

STOKE-ON-TRENT CITY COUNCIL - SPECIAL EDUCATIONAL NEEDS TRANSPORT POLICY

1. Introduction

1.1 This policy supports the City Council's strategy for Inclusion (Special Educational Needs) which was consulted on in 2003. At the heart of the strategy is the aim to:

- * promote improved progress in learning for children and young people with SEN, and;
- * create a more inclusive educational environment in which to secure improved progress for students.

1.2 The strategy places a strong emphasis upon including children and young people with SEN in their local mainstream school. To ensure that such children attending a mainstream school are not disadvantaged or discriminated against, this transport policy has been drawn up to be implemented fairly and consistently across all types of provision.

1.3 The duties of the local education authority (LEA) regarding home to school transport for all children and young people are set out in the Education Act, 1996. The City Council has a duty to make arrangements for transport up to the end of statutory school age in particular specified cases. These would normally be where the child either lives beyond a prescribed distance from school or has a disability which prevents him/her from walking to school.

1.4 The placement of a child with special educational needs in a mainstream or special school/unit does not automatically result in the provision of free transport to the school/unit. Children with SEN are covered by the same legislation as other pupils.

1.5 This policy is based on guidance from the Department for Education and Skills entitled "Home to school travel for pupils requiring special arrangements" (DfES, 2004).

2. Eligibility

2.1 Some children will be entitled to transport simply because they live further than the "statutory walking distance" from their nearest suitable school. In a small number of other cases, children may require transport because they have additional needs. These may include children:

- with special educational needs.
- with a physical disability (temporary or permanent).
- with a medical/psychological condition (temporary or permanent).
- with other special needs, including family circumstances.

2.2 The decision as to whether a child has one of the above needs, which makes it necessary for him/her to be provided with transport, is normally made by the Statutory Assessment Section, based on an assessment of the pupil's special educational needs. For pupils with other special needs, such as family circumstances, the School Transport Section will also be involved in the decision. In carrying out this assessment the following factors are taken into account:

- the child's age.
- whether the child is capable of independent travel.
- the child's physical disabilities (if any).
- the child's medical condition.
- the child and family's religious denomination.
- the family circumstances, such as parents with another child already attending an alternative school which could result in particular transport difficulties for the family.
- advice presented to the LEA via the Statutory Assessment procedure or the annual review. This could include advice from the school, the Educational Psychologist or other specialist LEA staff, the child's GP, consultant or other health staff, any social worker involved with the child or family or other relevant agencies suggested by the parent/carer. This will be identified in their statement of Special Educational Needs, part 6. It is the responsibility of the parent/carer to submit any advice not already held by the LEA.

2.3 Transport is provided subject to the criteria outlined below if the pupil is attending the nearest available provision of the type which is appropriate to meet the pupil's needs. Where a parent chooses to send their child to a more distant or specialist provider, then the parent will assume responsibility for the provision of transport and associated costs. Such circumstances will be noted on the Statement of Special Educational Needs.

2.4 The assessment for transport will be carried out following the receipt of a request from the parent/carer, which can be made at any time during the school year. An application form will be provided by the LEA. If transport is provided, the LEA may review the provision at any time. There will in any case always be a review of provision when a child:

- moves from primary to secondary education.
- completes secondary education.
- changes school.
- moves house.
- has a change in their physical/medical condition.
- has an annual review of their Statement of SEN.

It is the parent/carer's responsibility to inform the LEA of any change in the child's or family's circumstances.

- 2.5 If the LEA agrees to provide transport, this will be by whatever means the LEA considers appropriate, including taxi or bus provision contracted by the LEA, a bus pass, or meeting the costs of a parent/carer who makes their own transport arrangements.
- 2.6 Where a child is temporarily attending provision other than their usual school, their need for assistance will be assessed in the same way as for their normal placement.
- 2.7 Where a child is temporarily living at a different address (including respite care), their provision will only be maintained if this can be achieved at no additional cost. The only exception to this rule is a child in the care of a local authority.

3. Parental Preference for a School

- 3.1 The City Council will normally only consider providing transport to the *nearest appropriate school*. On occasions, parents will decide to send their child to a school that is further away. The Council will not normally provide assistance with travel in these circumstances. For pupils with Statements of SEN, the Council may name the nearest appropriate school or may name the school of parental choice. The latter case does not commit the Council to providing transport as long as it is sure that the needs of the child could be met appropriately at the local school.

4. Criteria for Free Transport

- 4.1 Transport may be provided for children with special educational needs to the nearest appropriate school, if one or more of the following criteria are met:
- The child is aged under 11 years and lives more than two miles from the school.
 - The child is aged 11 years or over at the start of the school year and lives more than three miles from school.
 - The child has a physical or sensory impairment which makes it impossible for them to travel to school by any other means.
 - The child has a severe, profound and multiple learning difficulty which prevents them from travelling unaccompanied.
 - The child has a disability, which prevents them from walking safely to school, even when accompanied by a responsible adult.
 - The child has a disability, which prevents them from accessing the transport generally available to take other pupils from that area to the school.

4.2 Very young children would not normally be expected to travel independently, but families should not be adversely affected by having a child with a disability. The assessment of entitlement for very young children will take account of particular needs and individual family circumstances. Generally, pupils below statutory school age who would qualify for transport once they reach that age will normally be given free transport.

4.3 If free transport is agreed to be necessary because of the child's special educational needs, it will be specified, in line with the above criteria, by the Statutory Assessment Section. The free transport provided will be subject to an Annual Review. The provision of transport may cease to be necessary as the child grows older and if they become more independent. Such decisions will be taken on an individual basis and will take full account of the pupil's needs.

5. Inclusion / Dual Registration

5.1 The LEA will only provide transport for eligible children at the normal start and end of the school day. Travel assistance during the day between schools or to other specialist provision is considered to be the schools' responsibility.

6. Payments to Parents

6.1 Where the LEA agrees to provide a petrol allowance to parents and carers of pupils with SEN, payments will be made at the rate of 20p per mile, based on 4 single journeys distance between home and school per day.

7. Respite Care

7.1 Some pupils with SEN may start or end some school days at respite care provision. Normally, transport will be provided for such pupils to the respite settings provided that there is no additional cost to the LEA.

8. Travel to Residential Schools

8.1 For pupils attending residential special schools, transport will normally only be provided at the beginning and end of each half-term. Parents of these pupils will, however, also be provided with financial assistance to attend annual review meetings and admission interviews at the school. The mileage rate payable will be as specified above under "Payments to Parents". If parents do not have access to their own vehicle, a taxi may be provided by the City Council.

9. Escorts and Vehicles

9.1 Escorts will be provided on special needs transport if one or more of the following are met:

- The child is under five years old.
 - The Statutory Assessment Section decides that the child has a disability, which makes it necessary to provide an escort.
 - The child has a behavioural/emotional/social difficulty, which gives rise to concerns about the wellbeing of the pupil or other pupils or staff.
- 9.2 The Council will take into consideration each child's age, gender, particular needs and disabilities, health and safety, together with the size of the vehicle and the length of the journey. Provision of escorts will be subject to regular review and will form part of the child's Annual Review of his/her statement of special educational needs. The specific requirements of escorts, such as age, CRB checks) are contained in the City Council's conditions of contracts and are subject to amendment as and when required.
- 9.3 The type of vehicle to be provided will depend on an assessment of the child's needs by trained staff. This is often carried out at the school concerned with the proposed vehicle, for example, where wheelchair transport is involved, with school staff and parents in attendance. Every attempt is made to try and find as suitable a method of transport as possible.

10. Service Standards (including monitoring of performance)

- 10.1 Transport will only be provided by operators on the City Council's list of Approved Operators. Specifically, this limits transport providers to:
- *Public Service Vehicle (PSV) operators licensed by the Traffic Commissioner.
 - *Hackney Carriage/Private Hire taxi operators licensed by a local authority in the UK.
 - *Community Transport operators who are members of the Community Transport Association.
 - *Stoke-on-Trent City Council's in-house Social Services transport fleet.
 - *Other operators who provide evidence of vehicle quality, safety and legality.
- 10.2 All operators will be required to have Public Liability Insurance of a minimum of £5m.
- 10.3 All drivers and escorts will be checked at the enhanced level by CRB and will be at least 18 years of age.
- 10.4 Pupils will be expected to walk to a stipulated pick-up point. It is the parents' responsibility to ensure the child is accompanied, if required, to the pick-up point and to be met there upon the child's return. The maximum walking distance to a pick-up point will be 400 metres.

- 10.5 Pupils with physical difficulties which prevent them from walking will be collected and returned to their home address.
- 10.6 Transport to/from home addresses other than the child's registered home address will be on a discretionary basis only and will only be approved if no additional cost is incurred.
- 10.7 For transport to schools within North Staffordshire, the recommended maximum journey time will be 60 minutes.
- 10.8 Parents will be given an approximate pick up and return time. Operators are expected to be within 5 minutes either side of the time given. Parents must be at the return point to collect their child. Failure to do so may result in additional costs being passed onto the parent.
- 10.9 Stoke-on-Trent City Council will monitor the performance of contracts through consultation with schools and parents. Vehicle quality will be monitored by in-house staff checking vehicles at school premises and operators' premises, in addition to any checks carried out by VOSA/Local Authority taxi licensing teams. A comprehensive section relating to operator requirements for vehicles and personnel is contained in the Conditions of Contract, signed by all operators.

11. How to apply

- 11.1 Parents or carers wishing to apply for transport for their child should contact the School Transport Team at the Civic Centre (Telephone: (01782) 236838 or 236837). Applications will be considered alongside the criteria detailed above, taking into account the evidence listed under Section 2.2. Parents/carers will normally be informed in writing within 10 working days of their application as to whether the LEA is able to offer transport, subject to the necessary information and advice being available from other agencies. Parents/carers will be informed if it is not possible to meet this target.

12. Review of Decision

- 12.1 Parents/carers who have been refused transport in line with the criteria above may seek a review of that decision by writing to the Assistant Director (Support Services).

13. Arrangements for Consultation with Parents and Carers

- 13.1 Parents will be consulted prior to any changes of policy and annually to assess their satisfaction with the service provided. Questionnaires and feedback groups will be used for the latter.

14. Complaints

Parents/carers wishing to make a formal complaint should write to the Assistant Director (Support Services), Children and Young People's Service, P O Box 758, Civic Centre, Glebe Street, Stoke-on-Trent, ST4 1RU.