

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 and Inspections Act 2006.

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 September 2007 (Primary Schools) and September 2008 (Secondary Schools)

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.

The means tested elements described in this policy will not be applied retrospectively to any pupil whose eligibility to free travel was determined by previous policies, unless there has been either a change of school or of permanent home address. In cases of change of address written proof will be required.

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).

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- (c) Pupils aged over 8 and entitled to free school meals, or whose parents are in receipt of maximum Working Tax Credit, attending their nearest school who travel more than the statutory distance.

- (d) Pupils aged between 8 to 16 and entitled to free school meals, or whose parents are in receipt of maximum Working Tax Credit, attending one of their three their nearest qualifying schools, which is more than 2 but less than 6 miles from their permanent place of residence.

Section 2 Pupils attending Schools on the Grounds of their Parents Religion or Belief or Non Belief.

- 2.1 Free travel will be provided for pupils up to the age of 8 years if, on the grounds of their parents religion or belief, the distance* between the nearest suitable qualifying school and permanent home address is more than 2 miles. For those over the age of 8, this distance must be more than 3 miles.

- 2.2 For any pupil who is in receipt of Free School Meals (FSM) or whose family is in receipt of maximum Working Tax Credit (WTC) the qualifying distance between home and school is reduced to 2 miles for all such pupils and the choice of schools is extended to any qualifying school providing education and whose ethos is in accordance with the parents religion or belief which is not more than 15 miles from home (by the shortest driving route).

- 2.3 These provisions will apply to all religions and denominations as well as philosophical beliefs. The definition of "religion" includes those widely recognized in this country such as Baha'is, Buddhism, Christianity, Hinduism, Islam, Jains, Judaism, Rastafarianism, Sikhism and Zoroastrians. Denominations or sects within a religion will be considered as a religion or religious belief, for example Catholicism or Protestantism within Christianity. The limitation on what constitutes a "religion" is that it must have a clear structure and belief.

- 2.4 Beliefs must be genuinely held with the parent bearing a heavy burden of showing that it is the real reason for making a particular choice of school. In order to demonstrate such conviction, any application for free travel to a particular religious school will be considered by making reference to the reasons given by the parent or carer on the Common Preference Form (or Transfer Request Form where applicable) for making that their school of choice. In this respect, the basis of the decision made by the school's governing body to accept the pupil into the school will be an important factor in determining eligibility to free travel.

- 2.5 In cases where parents or carers are opposed to their children's attendance at a religious school for reasons of non-belief and where the nearest school is a religious school, free travel will be granted to the next nearest community school where that school is beyond the statutory distance as described above.

3.0 Pupils attending Schools on the Grounds of their Parents Wishes for a Single Sex Education

3.1 Pupils who attend Leeds Parklands Girls' High School or the nearest available single sex boys school on the basis of a desire of the parent/carer for a single-sex education will be entitled to free transport only if the nearest available walking/driving route between the pupil's permanent home address and the school exceeds the statutory distance. Where parents or carers have chosen a school because of its single sex status, free travel will only be granted if it is clear that this is the overriding motivation for such a choice. This motivation should therefore have been made clear on the Common Preference Form.

3.2 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;

3.3 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

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.

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**

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- (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.
- (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 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.

2.7 Pupils whose parents are disabled and are as a result of their condition unable to accompany their children on the walking route to their nearest qualifying school may apply to Education Leeds for assistance. This assistance may take the form of providing an escort or guide who will accompany such children on the journey to school in order for the walking route to be considered safe. Only in very exceptional circumstances will this assistance extend to the provision of taxi transport.

Education Leeds will provide assistance to disabled parents in this context, only having satisfied it's self that a genuine need exists and will require suitably qualified evidence of the parent or carers disablement. This would most usually take the form of a doctor or other qualified medical practitioners written opinion and recommendation. Transport assistance will be withdrawn as soon as the parent or carer's incapacity has ended and all arrangements will be reviewed on a half termly basis.

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

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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) 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.