

Home to School Travel Assistance Policy 2021/22

Bolton Council has a duty under Education Act 1996 as amended by the Education & Inspection Act 2006 to ensure that suitable travel arrangements are made for eligible children in the area to facilitate the attendance at their nearest qualifying schools or other relevant institutions where the child is receiving education.

The duty applies to “home to school” travel arrangements at the start of the day, and “school to home” at the end of the day. It does not relate to travel between educational institutions during the school day. Eligible children are those categories of children in an authority’s area for whom travel arrangements will always be required and are of compulsory school age:

- Children unable to walk to school by reason of their SEN, disability, or mobility problem (including temporary medical condition). See the separate SENDAS Travel Assistance Policy for further details.
- Children attending their nearest school and are unable to walk in safety to that school because of the nature of the route as determined by the Local Authority.
- Children who have disabled parents where both parents are disabled or a single parent family and that parent is disabled, the route requires a parent to accompany the child for it to be considered safe and where the parents’ disability prevents them from doing so. The child must be attending their nearest qualifying school. A Risk Assessment by the Authority will be used to determine eligibility.
- Children living outside the statutory walking distance to their nearest qualifying school with places available. Statutory walking distance for children under 8 is 2 miles and for 8 and over is 3 miles measured using the shortest walking route, accompanied as necessary.

Where a pupil is registered at a school but is attending a place other than a school following an exclusion, the LA will consider the distance to the place other than where the child is registered.

Children in receipt of free school meals or whose parents are in receipt of their maximum Working Tax Credit who satisfy the criteria below:

- Primary aged children in this category of compulsory school age and under 11 from low income families and live more than 2 miles from their nearest qualifying school with places available measured using the shortest walking route, accompanied as necessary, will be eligible for assistance with home to school transport.
- Children aged 11 to 16 from low income families will qualify for travel assistance where they live more than 2 miles but less than 6 from one of their 3 nearest qualifying schools with places available.
- Where a parent has expressed a preference for a school, and that preference is based on the parent’s religion or belief, and the child is aged 11 to 16 from a low income family and the preferred school is more than 2 miles but less than 15 miles from the home then a free travel permit will be issued. Evidence of active worship of parent and child at least monthly in the 12 months prior to

the bus pass application. The 2 mile limit will be measured along the nearest available route. However, the 6 mile upper limit and the 15 mile upper limit to a school preferred on grounds of religion or belief will be measure along routes which a motorised vehicle can pass, i.e. road routes. Evidence of entitlement to free school meals or maximum Working Tax Credit will be required to determine eligibility to assistance with home to school transport.

Where a bus pass has been approved under the Home to School Transport Policy prior to 2012 on faith grounds and the relevant evidence of continued active worship has been received eligibility will be determined on an annual basis and evidence will be required each year of continued active worship where the original entitlement was based on attendance at a school on faith grounds.

Bolton Council issues free school bus passes for qualifying eligible pupils. An allowance will be paid at a rate determined by Children Services when a child who is eligible for support under this policy uses a bicycle to travel to and from an educational establishment. Such arrangements require the relevant parental consent. These will be required by the local authority each year, or whenever a child moves school, whichever is the shorter period.

Children moving address

Where a pupil has been attending their nearest school and moves to a new address in Bolton and at the time of moving:

- s/he has started in Year 6, 10 or 11 (this does not include the holidays before the start of term)
- the school is more than 3 miles from their new address (or 2 miles in the case of a child from a low income group) then the pupil will be eligible to a free bus pass or financial assistance (dependant on the term in which they move). Evidence of the change of address will be required, i.e. Utility bill, Council Tax bill.

Qualifying schools are

- Community, foundation or voluntary/special schools
- Free 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 relation to a child with SEN, at an independent 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. Reference to the nearest qualifying school is 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.

Under section 508C of the 1996 Act (inserted by the Education and Inspections Act 2006) Bolton Council has discretionary powers to make arrangements for those children not covered previously.

Appeals Process

If an application for travel support to access education is **not** approved by the Council, a letter will be sent to the parent/carer/young person with a Review of Decision/ Appeals form.

If the parent/carer/young person disagrees with the travel solution offered or the decision not to approve the application, there is a right of appeal.

Appeals should be made within 20 working days of the decision being received by the parent/carer/young person. The appeal should be made in writing, setting out the exact nature and grounds of the appeal. The Review of Decision/Appeal should include the details of personal and or family circumstances the parent/carer/young person believes should be considered, with supporting evidence. Parents/carers/young people can appeal against the travel solution offered, the child/young person's eligibility, the distance measured in relation to statutory walking distances and safety of the route.

The Appeals Process has two stages:

Stage 1 – Review of the original decision

The Manager of Integrated Transport Unit will consider the review. A Review of Decision/Appeal form will have been included with your decision letter.

The parent/carer/young person will receive confirmation the review is being considered. Further evidence may be requested to support the review and consultation with caseworkers and professional bodies may be required. A decision and notification will be made within 20 working days from receipt of the Review of Decision form.

The notification will include the nature of the decision reached, how the review/appeal was conducted and information about other agencies and departments that were consulted as part of the process. An overview will be given of the factors that were considered, the rationale for the decision reached and information of how to proceed to Stage 2.

If the parent/carer/young person remains dissatisfied with the outcome, they should notify the Council in writing within 20 working days of receiving the decision. If the parent/carer wishes the matter to be considered further, the parent/carer/young person should request the matter proceeds to Appeal to Stage 2.

Stage 2

If the parent/carer/young person is dissatisfied with the outcome of the review at Stage 1 the appeal moves to Stage 2. The appeal will be heard by the Council's Education Assistance Panel which comprises elected members of Bolton Council. The parent/carer/young person will be invited to attend the Stage 2 appeal

A Stage Two appeal will consider the evidence gathered and the reasons for the decision being made at Stage 1. A decision will be made within 40 working days.

The parent/carer/young person will be notified 5 working days after the decision for the Stage 2 appeal.

The notification to the parent/carer/young person will include the nature of the decision reached, how the appeal was conducted, information about other agencies/departments that were consulted as part of the appeal process and what factors were considered and the rationale for the decision reached.

During the appeal stages, travel support to access education will not be provided **or** a change to an existing travel solution will not be instigated.

A Stage 2 decision is final.

Corporate Complaints Team

If the parent/carer/young person is dissatisfied with the way in which the appeals procedure has been managed they have the right to make a formal complaint to the Corporate Complaints Team. This is not an additional stage to the appeals process.

Corporate Complaints Team

Bolton council

Town hall

Bolton

BL1 1RU