



Mainstream School Education Transport Policy 2017/18

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INTRODUCTION

This document outlines the Council's Policy for providing assistance with education transport for children and young people in Bracknell Forest below 16 years. If the child has a statement of special educational needs or an Education Health Care Plan you should refer to the Education Transport Policy 2017/18 for Children with a Statement of Educational Needs (SEN) or Education Health Care Plan. It is not a definitive statement of the law, but takes into account legislation, relevant guidance, regulations, recommended practice and the council's own experience. We provide transport to school in accordance with the statutory provisions of the Education Act 1996, as amended by subsequent enactment. The Policy will also have due regard to the Equality Duty pursuant to the Equality Act 2010.

We provide school transport to assist in enabling children and young people to attend school or their place of education. Some children and young people are eligible by legislation for free assistance with transport. The council may provide assistance for other children and young people too, and this Policy explains the circumstances in which such assistance may be offered. In accordance with legislation, its provisions are based on the presumption that each young person's case and circumstances must be considered individually, and so it is expected that the council will exercise its discretion in particular circumstances.

It explains the council's policy for the provision of school transport to children of statutory school age, as from 1 September 2017. This date is chosen to allow adequate notice for people affected by it, especially those parents choosing secondary schools for their children during the autumn of 2016. Local authorities are required to prepare a statement with regard to transport for each academic year – see S508 of the Education Act.

In all appropriate cases, decisions will be taken in accordance with this Policy where those decisions will come into effect when this Policy is in force.

This Policy on occasion may be changed in the light of changes in legislation and other such circumstances. In considering the date of implementation of any future change, the council will consider the effect on children and students whose school or college attendance or travel arrangements were made in good faith in the light of this or previous policies. However, the council reserves the right to implement any change of policy before the end of the school or college career of any particular child or young person.

Bracknell Forest Council will only consider pupils resident in their area for transport assistance.

Throughout this Policy we use the term *parent* to mean one or both parents and to include the child's main carer(s). We use the term 'assistance' in this Policy because in some cases we may meet only a part of the cost, or because we need to make it easier for a child or young person to attend a school or college.

We explain which children and young people are eligible by legislation to receive assistance with transport. This includes assistance for those children and young people with medical and other individual or specific needs.

We explain the types of transport that we may provide. We explain how decisions about transport are made, and how to ask for a particular decision to be reviewed. We go on to outline the standards of service that we expect to meet.

Addresses and telephone numbers are given for queries relating to eligibility for transport and for day-to-day matters of the provision of transport and appeals. Queries relating to the Policy as a whole should be addressed to the Senior Admissions Officer, Bracknell Forest Council, Time Square, Market Street, Bracknell RG12 1JD.

Sections 1 - 5 sets out the regulations regarding Education Transport for all pupils They also set out what is required of parents/carers and children in general when being offered transport assistance.

Section 6 sets out the provision for 16 – 19 transport

Parents or carers are responsible for ensuring that their child regularly receives education, if he/she is of compulsory school age. In England a pupil becomes of compulsory school age on the 1st day of the term following the 5th birthday. A pupil ceases to be of compulsory school age at the end of the last Friday of June following the 16th birthday. Transport assistance is not normally provided for pupils below compulsory school age.

Changes in legislation included in the Education and Skills Act 2008 means that all children must remain in some form of education or training until the age of 18. This does not have to mean only staying in school, it can be:

- full-time education, e.g. at a school or college
- an apprenticeship
- full-time employment (over 20 hours a week) combined with part-time education or training

Although the council offers transport assistance, it is still the responsibility of parents in all circumstances to ensure their children get to school and attend school. Where a child fails to attend school the parent/carer may be prosecuted by the council for non-attendance under S.444 of The Education Act 1996. Even where transport is provided they still have a responsibility for the behaviour of the child and will need to play a part in the process.

THIS POLICY SUPERCEDES ALL PREVIOUS POLICIES AND APPLIES ONLY TO THE ACADEMIC YEAR 2017/18

TO CONTACT THE INTEGRATED TRANSPORT UNIT:

Commercial Centre
Old Bracknell Lane West
Bracknell
RG12 7QT

Telephone: 01344 352002
Fax: 01344 353235
Email: corporate.transport@bracknell-forest.gov.uk

1. Statutory Free School Transport

1.1 General Entitlement

Transport assistance will normally be provided to all pupils of compulsory school age who are in full time attendance at **mainstream schools** in the following circumstances:

- Pupils aged under 8 if they attend the nearest qualifying** school and live more than two miles from school.
- Pupils aged 8 and under 16 (except for those from low income families – see below) where they attend the nearest qualifying** school and live more than three miles from school.

Transport is not provided for children under compulsory school age i.e. those attending pre-schools or nursery provision.

The distance from the home address to the school is measured by a walking distance from the perimeter of the home address to the front gates of the school.

Please see SEN Transport Policy 2017/18 for details of provision of transport for those children who are under statutory school age but have a Statement of special educational needs or an Education, Health & Care Plan.

The law additionally makes provision for children (of compulsory school age) of those families on low income to receive transport assistance in the following circumstances:

****The qualifying school is the designated area school or the nearest school with places to the home address. Transport will only be provided under these sections where there is a place for the child.**

1.2 Low Income Families

The law makes provision for children (of compulsory school age) of the families on low income to receive transport assistance in the following circumstances:

- Pupils from low income families* aged 8 but under 11 are provided with transport assistance if they attend their nearest qualifying** school and they live more than two miles from the school.
- Secondary pupils aged between 11 and 16, from low income families, who are attending one of their three nearest qualifying** schools, which is more than two miles, but less than six miles from their home will be entitled to free transport provision.

These distances are measured by the nearest available walking route, and verified by the council, or its agents, by appropriate means which might include the use of computer generated mapping systems. The council views these distances as an exact measure and they cannot be considered as marginal. The measurements are taken from the curtilage (the front edge of the property) of the home to the main entrance of the school.

***Low Income Family' is defined as a family that is either entitled to free schools meals, or whose families are receiving the maximum level of Working Tax Credit or Universal Credit.**

Applicants will be required to provide relevant documents to prove their eligibility to free transport. In the case of those receiving maximum Working Tax Credit they will have to submit their latest Tax Credit Award Notice from HM Revenue and Customs. Other documents will be required and details should be obtained from the Integrated Transport Unit before applying.

Once eligibility on income grounds has been confirmed the pupil will be considered eligible (on these grounds) for the school year for which the assessment has been made. However, if other circumstances change, for example they move house, then eligibility will be re-assessed. It is parent's responsibility to inform the Integrated Transport Unit of any change of circumstances. Income assessments will be carried out on an annual basis.

Exceptions to the above provision of transport for pupils living under the above distances are only considered on the following basis:

- Medical condition of the child (see Section 2.7)
- Pupils with Statement of special educational needs or an Education, Health & Care Plan (See separate SEN Transport Policy)
- A decision on the safety of route (see Annex A)
- Individual decision of the Appeals Process

Transport is normally only provided at the beginning and end of the school day and from home to school.

1.3 Denominational Transport

Bracknell Forest does not provide denominational transport except for pupils from 'low income families' (as defined above) who are entitled to transport assistance in the following circumstance:

- Pupils from low income families, attending the nearest suitable school*** preferred on grounds of religion or belief, where they live more than 2 miles, but not more than 15 miles from that school will be entitled to free transport provision. Distance is measured using the Bracknell Forest Geographical Information System (GIS) taking a straight line between the home address and the schools. This is based on the co-ordinates of the school and the home as defined in the local Land and Property Gazetteer and based on the Ordnance Survey's national system.

*****The nearest suitable school is the closest school of the parents practising faith. If parents choose to send their child to a school which is not the suitable, or nearest school, free transport will not be provided by the council.**

The council will consider, on an individual basis, whether transport to a denominational school should be provided for a particular child in exceptional circumstances. A preference for being educated in accordance with a particular religion or belief (as defined by S.10 of Equality Act 2010) will not usually constitute exceptional circumstances.

1.4 How to apply

Application Forms are available online at:

www.bracknell-forest.gov.uk/learning/learn-schools/learn-school-transport.htm

or by contacting the Integrated Transport Unit:

Commercial Centre
Old Bracknell Lane West
Bracknell
RG12 7QT

Telephone: 01344 352002

Fax: 01344 353235

Email: corporate.transport@bracknell-forest.gov.uk

Only one application for transport for each child will be considered each academic year unless there has been a significant change in circumstances.

2.0 INDIVIDUAL REQUIREMENTS

2.1 *Pupil's Home Address*

Transport to and from school will normally be determined from a single permanent residence. This is normally the address where the child spends most time with the parent/carer and has been used for admission purposes. The council must be notified in writing of all changes of home address.

2.2 *Change of Address*

If there is a change of address for a pupil then parents must inform the Integrated Transport Unit immediately. If necessary the Integrated Transport Unit will reassess the pupil's entitlement to transport. Proof of residency will be required to ensure the correct entitlement for the pupil.

Please note that a change of address does not mean an entitlement to transport although in exceptional cases, the council may consider that continuing attendance at the current school to be in the child's best interest. In such cases transport will be considered to ensure attendance, for example during the final year of GCSEs. Consideration will also be given as to whether the change of address was entirely outside any parental control. This is at the discretion of the council.

2.3 *Moving Into and Within Bracknell Forest*

Families moving into Bracknell Forest –

- pupils who apply for but are unable to obtain a place at their designated area school, who are then directed to the next nearest school with places, are entitled to free transport to that school, subject to the "statutory free transport" provision at Section 1 and until such time as a place becomes available at their designated school. Transport will be withdrawn when a space is offered at the child's designated school irrespective if that offer has been refused by the parent.

However, if parents subsequently choose the same school for siblings this would not automatically entitle the siblings to free school transport.

Families moving *within* Bracknell Forest and wishing for their child to remain at their current school –

- free home to school transport will not normally be provided to a child who moves to an address closer to another suitable school where places are available at the time of moving. However, consideration will be given to extenuating circumstances for example, to cases where children are completing final exams.

2.4 *Siblings*

Siblings do not have an automatic entitlement to transport. If the Policy has changed since any older sibling received free transport (e.g. for transport to denominational schools or there has been a change to the designated area), then the younger sibling will be subject to the Policy in force at the time of the latter's application and anticipated start date.

2.5 Pupils Living In Temporary Accommodation

If a pupil of statutory school age and its family/carer are placed in temporary accommodation by the council, consideration will be given to the provision of education transport for a limited period but not exceeding six (6) weeks. Each case will be considered based on the individual circumstances (e.g. reasons for the displacement, age of the child(ren), likely timescales, parent/carer's circumstances). The case will be investigated fully and all the relevant authorities will be consulted and the council's decision will be final.

If transport is to be provided it will be by whichever means the council decides is the most appropriate and provide the best value for money. It may be provided free or a contribution may be required. Transport will cease either when it has been received for 6 weeks or when the family have been offered suitable accommodation within Bracknell Forest subject to the "statutory free transport" entitlement outlined in Section 1 whichever is first.

2.6 Starting School and transferring to secondary school

When a parent/carer has applied for a school place for their child for the first time or transferring from primary to secondary school, by the relevant published closing date for the year group (see section 2.7 when to apply), but a school place cannot be offered at any of the preferred schools or the designated area school, the School Admissions Team will offer a place at an alternative school. Transport assistance may be considered if the alternative school is beyond the statutory walking distance stated in Section 1.1. However if a parent/carer does not name the designated area school in their original application then they will not be considered for transport under this criteria.

2.7 When to Apply

If you have applied to the Bracknell Forest School Admissions Team for your child to start school for the first time and their date of birth is on or between 1 September 2012 and 31 August 2013 and you have applied by the closing date of 15 January 2017 then you be able to apply as an on-time applicant for transport after the offer letter has been received (or, if appropriate, after a successful appeal). This will be processed subject to the statutory requirements set out in Section 1

If you have applied to the Bracknell Forest School Admissions Team by the closing date of 31 October 2016 for your child to transfer from primary to secondary school for September 2017 then you will be able to apply as an on-time applicant for transport after the offer letter has been received (or, if appropriate, after a successful appeal). This will be processed subject to the statutory requirements set out in Section 1.

If an application for transport is received, the Integrated Transport Unit will liaise with the School Admissions Team to check whether your application for a school place could have been made by the closing date (e.g. you have not just moved into the area) then your application for transport will be affected. If you have just moved into the area see section 2.3.

Transport is provided in accordance with the age of the child and not the school year in which they are studying unless otherwise agreed by the School Admissions in writing.

2.8 Changing Schools

Where a parent decides to change their child's school after they have started, the parent will be responsible for the transport of their child to that school.

2.9 Medical Conditions

If a pupil or young person has a temporary or enduring medical condition making it impossible to walk to school or college, then assistance may be provided from their home address. Applications for assistance on this basis will need to be supported by appropriate evidence from the medical profession. Evidence required by the council may include, but may not be restricted to, a letter from the child or young person's general practitioner or consultant or both and must be supplied at no cost to the council. However, transport will only be provided at the start and the end of the normal school day and if the child is attending either their designated school or the school in which they have been placed by the School Admissions Team which was not one of their preferences.

If you feel your child may be eligible you need to contact the Family Support Advisor or the School Secretary at the school the child normally attends.

The council reserves the right to require the child or young person to be examined by its own medical adviser and may choose to seek comment from the educational institution or school attended by the child or young person. In an exceptional case the council may choose to substitute the advice from its own adviser for that submitted by a parent. Provision of the assistance will be reviewed from time to time as appropriate.

If the pupil is attending a non-designated school, parents may be required to pay their usual daily cost as a contribution towards the council's costs.

Example of a short term medical condition – broken leg

Example of a long term/permanent medical condition – brittle bone disease.

2.10 Parents' disabilities

Assistance is not normally provided for a child or young person in respect of the disability of either or both of his or her parents. However, each application will be considered on its own merits at the discretion of the council and in compliance with the Equality Act 2010.

2.11 Fair Access Protocol

If a child has been admitted to a school that has been agreed by the Fair Access Panel it may be appropriate for transport to be given. This will usually be in the form of a bus pass. A decision on whether transport will be offered will be made at the Panel meeting.

2.12 School Admission - Social or Medical Application

A very few number of applications for a school place are allowed under the specific criteria of social or medical grounds. If an offer has been made at a school because of this criterion being applied, and this offer would not have been made otherwise, then parents must ensure that they inform the Integrated Transport Unit if this is relevant when making a transport application.

3.0 TRAVEL ARRANGEMENTS

3.1 *Boarding and Alighting Points*

Where the child can be expected to walk to their transport provision then appropriate boarding and alighting points will be determined by the Integrated Transport Unit. Pupils are expected to walk a reasonable distance to and from home to meet their transport. The maximum distance to a boarding point for any pupil will not normally exceed one mile.

Parents are responsible for their children's safety in getting to and from the boarding and alighting point at the appropriate time. Parents are also responsible for their children when they are waiting for transport and when they leave the transport at the end of the day.

Boarding arrangements for individual pupils will not be altered without prior agreement with the Integrated Transport Unit, in consultation with the relevant school, and then only for reasons restricted to pupils' personal safety. Bus passes will then be reissued as appropriate by the Integrated Transport Unit.

3.2 *Mileage Reimbursement for Parental Transport*

In some cases, transport to and from school may be provided by parents themselves.

This option is only available where there are no existing contracted home to school transport routes and the child is attending their designated school or school in which they have been placed by the School Admission Team which was not one of their preferences.

The council may reimburse mileage at a rate to be considered annually, taking into account yearly inflation, for the home to school journeys only, i.e. when the pupil is being transported (see Annex C). It does not cover the parent/carer's return trip when the pupil is not in the car. The rate is fully inclusive and will cover all eventualities, including when a second parent/guardian/carer is required to act as "escort". The council will determine the mileage that can be claimed and payments will be made on a termly in arrears basis.

Where a parent makes their own arrangements and seeks reimbursement this must be agreed in advance before any such arrangement commences. Reimbursement will only be made from the date of any arrangement being made and will not normally be made for retrospective journeys.

If a parent chooses not to use the available contracted route then no reimbursement will be available.

The council reserves the right to withdraw the option to pay reimbursement if, at a later stage, a contracted route is available or circumstances change.

In cases where public/commercial transport is available, the council may reimburse mileage on request when it is cost effective to do so, or public transport fares.

3.3 Fare Paying Scheme

Pupils who are not entitled to free transport who enquire about transport to schools will be directed to apply for a seat on a public transport route. Pupils may be given the option to apply for a farepaying seat on one of the council's contracted services.

Where spare capacity exists on current vehicles that have been contracted to provide home to school transport for entitled pupils, the council may make these seats available for purchase by non-entitled pupils, subject to the following:

- the seat being withdrawn with FIVE days' notice should it be required for an entitled pupil
- larger and/or extra vehicles will not be contracted specifically for farepayers.
- the council is under no legal obligation to provide transport for non-entitled pupils
- these seats will be allocated on a first come first served basis
- the council's decision on this will be final.

The council may need to withdraw a farepaying seat for a number of reasons, including

- a seat is required for an entitled pupil
- a route is down-sized (i.e. a smaller vehicle is being used to operate a route)
- the unacceptable behaviour of the pupil

Should the council need to withdraw a farepaying seat the withdrawal of the service will be in the following order

1. Non Bracknell Forest residents
2. Bracknell Forest farepaying pupils will be removed on the basis of last on, first off

Please note that farepaying seats are not normally available on transport arranged for pupils with special needs.

Details on current rates for this scheme can be found at Annex C. The publication of a scheme seat price does not guarantee availability of a seat.

4.0 TRANSPORT TO ALTERNATIVE SITES

4.1 Work Experience Placements and Off Site Activities

Transport is not normally provided for work experience placements or any other off-site courses/activities. This applies to all pupils if any special travel arrangements are needed it will be for the parent or the school to make them at their own expense.

Transport is provided for pupils at the start and end of the published school day only; it will not normally be provided for additional activities, e.g.:

- **Breakfast clubs**
- **After school activities**
- **Induction / open day / interview visits**
- **Medical and dental appointments**
- **Parental / Carer attendance at school**
- **Respite Care**
- **Removal from school following an exclusion**
- **In the event that a child is unwell at school**
- **Work experience**

4.2 Transport to Pupil Referral Unit

Although the council offers transport assistance, it is still the responsibility of parent/carers in all circumstances to ensure their children get to school this includes the Pupil Referral Unit and any other places where education may be provided. Even where transport is provided parent/carers still have a responsibility for the behaviour of the child and will need to play a part in the process.

Transport to Pupil Referral Units and other places where education may be provided will only be provided in accordance with 1.1 General Entitlement. Transport to the Pupil Referral Unit for those pupils who are not attending mainstream schools will be provided at the start and the end of teaching sessions only.

Transport may be withdrawn from pupils who regularly fail to attend the PRU – responsibility for attendance will then pass to parent/carers.

Parents/carers must be aware that should your child require transport to and from the Pupil Referral Unit at any other time this is your responsibility – this includes exclusions.

4.3 Pupils excluded from school

A pupil permanently excluded from a school will be provided with assistance to his or her new school provided it is both the nearest suitable school, as agreed by the Children Young People & Learning Targeted Services Team and is outside the statutory walking distance from home (see section 1.1 General Entitlement). Exceptional arrangements may be made if the pupil attends a Pupil Referral Unit or similar establishment, and these may include assistance with part-time attendance at other educational establishments as required by his or her particular needs.

4.4 *Clubs, detention and extended school*

If a pupil receiving assistance at school, for any reason, either before the start of the normal school day or after the end of the normal school day, the responsibility for conveying that pupil lies with his or her parent/carer and at their expense.

4.5 *Elective Home Education (EHE)*

Where parents have made the choice to educate their child at home, no assistance will be available from the council in connection with any transport need arising.

Where the council arranges for a pupil to have education other than in school, the council will provide transport subject to normal eligibility rules on home to school transport.

5.0 GENERAL REQUIREMENTS FOR PARENTS/CARERS AND CHILDREN USING TRANSPORT

5.1 Behaviour on School Transport

Parents, schools, pupils, transport contractors and the council, working in partnership, all share responsibility for ensuring that acceptable behaviour is maintained to ensure safe and stress free school transport for all.

The provision of transport maybe withdrawn either for a period of time or permanently should a pupil misbehave whilst being transported to or from school. Normally a warning letter will be sent to parents/carers prior to transport being withdrawn. However, in the event that any incident is considered serious enough, following an investigation by the Integrated Transport Unit, the withdrawal of transport may be immediate. In this instance the responsibility for ensuring attendance at school will remain with the parent/carer of the child.

5.2 Transport Provided In Error

Where free transport has been provided in error, or, where there have been material changes to the route to school, provision will be withdrawn. However, transport will continue until the end of the term in which the error was notified, in order to allow parents/carers to make alternative arrangements.

5.3 How transport assistance will be offered

In all instances, assistance will be offered in the most cost-effective manner taking into account the route to be covered. The following kinds of assistance are available:

- accompaniment of a learning support assistant during a walk to school
- a car mileage allowance paid to the parent /carer
- A pass for use on public transport (which may be a bus or a train) *
- A council contracted hire vehicle (which may be a coach, minibus or taxi)

*When transport, in the form of a bus pass for use on public transport, is provided for primary students as a result of the nearest school to the home address being full, a pass may also be provided to the parent/carer to travel with the child. This pass will only be valid for the journeys stated on the pass and for journeys to and from the school and may be withdrawn if any attempt is made to use it at any other time or for other than the journeys stated.

A passenger transport assistant/escort may be provided, but there is no legal requirement that one should always be provided. Passenger transport assistants/escorts are not normally provided for students over the age of eight attending mainstream schools

There is no requirement that a type of transport once given should be maintained: the type may be changed at short notice.

The council tries to ensure continuity of vehicle, driver and passenger transport assistant/escort, but this can never be guaranteed.

Assistance will be provided for the journey between a pupil's home address or pick-up point and the pupil's registered school. It will not be possible to vary the pick-up or drop-off points. However, transport may be provided to respite care and registered child-minders if this can be done without additional cost to the council. Any such requests must be made in writing. A pupil may be required to walk to a pick-up point, which will be within the statutory walking distance.

Parents/carers will be asked to provide contact telephone numbers, including alternative numbers in the event of the operator or council being unable to contact the parent/carer.

For pupils travelling by minibus/taxi - the parent/carer will be expected to have the child ready for collection by the specified time. The vehicle will wait only for a maximum of three minutes beyond the arrival time, after which time the responsibility for ensuring attendance at school will be with the parent/carer. The parent/carer will be expected to be at home to receive the child at the end of the day. A child may not be taken to another address if the parent/carer is unavailable.

If a child cannot be delivered home, then the driver will deliver the child into the care of Children's Social Care. The parent/carer will then need to make arrangements to collect the child at their own expense. In the event that the pupil cannot be taken to Children's Social Care the driver will proceed to the police station. These measures will be taken only as a last resort. Concurrently with this, every attempt will be made to contact the parent/carer by telephone.

Where a variation from the usual pattern is exceptionally agreed, this will not be treated as a precedent, whether for that child, that address or that circumstance.

5.4 Standards required of Hackney Carriage, Private Hire, Home to School drivers and Passenger Transport Assistants/Escorts providing education transport

The driver and any passenger transport assistant/escort will be required to carry identification at all times. The vehicle will be expected to have an operational means of contact with its base such as a mobile telephone or two-way radio. It is expected that amongst other things, this will be used to alert the vehicle's operational base to any significant delay so that parents/carers may be informed.

If a pupil is taken ill during the course of journey, the vehicle will either divert to the nearest hospital with an accident and emergency department, or will stop and summon assistance. Arrangements for other pupils in the vehicle to complete their journeys will be made as quickly as possible.

It is a requirement that drivers and passenger transport assistants/escorts should have general training in the requirements of the pupils whom they convey. In addition, the

vehicle operator will be expected to carry individual information including school's and parents/carers contact details, guidelines for working with the pupil in the light of his or her special educational needs, and warnings of any medical conditions. All such information held by the operator and the council is subject to the Data Protection Act.

Drivers and passenger transport assistants/escorts will be expected normally to call in person to introduce themselves to a new pupil and his or her family in advance of the first journey to school. It is accepted that this may not be possible in all instances, such as if an arrangement has to be made quickly, or in the case of a substitute driver or passenger transport assistant/escort. Parents/carers and schools are asked to see the identification of any unfamiliar driver before entrusting a child to his or her care.

The council undertakes relevant checks with the Disclosure and Barring Service for all potential drivers and passenger transport assistants/escorts.

The duties of the driver and passenger transport assistants/escort are limited to the vehicle only. The parent/carer is expected to take the child to and collect the child from the vehicle. At school, a member of the school staff is expected to collect the child from the vehicle and take the child to the vehicle as appropriate and according to the needs of the child.

If a family in temporary accommodation are provided with a taxi to and from school for primary aged children then the parent will be expected to act as an escort in the vehicle and to provide either child or booster seats for all children that require them.

6.0 Post 16 Education

Changes in legislation included in the Education and Skills Act 2008 means that all children must remain in some form of education or training until the age of 18. This does not have to mean only staying in school, it can be:

- full-time education, e.g. at a school or college
- an apprenticeship
- full-time employment (over 20 hours a week) combined with part-time education or training

However, the provision of assistance with transport is discretionary – for information please refer to the separate Post 16 Transport Policy.

7.0 DECISIONS, REVIEWING OF DECISIONS, COMPLAINTS AND APPEALS

Decisions as to the eligibility for transport, the mode of transport, and other practical matters of transport will be taken by the council's officers with particular authorisation to do so. This is not a statutory appeal, but the council expects to uphold the normal professional standards of such appeal procedures.

No appeals will usually be considered regarding the mode of transport provided. The method of transport is provided by the council's transport officers based on the best available, taking into account the child's needs and the requirement to offer best value.

Parent/carers do have the ability to challenge the decision made by officers on the grounds of:

- The transport arrangements offered
- Their child's eligibility
- The distance measured
- The safety of the route

Only one appeal will be given for each transport application unless there have been a significant change in circumstances. Please see separate flow chart for decision making process

Stage One

- A parent/carer 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/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
- This written request should be made to the Senior Admissions Officer, Bracknell Forest Council, Time Square, Market Street, Bracknell, RG12 1JD and clearly marked EDUCATION TRANSPORT APPEAL
- Within 20 working days of receipt of the parent/carer's written request the Senior Admissions Officer reviews the original decision and sends the parent/carer a detailed written outcome 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
 - information about escalation to stage two (if appropriate)

Stage Two

- A parent/carer has 20 working days from receipt of the local authority's stage one decision to make a written request to escalate the matter to stage two
- This written request should be made to Democratic Services, Bracknell Forest Council, Easthampstead House, Town Square, Bracknell, RG12 1AQ clearly marked EDUCATION TRANSPORT APPEAL.
- Parent/carers should be aware that no appeal at Stage Two will be considered until such time as Stage One has been completed.
- Within 40 working days an independent appeal panel considers written and verbal representations from the parent/carer and officers and gives a detailed written outcome within 5 working days of their meeting 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
 - information about escalation to the Local Government Ombudsman
- The independent appeal panel members are independent of the process to date and suitably experienced, ensuring that a balance is achieved between meeting the needs of parent/carers and the local authority.

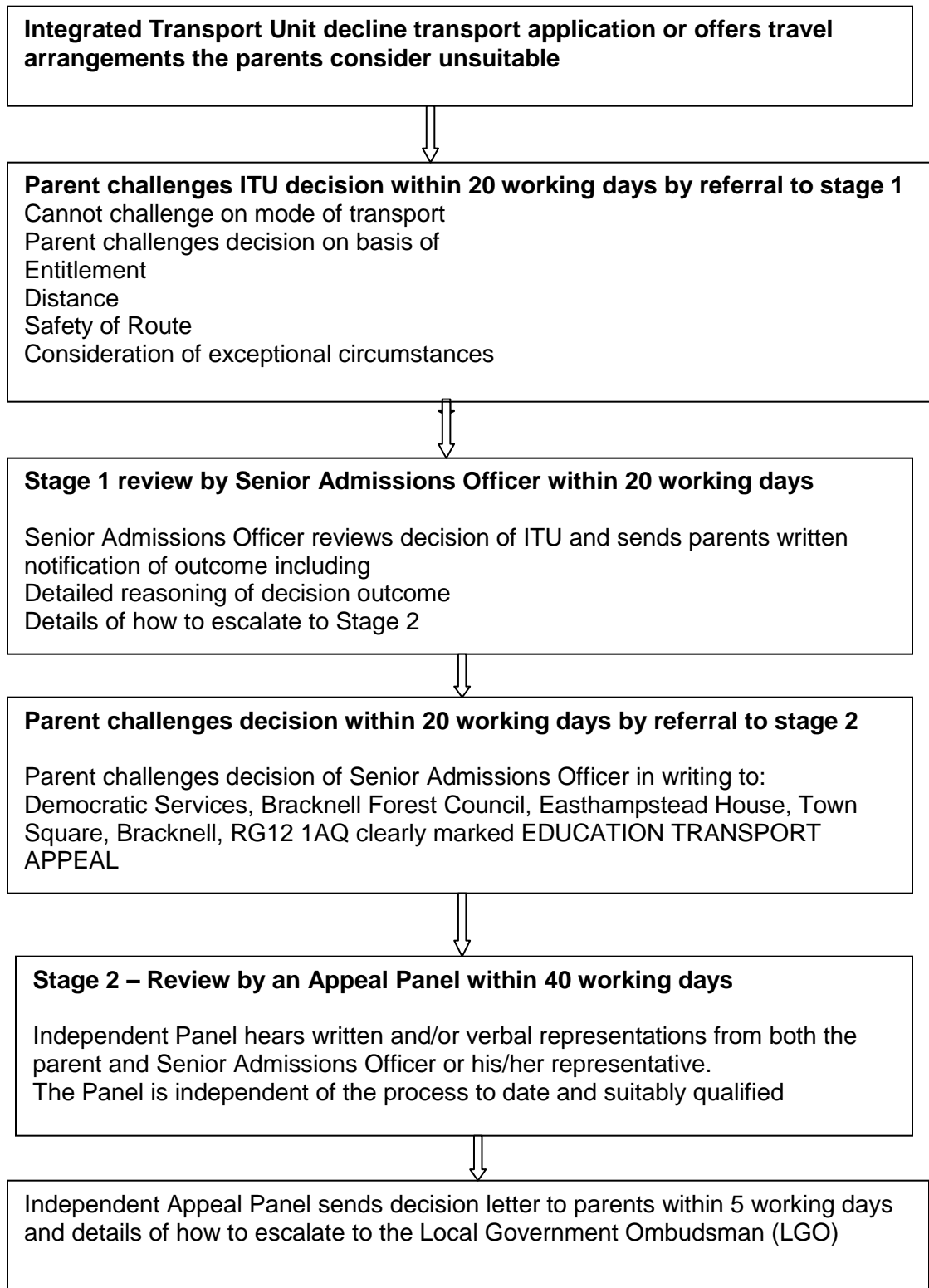
Local Government Ombudsman

A parent/carer who remains dissatisfied after following this procedure may further complain to the Local Government Ombudsman, but only if complainants consider that there was a failure to comply with procedural rules or if there are any other irregularities in the way the appeal was handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may apply to judicial review. The Ombudsman can be contacted at:

PO Box 4771, Coventry CV4 0EH (tel. 0845 602 1983)

Further information is available on the Ombudsman's website: www.lgo.org.uk

APPEAL PROCESS FLOW CHART



Useful Contacts

First Great Western Link

Tel: 01189 083678

Web: www.great-western-trains.co.uk

South West Trains

Tel: 0845 600 650

Web: www.swtrains.co.uk

First in Berkshire & The Thames Valley

Tel: 01344 782222 – Bracknell & Wokingham area including Green Line Services

Tel: 01753 524144 – Slough, Windsor & Maidenhead area

Web: www.firstgroup.com/ukbus/berkshire

Courtney Buses

Tel: 0118 973 3486

Web: info@courtneybuses.com

Adviza

Responsible for advice and information for 14 – 18 year olds

Tel: 0845 408 5001

Web: www.adviza.org.uk

Reading Buses

Tel: 0118 959 4000

Web: www.reading-buses.co.uk

Traveline South West

For journey planning

Web: www.travelinesw.com

Annex A - Education transport: some frequently asked questions

This Policy applies to those children who are resident of Bracknell Forest. We hope the answers below will be of help, but please bear in mind that every pupil's circumstances are different, and so the answer for a particular child may not always correspond exactly with what is written below. Please discuss your individual queries and requirements with a member of the Integrated Transport Unit for more detailed information.

What is an academic year?

The academic year starts on 1 September in any given year and ends on the 31 August in the following calendar year.

What is statutory or compulsory school age?

Education transport relates to children of compulsory school age. A child becomes of compulsory school age at the start of the term following their fifth birthday. Compulsory school age ceases on the last Friday in June in the school year when the young person reaches the age of 16.

What about parental preference?

Under the Education Act 1996, parents have the right to express a preference for the school they wish their child to attend and for the child to be educated in accordance with the parents' wishes. The council recognises this principle and strives to respect it as far as possible. However, when a parent opts for a school that is not the nearest suitable school (or not one of their 3 nearest suitable schools for those aged over 11 and on a low income), free home to school transport will not be provided and parents must make their own transport arrangements to secure their child's attendance at school. There can be exceptions to this, which are explained in the Policy.

What is a denominational school?

A denominational school is one that has a religious character in its ethos and teachings. Denominational schools enable children from a particular faith to attend a school that complies with parents' religious adherences. Denominational schools may also have their own admission policies. Within the Bracknell Forest Borough, there are no single sex schools nor any catholic secondary denominational schools. For more information about which school is your nearest suitable school or your nearest denominational school please contact the School Admissions Team by ringing 01344 354023 or email school.admissions@bracknell-forest.gov.uk

Education Transport is not provided for denominational schools unless the applicant fulfils the requirement under the low income provision. Please refer to section 1.3 for full details.

What if I want my child to attend a grammar school?

Where there is another suitable school that is nearer, which need not be a grammar school, but the parents decide to send the child to a grammar school that is further away, travel will not be provided.

What do I do if I have moved house?

The address used to assess education transport requests will be where the child mainly lives, usually with someone who has parental responsibility. Proof of residence may be requested to confirm that a child and the child's family is resident at a specified address. The following are examples of items that may be used as proof:

- copy of Council Tax Statement
- copy of Rental Agreement

This list of documents above is not exclusive and the council may ask for permission to gain access to other council information, for example Council Tax or Housing Benefit records.

If you move house then it is your responsibility to notify the Integrated Transport Unit of any change of address or telephone number in good time. Failure to do so could result in a request for a refund of the money owed if appropriate.

Do you review routes?

The council reserves the right to review walking and driving routes from time to time. This may include reconsideration of the safety of existing routes and the emergence of new routes perhaps as a result of redevelopment of an area or the adoption of roads. A parent will be given at least two months' notice if such a review causes an eligible child to become ineligible.

How do you check that the routes are safe?

The nearest available walking route is measured taking into account the safety of the route. If the safety of the route is contested, its status will be determined in accordance with the Council Road Safety Officers' Association private publication *Guidelines for the identification of hazards and the assessment of risk and the safety of walked routes to school* (2002).

How are the walking distances measured?

Statutory walking distance has a specific meaning for education transport purposes laid down in legislation. For a child under 8, it is 2 miles. For a child over 8 it is defined as 3 miles. Different distances apply for low income families.

'Walking distance' is measured by the shortest available route that the child could reasonably be expected to take in view of his or her age. Normally, such a route would have a prepared surface (such as tarmac) and there will be a public right of way over it. A route will normally only be 'available' if it can be used throughout the academic year. The council normally expects that where appropriate, a child will be accompanied by a responsible adult.

These are distances laid down by legislation. The two- and three- mile distances are referred to as the 'statutory walking distances'. However, in practice the distances are taken in conjunction with the age of the pupil and nature of the route that the pupil could reasonably be expected to take. Separate distances apply to children who belong to a low-income family (explained below). The council relies on a computer system to measure the nearest available walking route. If there are any disputes about the distance then an independent qualified and/or experienced officer will physically measure the route using a pedometer. The nearest available walking route is measured

taking into account the safety of the route. The route is taken from the curtilage (the front edge of the property) of the home address to the main gate of the school.

Can I appeal against a decision?

If you are refused an application for education transport then you have a right to appeal against this decision. However appeals can only be made in respect of a refusal to provide transport and not for a change in an already existing provision or for the mode of transport offered. Please see Section 7 for further information on how to make an appeal.

What about sibling children?

Whether younger children are entitled to free home to school transport will depend upon whether they meet the usual criteria or if they fall within one of the exceptions. For example, if the sibling has a statement of special educational needs or an Education, Health & Care Plan then he or she may be provided with transport whilst other siblings may well be expected to walk to school (if the school is within the statutory walking distance).

If you are unsure about whether sibling children are eligible for home to school transport, please call the Integrated Transport Unit on 01344 352002 or contact them by email corporate.transport@bracknell-forest.gov.uk

What will happen if I need to change my transport provision at short notice?

The council will attempt to make arrangements at short notice when requested. However, this cannot be guaranteed, and parents of children who rely upon assistance may need to make their own arrangements at their own expense in the case of an emergency. The council will not accept responsibility for any arrangements so made by a parent.

What happens when my child becomes eight years of age during the course of an academic year?

A child achieving the age of eight years within the course of an academic year will be deemed to be less than eight years of age for the rest of that academic year. For example, a child living over two miles but less than three miles from school and receiving assistance will therefore continue to receive assistance until the end of the summer term in the academic year in which he or she becomes eight years of age.

My child is nearly 16. He has received assistance until now. Will he continue to receive assistance when he is over 16 even though he remains at the same school?

Not necessarily. Your child will have to stay in some form of education or training until they are 18 - this does not have to mean only staying in school, it can be:

- full-time education, e.g. at a school or college
- an apprenticeship
- full-time employment (over 20 hours a week) combined with part-time education or training
- If your child is working out of their national curriculum year group then please ensure you refer to the relevant policy according to their age.

Please see the separate Post-16 Transport Policy.

My child is not entitled to assistance with transport to school – are there any arrangements for purchasing season tickets at preferential rates

The council does have arrangements with a number of transport operators for the bulk purchase of season tickets – please speak to a member of staff in the Transport Team who will be happy to provide you with details.

What if I think that I have exceptional circumstances not adequately covered by the provisions of the Transport Policy?

Please discuss this with an officer of the council. There may be extenuating circumstances that we need to know about. It is also open to you to appeal against refusal of assistance with transport.

My child has a statement of special educational needs or an Education, Health & Care Plan is the Policy different?

Please see separate Special Educational Needs Transport Policy.

Annex C – Schedule of Charges

The charges shown below are for Mainstream Students for the academic year commencing 1 September 2015

Mileage Allowance

35p per mile for the approved mileage (this is only payable when the pupil is in the car). Please contact the Integrated Transport Unit for further details.

Farepaying Scheme

Please contact the Integrated Transport Unit for details of routes on which farepaying seats may be available.