

Appendix 2

HARROW COUNCIL

2016

**TRAVEL ASSISTANCE POLICY FOR
CHILDREN AND YOUNG PEOPLE
(0-25 YEARS) LIVING IN HARROW**

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1. INTRODUCTION

This policy sets out how, and under which circumstances, the London Borough of Harrow (the Council) will provide travel assistance to all eligible children and young adults (0-25) for educational purposes. It outlines the responsibilities that parents/carers, children and young people and the Council have in this process.

There are two key principles which underpin the Council's approach to providing travel assistance:

- Promoting independence from an early age through to adult life
- Maintaining quality of life

Travel assistance is provided from the child/young person's home address¹ (or local meeting point²) to the educational establishment allocated for the pupil/student by the Council and back to the home address at the beginning and end of the day.

Travel to locations other than for educational purposes e.g. hospital appointment/leisure activities or at any times other than the beginning and end school/college day, is the responsibility of the parent/carer or the education setting.³

In formulating this policy, the Council has considered the statutory legal framework including the Special Educational Needs and Disability Code of Practice 0-25 (January 2015), the Home to School Travel and Transport statutory guidance (July 2014) and the Post 16 Transport to Education and Training statutory guidance for Local Authorities (February 2014).

This policy was formulated following consultation with interested parties and approved by the Council's Cabinet.

¹ Home Address: Children/young people who live in a joint home arrangement, who fulfil the criteria for travel assistance, will be deemed to live at the primary home address registered with their school and the Council. Travel assistance will not normally be provided to or from any other address.

² Local meeting point: a designated point from which transport is provided rather than collecting a child/young person from their home address.

³ In exceptional and limited circumstances, the Council will provide travel assistance for journeys other than between home to school e.g. between the end of the school day and to a respite centre where the placement forms part of a care plan agreed by the Council.

The Education Act 1996 places a general duty on the Local Authority to assess the travel needs of all children and young people to promote the use of sustainable modes of travel to school to meet their travel needs.

Sustainable modes of travel are defined as those which improve either the physical well-being of those who use them or the environmental well being of the area.

By working in partnership with parents, children and young people, schools and the voluntary sector, Harrow Council aims to secure the right option for each child/young person so they are better prepared to enter adulthood confidently as active participants in society.

2. LEGAL FRAMEWORK

2.1 It is the responsibility of parents/carers to ensure that their children attend school and this includes the necessary travel arrangements to and from their education setting, whether or not the child has a special educational need. However, under the Education Act 1996, the Council has specific duties and powers as set out below:

2.1.1 A duty to assess school travel needs and promote sustainable modes of travel in relation to children and young people of 6th form age (s.508A);

2.1.2 A duty to provide home to school travel arrangements as considered necessary for eligible children of compulsory school age, such arrangements to be provided free of charge (s.508B). Eligible children is defined in legislation and further details are provided within this policy;

2.1.3 A power to make school travel arrangements for children who are not eligible under s.508B. This power can be applied to children below compulsory school age, children attending faith schools or those living within the statutory walking distance. The Council may make a charge for provision of travel arrangements under this power (s.508C);

2.1.4 A duty to make travel arrangements as considered necessary to facilitate the attendance of adult learners to educational institutions, including young adults with an Education, Health and Care plan (EHC plan) (s.508F). Such arrangements must be provided free of charge;

- 2.1.5 A duty to prepare a transport policy statement specifying travel arrangements provided in accordance with s.508F (s.508G);
- 2.1.6 A duty to prepare a transport policy statement specifying travel arrangements provided to persons of sixth form age (s.509AA);
- 2.2 The decision to provide travel assistance will be based primarily on the child/young person's individual needs and with due regard to necessity. Harrow Council will be mindful of particular difficulties faced by families with significant or complex needs that may impact on their ability to support their child. However, parents/carers would be expected to assist their child to get to school unless there are exceptional reasons that prevent them from accompanying their child in a situation where another parent would be expected to do so.
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- 2.4 The duty to make travel arrangements does not require the Council to provide those arrangements. In particular circumstances, the travel arrangements may be provided by a third party. In addition, the availability of alternative travel options will be taken into account when determining whether it is necessary for travel arrangements to be made. For example, the provision of free transport on Transport for London buses may make it unnecessary for the Council to make additional or alternative arrangements.

3. GENERAL PRINCIPLES

The Council has a legal duty to have regard to the efficient use of resources. In recognising the significant spend on transport, the Council is committed to working with other boroughs to ensure that, wherever possible, where travel assistance is provided the arrangements are co-ordinated. This collaboration also ensures Harrow Council is able to deliver services to clear and consistent standards of both quality and costs.

The Council is committed to the principle of inclusion and to promoting greater independence for children and young people with special

educational needs and disabilities so that their experiences can be similar to those of their peers.

The Council recognises that travelling to school as independently as possible is a valuable experience for young people as they grow up. In order to do this, many young people with special needs may need extra training to help them to learn the skills required for greater independence.

The Council commissions a specific Independent Travel Training programme to work with children and young people who have been identified as able to benefit from travel training. The Council is working to expand the access to independent travel training to support the principle of promoting greater independence for children and young people.

4. SERVICE STANDARDS

4.1 Safeguarding

Where the Council provides transport directly or commissions transport it will ensure that all drivers and passenger assistants are subject to satisfactory Enhanced Disclosure and Barring Service (DBS) checks prior to commencement and that all drivers, passenger assistants and those planning and managing school transport will undertake disability awareness and safeguarding training including child protection procedures within 6 months of employment.

4.2 Sustainable

The Education Act 2006 places a general duty on the Council to assess the travel needs of all children and young people to promote the use of sustainable modes of travel to school. Sustainable modes of travel are defined as providing health benefits for children, young people and their families through active journeys, such as walking and cycling and will add to the well being of the environment.

4.3 Suitable Travel Times

Travel arrangements should not require a child/young person to make several changes in public transport resulting in an unreasonably long journey that impacts on their ability to benefit from the education provided.

The Council generally expects that a maximum journey time of 45 minutes for primary aged children and 75 minutes for secondary aged children in and around Harrow is reasonable. Journeys to residential placements may

be longer due to distance. A child's specific disability and SEN needs will be taken into account when considering reasonable journey times.

4.4 Provision Passenger Assistants (PA)

The provision of Passenger Assistants⁴ is covered by the general requirement on the Council when arranging transport to take account of the needs of the individual child. There is no statutory entitlement to a Passenger Assistant on any route.

Risk assessments will be carried out for each route to determine the need for Passenger Assistance. When considering whether or not provision of travel assistance for a particular child/young person is necessary, the Council will require evidence to support the application in the context of travel, it is not the same criteria in the context of learning. Passenger assistants will not administer treatment of medication other than an Epipen if the child/young person is unable to self administer with support.

Individual emergency services will be called if a pupil has a medical emergency whilst on the vehicle.

If a pupil has a life threatening condition, the parent/carer will be encouraged to escort the child him/herself. Otherwise special arrangements will be made following a risk assessment, which may include a passenger assistant with training to deal with medical emergencies.

5. ELIGIBILITY FOR CHILDREN WITHOUT SPECIAL EDUCATIONAL NEEDS OR A DISABILITY

5.1 General Policy for children 0-5

There is no specific duty for the Council to provide travel assistance to children under 5 years. The Council will only provide travel assistance to children below compulsory school age in exceptional circumstances and may make a charge for these travel arrangements.

⁴ Passenger assistants are employed to supervise pupils on vehicles only. They will assist pupils to board and leave vehicles but they will not collect pupils from their homes or take them into their classrooms. It is the responsibility of the parent/carer to take and collect their child from the vehicle. At school, the passenger assistant will ensure that the children are handed over to school staff in the parking area, bearing in mind that other children on the vehicle must not be left unattended.

5.2 General Policy for children aged 5-16

Eligibility for travel assistance will differ according to the age and needs of the child. Each individual case will be given careful consideration. In general, the Council will expect parents and carers to take responsibility for the travel arrangements for younger children, older children will either walk to school or access the free travel on public buses.

The following factors or combinations of factors will be taken into consideration in determining whether travel assistance is needed and the nature of assistance required:

If a child lives farther away from school than the statutory walking distances and for whom parents/carers have unsuccessfully tried to obtain a place at a suitable school within the statutory distance, and where no other school which is closer to home has places available. The statutory distances are:

Over 2 miles for children aged 5, 6 and 7

Over 3 miles for children aged 8-16

These distances are measured based on the shortest route along which a child may walk in reasonable safety. It may include footpaths as well as roads if these are well lit, are of reasonable width and are in good condition.

Where these distance criteria are exceeded, it is expected that the provision of free bus services by Transport for London will meet the need for travel assistance in almost all cases.

A child aged 8 years of age who is entitled to transport under the above distance criteria will continue to receive free travel assistance until the end of the academic year in which he/she reaches the age of eight.

A child of statutory school age who is from a low income family⁵ and meets one of the following criteria will be provided with free travel arrangements to school as follows:

- A child who attends school and is aged between 8 and under 11 and lives more than 2 miles from their nearest qualifying school.

⁵ Children from low income families are defined in legislation as those entitled to free school meals. Annual confirmation of low income status required. Travel assistance will be withdrawn if a family ceases to hold low income status.

- A child who attends school and is aged between 11 and 16 who attends one of his or her three qualifying schools and lives more than 2 miles but less than 6 miles from the school.
- A child who attends school and is aged 11-16 who attends a qualifying school preferred by his or her parents on grounds of religion or belief and where no other suitable school is available and lives more than 3 miles but not more than 15 miles from the school. If during the school academic year an eligible child moves home within Harrow and is receiving travel assistance, it will continue to be available to the current school until the end of that academic year. The parent/carer during this time should secure a place at the nearest appropriate school to the new address for the start of the new academic year. However, if the parent/carer wishes their child to remain at the current school they will be required to make and fund any travel arrangements.

Travel arrangements for eligible children are provided free of charge. The Council may offer travel arrangements to children who do not fall within the eligibility criteria, however in these cases a charge will be made.

5.3 Provision of Travel Assistance for Young People aged 16-19

In Harrow all children and young people attending a qualifying full time education or training will be entitled to apply for a 16+ Oyster Photocard which entitles them to free travel on all buses and trams within London.

It is expected that this will meet the needs of the majority of students attending further educational establishments.

Harrow's 16-19 annual transport policy statement sets out the criteria that the Council applies when considering whether to offer travel assistance to young people aged 16-19. The policy statement can be found at:

http://www.harrow.gov.uk/info/17/at_school_or_college/557/school_travel_assistance_grant_for_students_aged_16-19

6. PROVISION OF TRAVEL ASSISTANCE FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS, DISABILITIES OR MOBILITY PROBLEMS

This section explains what travel assistance may be provided for children and young people with a special educational need, disability or mobility difficulty, including those with a Statement of Special Educational Needs (SEN) or an Education, Health and Care (EHC) plan.

The Authority does not have an automatic duty to offer travel assistance for children and young people with special educational needs and disability or to children and young people with a statement of SEN or an EHC plan. A parent may exercise choice to have a particular school named on a statement of SEN or an EHC plan, however if there was an alternative school that was determined to be appropriate to the pupil's needs and where the pupil could have been registered, the Council may decide not to offer travel assistance.

The entitlement to travel assistance for children and young people with special educational needs and disability varies according to their age group:

- Pre-school children - aged under 5.
- School children - aged 5-16.
- Young people in full-time education - aged 16-24.

6.1 Pre-School Children – aged under 5

Parent/Carers will normally be expected to transport their children to non-statutory provision. However, if the placement is specifically named by the Council to meet the child's needs, consideration will be given to travel assistance.

Parents/carers who have been awarded the mobility element of the Disability Living Allowance in respect of their child and have used it to buy a vehicle will generally not be eligible for travel assistance under this section of the policy.

6.2 Children Aged 5-16

To be eligible, a child or young person must meet the following criteria:

- *he or she is of compulsory school age;*

- *he or she has SEN, a disability or mobility problems;*
- *he or she is registered with a school within the statutory walking distance;*
- *no suitable arrangements have been made by the Council for enabling him or her to become a registered pupil at a school nearer to his home;*
- *he or she could not reasonably be expected to walk to the registered school.*

Parents will normally be expected to accompany their child to school until the end of the primary phase.

The Council may determine that a child be picked up from a specified pick up point as part of suitable home to school travel arrangements. The parent will be responsible for ensuring the child is dropped off and picked up at the pick up points at the correct time.

6.3 Young People in full time education aged 16-24

When determining eligibility for travel assistance for young adults, including those post 16 students remaining in full time education, consideration will be given to a full range of travel options. These options reflect the core principle of promoting independence and could include where available the provision of a freedom pass, independent travel training support, travel buddying, Motability or The London Taxicard scheme.

If an eligible child, with an EHC plan or statement of SEN is receiving travel assistance and moves house during the academic year, travel assistance will be subject to review, by the SEN assessment and review service.

7. ELIGIBILITY EVALUATION PROCESS

7.1 Children without SEN

Eligibility for travel assistance for children/young people without SEN will be made by Access Harrow who will have access to school offers and distance from home.

Further information will be requested from the parent/carer as required

7.2 Children with short term difficulties

Children who have short term difficulties (e.g broken limb or other short term illness) will not automatically be eligible for travel assistance to and from school. It is the parent/carers responsibility to make arrangements in these circumstances. However, special consideration may be given in exceptional circumstances depending on the needs of the child. Medical evidence, along with expected time frame for recovery, is needed by the Council. The evidence must confirm the child is fit for school but cannot travel to the school.

The weight to be given to each or any of the factors listed above will be a matter for the Council in their discretion, according to the circumstances of each individual case.

7.3 Children with SEN

Parent/carers will be required to complete an application form. Any other relevant evidence may be used in addition as part of the assessment of eligibility and may include:

- Information from the EHC plan/statutory assessment of SEN/statement of SEN
- Medical information on the child's SEN or disability
- Other professional reports
- Information about the nature and reasonableness of the route. i.e. journey times, changes, safety, nature of the pavements and roads, congestion, other passengers etc.
- Information to confirm that no other family member, friend or registered child minder is available to help with the journeys

7.4 Children Attending Residential Schools

Parent/carers are encouraged to take and collect their child to and from residential schools. This ensures there is regular face to face communication with the school. If parent/carers agree to this arrangement, a mileage allowance will be paid.

Travel assistance may be provided for eligible children and young people whose families do not have a car or who are unable to undertake the journey themselves. In these circumstances the Council will arrange transport.

In some cases, transport from a central London pickup/drop off point may be included in the cost of the residential school fees. In these cases the Council will meet the cost of the main journey, but expects the parent/carer to collect and deliver their child to the central meeting point

Depending on the type of placement, travel assistance will be offered as follows:

- Termly boarding - Travel assistance will only be provided at the beginning and end of each term and the beginning and end of each half term and at other official school closures
- Weekly boarding – Travel assistance will be provided to and from school at the beginning and end of the academic week and at other official school closures
- 12 day boarding – Travel assistance will be provided on alternate weekends and at the beginning and end of each term
- 52 week placement – Travel assistance will be provided up to a maximum of three return journeys a year and at other official school closures

Where the Council arranges transport it is likely to be in a shared minibus or an ordinary saloon car taxi with reasonable but limited luggage space. The Council will not incur extra expense to provide larger or additional vehicles in order to transport luggage.

8. TYPE OF SUPPORT

The term 'Travel Assistance' refers to the various different means of support that are available to help eligible pupils and young people in Harrow to attend their education setting. Examples include:

- Transport for London free travel on buses for children/young people under the age of 18 and in full time education
- Funding for an Oyster card for the parent/carer to accompany their child where their child has access to free travel on London buses
- Funding for tube or train travel costs where an Oyster/travel card is used for home to school journeys

- Personal Transport Budgets, including mileage allowance where parents consent
- Independent Travel Training
- A travel buddy or passenger assistant to travel with a child/young person where parents consent
- Motorised transport provided by the Council
- A range of flexible options where creative solutions promote the independence of the child/young person

9. HOW TO APPLY

Travel assistance for pupils with a SEN Statement or EHC Plan is not automatic. Parent/carers are required to complete an application form annually to provide the information needed to determine eligibility.

The process to apply for travel assistance is outlined below:

- 9.1 Parent/carer completes an annual travel assistance application form which is available to download from the website and returns to: The SEN Travel Assessor at SENAR, 275, Alexandra Avenue, Harrow HA2 9DX.
- 9.2 The SEN Travel Assessor will make an assessment of need and suitability based on the eligibility criteria in the Travel Assistance Policy for Children and Young People (0-25) Living in Harrow: Home to Education Setting, based on the information provided by the parent/carer in the application form.
- 9.3 The SEN Travel Assistance officer will present recommendations to the weekly (term time only) SEN panel. A decision regarding the eligibility of travel assistance, the suitable mode of travel assistance and the cost will be made at the panel.

Travel options will be considered in the following order:

- 1) Walking to school, accompanied as necessary by the parent/carer or other suitable person chosen by the parent/carer
- 2) Travel pass/Oyster card for the pupil to travel unaccompanied
- 3) Travel pass/Oyster card for the parent/carer/adult to accompany the child

- 4) Personal travel budget/mileage to assist with the cost when the parent /carer agrees to take full responsibility for getting the child to school (with parents' consent)
- 5) A mileage allowance for parents to use their own car to transport the child/young person (with parents' consent)
- 6) Funding for a Passenger Assistant to accompany the child either by walking or by public transport (with parents' consent)
- 7) A seat on a shared vehicle arranged by the Council
- 8) Exceptionally, a seat in a hired car(taxi) arranged by the Council

The Council will seek options which promote independence and the well-being of the child/young person including, for example, encouraging a healthy lifestyle by walking a reasonable distance where the child/young person pupil is mobile and the route is safe.

- 9.4 Parents/carers/young people will receive a written response within 15 working days from the panel date.
- 9.5 If the application is approved, a letter will be sent advising the parent/carers of the panel's decision regarding the type of travel assistance agreed. If the outcome is for transport, it will take up to 15 working days to arrange.
- 9.6 If the application is refused, the parent/carers will be notified in writing giving details of the right to appeal.
- 9.7 Travel assistance may be arranged on a localised pick-up point basis, if assessed as appropriate through the application process. (See footnote 2)

10. REVIEW OF TRAVEL ASSISTANCE

10.1 All children

Parent/carers will be required to apply for travel assistance annually.

10.2 Children with an EHC plan or Statement of SEN

Eligibility for travel assistance and the type of provision required will be reviewed on a continuing basis and at least once a year. Any changes will be implemented at the beginning of the next school term, or sooner by mutual agreement.

The annual review period for travel assistance will be between May 1st and June 30th in any given year for implementation in September of the year of the application.

11. PARTNERSHIP WITH PARENTS

The efficient operation of the special needs travel assistance policy requires the Council and parents/carers to work in partnership. In particular the Council welcomes the support of parents/carers in:

- Making timely applications for travel assistance with accurate information on their child's needs
- Willingness to use the family vehicle and to act as driver/passenger assistant where appropriate.
- Providing the correct telephone number and address
- Bringing their child to the vehicle and collecting the child from the vehicle
- Ensuring their child is ready at least 10 minutes before pick up time (in order to ensure that other children are not disadvantaged, the vehicle cannot wait for longer than 5 minutes after the scheduled pick up time at each pick up point, whether this is a designated meeting point or the child's home)
- Understanding that each time the vehicle is delayed, this impacts on other children, repeated failure to have children ready or collected at the correct time, despite requests to do so, may ultimately result in a withdrawal of the transport
- Contacting the Transport manager as soon as possible if their child is not able to travel for any reason
- Advising the Transport Manager if their child has difficulties on particular days
- Taking responsibility for supporting their child to travel on public transport as he/she develops their independence skills

12. BEHAVIOUR ISSUES

When transport is provided by the Council, we will undertake a risk assessment as necessary, to ensure the safety of all passengers and the driver. It is also understood that the nature of some special needs may require additional support or adjustment. However, it is expected that children and young people will behave appropriately whilst travelling. Any instances of unsafe, inappropriate or threatening behaviour will be considered as serious, as this may impact on other people in the vehicle.

In such instances, parents/carers will be notified in writing and this may result in a temporary withdrawal of the transport. In such cases, the parent/carer may be required to make their own arrangements to get their child to and from school until a solution is agreed. Any further incidents of unsafe, inappropriate or threatening behaviour may result in the permanent withdrawal of transport, in which case it will then be the responsibility of the parent/carer to make and fund their own arrangements to get their child to and from school.

13. FINANCIAL SUPPORT FOR TRAVEL

A personal transport budget is a sum of money provided to parents/carers of children/young people with special educational needs or the young person him/herself who is eligible for travel assistance. Personal transport budgets enable families to arrange home to education setting travel arrangements in a way that suits their circumstances best. The budget allows families to make flexible arrangements, monitor the quality of their child's transport directly and, if they choose, work with other families to achieve the best possible travel arrangements for their child(ren).

School attendance will be monitored. The personal travel budget may be amended or withdrawn if attendance is not satisfactory

A mileage allowance is paid directly to families of children/young people who are eligible for travel assistance and agree to take their child to and from their education setting. A mileage allowance does not require a separate bank account and the same monitoring arrangements as those required by the Council for a personal transport budget.

The Council will consider best use of resources when considering these requests

14. PARENTAL APPEALS AND COMPLAINTS

From time to time, situations will arise where parents/carers disagree with decisions by officers or the interpretation of the Travel Assistance Policy. Parent/carers are encouraged to raise their concerns with the SEN case worker to seek informal resolution.

The Council would prefer to settle complaints and appeals as quickly as possible and without recourse to formal procedures.

14.1 Complaints

A complaint is about the way the process has been managed or the way you have been treated in the process.

Complaints of this nature should be addressed directly with the person concerned and/or through the Council's complaints processes, details can be found on the Council's website.

14.2 Appeals

The appeals process is in two stages and should be used by parents/carers who wish to challenge a decision about:

- The transport arrangements offered
- Their child's eligibility
- The distance measured in relation to statutory walking distances
- The safety of the route

14.3 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 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/carer a detailed written notification of the outcome of their review, setting out:
 - 1) The nature of the decision reached;
 - 2) How the review was conducted
 - 3) Information about other departments and/or agencies that were consulted as part of the process;
 - 4) What factors were considered
 - 5) The rationale for the decision reached; and
 - 6) Information about how the parent can escalate their case to stage two (if appropriate)

14.4 Stage two: Review by an independent appeal panel

A parent has 20 working days from receipt of the local authority's stage one written notification to make a written request to escalate the matter to stage 2.

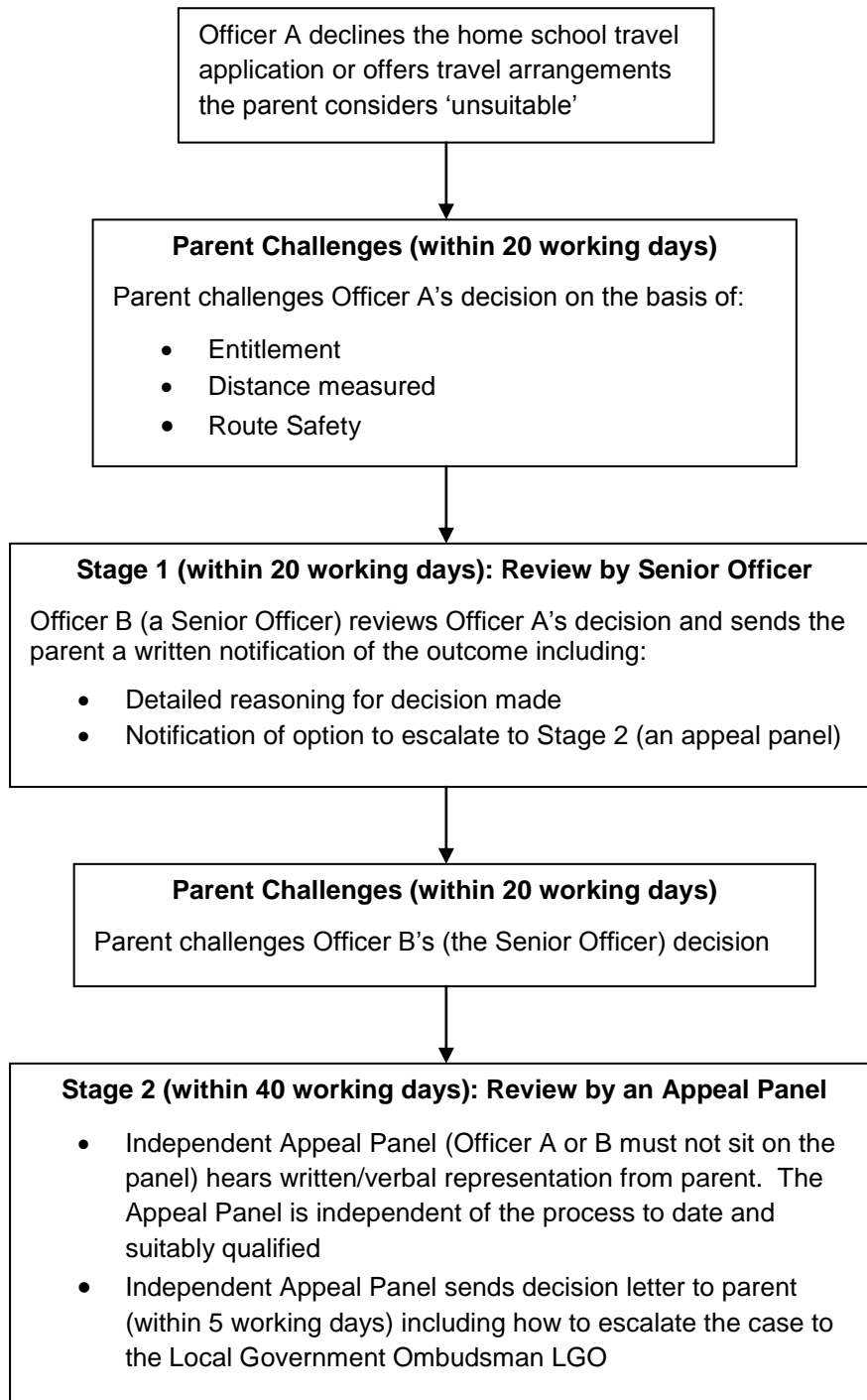
Within 40 working days of receipt of the parent's request an independent appeal panel considers written and verbal representations from both the parent and the officers involved in the case and gives a detailed written notification of the outcome (within 5 working days) setting out;

- The nature of the decision reached
- How the review was conducted
- 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 and suitably experienced.

Local Government Ombudsman – parents have a right to complain to the Local Government Ombudsman if they 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. However, the Local Government Ombudsman does not have the power to overturn the Council’s decision, although he can recommend that the Council takes certain steps.

15. Home to School Travel Assistance for Education Purposes: Flowchart of the Review/Appeals Process



Policy Date September 2016

Review Date September 2018