

# **MIDDLESBROUGH COUNCIL**

## **HOME TO SCHOOL TRAVEL ASSISTANCE POLICY ACADEMIC YEAR 2024/25**

## **INTRODUCTION AND BACKGROUND**

This Home to School Travel Assistance Policy relates to the Education Act 1996 and additional duties required by the Education and Inspections Act 2006.

National guidance (last issued in January 2024) by the Department for Education) sets out the expectations of authorities regarding home to school travel assistance arrangements for pupils. In particular, the guidance sets out the circumstances in which the local authority has a duty to provide or arrange funded home to school travel assistance for children of compulsory school age AND sixth form students.

[https://assets.publishing.service.gov.uk/media/659d7ebb0dd0a200138b612a/Travel\\_to\\_school\\_for\\_children\\_of\\_compulsory\\_school\\_age.pdf](https://assets.publishing.service.gov.uk/media/659d7ebb0dd0a200138b612a/Travel_to_school_for_children_of_compulsory_school_age.pdf)

This document outlines the transport policy of Middlesbrough Council, setting out the application of these duties in Middlesbrough. An electronic version of the policy is available from the Local Authorities website [www.middlesbrough.gov.uk](http://www.middlesbrough.gov.uk) or by contacting the Integrated Transport Unit using the details below.

The legal requirement for ensuring that a child attends education is that of the parent/carer. It is the Local Authority's responsibility to provide travel assistance for all 'eligible' children.

Middlesbrough Council provides travel training, parental travel allowance, refund of bus fares, bus pass, or transport support, if one of the eligibility criteria is met. References to the 'nearest appropriate and/or suitable school' are 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. Applications for Mainstream School support can submitted be via email and details of how to do this are located on the council's website on the Home to School Transport Page @ [www.middlesbrough.gov.uk](http://www.middlesbrough.gov.uk).

Applications for Travel Assistance and other support for students who have a special educational need or disability (SEND) can be made to the Integrated Transport Service by the council's own SEND Team or via School SENCO's.

In all instances, assessments are carried out to ensure that the eligibility criteria is followed.

The aim of this policy is to ensure the Council meets its statutory obligations to provide travel assistance for eligible pupils, whilst ensuring that school/sixth form travel assistance arrangements, support social mobility and independence.

**Further information can be obtained by contacting:**

**Integrated Transport Unit  
Resolution House,  
Cargo Fleet Lane,  
Middlesbrough, TS3 8AL**

**Email: [act@middlesbrough.gov.uk](mailto:act@middlesbrough.gov.uk)**

**Web: <https://www.middlesbrough.gov.uk/schools-and-education/find-education-service/home-school-transport>**

## **DEFINITIONS**

For the purpose of this policy, home to school travel assistance means a journey to and from school/sixth form which corresponds with the **start** and **end** of the pupil's school day only.

1. A **suitable school/sixth form** is one that offers a programme of education suited to the age, ability and aptitude of the pupil and may include a mainstream school, special school or special resource base or unit, alternative education provision or Pupil Referral Unit.
2. All mainstream primary schools in Middlesbrough use catchment areas and the catchment within which parents live determines their child's local primary school. The school whose catchment area the pupil lives in, which is appropriate to their age, is deemed the **nearest suitable school**. Where there are no places available, the next nearest school to the home address with places available will be considered the nearest suitable school.
3. Some mainstream secondary schools in Middlesbrough use catchment areas, and the catchment within which parents live, if applicable, will determine their child's local secondary school. If no catchment area applies, the school closest by distance, which is appropriate to their age, sex, religion, and beliefs, will be deemed the nearest suitable school. Where there are no places available, the next nearest school to the home address with places available will be deemed the nearest suitable school.
4. For a child with a Statement of Special Educational Needs or Disability (SEND) or Education Health and Care Plan (EHCP), the nearest suitable school is the school named in the Statement or EHC Plan or where two schools are named as being suitable, the nearest school.
5. A **low-income family** is defined as one where the pupil is eligible for Free School Meals or whose parents are in receipt of the maximum level of Working Tax Credit and/or Universal Credit.
6. **Statutory walking distance** is defined as two miles for children of primary school age, and three miles for children of secondary school age. It is measured by the shortest route along which a child, accompanied as necessary, may walk safely.
7. The Council determines a **safe walking route** as a footpath lit at regular intervals with a paved/tarmac surface.
8. All parents/ carers will be consulted with prior to any change in offer of travel assistance.

## **3. PUPILS IN PRIMARY, SECONDARY AND SPECIAL SCHOOLS**

Funded home to school travel assistance will be provided for the following eligible pupils who will be of compulsory school age during the current academic year:

- a) A primary school age pupil attends their nearest suitable school, and that school is over two miles from the home address where the distance is determined by the

Council and uses the shortest walking distance along which a child, accompanied as necessary, may walk with reasonable safety.

- b) A secondary school age pupil attends the nearest suitable school, and that school is over three miles from the home address where the distance is determined by the Council and uses the shortest walking distance along which a child, accompanied as necessary, may walk with reasonable safety.
- c) A secondary school age pupil from a low-income family and attends:
  - any one of their three nearest suitable schools and the school is between 2 and 6 miles away from their home address, or
  - the nearest school preferred by their parents on the grounds of sex, religion or belief and the school is between 2 and 15 miles away from their home address.

Parents have a right to express a preference for a school that is not their catchment area school/nearest school. Where the child attends a school that is not the catchment/nearest school and places are available at a nearer school which could meet their needs, the parents will not be assisted with travel assistance, whether the actual catchment area school is over the statutory distance, unless they meet the low-income criteria.

Travel assistance will not normally be provided 'in day,' i.e., during the normal school day.

#### **4. SCHOOL AGE PUPILS WITH SPECIAL EDUCATIONAL NEEDS**

Travel assistance requirements are considered as part of a full assessment of a child's special educational needs. If a child's needs are such that there are no associated travel assistance requirements, then eligibility for funded travel assistance will be assessed against the policy given above. Not every child with an ECH Plan will be eligible for funded travel assistance to school.

When assessing a child's needs the local authority will complete this on a case-by-case basis, and will take into account, information from:

- The child's parents.
- Professionals involved in the child's care.
- The child's school.
- The EHC Plan if the child has one.
- Their individual healthcare plan if the child has one.

If a child is unable to walk the statutory distance to their nearest appropriate school because of their special educational needs or disability, even if accompanied by a responsible adult, the Council will, subject to the statutory assessment/annual review process, provide travel assistance. Where travel assistance has been provided, this will be subject to an annual review with the expectation that age-appropriate independent travel will be introduced and subsidised travel assistance will be withdrawn.

Travel assistance for pupils with Special Educational Needs will not be provided where parents have expressed a preference for a school which is further than the closest suitable school identified with the Education, Health, and Care Plan (EHCP) or Statement of Special Educational Needs.

When the Local Authority determines that dual placement is appropriate, consideration will be given to whether travel assistance should be provided and the organisation of sessions to minimise travel assistance costs, consistent with the child's educational needs.

For pupils placed in residential special school placements by the Local Authority, pupils will be provided with travel assistance at the beginning and end of each week for weekly boarding placements and at the beginning and end of each half term for termly boarding placements.

### Referral Process (EHCPs)

When the Local Authority consults parents (15-day window) about a proposed EHCP towards the end of the assessment process, the Special Educational Needs team will circulate the summary document with the draft EHCP and a letter will be sent out to parents to highlight the importance of assessing the eligibility with the Independent Travel Needs Assessor before any expressions of preference are received.

If it is recommended that a parental request for travel assistance assessment is agreed, then it will be completed in 7 days, allowing parents to submit their preference within the 15-day window.

Provision is reviewed annually as part of the review of a EHCP. The relating paperwork includes a section relating to 'travel assistance needs' and this will be forwarded to the Local Authority for consideration/action after the review meeting and a travel assistance needs assessment will be requested at that point. As a child gets older, as part of consideration of transition to adulthood, Independent Travel Training will be considered as part of the annual review process.

When making provision for educational placements for children and young people, the Local Authority Special Educational Needs and Disability Team (SEND) will continue to ensure that travel assistance issues are considered as part of the process and will seek advice from the Independent Travel Needs Assessor as required. Where individual cases arise outside the Statement, Education, Health and Care assessment and annual review process, attempts will be made to secure local provision appropriate to the needs of the young person.

The Independent Travel Needs Assessor attends the Resource Panel meetings on a weekly basis.

### **5. OTHER CIRCUMSTANCES IN WHICH TRAVEL ASSISTANCE MAY BE CONSIDERED-DISCRETIONARY**

There may be other circumstances where Middlesbrough Council may offer travel assistance, this is at the discretion of Middlesbrough Council and is assessed on a case-by-case basis.

### Children with temporary medical/mobility problems-

Children with a mobility problem caused, for example, by a temporary medical condition may require travel assistance in order to facilitate their attendance at school. Where such children attend a qualifying school and no suitable arrangements have been made by the Local Authority for them to become a registered pupil at a qualifying school nearer to their home, at its discretion the Local Authority may choose to provide travel assistance. If a child is eligible for travel assistance, due to temporary mobility problems, it may not always be practicable for the local authority to make travel assistance arrangements before the child has recovered.

In normal circumstances the parent/carer will need to demonstrate that they are unable to assist the child to get to school e.g., because of their own disability. Parental work commitments/childcare needs will not be sufficient enough reason for the Local Authority to agree to provide travel assistance.

In all cases, the request will need to be supported by written evidence provided by a specialist involved with the child. If no timescale is agreed in advance, any travel assistance will be reviewed on a six-week basis.

### No safe walking route.

Where the Local Authority assesses that no other safe alternative route can be found for a child to walk, accompanied as necessary, transport assistance may be provided where the route is below the minimum distances detailed above in paragraph 12.

In reaching decisions on suitable safe routes, the Local Authority will not remove from parents their legal responsibility to ensure that their children attend school regularly and punctually. The fact that parents may face other pressures at this time, such as work commitments, is not in itself sufficient reason for the Local Authority to provide travel assistance support.

The Local Authority determines a safe walking route as a footpath lit at regular intervals with a paved/tarmac surface, safe designated road crossings, zebra crossing, pelican crossing and puffin crossing (the red and green man signal when it is safe to cross the road).

### Parents/carers with disabilities

Where parents/carers have to accompany their children along a walking route for it to be considered safe, and the parents/carers disability prevent them from doing so, the Local Authority may consider providing funded home to school travel assistance for the children of disabled parents/carers.

In a two-parents/carers household, both parent/carers would need to have a disability preventing them from fulfilling their responsibilities to secure their child's regular and punctual attendance. The fact that one parent/carer may be out at work is not in itself sufficient reason for the Local Authority to offer support.

The Local Authority has a duty to manage its limited resources and reserves the right to challenge any claims of parents/carer that they are unable to support their children's



attendance at school. Evidence may be required from an appropriate health professional supporting claims of disability.

#### Permanently Excluded Pupils

Where a child is permanently excluded from a mainstream school and the Local Authority is required to secure alternative provision for them, they may be entitled to funded travel assistance to an approved alternative provider, commissioned by the Local Authority, in accordance with the policy for mainstream and special schools given above. It is expected that assistance will be on a temporary basis until such a time as the child is re-integrated into mainstream or special school and will be subject to review.

#### Looked After Children

For children who are cared for by Middlesbrough Council who reside over the statutory distance and may not be attending their catchment area school, foster carers will be expected to provide this assistance in all but exceptional cases.

#### Change of home address

Where parents/carers move house during the course of a year and they are not able to secure a place at a nearer suitable school below the statutory walking distance, the Local Authority will consider travel assistance. This would be re-assessed at the start of the next academic year.

## **6. GENERAL ARRANGEMENTS**

The Local Authority uses a Geographical Information System (GIS) to measure all distances from the front door of the home address (including flats) to the main school gate as determined by the Local Authority. The home address is where the child lives/mainly resides. Where parents/carers are separated and the child lives for periods with both, then the home address will be that of the parent/carer that receives the child benefit. Where childcare arrangements are shared jointly between parents, the Local Authority will consider the main address to be the one to which the child benefit is assigned unless legal documentation is provided to the contrary.

#### Travel assistance during the school day

The Local Authority will not provide travel assistance for journeys made during the school day. Where pupils attend, for example, medical or dental appointments or off-site provision arranged by the school, then the school or parent, as appropriate, must make alternative arrangements and pay for travel assistance.

Similarly, pupils for whom travel assistance is being provided by the Local Authority must be available promptly at the start and end of the day to access this service. The Local Authority will not pay for or make alternative arrangements for late arrivals or early departures from school or alternative arrangements for pupils who miss their allocated service.

### Types of assistance and personal transport allowances

In all cases the Local Authority will determine the most appropriate way of making travel assistance provision. In considering travel needs, the Local Authority will aim to promote and maximise the independence of the child. This could be through the provision of Independent Travel Training; advice, guidance, and support; the issuing of bus passes or vouchers; cycle training; 'bus buddies'. The direct provision of home to school transport by the Local Authority will only be considered once all these options have been exhausted.

In some cases, where children qualify under this policy for assistance with travel assistance, the Local Authority will consider offering a personal travel allowance instead of direct transport provision, where this is in the best interests of the child and is the lowest cost option for the Local Authority.

A parental travel allowance is a sum of money calculated for each family to cover the cost of travel to and from school. A mileage allowance of forty-five pence per mile may be awarded for the return journey to and from school at the beginning and end of the school day. As allowances are calculated on an individual basis they will vary from family to family.

The allowance can be spent in any way parents/carers see fit to enable eligible children to get to and from school.

The Local Authority's decision to provide Parental Travel Allowance, and the method of delivering travel assistance support, will be reviewed on a minimum of an annual basis and will cease unless pupils remain eligible, or an ongoing need is identified by the annual review of the education statement or Education, Health, and Care Plan.

Requests for travel assistance should be made to the Integrated Transport Unit.

### Passenger Assistants

Where it is appropriate to the child's health and safety needs a passenger assistant will accompany them on the journey to and from school. The continuing need for a Passenger Assistant will be reviewed at least annually.

Passenger Assistants are required to attend an initial first aid training course. Refresher and other courses are also held when required. If a medical emergency occurs during the transport the Passenger Assistant will arrange for the emergency services to be contacted. Transport Officers consult with passenger assistants on a regular basis to discuss transport issues. Protocols for individual passengers will be added to the Passenger Assistants run sheet, where required.

All Council employed drivers and passenger assistants will receive up to date medical training as per DfE guidance.

### Safety

Individual risk levels are identified through assessment, children/young people assessed at a risk level 1 or 2 do not require an individual risk assessment. Where a child/young person is identified as a risk level 3 or 4 an Individual risk assessment will be carried out and any necessary protocols implemented.



All drivers and passenger assistants engaged on education transport contracts are subject to an enhanced DBS (Disclosure and Barring Service) as part of their contract. All transport operators contracted on education transport are required to provide the following information:

- Vehicle registration and plate details for taxis.
- Insurance certificates.
- Vehicle test certificates.
- Operators licence for PSV vehicles.
- Training on passenger assistants.
- Safeguarding Vulnerable Passengers Awareness Training.

It is the Local Authorities responsibility to ensure that drivers and passenger assistants who are dedicated to home to school transport, undertake the appropriate training, and that this is kept up to date. It is for the Local Authority to determine, what training is appropriate based upon risk assessments they have completed. Training does not always need to be in the form of a formal course, it can be in the form of conversations with parents/carers who know their child's needs best, peer support, toolbox talks and inhouse training.

The Integrated Transport Unit conducts regular checks on operator vehicles and their staff. Where necessary these are done in conjunction with the Police and Driver and Vehicle Standards Agency (DVSA).

#### Behaviour during Home to School Transport

The Local Authority work in partnership with education settings in order to promote good behaviour on home to school transport, however the Local Authority reserve the right to take action against inappropriate behaviour.

The Local Authority will collaborate with schools and parents/carers to manage behaviours within home to school transport. Access to transport may be withdrawn, however this would only be done as a last resort, and alternative travel assistance will be offered.

#### Right to challenge claims for assistance

The Local Authority has a duty to manage its limited resources and reserves the right to challenge any claims for travel assistance. Where it is not already readily available to the Local Authority, it may request that evidence supporting the claimant's case be submitted.

### **7. STUDENTS WITH SPECIAL EDUCATIONAL NEEDS OR A MEDICAL CONDITION ATTENDING COLLEGES OF FURTHER EDUCATION**

Please refer to Post-16 Transport Partnership Policy Statement 2024/25.

### **8. COMPLAINTS/CONCERNS**

If you have a complaint/concern about Home to School Travel Assistance, including SEND Travel Support, you should contact the Integrated Transport Unit immediately; especially if it involves a safety / safeguarding concern. The Integrated Transport Unit will then try and resolve your complaint / concern as quickly as possible.

We may need to ask you to follow up your complaint in writing. Once investigated, you will be advised of the outcome and any subsequent action taken, where appropriate. Information pertaining to a member of staff will not be shared if disciplinary action is taken.

The postal address, email address and telephone numbers for the section can be found on the Introduction page of this document. If you are not satisfied with the outcome, then you may wish to contact the Authority's Information Governance Team who deal with complaints, compliments or comments they can be contacted on 01642 729815 or by completing a form @ <https://www.middlesbrough.gov.uk/open-data-foi-and-have-your-say/have-your-say/feedback-and-complaints-about-council-service>

## **9. APPEALS AGAINST A DECISION NOT TO PROVIDE FREE TRANSPORT**

Appeals against a decision not to provide funded home to school travel assistance should be in writing and will be considered by the Head of Service, Access to Education, Education and Partnerships, Integrated Transport Unit, Resolution House, Cargo Fleet Lane, Middlesbrough, TS3 8AL.

Complaints about the process can be made through the Local Authorities complaints process, however it will not result in the reconsideration of an appeal unless there was a flaw in the appeals process. The appeals process is outlined below.

### Stage one: Review by Head of Service, Access to Education, Education and Partnerships

A parent/carer has twenty 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/carer believes the decision should be reviewed and give details of any personal and/or family circumstances the parent/carer believes should be considered when the decision is reviewed.

Within twenty working days of receipt of the parents/carers written request the Head of Service, Access to Education, Education and Partnerships, will review the original decision and send the parent/carers a detailed written notification of the outcome of the 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)

Parents/carers who wish to attend the appeal hearing can do virtually or in person to present their case. Where a parent/carer is unable to attend a hearing, the panel will make its decisions based upon the parents/carers written representations.

### Stage two: Review by Independent Appeal Panel

A parent/carer has twenty 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 forty working days of receipt of the parents/carers request an independent appeal panel will consider written and verbal representations from both the parent/carers and officers involved in the case and give a detailed written notification of the outcome (within five 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).

Stage 2 of the appeal is independent of the original decision-making process to ensure a balance is achieved between meeting the needs of the parent/carers and the Local Authority, and that road safety requirements are complied with, and no child is placed at unnecessary risk.

Complainants have the right to appeal to the Local Government Ombudsman but only 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 managed. If the complainant considers the decision of the stage two review to be flawed on public law grounds, the complainant may also apply for judicial review.

Document Control				
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29/07/2024	1.0	Helen Harris Independent Travel Needs Assessor	Ged Faint Integrated Transport Unit Manager	18/07/2025
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