

**Neath Port Talbot County Borough Council**

***Home to School Travel Policy***

*This policy needs to be read in conjunction with current Welsh Government Learner Travel Wales Measure Operational Guidance and other Local Authority policies such as Welsh Education Strategic Plans*

**Neath Port Talbot County Borough**  
**Home to School Travel Policy**

The Learner Travel (Wales) Measure 2008 requires local authorities to provide home to school transport for eligible children.

Your child will be entitled to receive free school transport if the following apply:

**1. Primary school age pupils:**

- Of compulsory school age *and*
- Resident in the authority or is looked after by the authority *and*
- Attending their nearest suitable or designated school *and*
- Living two miles or more from their school. The distance is measured according to the shortest available walking route, and may include footpaths.

**2. Secondary school age pupils:**

- Who are of compulsory school age *and*
- Resident in the authority or looked after by the authority *and*
- Attending their nearest suitable or designated school *and*
- Living three miles or more from the school. The distance is measured by the shortest available walking route.

**3. Other pupils, and who are:**

- Of compulsory school age; *and*
- Resident in the authority or looked after by the authority; *and*
- Attending their nearest suitable or designated school; *but*
- Who live within the walking distance of their school but whose route is deemed unavailable because it would be unsafe, even if they were accompanied as necessary given the age of the child and his/her abilities and any disabilities or learning difficulties.

The Local authority may in wholly exceptional circumstances exercise its discretion to provide free transport to pupils who do not meet the above criteria.

**Transport Arrangements For Eligible Pupils/Learners**

Transport arrangements for eligible pupils are in accordance with the Learner Travel (Wales) Measure 2008 and the Learner Travel Operational Guidance (2009) and other relevant Authority Policies.

The type of transport and any supervision provided will be dependent upon the needs of the child/learner, and his/her age

The most cost effective and suitable mode(s) of transport will be used. This could include either a ticket for use on a local bus service, a place on a contracted vehicle, parental allowance or cycle allowance.

Transport arrangements and pupils' transport needs will be reviewed on a regular basis to ensure they are suitable and cost effective.

For eligible children transport will be provided from home to school (or college) at the start and end of the day.

It is not provided for part time /lunch-time or travel between school sites. The authority will provide transport from reasonably near the child's home to reasonably near school/college.

A child, depending upon their age and ability may be required to walk to a pick up point.

The authority may withdraw transport if they are satisfied that a learner has failed to comply with the Code of Conduct.

### **How to apply**

Application forms are available from your child's school or college, or on Neath Port Talbot's Website.

### **Appeals**

If free transport is refused, parents/carers may challenge that decision either if it is thought the authority has not applied the policy correctly, or because there are exceptional circumstances.

Appeals should be made in writing setting out the reasons for the appeal, and providing copies of any supporting information. Full details of the Appeals process can be obtained by writing to the address below.

School Transport Appeals Panel,  
Director of Education, Leisure and Lifelong Learning,  
Port Talbot Civic Centre,  
Port Talbot  
SA13 1PJ

## **Local Arrangements**

### **Post 16 Students**

The Learner Travel Measure (Wales) 2008 requires local authorities to consider the needs of learners who are aged 16- 19 years; however there is **no** requirement for local authorities to provide school or college transport free of charge to any learner who is more than compulsory school age.

The Authority, however, uses its discretionary powers and will provide transport for learners over compulsory school age who meets the criteria of minimum distance or lack of a suitable/available route. There will be a standard charge for this service of £100 p.a. unless the learner continues to have a statement of special educational needs and meets the other criteria set for free transport.

### **Transport to Welsh/English Medium Schools.**

In considering whether a school is suitable, the Learner Travel Wales Measure states.....

*‘that neither the child’s or parent’s language preference or mother tongue should have any bearing on whether a school is suitable. However the measure requires local authorities to promote access to education and training through the medium of Welsh....’*

For this reason, Neath Port Talbot will provide free transport to the nearest suitable school which provides education through the medium of either Welsh or English provided that the pupil meets the distance criteria or non availability of a suitable/available walking route.

*Welsh Government Learner Travel Operational Guidance 1.23; 2.9-2.17*

### **Transport to Faith Schools**

The Learner Travel Wales Measure, Operational Guidance states that the child’s or parent’s religious faith or conviction should have no bearing on whether a school is suitable. For this reason Neath Port Talbot does not provide free transport to a faith school unless it is the nearest suitable provision and the distance criteria are met or there is no suitable/available walking route.

*Learner Travel, Operational Guidance 1.23.*

## **Transport For Learners With Special Educational Needs**

Pupils who have a statement of Special Educational Need (or equivalent level of educational need and who have an Individual Development Plan, post 2014)

Not all pupils with SEN will automatically receive transport and the same eligibility criteria will apply to children with special educational needs as for all pupils of statutory school age.

Neath Port Talbot recognises that children and young people with Special Educational Needs are likely to have a range of additional transport needs and these needs may change during their school careers.

For this reason, every child or young person who has a statement (or equivalent level of educational need and who has an Individual Development Plan, post 2014) who meets the criteria for free school transport will be individually assessed to ascertain their current transport requirements.

Some children who do not meet the criteria for free school transport may also be formally assessed if their special needs suggest that they may require support with transport to school.

This assessment will also identify how they can be helped to develop as more independent travellers as they progress through their school lives. Learners with special educational needs will have their transport needs reviewed on an annual basis and they will be formally reassessed at key points in their school careers.

## **Children and Young People who attend Pupil Referral Units, Inclusion Centres, or Tuition Centres.**

Free home to school transport is provided for pupils who attend these establishments who meet the qualifying distances in respect of primary and secondary aged pupils.

Such children who live less than the minimum distance from their nearest suitable provision may also be offered transport if it is considered necessary for their successful attendance.

This will require formal assessment.  
Any transport provision would be subject to regular review.

## **Looked After Children**

The Authority has a responsibility as a corporate parent for Looked After Children.(LAC)

All efforts are made to provide continuity and stability for those children as far as school provision is concerned.

If Social Services decide that the child should continue to attend their normal school, free home to school transport will be provided to maintain attendance at the child's normal school where the carer's home is further than 2 miles away in the case of a primary school child or 3 miles in the case of a secondary school child.

This arrangement will also be made available for those children who are being cared for at addresses in neighbouring Authorities. However Social Services should be mindful of the recommended maximum travel times/distances when deciding the needs of the child. Public transport will be used whenever possible.

## **Transport provided for LAC children will be funded by Social Services.**

*Learner Travel operational guidance 1.30, 1.46, 1.47*

## **Passenger Assistants**

Routes will be assessed on an individual basis but Passenger Assistants will not normally be provided on mainstream routes for either secondary or primary pupils.

Travellers will be expected to conform to the code of conduct and it will be the responsibility of the parents/carers to ensure that their child gets onto the bus safely and that the child is met off the bus after school as necessary. They will however, be employed to support pupils on certain routes and the decision to employ a passenger assistant on a specific route will depend on a number of factors in accordance with the Learner Travel Operational Guidance.

These include the individual needs of the pupils, the length and nature of the route etc.

## **Promoting Independent Travel**

Neath Port Talbot supports a number of initiatives which are designed to ensure that as many of our pupils as possible become confident users of public transport and other sustainable travel methods such as walking or cycling by the time they leave school.

## **Absent Parents or Carers**

Vulnerable children such as very young children or some children with Special Educational Needs who have no one to meet them when they arrive at their destination will be kept on the vehicle so that other children on the route are not delayed. The local authority will be informed by the bus driver and arrangements will be made for the child to be collected by their parent or carer at the end of the route. If a parent or carer cannot be contacted either the social services duty officer or police will be contacted.

*(see Home to School Code of Conduct page12 or Special Educational Needs Transport Code of Conduct p.15)*

## **Payment of Mileage Allowance**

Where an entitlement to school transport exists or discretion has been exercised, in certain circumstances such as it being the most economic option, or if the needs of the child demand it, the Council may agree to offer a petrol allowance where the parent/carer of a child transports the child themselves.

If a mileage allowance has been agreed with the parent or carer to take their child to school, the rate would be for two return journeys per day based on a maximum of the current HMRC rates.

NB Any agreement would be subject to the parent or carer having a driving licence, MOT if applicable, and evidence of appropriate insurance (either class 1 business use or a letter from their insurers waiving the need for class 1 business use to transport their child for an allowance)

## **Child Car Seats**

Whilst the use of Child Car seats is not mandatory in taxis, Neath Port Talbot takes the view that our contract vehicles are on regular routes where the passengers do not vary from day to day and so contractors are contractually required to provide the appropriate child car seats for their passengers if they meet the age/height requirements of under 12 years or below 135cm (whichever is reached first).

*[www.childcarseats.org.uk/law](http://www.childcarseats.org.uk/law)*

## **Sale of Spare Seats on School Transport**

School transport is provided taking into account the efficient and effective use of the Authority's resources. The LEA will group pupils to share vehicles and this may result in some vehicles having spare capacity.

These additional seats are offered for sale to parents and carers of children who would not otherwise be entitled to free transport.

These seats are offered on a termly basis.

Both the Authority and the parent may terminate this arrangement by giving 6 weeks notice.

If, during the course of the year, a child starts at the school with an entitlement to free transport through the statutory criteria of minimum distance or the lack of a safe walking route it could become necessary to rescind the decision to sell a spare seat if the vehicle is full. The decision on how this seat is chosen will be taken by the passenger transport officer in consultation with the Head of Service.

For further information on the purchase of spare seats, please contact the

Passenger Transport Section;  
The Quays,  
Brunel Way,  
Baglan Energy Park,  
SA11 2GG

## GUIDANCE NOTES

- **Transport for those under compulsory school age:** NPT extends the entitlement to full time pupils below compulsory school age from the commencement of the academic year in which they achieve their fifth birthday.
- **Residence:** Residence is the child's permanent home i.e. residence is not temporary such as staying with relatives on a short term basis.

Transport is provided between home and school only, not for example between child minders' and school.

Where there are shared custody arrangements/looked after arrangements and the child is eligible to transport from both addresses (both are more than walking distance or route unsuitable/unavailable etc), transport will be provided if this is a regular, on-going and permanent arrangement i.e. for more than one term.

Application for transport from more than one address should be supported by evidence of residence.

- **Nearest suitable or designated school:**

The child must be a registered pupil at the school. The nearest suitable or designated school includes the named school for a child with special needs or additional needs, a maintained school, or a PRU.

Transport will not be provided where a parent chooses a more distant school and there is a place available at a school nearer home.

Note the nearest school may be in an adjacent authority.

- **Measurement of two/three miles**

The walking distance of two/three miles should be measured by the shortest available walking route. This may include footpaths.

It is measured from where home meets highway/boundary of the property i.e. end of drive or private lane to the front or nearest school gate.

Note that many schools have large grounds and if there is a pedestrian entrance to school premises/grounds this may be the nearest gate rather than the main entrance, if that is useable.

- **Compulsory school age:**

Transport will be provided for eligible pupils to the end of the academic year in which the child reaches age 16.

- **Safety of route/availability of walking route:**

A walking route is deemed to be available if it can be walked in relative safety by the child/learner alone or accompanied by an adult, as necessary, taking into account the nature of the route and the age and abilities of the child/learner.

The safety of the route should be assessed with reference to the Road Safety GB (formerly LARSOA) guidelines to determine whether a route is unsafe/ unavailable irrespective of whether a parent accompanies a child, given the age of the child.

This takes into account factors such as speed limit, traffic volume etc. In determining whether a route is available or unavailable, officers will need to consider the nature of the route, the ability of an adult to accompany and the child's abilities/age.

There is no particular guidance on personal safety. The case law and the guidance focus solely on road safety.

The key questions are:

### **1.Route Safety ?**

Is the route safe for any child even if they were unaccompanied?

Is the route safe for a child accompanied as necessary?

Could the route be improved e.g. new crossing, to make it safe for any child unaccompanied or accompanied as necessary?

If the answer to these is yes then need to consider the ability/disability of a parent/guardian/carer to accompany and the ability/disability and specific needs of the child and their age:

## **2. Adult To Accompany As Necessary ?**

*Because a parent is working this does not fail to make them available to accompany their child as necessary.*

Many parents will say they are unavailable to accompany their child, unfortunately the Learner Travel Wales Operational Guidance and case law have concluded that just because a parent is working the authority does not have to provide transport.

However, there may be circumstances where an appropriate adult is not available to accompany the child – for example if the parent is so disabled they themselves are unable to walk the route, or the authority is already requiring the parent to accompany another sibling to ensure their route is safe to travel to school.

## **3. Ability ?**

The child's disabilities/learning difficulties are such that they are unable to walk even accompanied along a safe route?

If this is the case, can travel training support be provided to develop child's ability?

If travel training is not appropriate then transport will be required, and the authority will need to look at the needs of the child, and also review regularly the child's ability and any opportunity to train/support them.

## **Other discretionary circumstances:**

The type of transport and entitlement to transport provision should be regularly reviewed.

It is likely there will be some limited discretionary exceptions where free transport will be provided to pupils who would ordinarily not be entitled. These may include temporary medical condition, supported by medical (normally at consultant level) evidence that confirms the

conditions, its impact on travel to school, and the expected duration of the condition, or where a child is a young carer and where attendance at school would be unlikely without additional travel support. Specific discretions will depend on local practice/circumstances.

### **Suitable Transport /Specific Needs Assessment:**

The Learner Travel Wales Operational Guidance states that transport should be '*non stressful*' and safe ?.

Transport should be provided in accordance with the Learner Travel Operational Guidance.

For pupils with additional needs their transport requirements will be assessed on an individual basis at least annually. This will determine the suitable vehicle, route, and need for any specialist equipment and/or supervision, based on information provided as part of the statement/assessment process, annual review, and where necessary a school visit.

### **Review of transport arrangements:**

For pupils who are applying for transport on the basis of unsuitable/unavailable route or have special needs, transport entitlement and transport needs should be reviewed on an annual basis, and for those with special needs at transition to secondary and post 16 education.

### **Transport to a Residential Placement**

Where the child is in a residential placement transport will be provided at the beginning and the end of the week/half term or termly as appropriate.

Transport will be provided for parents/carers to attend the school for annual review/transition review.

This will usually be reimbursement of mileage or standard class public transport fares supported by receipts.

### **Transport Provided For The Am & Pm Journey Only:**

For those eligible to receive free transport, it is provided to and from school (or college) at the start and end of the school day. Transport is not provided for part time attendance or for pupils to attend at other hours for example to attend an evening class. There is also no duty on the authority to provide travel during the day or between sites.

Transport will not ordinarily be provided for those on assessment.

### **Pupils Will Usually Be Expected To Walk To The Nearest Pick Up Point.**

The Authority will consider the needs of the child, but it would be expected for parents to accompany the child as necessary to any pick up point.

### **Withdrawal Of Transport:**

The process for withdrawal of transport is set out in the Learner Travel Wales Operational Guidance

*<http://wales.gov.uk/docs/det/publications/100304tbcstatutoryen.pdf>*

## FLOW CHART FOR SCHOOL TRANSPORT ENTITLEMENT

