

POLICY FOR THE PROVISION OF HOME TO SCHOOL/COLLEGE TRANSPORT FOR PUPILS/STUDENTS PRIOR TO THEIR NINETEENTH BIRTHDAY

It is the intention of the Council to comply with the statutory requirements placed on the Authority by the Education Act of 1996.

This document defines Leeds City Council's policy on the provision of transport from home to a state funded school/college for pupils/students who are permanently resident within the boundary of the Leeds administrative area and whose parents or legal guardians ('carers') pay their Council Tax to Leeds City Council. It supersedes all previous policies and applies to all new enquiries and reassessments relating to a change of address or a change of educational establishment on or after 1 January 2007.

Within the guidelines laid down in this policy, the type of transport assistance provided (e.g. taxi, bus pass, tail lift, school bus, etc.) will be determined by what best meets the needs of the pupil/student and provides value for money.

In accordance with the views expressed by the Secretary of State and in keeping with the spirit of Education Leeds strategy "No Child left Behind", the LEA will continue to consider the particular circumstances of individual pupils even where they fall outside the Authority's Home to School Transport Policy.

SECTION 1 - FREE TRANSPORT FOR PUPILS OF COMPULSORY SCHOOL AGE

1.1 Free transport will be provided for:

- (a) Pupils under the age of eight who travel two miles or more from their permanent home address to their nearest school measured by the nearest available walking route (otherwise referred to as the statutory distance).
- (b) Pupils aged between eight and sixteen years (or pupils up to Year 11) who travel three miles or more from their permanent home address to their nearest school by the nearest available walking route (otherwise referred to as the statutory distance).

1.2 In cases where parents choose the David Young Community Academy, a Leeds Community or a Leeds Voluntary Controlled school other than their nearest, free transport will only be provided if:

- (a) the distance between the pupil's permanent home address and the nearest Leeds Community or Leeds Voluntary Controlled school is more than the statutory distance **or**

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- (b) The pupil is offered a place at a school which is more than the statutory distance in situations where parental choice cannot be met or is unspecified.

1.3 Pupils attending a **Voluntary-Aided Church of England school** will be entitled to free transport only if:

- (a) The nearest available walking route between the pupil's permanent home address and the school exceeds the statutory distance; **and**
- (b) The first preference was for a Voluntary-Aided school of that denomination; **and**
- (c) The parent/carer can produce written evidence from the appropriate minister of religion that the child regularly¹ attends a place of worship that is a member of, or affiliated to, Churches Together in England² or the Evangelical Alliance; **and**
- (d) The pupil attends the nearest Voluntary-Aided Church of England school that is appropriate for his/her age and permanent home address; **or**
- (e) The pupil attends a Voluntary-Aided Church of England school that is outside the Leeds administrative area, but is identified by the relevant Diocese as being the school that is appropriate for the pupil's permanent home address.

1.4 Pupils attending a **Voluntary-Aided Catholic school** will be entitled to free transport only if:

- (a) The nearest available walking route between the pupil's permanent home address and the school exceeds the statutory distance; **and**
- (b) The first preference was for a Voluntary-Aided school of that denomination; **and**

¹ 'Regularly' is defined as being on average at least one attendance per month over the preceding twelve month period.

² Churches Together in England embraces: the Baptist Union of Great Britain, Cherubim and Seraphim Council of Churches, Church of England, Church of Scotland, Congregational Federation, Council of African and Afro-Caribbean Churches, Free Churches Council, Greek Orthodox Church, Independent Methodist Church, Joint Council for Anglo-Caribbean Churches, Lutheran Council of Great Britain, Methodist Church, Moravian Church, New Testament Assembly, Religious Society of Friends, Catholic Church, Russian Orthodox Church, Salvation Army, United Reformed Church, Wesleyan Holiness Church, Ichthus Christian Fellowship and International Ministerial Council of Great Britain.

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- (c) The parent/carer can produce written evidence that the child has been baptised into the Catholic faith³; **and**
 - (d) The pupil attends the nearest appropriate Catholic school; **or**
 - (e) The pupil attends the school that is designated as being the appropriate school for the pupil's permanent home address by the Catholic Diocese of Leeds. This school may be situated in a neighbouring Local Education Authority.
- 1.5 Pupils attending Brodetsky Primary School will be entitled to free transport only if:
- (a) The nearest available walking route between the pupil's permanent home address and the school exceeds the statutory distance; **and**
 - (b) The first preference was for the denominational school; **and**
 - (c) The parent/carer can provide written proof of adherence to the Jewish faith.
- 1.6 Pupils who attend Parklands Girls' High School on the basis of a desire on the part of the parent/carer for a single-sex education will be entitled to free transport only if:
- (a) The nearest available walking route between the pupil's permanent home address and the school exceeds the statutory distance; **and**
 - (b) The first preference was for the single-sex school.
- 1.7 Pupils who attend Belle Vue High School for Boys (within the Bradford Metropolitan District Council Local Education Authority) on the basis of a desire on the part of the parent/carer for a single-sex education will be entitled to free transport only if:
- (a) The nearest available walking route between the pupil's permanent home address and the school exceeds the statutory distance; **and**
 - (b) The first preference was for the single-sex school.

NOTES FOR SECTION 1

Note 1 - When measuring the 'nearest available walking route', the Authority will give due consideration to the safety of the pupil over those portions of their journey which might be walked. However, the ultimate responsibility for the safety of any child during the journey to or from school rests with the parent or guardian.

³ 'Written evidence' may be in the form of a Certificate of Baptism **or** a Certificate of First Holy Communion **or** a Certificate of Confirmation **or** a Certificate of Religious Affiliation, signed by the appropriate parish priest.

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Note 2 - Once eligibility to free transport has been determined, entitlement will only be re-assessed if there is a change of permanent home address or a change of educational establishment. In these cases, the policy in force at the time of the change will be applied.

Note 3 - 'Permanent home address' is deemed to be the address where the child habitually resides with their parent or legal guardian. Proof of address may be requested in the form of a recent utility or Council Tax bill, a tenancy agreement, evidence of registration on the electoral roll or other valid evidence.

Note 4 - Entitlement to free transport for pupils whose parents/guardians move house will be based on the measurement from their new home to the nearest appropriate school, regardless of whether they change schools. However, free transport may be provided to the original school if:

- (a) The pupil is in his/her final year (Year 6) before transfer **or**
- (b) He/she is following a course of study leading to a major public examination (Years 10 and 11 inclusive).

Note 5 - No assistance will be provided where the shortest distance between the pupil's permanent home address and the school he or she attends exceeds 25 miles.

Note 6 – Upon request transport will be arranged by the Local Authority and fully charged to parents in circumstances where no satisfactory public transport system exists. Parents must sign an agreement to accept such identified charges before such transport will be provided.

Note 7 - Parents have the right of appeal if free home to school transport is refused. Transport appeals will normally be considered by a panel of senior Education Leeds officials. Appeal forms may be requested from: Admissions & Transport, Education Transport (Appeals), Education Leeds, 10th Floor West, Merrion House, 110 Merrion Centre, LEEDS LS2 8DT

SECTION 2 - FREE TRANSPORT FOR PUPILS OF COMPULSORY SCHOOL AGE WITH SPECIAL NEEDS

2.1 STATEMENTED CHILDREN

- (a) Transport will be provided free of charge for pupils living less than the statutory distance from school if:
 - (i) He/she is the subject of a Statement of Special Educational Needs under the terms of the Education Act 1993; **and**
 - (ii) Transport is specified in Section 3 of the Statement; **and**
 - (iii) The pupil is attending the nearest appropriate school named in the Statement.

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- (b) Where a parent or guardian requests that a child should attend a school other than the nearest appropriate school named in the Statement by the LEA, the parent or guardian will have to agree to pay any additional costs incurred by the Authority as a consequence of that request. Those additional costs will be calculated on a mileage basis in accordance with the contractor's charges current at the date of any costs incurred.

2.2 PHASED/RESPITE CARE

Transport requested by the Director of Social Services to enable children to attend respite/phased care will be arranged on behalf of Education Leeds by Leeds City Services Department where the journey starts or ends at school and provided, in normal circumstances, that 15 days notice is given by the Social Worker. However, any additional expenditure thus incurred will be charged to the Department of Social Services.

2.3 MEDICAL TRANSPORT

- (a) Pupils who have congenital or permanent medical conditions (e.g. arthritis, cystic fibrosis etc.), but who are not the subject of a statement under the Education Act 1981 and who are able to avail themselves of all or most of the education available in school, will be provided with free transport provided that:
 - (i) The request is supported by the relevant medical specialist/ consultant **and**
 - (ii) The parent/guardian is unable to provide their own transport.
- (b) Pupils who suffer a temporary disability that impedes normal independent travel to school, but which does not prevent the pupil from benefiting from education, will be provided with transport if the parent/guardian is unable to transport the pupil.

Transport will only be provided on medical grounds if the relevant medical practitioner confirms the need and indicates that the pupil is in sufficiently good health to attend school.

All arrangements will be reviewed on a termly or annual basis depending on the nature of the disability.

2.4 PUPIL REFERRAL SERVICE

Pupils who have been permanently excluded from school are the responsibility of the Pupil Referral Service.

Where a pupil is placed in a mainstream school following the intervention of the Pupil Referral Service, transport will be provided free of charge if the school is more than three miles (for pupils aged between 8 and 16) or 2 miles (for pupils under the age of

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8) from the home address, measured by the nearest available walking route. Free transport will be provided in these circumstances, irrespective of whether or not there are places available at a school nearer to the home and within the statutory distance.

2.5 THE TEACHING AND LEARNING CENTRE

Transport arrangements for pupils who have been allocated a temporary place at the Teaching and Learning Centre remain the responsibility of the school at which they are permanently on roll.

Where a pupil is placed in a mainstream school following the intervention of the Teaching and Learning Centre, transport will be provided free of charge if the school is more than the statutory distance from the home address. Free transport will be provided in these circumstances, irrespective of whether or not there are places available at a school nearer to the home and within the statutory distance.

2.6 ASYLUM SEEKERS/REFUGEES

Where the child of an Asylum Seeker is placed in a mainstream school following the intervention of the appropriate Admissions Officer, transport will be provided free of charge if the school is more than the statutory distance from the pupil's home address. Free transport provided in these circumstances does not automatically apply to younger siblings who subsequently attend the same school, if places are available at a school nearer to the home and within the statutory distance.

SECTION 3 - FULL-TIME STUDENTS WHO HAVE REACHED THE AGE OF SIXTEEN

3.1 Assistance with travel costs will be provided to full-time students who are aged sixteen and under nineteen at the start of a course of further education who:

- (a) Attend school or college for at least twelve hours of guided learning per week; **and**
- (b) Qualified for assistance when they were in their compulsory years of secondary education, remain at the same school to undertake sixth-form studies and live more than three miles from the school, measured by the nearest available walking route; **or**
- (c) Change school in order to access a particular course of study, but attend the nearest appropriate sixth form offering that course and have to travel more than three miles to the school, when measured by the nearest available walking route; **or**
- (d) Attend the nearest government-funded college of further education in Leeds or a neighbouring local authority that offers the course of their choice and live more than three miles from that college, when measured by the nearest available walking route. The maximum level of assistance with transport costs in cases of attendance at colleges outside the Metro (WYPTE)

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operating area will be limited to the notional equivalent cost to Education Leeds of providing that student with a Metro SchoolCard.

Full-time students who have enrolled on a specific course of study prior to their nineteenth birthday will continue to receive support with transport costs until the end of that course, provided that they continue to reside at the same address.

3.2 STUDENTS WITH SPECIAL NEEDS

The Authority has a statutory duty to make similar provision for students with special needs attending FE Colleges as for those attending schools. As the provision for 16+ students in schools currently extends to age nineteen then the same arrangements are made for colleges. However, Members agreed in May 1997 that, for students with special needs attending FE colleges, this provision would extend until the student reached his or her 25th birthday regardless of whether their attendance was full or part time.