorate of Devon County Council. Responsible for determining eligibility for education transport.
Escort	An adult allocated to some vehicles where there is an identified need for supervision.
Feeder route	A journey part way between home and school. A feeder route will take passengers to meet the vehicle which arrives at the school
Foundation Stage Support Class	A class which caters for children below statutory school age (5).
LA	The Local Authority – in Devon this is Devon County Council; neighbouring local authorities are Plymouth City Council, Torbay Council, Cornwall Council, Somerset County Council and Dorset County Council.
LLD	Learners with Learning Difficulties and/or Disabilities

Low-income	A family is considered to be of a low income for school admissions and education transport purposes if it is in receipt of the maximum level of Working Tax Credit or is eligible for Free School Meals.
Maintained school	A school which is government-funded and which provides education free of charge to children.
My Devon Call Centre	The first point of contact at 0845 155 1019 for enquiries regarding school admissions and education transport. Queries which cannot be resolved at this stage will be passed on for specialist advice and assistance from the School Admissions Team or the Education Transport Team.
Normal round of admissions	The initial point at which children can be admitted to a school – Reception for infant and primary schools, Year 3 for junior schools and Year 7 for secondary schools. Parents must apply by published dates for consideration for admission.
Parental preference	This describes the choice expressed by a parent for a child to attend a particular education setting which is not either the designated school or the nearest school with an available vacancy. In expressing parental preference to a more distant school, a parent disqualifies a child from any entitlement to free transport (unless there is an eligibility on low income grounds).
Pick-up point	The place where an education transport vehicle will stop to collect a child entitled to travel.
Post-16 student	A person who is above statutory school age (16) and is continuing to study, either at a sixth form or a further education college. Young people over 16 may submit applications and appeals for school admissions and transport in their own name or permit a parent to do so on his or her behalf.
Reintegration Panel	A Panel consisting of representatives from schools which sits to determine the admission of children with challenging circumstances – following a permanent exclusion from a school or where he or she is at risk of a permanent exclusion.
Returning Student	A Returning Student for this purpose is one that has already completed a full-year of FE study at a Sixth Form or FE College and is continuing at that establishment.
Rising five	A child aged four who will reach five during the academic year.
Route review	An exercise by the Transport Co-ordination Service to consider whether the transport provided in an area is as efficient as possible.
School Admissions Team	A part of the Schools Access Services within the Children and Young People's Services Directorate of Devon County Council. Responsible for managing applications for admission to school for children of statutory school age.
Selective school	A school which admits all or some of its children following a test of the children's ability.
SEN	Special Educational Needs; a recognition that a child requires

Set-down point	additional support to appropriately access education. The place where an education transport vehicle will stop to enable a child to disembark.
Statement of SEN	A document that sets out all of a child's special educational needs and how and where special educational provision will be made
Statutory walking distance	The maximum distance which the law expects a child to walk to and from an education setting each day, accompanied as necessary by a parent or carer.
TCS	The Transport Co-ordination Service, the team responsible for organising the education transport network within the Economy, Environment and Culture Directorate of Devon County Council
Transport Eligibility Officer Panel	A Panel consisting of local authority officers from the Economy, Environment and Culture Directorate and Children and Young People's Services Directorate. Responsible for hearing appeals against decisions of the Education Transport Team to refuse transport.
Unavailable route	A road or other path which has been assessed by the local authority as unsafe for a child or post-16 student to walk along to and from school, accompanied as necessary by a parent or carer.
YPLA	Young People's Learning Agency

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Petrol Allowance Form CT7

