



WIGAN COUNCIL

HOME TO SCHOOL TRANSPORT POLICY

FOR 5-16 YEAR OLDS

Amended January 2018 to remove exceptional circumstances relating to Looked After Children

Reviewed in May 2021 to ensure sustainable travel

Amended May 2022 to remove decision making flowchart relating to Part 2 – statutory home to school transport for children with special educational needs or disabilities of compulsory age

English

If you need assistance in Hindi, Punjabi, Chinese, Polish, Albanian, Russian or Braille or an audio tape, contact the Admissions Officer on

Arabic

إذا كنت بحاجة إلى المساعدة في الهندية والأوردو والبنجابية والصينية والبولندية ، والألبانية والروسية أو طريقة برايل أو تسجيلًا صوتيًا ، اتصل بموظف القبول على

Africans

As jy hulp nodig in die Hindi, Punjabi, Sjinees, Pools, Albanees, Russies of braille of 'n bandhulp, kontak die Admissions Officer op

Albanian

Nëse keni nevojë për ndihmë në Hindi, Urdu, Punjabi, kineze, polake, shqiptare, rus apo Braille, ose një kasetë audio, kontaktoni Regjistrimet Zyrtari për

Chinese

如果您需要援助的印地文，烏爾都語，旁遮普語，漢語，波蘭，阿爾巴尼亞，俄羅斯或盲文或錄音帶，請與招生官

Hindi

Yadi āpa hindī, urdū, pañjābī, cīnī, pōliśa, albēniyana, rūśī yā brēla yā ēka ḍḍiyō ṭṭēpa, samparka mēm pravēśā kē adhikārī para mēm sahāyatā kī jarūrata

Russian

Если вы нуждаетесь в помощи на хинди, урду, панджаби, китайский, польский, албанский, русский или азбукой Брайля или аудиокассете, контакт приема сотрудника на

Persian

اگر شما نیاز به کمک در زبان هندی ، پنجابی ، چینی ، لهستانی ، آلبانی ، روسی و یا بریل یا نوار صوتی ، تماس با پذیرش افسر در

Polish

Jeśli potrzebujesz pomocy w języku hindi, urdu, punjabi, chiński, polski, albański, rosyjski lub Braille'a lub taśm audio, o kontakt z Admissions Officer na

Ukrainian

Якщо ви потребуєте допомоги на гінді, панджабі, китайська, польська, албанська, російська або азбукою Брайля або аудіокасеті, контакт прийому співробітника на

1. What does this policy cover?

This policy only relates to the provision of transport for children of statutory school age: those children attending both mainstream and special schools between the ages of 5 and 16 years.

The transport arrangements for persons of sixth form age receiving education and training are published separately each academic year in the Post 16 Transport Policy Statement. The requirements specifying those arrangements are under Section 509AA of the Education Act 1996.

2. Principles

This policy is based on the following principles:

- Promoting healthy, sustainable and safe travel solutions;
- Actively engaging and promoting good outcomes for all children;
- Supporting children and young people to attend school regularly;
- Working in partnership with parents/carers to support them with their legal responsibility to make sure that their children attend school;
- Promoting independent travelling for children and young people wherever possible, taking account of their age and needs;
- Supporting the families of children in need who have disabilities or who experience short-term crises, and those who have low incomes;
- A commitment to equality of opportunity and the celebration of diversity and an opposition to all forms of discrimination.

3. Sustainable Travel

Every local authority has a duty to promote the use of sustainable travel and transport between home and school.

In order to fulfil this duty, Wigan Council (“the Council”) will:

- Undertake regular assessments of the home-school travel and transport needs of the children and young people;
- Carry out an audit of the sustainable travel and transport infrastructure which may be used when travelling to and from, or between schools/education establishments;

- Work with Transport for Greater Manchester (TfGM) and other transport providers to ensure the right sustainable travel and transport infrastructure is in place;
- Actively promote sustainable travel and transport: this will include encouraging and promoting walking, cycling, car sharing and the use of public transport.

The Council will encourage schools and Early Years Settings to develop travel plans, describing the travel issues faced by children and parents/carers, and outline actions to improve safety and reduce car use. They will outline our approach to improving travel information for parents and children, and for encouraging the use of other forms of transport than the private car.

4. Provision of Travel Arrangements

Statutory requirements to provide free home to school transport

Section 508 (B) of the Education Act 1996 (“the 1996 Act”) (inserted by Education and Inspections Act 2006) deals with the duty on Local Authorities to make such travel arrangements that they consider necessary to facilitate attendance at school for “eligible children”.

Parents are responsible for ensuring that their children attend school regularly. However, Section 444 of the 1996 Act outlines the situations in which a parent may have a defence in law against a prosecution by a local authority for their child’s non attendance at school. Section 444 (3B) provide a parent with a defence if he or she proves that:

- The qualifying school of which the child is a registered pupil is not within “statutory walking distance”;
- No suitable arrangements have been made by the local authority for boarding accommodation at or near to the school;
- No suitable arrangements have been made by the local authority for enabling the child to become a registered pupil at a qualifying school nearer to his/her home; and
- The local authority has a duty to make travel arrangements in relation to the child under Section 508B and has failed to discharge that duty.

Eligible Children

Schedule 35B of the 1996 Act (inserted by the Education Inspections Act 2006) defines “eligible children” – those categories of children in an authority’s area for whom the authority is required to ensure that suitable home to school transport arrangements are made. A condition of each category is that they are of compulsory school age that means children who are aged between 5 and 16 years. These arrangements must be provided free of charge.

Discretionary Home School Transport

Section 508C of the Act provides local authorities with discretionary powers for those children not entitled to free home to school transport. Local Authorities can put in place such arrangements relating to travelling to and from school as they consider necessary.

4.1 Parental Responsibilities

It is the responsibility of the parent(s) or carer(s) of a pupil to ensure that he/she attends school. However, the Council will provide assistance to a pupil with transport from home to school in certain circumstances to support this attendance.

Where transport assistance is provided by the Council it remains the parent(s) or carer(s) responsibility to ensure their child's safety, by making any necessary arrangements for their child to be accompanied to and from the agreed collection/drop off point as well as during the journey to school if required.

4.2 What does this Policy cover?

Part 1 – statutory Home to School Transport for Children of Compulsory School Age attending mainstream schools.

Part 2 – statutory Home to School transport for children of compulsory school age who requiring special arrangements due to their special educational needs and/or disability.

Part 3 – Exceptional Circumstances.

4.3 What is a qualifying school?

Qualifying schools are:

- Community, Foundation or Voluntary schools;
- Community or foundation special schools;
- Non-maintained special schools; Pupil referral units;
- Maintained nursery schools;
- City technology colleges (CTC);
- City Colleges for the Technology of the Arts (CCTA); or
- Academies.

In addition, in relation to a child with SEN an independent school (other than a CTC, CCTA or Academy) will be a qualifying school if it is the only school named in the child's Statement, or it is the nearest of two or more schools named in the Statement.

References to the “nearest qualifying school” are to be taken to mean the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have.

The nearest qualifying school for a child with special educational needs may well be different than for other children.

When considering eligibility for transport, for a school to be considered “suitable” it must have places available.

A Qualifying school includes places other than a school at which a pupil might receive education under Section 19 (1) of the Education Act 1996.

If you require any further information on what a qualifying school is please contact:

Integrated Transport Unit
Wigan Council
PO Box 100
Wigan
WN1 1JN

Or Email – itu@wigan.gov.uk

PART 1

STATUTORY HOME TO SCHOOL TRANSPORT FOR CHILDREN OF COMPULSORY SCHOOL AGE ATTENDING MAINSTREAM SCHOOL

Who is eligible for support?

1. **Children who cannot reasonably be expected to walk to school who live within the statutory walking distance of their nearest qualifying school and it is suspected that there is no available walking route.**

The child is aged between 5 and 16 years and is either registered at a school within walking distance of his/her home (3 miles for pupils aged 8 years and over and 2 miles for pupils aged under 8 years) and no suitable arrangements have been made by Wigan Council to enable the child to attend the nearest school to the home address

or

The child is receiving education at a place other than at school

and

The child could not reasonably be expected to walk to the school (or other place) having regard to the nature of the route.

Walking route assessment criteria

Wigan Council will undertake a risk assessment of the route to determine the risks that a child might encounter along the prescribed route and will take into account for example, canals, rivers, ditches, speed of traffic along road, overhanging trees or branches that might obscure fields of vision. In conducting the Risk Assessment, Wigan Council should take a range of factors into account including:

- The age of the child;
- Whether any potential risks might be mitigated if the child was accompanied by an adult;
- The width of any roads travelled along and the existence of pavements;
- The volume and speed of traffic travelling along any roads;
- The existence or otherwise of street lighting; and
- The condition of the road at different times of the year at the times of the day a child would normally be expected to travel to and from school.

The assessment of the route shall take place at the times of the day that pupils would be expected to use the route.

Route assessments will also feed into Wigan Council's duty relating to sustainable school travel (eg safer routes to school).

If an unsafe feature can be removed from the route then it may

be that free travel is given on a temporary basis until the situation is resolved.

Whilst it is the responsibility of the parent to ensure a child attends school regularly we will consider whether it is reasonably practicable for the child's parent/carer to accompany the child along a route which would otherwise be regarded as too dangerous to walk by the child alone in reasonable safety.

Free travel may also be provided to pupils where the parent's disability prevents them from accompanying their children along a walking route which would be considered safe. Each case will be considered on merit.

Further guidance on the criteria for walking assessments is included in Appendix B.

For more information please contact:

Integrated Transport Unit
Wigan Council
PO Box 100
Wigan
WN1 1JN

Or Email – itu@wigan.gov.uk

2. Children whose home is outside walking distance from school.

The child is aged between 5 and 16 years and is either registered at a school which is not within walking distance of his/her home (3 miles for pupils aged 8 years and over and 2 miles for pupils aged under 8 years) or is receiving education at a place other than a School which is not within walking distance; and

No suitable arrangements have been made by Wigan Council for boarding accommodation for him or her at or near the school (or other place) and no suitable arrangements have been made by the Council for the child to attend a school nearer to his/her home.

3. Children from low income families.

The Council may provide transport for a child aged 8 but under the age of 11 where all of the following criteria are satisfied:

- The child is eligible to receive free school meals and milk or the child's main carer is in receipt of the maximum amount of working tax credit (or if two people have a joint award the maximum rate for such an award); **and**

Either

The child is between the ages of 8 and under 11 years of age at the time of the application and is a registered pupil at a school which is more than 2 miles from his/her home and no suitable arrangements have been made by the Council for enabling the child to attend the nearest school to the home address;

or

The child is between the ages of 8 and under 11 years of age and the child is receiving education at a place other than at school and that place is more than 2 miles from his home address

The Council may provide transport for a child between the ages of 11 and 16 years, where all of the following criteria are satisfied:

The child is aged 11 but is not over 16 years of age at the time of the application;

and

- The child is eligible to receive free school meals and the child's main carer is **in** receipt of the maximum rate of working tax credit (or if two people have a joint award, the maximum rate for such an award);

and

- one of the following conditions are satisfied:-

The child is a registered pupil at a school which is more than 2 miles away but not more than 6 miles from his/her home and there are not 3 or more suitable schools which are nearer to his/her home

or

The child is a registered pupil which is more than 2 miles, but not more than 15 miles, from his/her home; and his/her parent has expressed a wish, based on the parent's religion or belief, for him/her to be provided with education at that school; and having regard to the religion or belief there is no suitable school which is nearer to the child's home;

or

The child is receiving education at a place other than a school and that place is more than 2 miles but not more than 6 miles from his home address

Transport for pupils on the grounds of religion and belief.

Children under 11 years

Wigan Council is **not** required to provide support with travel for primary children on the grounds of religion or belief.

Children aged 11-16

Wigan Council is required to provide support with travel for children who are aged 11 but not over 16 years of age who are from low income families and where the school is between 2 and 15 miles from their home. Written supporting evidence for their application must be provided with regard to the adherence to the religion or belief on which the parent's wish is based.

Excluded Pupils

In normal circumstances, the Council should pursue a placement of an excluded pupil at the nearest appropriate school to the home address, but will consider any representations from parents or the child if they consider that any particular school in the child's area is inappropriate for the child for any reason.

If the parent elects to send their child to an alternative school, other than the nearest school, transport will not be provided.

There may be cases where a child has been excluded but remains for the time being a registered pupil at that school. In such situations one possible means of providing education to the child during this time is to require the child to attend at a place outside the school premises so that he or she can be taught there. If this occurs, then transport may be provided if the child is of compulsory school age who cannot reasonably be expected to walk to school because of the nature of the route or the distance to be travelled as outlined previously, treating the place the child is required to attend as if it were his/her registered school for the purposes of determining eligibility for free transport.

Additional Information

The duty to provide free home to school transport will be for the journey at the:

- a) start of the school day; and,
- b) end of the school day.

The school day is deemed to be the session time as approved by the Governing Body of the qualifying school.

Where a child moves from one establishment to another, in order to receive education, that cost will fall to the school to pay.

For arrangements to be free of charge, every feature of the arrangements will be free except the provision of photographs, which cost shall fall to the parent

to pay.

There may be circumstances, where a pupil has more than one home address for example where parent(s)/carer(s) are separated or where a pupil regularly resides with other family members or friends. The Council does not provide assistance with transport from more than one home address. Parent(s)/ carer(s) of a pupil with more than one residence should nominate one address to be the pupil's 'main residence' from which transport eligibility will be assessed in accordance with the transport policy. If no address is nominated the 'main residence' will be taken to be the address nearest to the school.

Home to school distance is measured using the nearest available walking route from the child's address to the nearest access for pupils at the school. Geographic Information System (GIS) or comparative systems are used to accurately measure this distance.

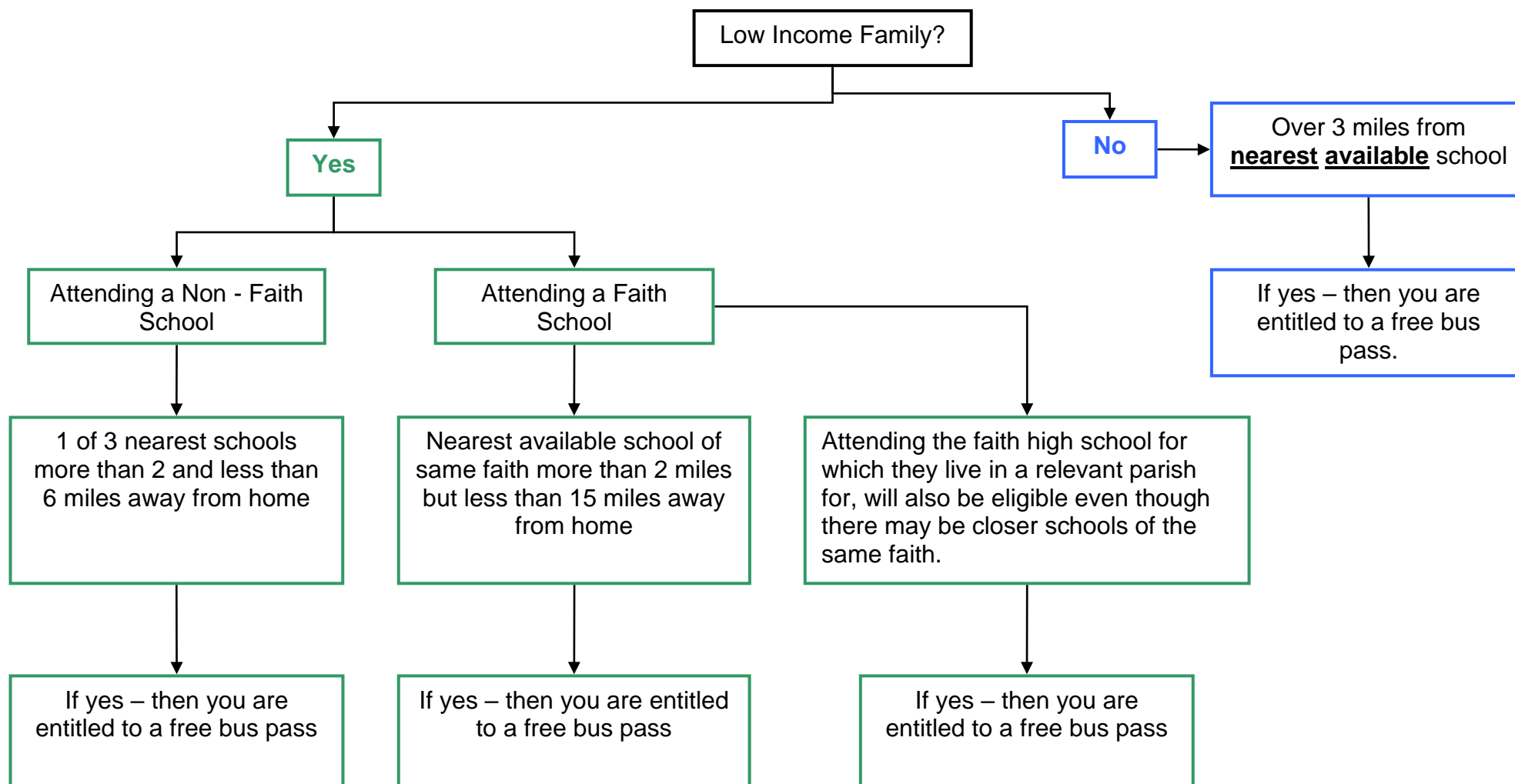
This distance may include footpaths, bridleways and other pathways as well as recognised roads.

For details of how a route is assessed to determine it is available for walking, please see Appendix B.

Once eligibility has been determined and confirmed then the pupil will remain eligible for the entirety of the school year for which the assessment is made unless the child's residence changes in which case eligibility would be subject to re-assessment. Parent(s)/carer(s) will therefore need to re-submit applications for supported transport annually.

STATUTORY HOME TO SCHOOL TRANSPORT FOR CHILDREN
OF COMPULSORY SCHOOL AGE ATTENDING MAINSTREAM
SCHOOL –

DECISION MAKING FLOWCHART



Please Note: this flow chart deals with the vast majority of applications. Exceptional circumstances such as managed moves, medical requirements, pupils on alternative provision, children unable to obtain a place at their normal area school, looked after children or children at risk may require special consideration outside the normal policy.

PART 2

STATUTORY HOME TO SCHOOL TRANSPORT FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES OF COMPULSORY SCHOOL AGE

Statement of Intent

The purpose of this policy is to support the attendance at qualifying schools of eligible children who are of compulsory school age who have special educational needs, disability or mobility problems (including temporary medical conditions) by the provision of free transport.

Who is eligible for support?

1. Children unable to walk to school by reason of their special educational needs, disability or mobility problems (including temporary medical conditions)

To be eligible a child must live below the statutory walking distance and no suitable arrangements have been made by the Council for enabling him/her to become a registered pupil at a qualifying school nearer to their home or a child receiving education at a place other than at school who by reason of his/her special educational needs, disability or mobility problems cannot reasonably be expected to walk to that place.

2. Disability and Mobility Problems (including temporary medical conditions)

There may be occasions when a pupil is unable to journey to school by normal means because of a disability or mobility problem (including temporary medical conditions). The duration of the condition may be short, long or intermittent.

Requests for transport assistance on medical grounds must include confirmation from a Senior Medical Practitioner/Consultant that the pupil is fit to attend school but is unable to journey by their normal means.

In the case of a child who lives below the walking distance the Medical Practitioner should indicate whether the pupil is able to walk the distance between home and school and also whether the pupil could use public transport (if available).

A child who is entitled receives transport assistance from the Council. In this case the Medical Practitioner should indicate whether the pupil can travel by bus or train, or whether, in view of the disability/mobility problem an alternative arrangement should be made. In all circumstances, an indication of the estimated length of time for which transport assistance is sought should be included.

The provision of transport assistance on disability and mobility grounds is subject to regular review and confirmation of the need for alternative transport arrangements will be regularly sought from the Senior Medical Practitioner/Consultant.

- 3. Children with special educational needs, disability and mobility problems who are entitled to free school meals or whose parents are in receipt of their maximum level of working tax credit:**
- who are over the age of 8, but under the age of 11 and live more than 2 miles from their nearest school (primary aged children);
 - who are aged 11-16 and attend one of their three nearest qualifying schools which is above 2 miles but less than 6 miles from their ordinary place of residence or attends the nearest qualifying school which is above 2 miles but not more than 15 miles based on the parent's religion or belief.
- 4. For children with special educational needs, disability and mobility problems free home to school transport will be provided to pupils:**
- (i) up to the age of 8 years who live over 2 miles from the nearest qualify school; and
 - (ii) over the age of 8 up to the end of Year 6 who live over 3 miles from their nearest qualifying school;
 - (iii) in Year 7 to the end of Year 11 for those children who live over 3 miles from their nearest qualifying school.
- 5. If a child attends a special school or other specialist provision maintained by another Local Authority or body, free home to school transport will be provided if they meet any of the eligibility criteria.**
- 6 Transport will not be allocated where the pupil is not attending the local mainstream school, or the closest appropriate specialist provision ie the nearest qualifying school and the school is one of parental preference.**

For more information please contact:

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Wigan Council
PO Box 100
Wigan
WN1 1JN

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Assessing Eligibility

An individual assessment is made of each child's needs in terms of capability to travel independently. It is very important during this assessment that you work together with the Council to ensure that the full details of your child's circumstances are clear so that the right level of support can be determined. The above arrangements will be reviewed periodically, but at least at transition from primary to secondary and secondary to post 16 provision, to ensure that the mode of support which is being offered to the child is the most suitable one to support their individual needs and development.

Travel Arrangements

The duty to provide free home to school transport will be:

- a) for children attending a school on a daily basis will be the journey at the:
 - i) start of the school day; and,
 - ii) end of the school day.

- b) weekly residential places
 - i) one journey at the start of the school week; and,
 - ii) one journey at the end of the school week.

- c) termly residential places
 - i) one journey at the start of each half term; and,
 - ii) one journey at the end of each half term.

These travel arrangements do not include travel between different educational institutions during a school day where a child moves from one institution to another in order to receive education. The cost falls to the school at which he/she is on the roll.

The School Day is deemed to be the session times as approved by the governing body of the qualifying school.

There may be circumstances, where a pupil has more than one home address for example where parent(s)/carer(s) are separated or where a pupil regularly resides with other family members or friends. The Council does not provide assistance with transport from more than one home address. Parent(s)/ carer(s) of a pupil with more than one residence should nominate one address to be the pupil's 'main residence' from which transport eligibility will be assessed in accordance with the transport policy. If no address is nominated the 'main residence' will be taken to be the address nearest to the school.

Journey Times

Every effort will be made to keep journey times to a minimum while also fulfilling the Council's responsibility to secure cost effective provision.

In normal circumstances primary age children should not spend more than three quarters of an hour being transported between home and school and for secondary age pupils the time spent in travelling should not exceed one and a quarter hours. There may be times when it is not possible to meet these journey times due to circumstances outside the Council's control such as traffic congestion, accidents, and adverse weather conditions for example.

Pick up and drop off points

Where the support for transport is agreed this will usually be between the child's home address or family contact (for children who are looked after by

the council) and the school. Transport may be provided to an alternative address, for example that of a childminder, if this does not incur additional budgetary cost.

Transport may not be exactly door-to-door if for example access is not available. However pick up and drop off will be, to and from, the nearest possible location. For example, where parked cars on a roadside may prevent pick up outside a property pick up may be from the closest point to the property on the same road.

Travel Solutions

Where support for home to school transport has been agreed for your child, this is provided in a number of different ways;

- Independent Travel Training
- Personal Travel Budgets in the form of Mileage allowance
- Mini buses;
- Walking Bus;
- Bus passes; or,
- Taxi's;

The Council will decide which travel solution will be offered to your child to meet their particular needs.

Independent Travel Training

The Independent Travel Training scheme, Liberty, focuses on enabling students to travel independently to and from school and other social activities.

Independent Travel Training will provided for pupils as assessed by the Council. This enables them to develop travel independence at their own pace and, while challenging them to achieve, allows them to reach a level of attainment with which they are comfortable.

Independent Travel Training covers various topics depending on the needs of the student, such as;

- Personal safety;
- Road safety;
- Recognising and avoiding dangerous situations;
- Following directions;
- Boarding the correct bus in the right direction; and,
- Buying tickets.

For many students this is the beginning of a wider journey into increased independence, for example after-school activities and ultimately training and employment. The scheme has incredible benefits for all in terms of confidence and freedom to mix with peers.

Personal Travel Budgets - Mileage allowance

This form of assistance can be beneficial for pupils and their parent(s) or carer(s), as it allows the pupil the stability of travelling with a family member.

Parent(s)/carer(s) of children who have been assessed as eligible for support with transport can apply to receive payments to cover travelling expenses for home to school transport based on the journey distance.

Mileage or Personal Travel Budget will normally only be paid where this is agreed between the parents and the council. The Council will normally only agree to this if it is no more expensive than other forms of suitable supported transport, or where the Council agrees other arrangements are not suitable for the child's needs.

Parent(s)/carer(s) claiming mileage must produce a valid driving licence, adequate insurance cover and a current MOT certificate for the vehicle they intend to use before mileage will be paid.

Parent(s)/carer(s) will only be reimbursed for transporting their own children.

Payment of mileage allowance should not result in parents and carers experiencing income tax liability, but they should confirm this with their tax office. Parent(s)/carer(s) who receive income support should tell their benefit office about mileage payments.

Mini buses

The Council may provide minibus transport to selected establishments.

This form of provision is most useful to pupils who are not able to easily access public transport or for those requiring supervision.

Minibuses may not necessarily stop outside the pupil's home address they may have set points for pick-up and drop-off.

The Council is unable to guarantee that pick-up or drop-off times will be compatible with any other arrangements made by parent(s)/carer(s).

Walking Buses

A walking bus scheme involves groups, or 'buses', of children walking between home and school quickly and safely under the guidance of a passenger assistant.

Walking Buses are ideal ways for children to get to and from school, especially for families living within a short distance of

their school.

Parent(s)/carer(s) can drop their children off at a handy pick up point near their home or even at their front door, as the Walking Bus follows a predetermined, regular and safe route to school.

Taxis

The Council may provide transport by taxi from home to school if it is decided this is the most appropriate method of transport to meet the needs of the child.

Taxis or people carriers are able to pick-up and drop-off pupils outside their homes and schools. The Council is unable to guarantee that pick-up or drop-off times will be compatible with any other arrangements made by parent(s)/carer(s).

Bus Passes

The Council may, under certain circumstances, provide eligible children with bus passes to support their travel to their designated school.

Provision of Passenger Assistants

What are Passenger Assistants and what do they do?

Passenger Assistants are responsible for the care, supervision and reasonable behaviour of children whilst being transported to and from school in line with the behavior agreement. They should oversee the children's conduct and safety in such a way that the driver is unhindered in his or her duties.

All Passenger Assistants have an "enhanced" Disclosure and Barring check and will carry an identification badge at all times.

They are not expected to leave a vehicle to collect a child from the child's home as this may leave a child/children unsupervised in the vehicle. It is the parent(s)/carer(s) responsibility to accompany their child to the vehicle. However, discretion will be used if the parent(s)/carer(s) are genuinely unable to undertake this function themselves.

In some instances Passenger Assistants may support a child on Public Transport or through a walking bus, in this situation they will be responsible for the care, supervision and reasonable behaviour of the child and may be expected to go to the child's door to collect them.

When will Passenger assistants be provided?

The Council will provide a Passenger Assistant, where this is assessed as necessary, through a risk assessment, for the home to school transport of a child with special educational needs, disability or mobility problems.

Will arrangements for provision of Passenger Assistants be reviewed?

The provision and allocation of Passenger Assistants to routes and/or individuals will be reviewed prior to the beginning of each academic year and at other times when the need arises. In all cases the final decision on provision of a Passenger Assistant lies with the Council.

PART 3

EXCEPTIONAL CIRCUMSTANCES

Exceptional Circumstances are defined as:

- Parent with a temporary illness or disability; and,
- Special circumstances.

Parent with a temporary illness or disability

If the parents of a child have a temporary illness or disability that has an adverse affect on their ability to walk their child to school, the Council will make a reasonable adjustment so as not to disadvantage the parents who would otherwise have been able to accompany the child, i.e. making arrangements for the child to get to and from school safely.

In order to assess whether such adjustment is necessary, the parents must apply to the Council with evidence to show how the route to school is not accessible to their child as a result of the parents' illness or disability preventing them from accompanying the child.

The Council will consider the individual circumstances (e.g. the nature of the route and the child in question) and will require confirmation from the parents' GP or relevant consultant. The Council reserves the right to seek a further independent assessment from an occupational health officer or medical professional.

Where it is confirmed that an adjustment needs to be made, transport, where possible, will take the form of a walking escort or a pass on a contract bus. The provision of transport assistance on medical grounds is subject to regular review and confirmation of the need for alternative transport arrangements will be regularly sought from the Senior Medical Practitioner/Consultant.

Special Circumstances

Free transport for other reasons may be **exceptionally** agreed particularly in cases of pupils:

- whose education may be severely disrupted because of the effect of being taken into the care of the local authority;
- children with SEN, disability or mobility needs attending extended schools provision;
- children under compulsory school age with SEN, disability or mobility needs attending pre school centres or nursery schools;
- children whose home life has been severely disrupted; and,
- where the walking route is temporarily unavailable.

This is not an exhaustive list. Each case will be considered on an individual basis.

Service Standards

The Council aims to maintain the highest standards of safety and security for all pupils travelling to and from school. However, parents also have a responsibility to help maintain safe and secure travelling arrangements for the benefit of all transport users.

Transport Standards

The Council will ensure all transport providers and their vehicles comply with appropriate health and safety legislation.

All service users can expect:

- Transport provision in accordance with contractual standards and national legislation;
- Drivers and Passenger Assistants to greet passengers and parents politely and ensure that all passengers travel in comfort and safety;
- Drivers and Passenger Assistants to have undertaken disclosure and barring checks;
- The conduct in the vehicle and at collection and drop off points to be of an acceptable standard; and,
- Any vehicle used to transport children to be properly licensed and roadworthy, and will offer standards of comfort and safety as prescribed by relevant Statutory Law. Regular checks will be carried out on all vehicles and recorded.

Pick up and Drop of Timings

An allotted time will be allocated for pick up and drop off. The Council will do everything reasonably possible to arrive within 5 minutes of this allocated time (although traffic, road and weather conditions may affect these timings).

Behaviour Standards

Responsibility for pupil behaviour whilst accessing supported transport is the parent(s)/carer(s) and the Council's. The comfort and safety of all passengers is the main concern and demonstrations of inappropriate behaviour by pupils will not be tolerated.

Where appropriate, all pupils and their parents/carers will sign a behaviour agreement which sets out what is acceptable and unacceptable behaviour and the sanctions associated with unacceptable behaviour. Unacceptable behaviour will be monitored and may result in exclusion from transport. Parent(s)/carer(s) will become responsible for transporting their own children during any period of exclusion from transport.

Withdrawal and exclusion from transport

The Council may withdraw the provision of free home to school transport where it is considered that a child has demonstrated unacceptable behaviour that:

- a) puts at risk the driver, themselves, other passengers of the vehicle and/or;
- b) uses threatening or violent language and/or;
- c) causes damage to the vehicle.

The withdrawal of free home to school transport may be either temporary or permanent at the discretion of the Council, having regard to the circumstances of the pupil's behaviour..

Each case will be considered on its own merits based on the behaviour agreement. Where free travel is withdrawn it will be the responsibility of the parent(s)/carer(s) to pay for travel cost between home and school unless the behaviour relates to the child's special educational needs and/or disability.

'Temporary withdrawal' shall be for a specified number of weeks and 'permanent' shall be for the remainder of the school year or longer if justified by the circumstances.

The withdrawal of home to school transport (either temporary or permanent) for a particular child shall not imply that travel arrangements were not necessary. The withdrawal would be because the child's behaviour was such that they could no longer take advantage of this support. However, this could be reviewed at a time suggested by the Council and/or school.

Points of Contact

Postal Address:

Integrated Transport Unit
Places: Economy, Waste and Infrastructure
Wigan Council
PO Box 100
Wigan WN1 3DS

Location Address:

Integrated Transport Unit
Wigan Life Centre South
College Avenue
Wigan WN1 1NJ

Phone: 01942 489 685

Email: itu@wigan.gov.uk

Complaints

If you have any complaints about the transport arrangements for your child please contact the Integrated Transport Unit –

Phone: 01942 489 685

Email: itu@wigan.gov.uk

Appeals against decisions for supported transport

Parents/carers can challenge a decision about:

- the transport arrangements offered;
- their child's eligibility;
- the distance measurement in relation to statutory walking distances; and,
- the safety of the route.

STAGE ONE: REVIEW BY A SENIOR OFFICER

- A parent has 20 working days* from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision;
- The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed;
- Within 20 working days of receipt of the parent's written request a senior officer reviews the original decision and sends the parent a detailed written notification of the outcome of their review, setting out:
 - the nature of the decision reached;
 - how the review was conducted;
 - information about other departments and/or agencies that were consulted as part of the process;
 - what factors were considered;
 - the rationale for the decision reached; and
 - information about how the parent can escalate their case to stage two (if appropriate).

* As with the whole appeals process the timings are recommended and not compulsory. We envisage many appeals will be dealt with much sooner than these timings, particularly those which have a time pressure, whilst complex cases may take longer.

STAGE TWO: REVIEW BY AN INDEPENDENT APPEAL PANEL

A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.

Within 40 working days of receipt of the parents request an independent appeal panel considers written and verbal representations from both the

parent and officers involved in the case and gives a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached;
- how the review was conducted (including the standard followed e.g. Road Safety GB);
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and,
- information about the parent's right to put the matter to the Local Government Ombudsman (see below).

The independent appeal panel members will be independent of the original decision making process (but not independent of the local authority) and suitably experienced (at the discretion of the local authority), to ensure a balance is achieved between meeting the needs of the parents and the local authority, and that road safety requirements are complied with and no child is placed at unnecessary risk.

Local Government Ombudsman – if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal has been handled then there is a right of complaint to the Local Government Ombudsman.

Review of Arrangements

The nature of placements means that overall transport arrangements have to be flexible and take into account new children during the year. Frequent changes of operators are avoided wherever possible to ensure children benefit from consistency and stability. However, changes may need to be made to the provision and parent(s)/carer(s) will be given prior notification of any changes.

How do I apply for support with home to school transport?

Each request for assistance with Home to School Transport is considered on an individual basis. This policy sets out eligibility criteria and diagrams outlining the decision making process are included in the Policy.

If you think your child is eligible for free home to school transport due to them having a special education need and/or disability then please complete the application form on the following link –

[Application for travel assistance for pupils with special educational needs and disabilities \(SEN & D\) \(wigan.gov.uk\)](https://www.wigan.gov.uk/transport/transport-application-form)

If you think your child is eligible for free home to school transport as set out in Part 1 of this policy then please contact the Integrated Transport Unit –

Phone: 01942 489 685
Email: itu@wigan.gov.uk

Appendix A: Definitions for terms used within this policy

Term	Meaning
Child/children	This policy uses child or children to refer to those of compulsory school age or below. When he or she reaches the age of 5 he or she must start school in the term following his or her 5 th birthday. Compulsory school age ceases on the last Friday in June in the school year in which the child reaches the age of 16.
Disabled child	Means a child who has a disability for the purposes of the Disability Discrimination Act 1995.
Low Income	<p>The definition of low income households is based on the Tax Credit or free school meal systems. Low income relates to those families who receive the maximum amount of Working Tax Credit and / or free school meals.</p> <p>You will need to submit relevant documents with your application for transport.</p>
Motorised Routes	These are those routes which are passable by using a suitable motorised vehicle. Paths and roads not passable by motorised transport will not therefore be considered. Measurements will be made by the using the Councils Software package, or other appropriate measurement system used by the Council at that time.
Nearest qualifying school	<p>The nearest "qualifying school" is the nearest school with places available that provides education appropriate to the age, ability and aptitudes of the child, including any special educational needs that the child may have.</p> <p>The nearest qualifying school for a child with special educational needs may well be different than for other children.</p> <p>Please refer to Section 4.3 at Page 6.</p>
Nearest available route	<p>A route is considered to be "available" if it is a route along which a child, accompanied as necessary, can walk with reasonable safety to school. A route will be "available" even if the child would need to be accompanied along it by his or her parent or carer, as long as such accompaniment is reasonably practical.</p> <p>The legal definition of an "available route" is a route along which a child, accompanied as necessary, can walk and walk with reasonable safety to school. It does not fail to qualify as 'available' because of dangers which would arise if the child were unaccompanied. (<i>Essex CC v Rogers [1987]</i>)</p>

Term	Meaning
Qualifying School	Please refer to Section 4.3 at Page 6 for a definition of what is a 'Qualifying School'
Serious offences	A serious offence is any type of behaviour that endangers the safety of other passengers, the driver or members of the public. It also includes criminal damage or vandalism. Serious offences may also be reported to the police.
Special Education Needs	The term 'Special Educational Needs', or SEN, has a legal definition. The Government's Department for Education and Skills defines children with SEN as having 'learning difficulties or disabilities which make it harder for them to learn or access education than most other children of the same age.'
Sustainable travel modes	<p>Modes of travel that the local authority considers may improve:</p> <ul style="list-style-type: none"> • the physical well-being of those who use them and / or • the environmental well-being of all or part of the local authority's area, by reducing levels of localised congestion and pollution <p>Examples of sustainable transport include:</p> <ul style="list-style-type: none"> • Walking • Cycling • Bus use and • Car sharing
Statutory walking distance	<p>The Education Act 1996 defines walking distance as:</p> <ul style="list-style-type: none"> • two miles if the child is under 8 years old, or • three miles if the child is 8 years old or older. <p>The distance is measured by the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. This is not necessarily the same as the shortest distance by road.</p>

Appendix B: Walking route assessment criteria

Each case will be considered on its individual merits. When considering walking all children are assumed to be accompanied by a parent or other responsible adult

Factors to be considered to determine whether a route is safe for an accompanied child

In deciding whether walking is an option for an individual child or young person the authority will consider:

- Any SEN, disability or mobility problems (including temporary medical conditions) the child may have
- Any disability the parent or accompanying adult may have
- The safety of the route itself

There are a number of factors in assessing the safety of any given route:

- The volume, speed and type of traffic
- The degree of visibility, i.e. sharp bends with a high hedgerow or bank
- Accident record of the road at the time of day the child or young person would use it
- Where a road with a speed limit in excess of 40 miles per hour needs to be crossed, the crossing facilities will be considered
- Where a footway exists, it will normally be assumed to provide a safe route for that part of the journey
- Where a verge exists along which it is possible to walk, it can normally be assumed to provide a safe route for that part of the journey
- Where on more lightly trafficked roads a verge exists that can be stepped onto when vehicles are passing, it will normally be assumed to provide safety for that part of the journey. No precise value can be set for 'lightly trafficked' but it will normally correspond to about 250 vehicles or less in the morning peak hour
- The absence of a verge that can be walked on or stepped onto does not automatically mean that the route is unsafe.

The following factors will not be considered in their own right as dangerous for an accompanied child:

- Lonely routes.
- Moral danger.
- Routes alongside or crossing over rivers, ditches, canals, ponds.
- Unmanned level crossings.
- No street lighting.

Assessment

The Council will determine whether the route is one along which a child, accompanied by a parent or responsible adult as necessary, can walk with reasonable safety to school.

Secondary age pupils are, broadly speaking, considered as competent a pedestrian as adults

There will normally need to be a combination of factors present for the route to be unavailable for an accompanied child. A route will not normally be considered unsafe because a short length of it is difficult. It is reasonable to expect special care in particular places.