

Individual Decision

The attached report will be taken as
Individual Portfolio Member Decision on:

Tuesday, 2nd June, 2015

Ref:	Title	Portfolio Member(s)	Page No.
ID2973	Home to School Transport Policy and Post-16 Transport Statement Consultation	Councillor Dominic Boeck	3 - 56



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Individual Executive Member Decision

Title of Report:	Home to School Transport Policy and Post-16 Transport Statement Consultation
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	2 June 2015
Forward Plan Ref:	ID2973

Purpose of Report: To seek approval to consult on the Home to School Transport Policy and the post-16 transport statement (statutory requirement).

Recommended Action: To approve the consultation on Home to School Transport and the post-16 transport statement.

Reason for decision to be taken: Statutory requirement

Other options considered: None

Key background documentation: Home to School Transport Policy, Post 16 Statement, Farepaying Scheme,

Portfolio Member Details	
Name & Telephone No.:	Councillor Dominic Boeck – Tel (0118) 9710330
E-mail Address:	dboeck@westberks.gov.uk

Contact Officer Details	
Name:	Caroline Corcoran
Job Title:	Service Manager (Access, Planning and Trading)
Tel. No.:	01635 519030
E-mail Address:	ccorcoran@westberks.gov.uk

Implications

Policy:	The Local Authority must publish the policy and the post-16 statement on its website
Financial:	The removal of discretionary transport by catchment will be phased in and could eventually deliver £90k per year. It currently 390 pupils out of a secondary cohort of 11583. Depending on parental choices in relation to transport as a result of this change, full year savings of £57k-£99k p.a. could be anticipated.
Personnel:	None
Legal/Procurement:	The documentation meets the legal requirements.
Environmental:	None
Property:	None
Risk Management:	one
Equalities Assessment:	Impact Yes

Consultation Responses

Members:

Leader of Council:	Councillor Gordon Lundie
Overview & Scrutiny Management Commission Chairman:	Councillor Emma Webster
Ward Members:	All Members
Opposition Spokesperson:	Councillor Mollie Lock
Local Stakeholders:	School, parents and public consultation on website.
Officers Consulted:	Rachael Wardell, Ian Pearson, Communities Directorate Leadership Team
Trade Union:	N/A

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

Supporting Information

1. Background

- 1.1 West Berkshire Council's Home to School Transport Policy sets out the circumstances in which it will provide free transport to children and young people travelling to school or college. It therefore relates to West Berkshire residents of statutory school age (from the term following 5th birthday to the end of Year 11).
- 1.2 West Berkshire Council's post-16 Transport Statement sets out how the Council will meet the requirements of the statutory guidance for post-16 pupils.
- 1.3 Local Authorities are required by law to provide help for some pupils but may also provide help for others on a discretionary basis, such as through the Farepayer Scheme.
- 1.4 The Council reviews its Home to School Transport Policy, post-16 Transport Statement and Farepayer Scheme annually and is required to consult on proposed changes. This consultation includes the Home to School Transport Policy 2015/16 as the Council is re-consulting on this policy following clarification amendments. The changes are outlined in section 2 below.

2. Transport Consultation – summary of changes

Clarification and Amendments - 2015/16 Home to School Transport Policy

In response to queries from parents, the Council has amended the wording of the policy to provide more clarity:

- Parent's responsibilities – these are now highlighted throughout the policy for ease of reference.
- The information that is required to allow us to consider applications for transport under the *temporary medical condition* or *parental disability* clauses is now explained (page 5)
- The definition of an *Available route* has been expanded to provide more information on what is considered (section 9)
- In relation to *Appeals* (section 18), the content has been updated to provide a clearer explanation of the grounds for an Appeal and to explain the process where we need to ask for additional evidence.
- In relation to *Complaints* (section 19), the content has been updated to provide a clearer explanation of when a representation from a parent is a complaint and when it is an Appeal.

These changes do not affect entitlement.

Amendments have been made:

- In relation to *Pupils attending a Pupil Referral Unit*, the content has been updated to reflect current practice. (Page 6)
- In relation to *Pupils permanently excluded from school*, the content has been updated to reflect current practice. (Page 6)
- In relation to *post-16 students with a statement of Special Educational Needs*, the content has been updated in the light of the SEND reforms. (page 9-10)
- In relation to *children with a Statement of Special Education Needs/EHC Plan*, the content has been updated in the light of the SEND reforms (pages 6, 9-10, 14-15)

Change of Entitlement - 2016/17 Home to School Transport Policy

The 2016/17 policy is the same as the 2015/16 policy except:

Removal of secondary catchment transport provision

The Council proposes to remove the discretionary criteria to provide transport for secondary students to their catchment school but will continue to provide transport to the nearest school to their home address (subject to meeting the relevant criteria).

This change means that, in the future,

- Where the nearest school and the catchment school are the same school, entitlement will not be affected.
- Students could still qualify for free transport to their *nearest* secondary school (e.g. under the distance or low income criteria, if this applied to their circumstances).
- Students wishing to travel to their catchment school, if this is not their nearest school, could apply for a Fare Payer place on the school bus, under the rules of the Fare Payer Scheme – a fee is payable. The bus may be over-subscribed and a place is not guaranteed.

This change does not affect primary pupils.

In line with national guidance, this change is being phased in from September 2016. This will apply to all new transport applications - new students when they start secondary education or existing students if they change their secondary school route. Current secondary students who receive transport will continue to be entitled to free transport on their existing route until the end of Year 11.

Changes to the Fare Payer Scheme

The 2016/17 Scheme is the same as the 2015/16 Scheme except:

- Discount for siblings is reduced from 20% to 10%.

3. Equalities Impact Assessment Outcomes

- 3.1 There is no decision to be made and therefore no Equality Impact Assessment has been undertaken (EIA stage 1 completed below).

4. Conclusion

- 4.1 It is recommended that permission to consult is granted to ensure the Council meets its statutory requirement.

Appendices

Appendix A – Equality Impact Assessment – Stage 1

Appendix B – Summary of Changes

Appendix C – Home to School Transport Policy 2015/16

Appendix D – Home to School Transport Policy 2016/17

Appendix E – Post-16 Students – Transport Statement 2016/17

Appendix F – Fare Payer Scheme for School Travel 2016/17

APPENDIX A

Equality Impact Assessment – Stage One

Name of item being assessed:	Home to School Transport Policy and post-16 Transport Statement for - Consultation
Version and release date of item (if applicable):	
Owner of item being assessed:	Caroline Corcoran
Name of assessor:	Caroline Corcoran
Date of assessment:	

1. What are the main aims of the item?
To consult on the Home to School Transport Policy and post-16 Transport Statement

2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)		
Group Affected	What might be the effect?	Information to support this.
Age	Positive impact	The policy applies to all children of statutory school age. The proposed policy includes provision for Post 16 students.
Age	Increased costs for some families	The removal of the discretionary provision for secondary pupils going to their catchment school could affect families who then have to either transport the student themselves, or who purchase a farepayer place on the school bus. This change will affect future students. The discount in the Farepayer Scheme for siblings has been reduced. However, those on low income may not be affected as they may still qualify under the Low Income criteria. All families can request to pay fares in instalments.
Disability	Positive impact	The policy contains criteria for pupils with a disability and the circumstances where transport may be granted in the case of parental disability.

Gender	Positive impact	Gender is not a distinguishing factor in the application process and allocation of school transport.
Race	Positive impact	Race is not a distinguishing factor in the application process and allocation of school transport.
Belief	Positive impact	Belief is not a distinguishing factor in the application process and allocation of school transport.
Location	Positive impact	The policy takes account of urban transport difficulties and seeks to ensure that rural pupils and students are not disadvantaged
Further comments relating to the item:		

3. Result (please tick by double-clicking on relevant box and click on 'checked')	
<input type="checkbox"/>	High Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	Medium Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	Low Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/>	No Relevance - This does not need to undergo a Stage 2 Equality Impact Assessment

For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

4. Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	

Name: Caroline Corcoran

Date: 20/05/2015

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SUMMARY OF CHANGES

Clarification and Amendments - 2015/16 Home to School Transport Policy

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- Parent's responsibilities – these are now highlighted throughout the policy for ease of reference.
- The information that is required to allow us to consider applications for transport under the *temporary medical condition* or *parental disability* clauses is now explained (page 5)
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This change means that, in the future:

- Where the nearest school and the catchment school are the same school, entitlement will not be affected.
- Students could still qualify for free transport to their *nearest* secondary school (e.g. under the distance or low income criteria, if this applied to their circumstances).
- Students wishing to travel to their catchment school, if this is not their nearest school, could apply for a Fare Payer place on the school bus, under the rules of the Fare Payer Scheme – a fee is payable. The bus may be over-subscribed and a place is not guaranteed.

This change would affect about 400 students out of a total secondary school population of 11500.

In line with national guidance, this change is being phased in from September 2016. This will apply to all new transport applications - new students when they start secondary education or existing students if they change their secondary school route. Current secondary students who receive transport will continue to be entitled to free transport on their existing route until the end of Year 11.

Changes to the Farepayer Scheme

The 2016/17 Scheme is the same as the 2015/16 Scheme except:

- Discount for siblings is reduced from 20% to 10%.

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Home to School Transport Policy 2015/16

1. Introduction

The Council is responsible for setting a Home to School Transport policy which ensures the equitable provision of transport to those who qualify under the Council's statutory duties and to explain when discretionary transport provision might be available.

The Council consults with the public on the Home to School policy on an annual basis, and it should be noted that the Council's policy is in line with the statutory guidance.

The law states that it is the parent's responsibility to ensure that a child gets to school, including accompanying them, if necessary. This includes the parent determining how their child will get to school and may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied, as appropriate.

This policy applies to West Berkshire residents only and covers:

- a. Free Transport (see Section 4)
- b. Discretionary Transport (see Section 5)

Transport is only provided at the beginning and end of the normal school day.

Exclusions

The Policy is written in the context of an accompanied child. The law states that the responsibility for ensuring that a child gets to school sits with the parents. This includes the parent determining how their child will get to school and may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied, as appropriate.

Transport is not provided for:

- Journeys during the course of the day
- Journeys to a work placement
- After school activities
- Induction/open day/interview visits
- Medical and dental appointments
- Parent/Carer attendance at school
- Respite Care
- Exchange students

2. School Admissions

Admission and Transport policies are separate and not directly linked. This reflects the national legislation. Eligibility for a place at a school is not affected by this transport policy and obtaining a place at a school does not bring with it any entitlement to transport, even if a pupil is attending their catchment school.

The policy may change before a pupil completes their time at school. The Council recognises that it is good practice for changes to be phased in and whilst the Council will endeavour to do this, it is not guaranteed, and entitlement may be subject to change, depending on specific circumstances.

The pupil's circumstances may change during their time at school, and this could also affect eligibility, e.g. moving house or school, no longer qualifying under low income, no longer qualifying under distance as age changes (see section 3). The Council may also take steps to create safe walking routes.

Admission choices should not be made on the assumption that the same transport eligibility rules will apply throughout a child's education.

If a child does not qualify for transport under the provisions in this policy, parents may wish to explore the Council's Fare Payer Scheme for places on school transport. This discretionary scheme is not an entitlement and is often over-subscribed. Places may also be withdrawn in certain circumstances. Parents are strongly advised to read the rules of Fare Payer Scheme before applying for a Fare Payer place.

3. The Statutory Position

Parents are legally responsible for making sure that their children get to and from school at the appropriate times each day. This includes a parent making appropriate arrangements for their child where the parent has working commitments at the relevant times in the school day.

If parents choose to send their child to a school which is not the nearest qualifying school free transport will not be provided by the Council unless the circumstances meet the discretionary transport criteria described in section 5. Parents will be responsible for arrangements and costs.

West Berkshire Council provides Home to School Transport in line with the national statutory guidelines and this is summarised in the table in section 4.

Definition of a Qualifying School

A *qualifying school* is a school which provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have. Most schools in West Berkshire fit the criteria of *qualifying school*. To be a qualifying school, the school must be:

- a community, foundation or voluntary mainstream school, or
- an academy, or
- a community, foundation or non-maintained special school, or
- a maintained nursery school, or
- pupil referral unit

Independent and non maintained schools can only be qualifying schools in relation to a child with a Statement of Special Educational Needs or Education, Health and Care (EHC) Plan, and then only if the school is named in the child's EHC Plan or Statement

Any other type of school which is not listed above, including other West Berkshire independent schools, is NOT a qualifying school.

There is no legislative entitlement to transport to a particular type e.g. by gender, structure [academy, maintained, free school] or catchment.

There is no legislative entitlement to transport to a particular type by faith for most pupils. The only exception is for secondary pupils from a low income family (see page 4).

The entitlements are set out in the 1996 Education Act and 2006 Education and Inspections Act.

4. Free Transport

The *nearest qualifying school* is explained on page 3. Information on how this operates in practice is included at Appendix A.

Free transport is explained in the table below:

- **Distance**
- **Low Income**
- **Available route (including parental disability)**
- **Temporary medical condition of a pupil**
- **Statement of Special Educational Needs/ EHC Plan (in certain circumstances)**
- **Pupil Referral Units and permanently excluded pupils**

<p>From: the term starting 1st January, 1st April or 1st September following the child's 5th birthday</p> <p>To: 7 years old.</p>	<p>Distance</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 2 miles walking distance from home.</p>
<p>From: the child's 8th birthday</p> <p>To: the last school day in the academic school year in which their 16th birthday falls.</p>	<p>Distance</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 3 miles walking distance from home.</p>
<p>From the child's 8th birthday</p> <p>To 10 years old.</p>	<p>Low income</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 2 miles walking distance from home. To qualify, the child must be entitled to free school meals or whose family is in receipt of maximum working tax credit (i.e. with no deductions due to income)</p>
<p>From the child's 11th birthday</p> <p>To: the last school day in the academic school year in which their 16th birthday falls.</p>	<p>Low income</p> <p>Free transport to one of the three <i>nearest qualifying schools</i>, if it is between 2 and 6 miles walking distance away, or to the school preferred by reason of a parent's religion or belief which is between 2 and 15 miles away from the home address, travelling by road. To qualify, the child must be entitled to free school meals or whose family is in receipt of maximum working tax credit (i.e. with no deductions due to income)</p>

<p>Pupils living within the statutory walking distance but who are unable to walk because there is not an available route</p>	<p>Available Route Free transport to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school and where, due to the nature of the route, they are unable to walk in reasonable safety even when accompanied by an appropriate adult.</p> <p>A route is defined as “available” if it is a route along which a child, accompanied as necessary, can walk with reasonable safety to school. A route will be “available” even if the child would need to be accompanied along it by his or her parent or carer.(see section 9)</p>
<p>The parents’ disability prevents them from accompanying the child along a walking route, which is considered safe for a child who is accompanied</p>	<p>Available route and parental disability Where a walking route is considered to be safe for a child who is accompanied, but the parents’ disability prevents them from walking the route, support will be provided where the pupil lives within the statutory walking distance from school. Depending on the medical condition, transport or alternative solutions may be offered.</p> <p>The application <u>must</u> be supported with medical evidence from the GP and/or Consultant. Transport or alternative support may be provided for a time-limited period based on the medical information available, and could be subject to periodic review.</p>
<p>Pupils with a temporary medical condition</p>	<p>Temporary Medical Condition of a pupil A child may develop a temporary medical condition which prevents them getting to school. Parents are expected to have considered whether they can make temporary arrangements, for example by re-arranging their work commitments, driving a child who normally walks or by asking a friend to help for a time-limited period.</p> <p>The application <u>must</u> be supported with medical evidence from the GP and/or Consultant. Transport may be provided for a time-limited period based on the medical information available, and could be subject to periodic review. Depending on the medical condition, alternative solutions may also be offered.</p>

<p>Pupils with a Statement of Special Educational Needs / EHC Plan attending a <u>mainstream</u> school</p>	<p>Special Educational Needs – mainstream school Assistance with transport to the <i>nearest qualifying school</i>, if it is more than 2 miles or 3 miles walking distance from home (see distance rules above re child’s age on page 4).</p> <p>Also, assistance with transport to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school and where, due to their special needs or disability, they are unable to travel to school even when accompanied by an appropriate adult.</p>
<p>Pupils with a Statement of Special Educational Needs/ EHC Plan attending a <u>resourced or special</u> school</p>	<p>Special Educational Needs – resourced or special school Assistance with transport to the <i>nearest qualifying school</i>, if it is more than 2 miles or 3 miles walking distance from home (see distance rules above re child’s age on page 4).</p> <p>Also, assistance with transport to the <i>nearest qualifying resourced school or special school</i>, where the pupil lives within the statutory walking distance from school and where due to their special needs or disability they are unable to travel to school even when accompanied by an appropriate adult.</p>
<p>Pupils attending a Pupil Referral Unit</p>	<p>Pupil Referral Unit Parents may wish to transport pupils themselves. A bus pass to the Pupil Referral Unit for those pupils who are not attending mainstream schools may be provided.</p> <p>Transport may be withdrawn from pupils who regularly fail to attend the PRU – responsibility for attendance will then pass to parent/carers.</p> <p>Parents/carers must be aware that if the child requires transport to and from the Pupil Referral Unit outside of the bus timetable covered by the bus pass, it is the parent’s responsibility (including exclusions).</p>
<p>Pupils permanently excluded from school</p>	<p>Permanently excluded pupils The case of a pupil permanently excluded from a school will be considered based on the most appropriate school for the pupil’s needs.</p> <p>The parent must consider transport implications before requesting a specific school and should understand that they would usually be responsible for arranging transport.</p>

5. Discretionary Transport

The Council has extended its transport provision to include other circumstances. These are:

- a) Catchment School
- b) Exceptional Circumstances
- c) Post-16 students with a Statement of Special Educational Needs / EHC Plan who live more than 3 miles from the qualifying school or college
- d) Post-16 students

Discretionary transport may require a financial contribution towards the cost.

Transport provided at the discretion of the Council will be provided for the entirety of the school year in which the assessment has been made, unless otherwise stated. This means that a new assessment will be made for the following academic year and eligibility may be re-checked if personal circumstances have changed. The applicant is required to inform the Council if they move house or school or are no longer entitled under the low income criteria.

a. Catchment School

The Council recognises that parents may also wish to choose the local catchment school for their child. The catchment area for a West Berkshire school is the same as used in the Admissions application process and can be checked on the Council website here:

<http://www.westberks.gov.uk/index.aspx?articleid=21374>

Where the applicant lives in the catchment area of a Community or Voluntary Controlled school, located in West Berkshire, and they meet the requirements in terms of the walking distance or safety of route, the Council will provide transport.

Where the applicant lives in the catchment area of an Academy, Foundation school, Voluntary Aided school or Free school, located in West Berkshire, and they meet the requirements in terms of the walking distance or safety of route, the Council will provide transport, *except* where the catchment area overlaps with a Community or Voluntary Controlled school.

Where there is an overlap, the Community or Voluntary Controlled school catchment area would take priority and the Council would only consider transport to the Community or Voluntary Controlled school.

The Council will not provide free transport for a catchment school where the school site is outside of West Berkshire (i.e. where a Hampshire or Oxfordshire school has a catchment area which also includes a portion of West Berkshire).

b. Exceptional Circumstances

The Council may take exceptional circumstances into consideration through the Appeal process. There is **no automatic entitlement**. Exceptional Circumstances may include:

- Parental disability or Temporary medical condition for a parent (Where one parent is affected, we would expect other adult(s) with parental responsibility to take the child to school or make appropriate arrangements.)
- Temporary medical condition for the pupil
- Temporary re-housing

The Council will not consider an unaccompanied child. The law states that it is the parents' responsibility to ensure that a child gets to school, including accompanying them, if appropriate. This includes the parent determining how their child will get to school and may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied.

The Council does not consider work commitments as an exceptional circumstance. The law states that it is the parents' responsibility to ensure that their child gets to school, and this may include making appropriate arrangements. This could include use of a childminder, friend, before school and after school club. Parents may be able to access a Fare Payer place on the school bus, which incurs a fee.

Parental Preference - If a parent has chosen a school which is not the nearest school to the home address or the catchment school, this is parental preference. **The Council expects parents to have considered how to get their child to school.** This could include use of a childminder, friend, before school and after school club. Parents may be able to access a Fare Payer place on the school bus, which incurs a fee.

The decision of the Council is final in relation to consideration of exceptional circumstances.

Where exceptional circumstances are taken into account, transport may be strictly time limited and may not be for the entire school year. Discretionary transport may require a financial contribution towards the cost.

c. Post-16 students with a Statement of Special Educational Needs / EHC Plan

This section of the policy applies from the beginning of the academic year following the young person's 16th birthday.

The Council does not provide travel assistance for students who are 16 years and older who have a Statement of Special Educational Needs / EHC Plan and who attend a *mainstream school*. There is a Council discretionary Fare Payer scheme which post 16 pupils with SEN who attend mainstream schools may be able to access. The student would pay to access the scheme at the prevailing rate, subject to availability.

The Council will provide assistance with transport to a resourced school, special school or FE College that is the nearest qualifying school or college, where the school or college is outside the statutory walking distance of 3 miles, or, if it is within the statutory walking distance, due to their special needs or disability, the student is unable to travel to school or college even when accompanied by an appropriate adult.

The nearest "qualifying" resourced school, special school or FE College will be the nearest establishment which is able to meet the young person's needs. In the case of FE Colleges, preference for specific courses will be taken in to consideration within the context of what is reasonable.

In the majority of cases, travel assistance will take the form of a bus or train pass. Other means of transport will only be offered if the young person is not able to travel independently and is not suitable for independent travel training.

Parents may be required to make a contribution to the cost of transport for post 16 students. This will be in line with the contribution made by parents of post 16 students who do not have SEN.

d. Post 19 Students with an EHC Plan or Learning Difficulty Assessment (LDA)

This section of the policy applies from the beginning of the academic year following the young person's 19th birthday.

Students who have an EHC Plan or Learning Difficulty Assessment may transfer to or continue at FE College after the age of 19 years (and potentially up to 25 years) if they still require educational provision in order to achieve the outcomes set out in their EHC Plan or LDA.

The Council will provide assistance with travel to the nearest "qualifying" FE College if it is necessary to do so in order for the young person to be able to access a place at the qualifying establishment.

In order to determine whether it is “necessary” to provide assistance with transport, the Council will take into consideration what other sources of help have been made available to or could be made available to the young person to enable them to attend college, e.g.

- An adapted vehicle
- Transport assistance provided by the College
- Transport assistance provided by Adult Social Care

The nearest “qualifying” FE College will be the nearest establishment which is able to meet the young person’s needs. Preference for specific courses will be taken in to consideration within the context of what is reasonable.

In the majority of cases, travel assistance will take the form of a bus or train pass. Other means of transport will only be offered if the young person is not able to travel independently and is not suitable for independent travel training.

Assistance with transport for students who have a Learning Difficulty Assessment (but not an EHC Plan) will normally only be offered if the young person is a “high needs student”, i.e. the College receives additional funding from the Local Authority to meet the young person’s special educational needs.

e. Post 16-Students

The Council provides travel assistance for 6th form students at secondary schools or The Porch Pupil Referral Unit. Where a young person wishes to access an existing school bus route to a West Berkshire secondary school (or The Porch), or on an existing bus route originating in West Berkshire to a secondary school in a neighbouring Local Authority, the Council will provide a place on the bus at a subsidised flat rate. Students must apply for a place using the Fare Payers Application Form on our website by the application deadline.

Families in receipt of maximum working tax credit can pay by instalments on request. Evidence may be required.

Students can apply for a train pass with First Great Western train services at a subsidised flat rate for a secondary school, Pupil Referral Unit or further education college.

6. Measuring the *nearest qualifying school*

The *nearest qualifying school* is measured on a computerised GIS mapping system in a straight line between the GIS point of the home address and GIS point of the school.

7. Measuring the walking distance

The *walking distance* measured is the shortest available route from the GIS point at the child's home address to the nearest approved entry point to the school site. The distance will be measured on a computerised GIS mapping system. The route measured may include footpaths, bridleways and other permitted paths as well as recognised roads.

Where a school has more than one site, the Council will measure to each of the sites where compulsory school education is provided. This would mean, for example, that a 6th form site would be excluded. If the child qualified for transport to any of the sites which deliver compulsory school education, transport would be granted for the entirety of the compulsory school education at that school, regardless of which site they were being educated on in any specific year.

For low income entitlement, the 6 mile and 15 mile distance is measured as the travelling distance by road taking account of appropriate vehicular access.

8. Determining an available route

The Council's does not assess routes for unaccompanied children, as this is not the legal standard which applies, and therefore any consideration about the availability of a route is in the context of an accompanied child.

Risk assessments are undertaken in accordance with guidance notes issued by Road Safety GB in 2012 'Assessment of Walked Routes to School' and the Department for Education 'Home to School Travel and Transport Guidance'.

Appeals on the grounds of an unavailable route will be considered in line with statutory expectations and guidelines.

The Courts have defined an 'available route' as one "along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as 'available' because of dangers which would arise if the child is unaccompanied."

It is the parents' responsibility to ensure that a child gets to school, including ensuring that they are accompanied if appropriate; and to ensure that a child has suitable clothing and equipment for the journey (for example: boots, wet weather clothing, reflective bands, torch).

Risk Assessment

Assessments usually take place in the morning during the time children would be travelling to school and may also be undertaken at home time in the afternoon. Visits are timed so that crossing assessments of main roads take place at the times when the number of children travelling to school is highest.

No crossing point can be absolutely safe; the term used in the guidance is "reasonable safety" which would make the walking route available.

Assessments do not determine whether a route is “safe” or “dangerous”. All roads may be thought of as presenting some element of road safety risk, whether they are heavily trafficked urban routes, or more lightly trafficked rural routes. Statutory guidelines confirm that available routes may include crossing fields, wooded areas and public parks. Rights of Way will normally be considered available at all times as well as Permitted Paths and Bridleways.

The Council takes a range of factors into account. The fact that there is a high volume of fast-moving traffic is not in itself a reason to grant a route unsuitable - there may be a footpath and good crossing points along the route that would render it safe. Similarly, the lack of a footpath or verge would not be a reason to grant a route unsuitable if there was, for instance, a very low volume of traffic and good visibility. Even if there isn't a footway the walking route might still be assessed as available. The assessment will take account of traffic flows and whether car drivers have enough time to slow down or pedestrians have time to step-off the road or verge.

We will assess:
Road width, visibility and the severity of bends
Existence of 'safe refuge': footpaths and verges, road markings at the side of the road
Existence of Rights of Way, Permitted Paths and Bridle Paths
The volume of traffic at the relevant period of day
The type of traffic and its relative speed
Difficulty of road crossings
Nature of road (urban/rural) and driver expectation
The presence or otherwise of speed limits and other warning signs
The accident record along the route

We will not consider:
Isolation of route
Local weather conditions
Transient events - road closures, construction work, seasonal weather (e.g. flooding, snow, ice)
Temporary surface conditions (e.g. mud, puddles)
Lack of street lighting
Lack of pavements
The presence of uncut hedges
Difficult terrain/arduousness of the route - steep hills are not a hazard
The time taken to walk the route

All assessments are undertaken in line with the guidance from Road Safety GB in 2012 'Assessment of Walked Routes to School' and the Department for Education 'Home to School Travel and Transport Guidance'.

Assessments are recorded in a written report which contains maps and, if necessary, photographs.

The Council has the final decision on whether a route is available.

Concerns about the availability of a route would be addressed through the Complaints process.

Where there is a concern about a route, a formal route assessment will be commissioned by the Education Service and this will clarify the level of risk and a detailed report will be produced.

- a) Where a route is classified as low risk, transport will not be provided, unless exceptional circumstances apply.
- b) Where a route is classified as a medium risk, transport will not be provided, unless exceptional circumstances apply. The parents will be advised of the recommendations in relation to the medium risk sections of the route.
- c) Where a route is classified as high risk, transport will be provided.

Where concerns are raised about the ability of the parent or pupil to walk the route (see page 5), this would be considered under the Appeal process.

Sustainable Travel

The Council will consider, in line with its general transport provision and duty to promote sustainable travel across West Berkshire, the provision of walking routes, and building of footpaths, cycling paths and crossings as more cost effective alternatives to providing free transport. This may result in the withdrawal of transport, where available walking routes are subsequently established.

9. Type of Transport

As required by law¹, the Council will either provide or pay for statutory transport by the most economic means, for pupils resident in West Berkshire, who meet the above criteria. Transport could be:

- School Bus (where necessary supplemented by other methods as appropriate)
- Public Transport – Bus or train season ticket on public transport for the child
- A Personal Transport Budget for mainstream pupils (if this is more cost effective than direct provision of transport).
- A Personal Transport Budget, in the case of children with SEN who qualify for assistance with transport under this policy and are unable to travel independently (if this is more cost effective than direct provision of transport).
- A place in a taxi or minibus for children with SEN who are unable to travel independently. This would usually be shared with other children.

The Council determines the mode of transport and normally only one mode of transport is provided.

¹Sections 508A and 508D of the Education Act 1996, and sections 508A, 508B, 508C, 509AD, and Schedule 35B of the Act which were inserted by Part 6 of the Education and Inspections Act 2006.

10. Independent Travel Training for children with a Statement of Special Educational Needs / EHC Plan

All children with a Statement of Special Educational Needs or EHC Plan aged 11 years or above who qualify for assistance with transport will be considered for independent travel training (ITT). If a child is considered by the Council to have the potential to travel to school independently, either walking or using a bus or train, they will undergo an assessment of suitability for ITT. If deemed suitable, they will be provided with an intensive programme of travel training with a suitably qualified / experienced travel trainer. If they complete the programme successfully, they will be provided with a bus or train pass, as appropriate.

Transport by other means such as minibus or taxi will only be provided if a child is considered unsuitable for travel training or if they have been unable to complete the travel training course successfully.

A review of transport entitlement and provision will be carried out at each child's annual review. Children allocated transport by taxi or minibus at primary school age will be expected to undertake independent travel training at secondary school age in cases where the child is considered to have the potential to achieve independent travel to school.

11. Personal Transport Budgets (PTBs)

The Council will be piloting Personal Transport Budgets for children and young people with SEN, who qualify for assistance with transport under this policy, from September 2015. In the first instance, PTBs will only be offered to children attending The Castle or Brookfields Special Schools. If the pilot scheme is successful, the scheme may be rolled out to other children with SEN who qualify for assistance with transport.

PTBs will be offered in cases where a child or young person is unable to travel to school independently. This will be an alternative to providing transport by minibus or taxi. The PTB will be calculated based on a formula and will be allocated to families in lieu of direct provision of transport by the Council.

Families will be free to use the funding in any way they see appropriate, provided that they get their child to school safely, on time and in a fit state to learn. A PTB will usually be greater than a traditional mileage allowance, but the Council reserves the right only to offer PTBs in cases where this would be more cost effective than direct provision of transport.

If parents choose to accept a PTB, they will be asked to sign a formal written agreement. Payments will be made in monthly instalments. The Council reserves the right to withdraw the PTB if the parent is unable to deliver the child to school safely, on time and in a fit state to learn.

Parents can withdraw from the PTB scheme if they wish, subject to giving an agreed period of notice.

Parents are not obliged to take up a Personal Transport Budget if they do not wish to do so.

12. Provision of passenger assistants (escorts) for children with SEN

There is no automatic entitlement to provision of a passenger assistant on a vehicle if a child travels by minibus or taxi. The need for a passenger assistant will be considered on a case by case basis, taking in to account the child's age and the nature of their special educational needs.

Provision of passenger assistants for individual children will be subject to ongoing review.

13. Transport to after school activities or respite care for children with SEN

Children and young people who qualify for assistance with transport to school under this policy are not entitled to transport for after school activities or respite care.

The Council will, however, endeavour to assist with transport for after school activities or respite care if this can be offered with no additional cost.

14. The Journey

The Council will determine the boarding and alighting points for the journey. Pupils are expected to walk to and from home to meet their transport. The pick-up point will not normally be more than one mile away from the home address. Journey times will not usually exceed 45 minutes for primary pupils and 75 minutes for secondary pupils.

Parents are responsible for the safety of the child in getting to and from the pick up point, and whilst they are waiting for transport or leaving transport at either end of the day.

15. Poor Behaviour on School Transport

The Council operates a zero tolerance approach to poor behaviour on school transport. Behaviour which endangers other pupils, the driver and other passengers and other road users will not be tolerated. The Council's Home to School Transport Behaviour Code provides more information:

<http://info.westberks.gov.uk/index.aspx?articleid=29687>

There are two versions, one for pupils and one for parents

The Council will work in partnership with schools to promote good behaviour on school transport through a range of initiatives. The Council will work with the headteacher of a school, to ensure appropriate sanctions are in place for poor behaviour. Sanctions may range from:

- Warning in relation to misbehaviour
- Exclusion from the bus for a temporary period
- Permanent exclusion from the bus for more serious or persistent misbehaviour

16. Transport provided in Error or Subject to Change

Where free or discretionary transport has been provided in error, or where material changes have been made to the route to school, provision may be withdrawn. Six weeks' notice will be provided to allow alternative arrangements to be put in place by the parents.

17. Further Information

For information on how to apply for free home to school transport, please refer to the Transport pages on the Council's website.

<http://info.westberks.gov.uk/index.aspx?articleid=29687>

18. Appeals

The Council will maintain an appeal process regarding eligibility decisions made under this policy, in line with national guidance. The process is as follows:

Initial Application Declined

Parent has up to 20 working days to decide whether to submit an Appeal



Stage 1 Appeal Submission

- Parent submits appeal on the basis of:
 - Distance measurement (walking)
 - Transport offered, if applicable
 - Exceptional circumstances
- Review of information provided – is additional evidence or information required to fully assess the Appeal? Is this a complaint?
- Information/evidence requested from parent, if applicable.
- Information/evidence received from parent, and Appeal is registered.

Parent has up to 20 working days from initial submission of Appeal to provide the required evidence/information



Stage 1 Appeal (Review by a Senior Officer)

- Senior Officer reviews the circumstances of the case
- Written notification of the outcome is sent to the parent. This will include detailed reasoning of the decision made and notification of the option to escalate to Stage 2.

Up to 20 working days but complex cases may take longer



Stage 2 Appeal Submission

- Parent submits appeal on the basis of:
 - Distance measurement (walking)
 - Transport offered, if applicable
 - Exceptional circumstances

Parent has up to 20 working days to decide whether to submit an Appeal



Stage 2 Appeal (Review by an Appeal Panel)

- Appeal Panel reviews the circumstances of the case
- Written notification of the outcome is sent to the parent. This will include detailed reasoning of the decision made and notification of the option to escalate to Local Government Ombudsman.

Up to 40 working days

19. Complaints

Where a Transport application has been considered through the Transport Appeal process, there is no right to use the complaints process with regard to the decision made. The complaints process has no jurisdiction over the Appeals process.

Where the issue relates to the Home to School Transport policy and the parent feels it is not objective, clear or fair – this is a complaint. The complaint must refer to the current policy and explain which aspect of the policy is unsatisfactory and why.

Where the parent feels that the Transport Appeals process has not been administered correctly – this is a complaint. The complaints process will only look at whether the Appeal was administered correctly. It cannot change the decision made by the Appeal Panel.

The complaint will be reviewed by a Senior Officer, and a response will be provided within twenty working days.

Email: Pupiltransport@westberks.gov.uk

Write to: Service Manager (APT),
West Berkshire Council, West St House, Newbury RG14 1BZ.

20. Consultation

The Council consults on its transport policies for pupils and 16-19 students. The consultation appears on the Council's consultation finder and information is provided to schools to pass onto to its families to make them aware of the consultation.

Appendix A

If the Qualifying school is full and the application for a school place was made in the normal admissions round:

If a parent:

- has applied **on time** for their qualifying school (nearest school or if the nearest is not the catchment schools then both nearest and catchment schools) **and**
- has not been offered a school place at either the nearest school or the catchment school

Then

- the nearest school with available spaces will be considered to be the qualifying school:

Provided that:

- the child remains on the school/s waiting list until a place is offered **and**
- the offer of a place is taken up from a school waiting list. School places are offered for the following half term and at that point transport to the current school would be cancelled.

Children remain on school waiting lists for the remainder of the academic year in which a school place has been applied for. Parents will be prompted to apply for a place in each new academic year which they will be expected to do. If parents do not re-apply the home to school transport will be cancelled from the start of the next academic year.

Parents who apply for a school place **late** and, for that reason, their child is not allocated a school place at their qualifying school are not in the same position. The nearest school with available places will not be considered to be the qualifying school unless the application was late for good reason, e.g. moving into the area.

Applications for school places outside the normal admissions round (In year school admissions) as a result of moving house:

Where a parent has applied for their qualifying school (nearest school or if the nearest is not the catchment schools then both nearest and catchment schools) and has not been offered a school place at either school, the nearest school with available spaces will be considered to be the qualifying school:

Provided that:

- the child remains on the school/s waiting list until a place is offered **and**
- the offer of a place is taken up from a school waiting list. School places are offered for the following half term and at that point transport to the current school would be cancelled

Children remain on school waiting lists for the remainder of the academic year in which a school place has been applied for. Parents will be prompted to apply for a place in each new academic year which they will be expected to do. If parents do not re-apply the home to school transport will be cancelled from the start of the next academic year.

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Home to School Transport Policy 2016/17

1. Introduction

The Council is responsible for setting a Home to School Transport policy which ensures the equitable provision of transport to those who qualify under the Council's statutory duties and to explain when discretionary transport provision might be available.

The Council consults with the public on the Home to School policy on an annual basis, and it should be noted that the Council's policy is in line with the statutory guidance.

The law states that it is the parent's responsibility to ensure that a child gets to school, including accompanying them, if necessary. This includes the parent determining how their child will get to school and may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied, as appropriate.

This policy applies to West Berkshire residents only and covers:

- a. Free Transport (see Section 4)
- b. Discretionary Transport (see Section 5)

Transport is only provided at the beginning and end of the normal school day.

Exclusions

The Policy is written in the context of an accompanied child. The law states that the responsibility for ensuring that a child gets to school sits with the parents. This includes the parent determining how their child will get to school and may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied, as appropriate.

Transport is not provided for:

- Journeys during the course of the day
- Journeys to a work placement
- After school activities
- Induction/open day/interview visits
- Medical and dental appointments
- Parent/Carer attendance at school
- Respite Care
- Exchange students

2. School Admissions

Admission and Transport policies are separate and not directly linked. This reflects the national legislation. Eligibility for a place at a school is not affected by this transport policy and obtaining a place at a school does not bring with it any entitlement to transport, even if a pupil is attending their catchment school.

The policy may change before a pupil completes their time at school. The Council recognises that it is good practice for changes to be phased in and whilst the Council will endeavour to do this, it is not guaranteed, and entitlement may be subject to change, depending on specific circumstances.

The pupil's circumstances may change during their time at school, and this could also affect eligibility, e.g. moving house or school, no longer qualifying under low income, no longer qualifying under distance as age changes (see section 3). The Council may also take steps to create safe walking routes.

Admission choices should not be made on the assumption that the same transport eligibility rules will apply throughout a child's education.

If a child does not qualify for transport under the provisions in this policy, parents may wish to explore the Council's Fare Payer Scheme for places on school transport. This discretionary scheme is not an entitlement and is often over-subscribed. Places may also be withdrawn in certain circumstances. Parents are strongly advised to read the rules of Fare Payer Scheme before applying for a Fare Payer place.

3. The Statutory Position

Parents are legally responsible for making sure that their children get to and from school at the appropriate times each day. This includes a parent making appropriate arrangements for their child where the parent has working commitments at the relevant times in the school day.

If parents choose to send their child to a school which is not the nearest qualifying school free transport will not be provided by the Council unless the circumstances meet the discretionary transport criteria described in section 5. Parents will be responsible for arrangements and costs.

West Berkshire Council provides Home to School Transport in line with the national statutory guidelines and this is summarised in the table in section 4.

Definition of a Qualifying School

A *qualifying school* is a school which provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have. Most schools in West Berkshire fit the criteria of *qualifying school*. To be a qualifying school, the school must be:

- a community, foundation or voluntary mainstream school, or
- an academy, or
- a community, foundation or non-maintained special school, or
- a maintained nursery school, or
- pupil referral unit

Independent and non maintained schools can only be qualifying schools in relation to a child with a Statement of Special Educational Needs or Education, Health and Care (EHC) Plan, and then only if the school is named in the child's EHC Plan or Statement

Any other type of school which is not listed above, including other West Berkshire independent schools, is NOT a qualifying school.

There is no legislative entitlement to transport to a particular type e.g. by gender, structure [academy, maintained, free school] or catchment.

There is no legislative entitlement to transport to a particular type by faith for most pupils. The only exception is for secondary pupils from a low income family (see page 4).

The entitlements are set out in the 1996 Education Act and 2006 Education and Inspections Act.

4. Free Transport

The *nearest qualifying school* is explained on page 3. Information on how this operates in practice is included at Appendix A.

Free transport is explained in the table below:

- **Distance**
- **Low Income**
- **Available route (including parental disability)**
- **Temporary medical condition of a pupil**
- **Statement of Special Educational Needs/ EHC Plan (in certain circumstances)**
- **Pupil Referral Units and permanently excluded pupils**

<p>From: the term starting 1st January, 1st April or 1st September following the child's 5th birthday</p> <p>To: 7 years old.</p>	<p>Distance</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 2 miles walking distance from home.</p>
<p>From: the child's 8th birthday</p> <p>To: the last school day in the academic school year in which their 16th birthday falls.</p>	<p>Distance</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 3 miles walking distance from home.</p>
<p>From the child's 8th birthday</p> <p>To 10 years old.</p>	<p>Low income</p> <p>Free transport to the <i>nearest qualifying school</i>, if it is more than 2 miles walking distance from home. To qualify, the child must be entitled to free school meals or whose family is in receipt of maximum working tax credit (i.e. with no deductions due to income)</p>
<p>From the child's 11th birthday</p> <p>To: the last school day in the academic school year in which their 16th birthday falls.</p>	<p>Low income</p> <p>Free transport to one of the three <i>nearest qualifying schools</i>, if it is between 2 and 6 miles walking distance away, or to the school preferred by reason of a parent's religion or belief which is between 2 and 15 miles away from the home address, travelling by road. To qualify, the child must be entitled to free school meals or whose family is in receipt of maximum working tax credit (i.e. with no deductions due to income)</p>

<p>Pupils living within the statutory walking distance but who are unable to walk because there is not an available route</p>	<p>Available Route Free transport to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school and where, due to the nature of the route, they are unable to walk in reasonable safety even when accompanied by an appropriate adult.</p> <p>A route is defined as “available” if it is a route along which a child, accompanied as necessary, can walk with reasonable safety to school. A route will be “available” even if the child would need to be accompanied along it by his or her parent or carer.(see section 9)</p>
<p>The parents’ disability prevents them from accompanying the child along a walking route, which is considered safe for a child who is accompanied</p>	<p>Available route and parental disability Where a walking route is considered to be safe for a child who is accompanied, but the parents’ disability prevents them from walking the route, support will be provided where the pupil lives within the statutory walking distance from school. Depending on the medical condition, transport or alternative solutions may be offered.</p> <p>The application <u>must</u> be supported with medical evidence from the GP and/or Consultant. Transport or alternative support may be provided for a time-limited period based on the medical information available, and could be subject to periodic review.</p>
<p>Pupils with a temporary medical condition</p>	<p>Temporary Medical Condition of a pupil A child may develop a temporary medical condition which prevents them getting to school. Parents are expected to have considered whether they can make temporary arrangements, for example by re-arranging their work commitments, driving a child who normally walks or by asking a friend to help for a time-limited period.</p> <p>The application <u>must</u> be supported with medical evidence from the GP and/or Consultant. Transport may be provided for a time-limited period based on the medical information available, and could be subject to periodic review. Depending on the medical condition, alternative solutions may also be offered.</p>

<p>Pupils with a Statement of Special Educational Needs / EHC Plan attending a <u>mainstream</u> school</p>	<p>Special Educational Needs – mainstream school Assistance with transport to the <i>nearest qualifying school</i>, if it is more than 2 miles or 3 miles walking distance from home (see distance rules above re child’s age on page 4).</p> <p>Also, assistance with transport to the <i>nearest qualifying school</i>, where the pupil lives within the statutory walking distance from school and where, due to their special needs or disability, they are unable to travel to school even when accompanied by an appropriate adult.</p>
<p>Pupils with a Statement of Special Educational Needs/ EHC Plan attending a <u>resourced or special</u> school</p>	<p>Special Educational Needs – resourced or special school Assistance with transport to the <i>nearest qualifying school</i>, if it is more than 2 miles or 3 miles walking distance from home (see distance rules above re child’s age on page 4).</p> <p>Also, assistance with transport to the <i>nearest qualifying resourced school or special school</i>, where the pupil lives within the statutory walking distance from school and where due to their special needs or disability they are unable to travel to school even when accompanied by an appropriate adult.</p>
<p>Pupils attending a Pupil Referral Unit</p>	<p>Pupil Referral Unit Parents may wish to transport pupils themselves. A bus pass to the Pupil Referral Unit for those pupils who are not attending mainstream schools may be provided.</p> <p>Transport may be withdrawn from pupils who regularly fail to attend the PRU – responsibility for attendance will then pass to parent/carers.</p> <p>Parents/carers must be aware that if the child requires transport to and from the Pupil Referral Unit outside of the bus timetable covered by the bus pass, it is the parent’s responsibility (including exclusions).</p>
<p>Pupils permanently excluded from school</p>	<p>Permanently excluded pupils The case of a pupil permanently excluded from a school will be considered based on the most appropriate school for the pupil’s needs.</p> <p>The parent must consider transport implications before requesting a specific school and should understand that they would usually be responsible for arranging transport.</p>

5. Discretionary Transport

The Council has extended its transport provision to include other circumstances. These are:

- a) Catchment School (for Primary Pupils)
- b) Exceptional Circumstances
- c) Post-16 students with a Statement of Special Educational Needs / EHC Plan who live more than 3 miles from the qualifying school or college
- d) Post-16 students

Discretionary transport may require a financial contribution towards the cost.

Transport provided at the discretion of the Council will be provided for the entirety of the school year in which the assessment has been made, unless otherwise stated. This means that a new assessment will be made for the following academic year and eligibility may be re-checked if personal circumstances have changed. The applicant is required to inform the Council if they move house or school or are no longer entitled under the low income criteria.

a. Catchment School (for Primary Pupils)

The Council recognises that parents may also wish to choose the local catchment school for their child. The catchment area for a West Berkshire school is the same as used in the Admissions application process and can be checked on the Council website here:

<http://www.westberks.gov.uk/index.aspx?articleid=21374>

Where the applicant lives in the catchment area of a Community or Voluntary Controlled school, located in West Berkshire, and they meet the requirements in terms of the walking distance or safety of route, the Council will provide transport.

Where the applicant lives in the catchment area of an Academy, Foundation school, Voluntary Aided school or Free school, located in West Berkshire, and they meet the requirements in terms of the walking distance or safety of route, the Council will provide transport, *except* where the catchment area overlaps with a Community or Voluntary Controlled school.

Where there is an overlap, the Community or Voluntary Controlled school catchment area would take priority and the Council would only consider transport to the Community or Voluntary Controlled school.

The Council will not provide free transport for a catchment school where the school site is outside of West Berkshire (i.e. where a Hampshire or Oxfordshire school has a catchment area which also includes a portion of West Berkshire).

b. Exceptional Circumstances

The Council may take exceptional circumstances into consideration through the Appeal process. There is **no automatic entitlement**. Exceptional Circumstances may include:

- Parental disability or Temporary medical condition for a parent (Where one parent is affected, we would expect other adult(s) with parental responsibility to take the child to school or make appropriate arrangements.)
- Temporary medical condition for the pupil
- Temporary re-housing

The Council will not consider an unaccompanied child. The law states that it is the parents' responsibility to ensure that a child gets to school, including accompanying them, if appropriate. This includes the parent determining how their child will get to school and may include making appropriate arrangements such as with a friend or a childminder to ensure that the child is accompanied.

The Council does not consider work commitments as an exceptional circumstance. The law states that it is the parents' responsibility to ensure that their child gets to school, and this may include making appropriate arrangements. This could include use of a childminder, friend, before school and after school club. Parents may be able to access a Fare Payer place on the school bus, which incurs a fee.

Parental Preference - If a parent has chosen a school which is not the nearest school to the home address or the catchment school, this is parental preference. **The Council expects parents to have considered how to get their child to school.** This could include use of a childminder, friend, before school and after school club. Parents may be able to access a Fare Payer place on the school bus, which incurs a fee.

The decision of the Council is final in relation to consideration of exceptional circumstances.

Where exceptional circumstances are taken into account, transport may be strictly time limited and may not be for the entire school year. Discretionary transport may require a financial contribution towards the cost.

c. Post-16 students with a Statement of Special Educational Needs / EHC Plan

This section of the policy applies from the beginning of the academic year following the young person's 16th birthday.

The Council does not provide travel assistance for students who are 16 years and older who have a Statement of Special Educational Needs / EHC Plan and who attend a *mainstream school*. There is a Council discretionary Fare Payer scheme which post 16 pupils with SEN who attend mainstream schools may be able to access. The student would pay to access the scheme at the prevailing rate, subject to availability.

The Council will provide assistance with transport to a resourced school, special school or FE College that is the nearest qualifying school or college, where the school or college is outside the statutory walking distance of 3 miles, or, if it is within the statutory walking distance, due to their special needs or disability, the student is unable to travel to school or college even when accompanied by an appropriate adult.

The nearest "qualifying" resourced school, special school or FE College will be the nearest establishment which is able to meet the young person's needs. In the case of FE Colleges, preference for specific courses will be taken in to consideration within the context of what is reasonable.

In the majority of cases, travel assistance will take the form of a bus or train pass. Other means of transport will only be offered if the young person is not able to travel independently and is not suitable for independent travel training.

Parents may be required to make a contribution to the cost of transport for post 16 students. This will be in line with the contribution made by parents of post 16 students who do not have SEN.

d. Post 19 Students with an EHC Plan or Learning Difficulty Assessment (LDA)

This section of the policy applies from the beginning of the academic year following the young person's 19th birthday.

Students who have an EHC Plan or Learning Difficulty Assessment may transfer to or continue at FE College after the age of 19 years (and potentially up to 25 years) if they still require educational provision in order to achieve the outcomes set out in their EHC Plan or LDA.

The Council will provide assistance with travel to the nearest "qualifying" FE College if it is necessary to do so in order for the young person to be able to access a place at the qualifying establishment.

In order to determine whether it is “necessary” to provide assistance with transport, the Council will take into consideration what other sources of help have been made available to or could be made available to the young person to enable them to attend college, e.g.

- An adapted vehicle
- Transport assistance provided by the College
- Transport assistance provided by Adult Social Care

The nearest “qualifying” FE College will be the nearest establishment which is able to meet the young person’s needs. Preference for specific courses will be taken in to consideration within the context of what is reasonable.

In the majority of cases, travel assistance will take the form of a bus or train pass. Other means of transport will only be offered if the young person is not able to travel independently and is not suitable for independent travel training.

Assistance with transport for students who have a Learning Difficulty Assessment (but not an EHC Plan) will normally only be offered if the young person is a “high needs student”, i.e. the College receives additional funding from the Local Authority to meet the young person’s special educational needs.

e. Post 16-Students

The Council provides travel assistance for 6th form students at secondary schools or The Porch Pupil Referral Unit. Where a young person wishes to access an existing school bus route to a West Berkshire secondary school (or The Porch), or on an existing bus route originating in West Berkshire to a secondary school in a neighbouring Local Authority, the Council will provide a place on the bus at a subsidised flat rate. Students must apply for a place using the Fare Payers Application Form on our website by the application deadline.

Families in receipt of maximum working tax credit can pay by instalments on request. Evidence may be required.

Students can apply for a train pass with First Great Western train services at a subsidised flat rate for a secondary school, Pupil Referral Unit or further education college.

6. Measuring the *nearest qualifying school*

The *nearest qualifying school* is measured on a computerised GIS mapping system in a straight line between the GIS point of the home address and GIS point of the school.

7. Measuring the *walking distance*

The *walking distance* measured is the shortest available route from the GIS point at the child's home address to the nearest approved entry point to the school site. The distance will be measured on a computerised GIS mapping system. The route measured may include footpaths, bridleways and other permitted paths as well as recognised roads.

Where a school has more than one site, the Council will measure to each of the sites where compulsory school education is provided. This would mean, for example, that a 6th form site would be excluded. If the child qualified for transport to any of the sites which deliver compulsory school education, transport would be granted for the entirety of the compulsory school education at that school, regardless of which site they were being educated on in any specific year.

For low income entitlement, the 6 mile and 15 mile distance is measured as the travelling distance by road taking account of appropriate vehicular access.

8. Determining an *available route*

The Council's does not assess routes for unaccompanied children, as this is not the legal standard which applies, and therefore any consideration about the availability of a route is in the context of an accompanied child.

Risk assessments are undertaken in accordance with guidance notes issued by Road Safety GB in 2012 'Assessment of Walked Routes to School' and the Department for Education 'Home to School Travel and Transport Guidance'.

Appeals on the grounds of an unavailable route will be considered in line with statutory expectations and guidelines.

The Courts have defined an 'available route' as one "along which a child accompanied as necessary can walk with reasonable safety to school. It does not fail to qualify as 'available' because of dangers which would arise if the child is unaccompanied."

It is the parents' responsibility to ensure that a child gets to school, including ensuring that they are accompanied if appropriate; and to ensure that a child has suitable clothing and equipment for the journey (for example: boots, wet weather clothing, reflective bands, torch).

Risk Assessment

Assessments usually take place in the morning during the time children would be travelling to school and may also be undertaken at home time in the afternoon. Visits are timed so that crossing assessments of main roads take place at the times when the number of children travelling to school is highest.

No crossing point can be absolutely safe; the term used in the guidance is "reasonable safety" which would make the walking route available.

Assessments do not determine whether a route is “safe” or “dangerous”. All roads may be thought of as presenting some element of road safety risk, whether they are heavily trafficked urban routes, or more lightly trafficked rural routes. Statutory guidelines confirm that available routes may include crossing fields, wooded areas and public parks. Rights of Way will normally be considered available at all times as well as Permitted Paths and Bridleways.

The Council takes a range of factors into account. The fact that there is a high volume of fast-moving traffic is not in itself a reason to grant a route unsuitable - there may be a footpath and good crossing points along the route that would render it safe. Similarly, the lack of a footpath or verge would not be a reason to grant a route unsuitable if there was, for instance, a very low volume of traffic and good visibility. Even if there isn't a footway the walking route might still be assessed as available. The assessment will take account of traffic flows and whether car drivers have enough time to slow down or pedestrians have time to step-off the road or verge.

We will assess:
Road width, visibility and the severity of bends
Existence of 'safe refuge': footpaths and verges, road markings at the side of the road
Existence of Rights of Way, Permitted Paths and Bridle Paths
The volume of traffic at the relevant period of day
The type of traffic and its relative speed
Difficulty of road crossings
Nature of road (urban/rural) and driver expectation
The presence or otherwise of speed limits and other warning signs
The accident record along the route

We will not consider:
Isolation of route
Local weather conditions
Transient events - road closures, construction work, seasonal weather (e.g. flooding, snow, ice)
Temporary surface conditions (e.g. mud, puddles)
Lack of street lighting
Lack of pavements
The presence of uncut hedges
Difficult terrain/arduousness of the route - steep hills are not a hazard
The time taken to walk the route

All assessments are undertaken in line with the guidance from Road Safety GB in 2012 'Assessment of Walked Routes to School' and the Department for Education 'Home to School Travel and Transport Guidance'.

Assessments are recorded in a written report which contains maps and, if necessary, photographs.

The Council has the final decision on whether a route is available.

Concerns about the availability of a route would be addressed through the Complaints process.

Where there is a concern about a route, a formal route assessment will be commissioned by the Education Service and this will clarify the level of risk and a detailed report will be produced.

- a) Where a route is classified as low risk, transport will not be provided, unless exceptional circumstances apply.
- b) Where a route is classified as a medium risk, transport will not be provided, unless exceptional circumstances apply. The parents will be advised of the recommendations in relation to the medium risk sections of the route.
- c) Where a route is classified as high risk, transport will be provided.

Concerns about the ability of the parent or pupil to walk the route (see page 5), this would be considered under the Appeal process.

Sustainable Travel

The Council will consider, in line with its general transport provision and duty to promote sustainable travel across West Berkshire, the provision of walking routes, and building of footpaths, cycling paths and crossings as more cost effective alternatives to providing free transport. This may result in the withdrawal of transport, where available walking routes are subsequently established.

9. Type of Transport

As required by law¹, the Council will either provide or pay for statutory transport by the most economic means, for pupils resident in West Berkshire, who meet the above criteria. Transport could be:

- School Bus (where necessary supplemented by other methods as appropriate)
- Public Transport – Bus or train season ticket on public transport for the child
- A Personal Transport Budget for mainstream pupils (if this is more cost effective than direct provision of transport).
- A Personal Transport Budget, in the case of children with SEN who qualify for assistance with transport under this policy and are unable to travel independently (if this is more cost effective than direct provision of transport).
- A place in a taxi or minibus for children with SEN who are unable to travel independently. This would usually be shared with other children.

The Council determines the mode of transport and normally only one mode of transport is provided.

¹Sections 508A and 508D of the Education Act 1996, and sections 508A, 508B, 508C, 509AD, and Schedule 35B of the Act which were inserted by Part 6 of the Education and Inspections Act 2006.

10. Independent Travel Training for children with a Statement of Special Educational Needs / EHC Plan

All children with a Statement of Special Educational Needs or EHC Plan aged 11 years or above who qualify for assistance with transport will be considered for independent travel training (ITT). If a child is considered by the Council to have the potential to travel to school independently, either walking or using a bus or train, they will undergo an assessment of suitability for ITT. If deemed suitable, they will be provided with an intensive programme of travel training with a suitably qualified / experienced travel trainer. If they complete the programme successfully, they will be provided with a bus or train pass, as appropriate.

Transport by other means such as minibus or taxi will only be provided if a child is considered unsuitable for travel training or if they have been unable to complete the travel training course successfully.

A review of transport entitlement and provision will be carried out at each child's annual review. Children allocated transport by taxi or minibus at primary school age will be expected to undertake independent travel training at secondary school age in cases where the child is considered to have the potential to achieve independent travel to school.

11. Personal Transport Budgets (PTBs)

The Council will be piloting Personal Transport Budgets for children and young people with SEN, who qualify for assistance with transport under this policy, from September 2015. In the first instance, PTBs will only be offered to children attending The Castle or Brookfields Special Schools. If the pilot scheme is successful, the scheme may be rolled out to other children with SEN who qualify for assistance with transport.

PTBs will be offered in cases where a child or young person is unable to travel to school independently. This will be an alternative to providing transport by minibus or taxi. The PTB will be calculated based on a formula and will be allocated to families in lieu of direct provision of transport by the Council.

Families will be free to use the funding in any way they see appropriate, provided that they get their child to school safely, on time and in a fit state to learn. A PTB will usually be greater than a traditional mileage allowance, but the Council reserves the right only to offer PTBs in cases where this would be more cost effective than direct provision of transport.

If parents choose to accept a PTB, they will be asked to sign a formal written agreement. Payments will be made in monthly instalments. The Council reserves the right to withdraw the PTB if the parent is unable to deliver the child to school safely, on time and in a fit state to learn.

Parents can withdraw from the PTB scheme if they wish, subject to giving an agreed period of notice.

Parents are not obliged to take up a Personal Transport Budget if they do not wish to do so.

12. Provision of passenger assistants (escorts) for children with SEN

There is no automatic entitlement to provision of a passenger assistant on a vehicle if a child travels by minibus or taxi. The need for a passenger assistant will be considered on a case by case basis, taking in to account the child's age and the nature of their special educational needs.

Provision of passenger assistants for individual children will be subject to ongoing review.

13. Transport to after school activities or respite care for children with SEN

Children and young people who qualify for assistance with transport to school under this policy are not entitled to transport for after school activities or respite care.

The Council will, however, endeavour to assist with transport for after school activities or respite care if this can be offered with no additional cost.

14. The Journey

The Council will determine the boarding and alighting points for the journey. Pupils are expected to walk to and from home to meet their transport. The pick-up point will not normally be more than one mile away from the home address. Journey times will not usually exceed 45 minutes for primary pupils and 75 minutes for secondary pupils.

Parents are responsible for the safety of the child in getting to and from the pick up point, and whilst they are waiting for transport or leaving transport at either end of the day.

15. Poor Behaviour on School Transport

The Council operates a zero tolerance approach to poor behaviour on school transport. Behaviour which endangers other pupils, the driver and other passengers and other road users will not be tolerated. The Council's Home to School Transport Behaviour Code provides more information:

<http://info.westberks.gov.uk/index.aspx?articleid=29687>

There are two versions, one for pupils and one for parents

The Council will work in partnership with schools to promote good behaviour on school transport through a range of initiatives. The Council will work with the headteacher of a school, to ensure appropriate sanctions are in place for poor behaviour. Sanctions may range from:

- Warning in relation to misbehaviour
- Exclusion from the bus for a temporary period
- Permanent exclusion from the bus for more serious or persistent misbehaviour

16. Transport provided in Error or Subject to Change

Where free or discretionary transport has been provided in error, or where material changes have been made to the route to school, provision may be withdrawn. Six weeks' notice will be provided to allow alternative arrangements to be put in place by the parents.

17. Further Information

For information on how to apply for free home to school transport, please refer to the Transport pages on the Council's website.

<http://info.westberks.gov.uk/index.aspx?articleid=29687>

18. Appeals

The Council will maintain an appeal process regarding eligibility decisions made under this policy, in line with national guidance. The process is as follows:

Initial Application Declined

Parent has up to 20 working days to decide whether to submit an Appeal



Stage 1 Appeal Submission

- Parent submits appeal on the basis of:
 - Distance measurement (walking)
 - Transport offered, if applicable
 - Exceptional circumstances
- Review of information provided – is additional evidence or information required to fully assess the Appeal? Is this a complaint?
- Information/evidence requested from parent, if applicable.
- Information/evidence received from parent, and Appeal is registered.

Parent has up to 20 working days from initial submission of Appeal to provide the required evidence/information



Stage 1 Appeal (Review by a Senior Officer)

- Senior Officer reviews the circumstances of the case
- Written notification of the outcome is sent to the parent. This will include detailed reasoning of the decision made and notification of the option to escalate to Stage 2.

Up to 20 working days but complex cases may take longer



Stage 2 Appeal Submission

- Parent submits appeal on the basis of:
 - Distance measurement (walking)
 - Transport offered, if applicable
 - Exceptional circumstances

Parent has up to 20 working days to decide whether to submit an Appeal



Stage 2 Appeal (Review by an Appeal Panel)

- Appeal Panel reviews the circumstances of the case
- Written notification of the outcome is sent to the parent. This will include detailed reasoning of the decision made and notification of the option to escalate to Local Government Ombudsman.

Up to 40 working days

19. Complaints

Where a Transport application has been considered through the Transport Appeal process, there is no right to use the complaints process with regard to the decision made. The complaints process has no jurisdiction over the Appeals process.

Where the issue relates to the Home to School Transport policy and the parent feels it is not objective, clear or fair – this is a complaint. The complaint must refer to the current policy and explain which aspect of the policy is unsatisfactory and why.

Where the parent feels that the Transport Appeals process has not been administered correctly – this is a complaint. The complaints process will only look at whether the Appeal was administered correctly. It cannot change the decision made by the Appeal Panel.

The complaint will be reviewed by a Senior Officer, and a response will be provided within twenty working days.

Email: Pupiltransport@westberks.gov.uk

Write to: Service Manager (APT),
West Berkshire Council, West St House, Newbury RG14 1BZ.

20. Consultation

The Council consults on its transport policies for pupils and 16-19 students. The consultation appears on the Council's consultation finder and information is provided to schools to pass onto to its families to make them aware of the consultation.

Appendix A

If the Qualifying school is full and the application for a school place was made in the normal admissions round:

If a parent:

- has applied **on time** for their qualifying school (nearest school or if the nearest is not the catchment schools then both nearest and catchment schools) **and**
- has not been offered a school place at either the nearest school or the catchment school

Then

- the nearest school with available spaces will be considered to be the qualifying school:

Provided that:

- the child remains on the school/s waiting list until a place is offered **and**
- the offer of a place is taken up from a school waiting list. School places are offered for the following half term and at that point transport to the current school would be cancelled.

Children remain on school waiting lists for the remainder of the academic year in which a school place has been applied for. Parents will be prompted to apply for a place in each new academic year which they will be expected to do. If parents do not re-apply the home to school transport will be cancelled from the start of the next academic year.

Parents who apply for a school place **late** and, for that reason, their child is not allocated a school place at their qualifying school are not in the same position. The nearest school with available places will not be considered to be the qualifying school unless the application was late for good reason, e.g. moving into the area.

Applications for school places outside the normal admissions round (In year school admissions) as a result of moving house:

Where a parent has applied for their qualifying school (nearest school or if the nearest is not the catchment schools then both nearest and catchment schools) and has not been offered a school place at either school, the nearest school with available spaces will be considered to be the qualifying school:

Provided that:

- the child remains on the school/s waiting list until a place is offered **and**
- the offer of a place is taken up from a school waiting list. School places are offered for the following half term and at that point transport to the current school would be cancelled

Children remain on school waiting lists for the remainder of the academic year in which a school place has been applied for. Parents will be prompted to apply for a place in each new academic year which they will be expected to do. If parents do not re-apply the home to school transport will be cancelled from the start of the next academic year.

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Post-16 Students – Transport Statement 2016/17

This statement sets out the way in which West Berkshire Council has decided to exercise its powers and duties in relation to the provision of school and college transport for learners aged 16-19 in accordance with Section 508 and 509 of the Education Act 1996, as amended by Section 83 of the Education and Inspections Act 2006, and in accordance with the statutory guidance dated February 2014.

The Local Authority only has a statutory duty to provide free home to school transport to eligible pupils of statutory school age. However, the Local Authority also has a statutory duty to formulate a transport policy for young people (over compulsory age) aged 16-18, and those continuing learners who started programmes of learning before their 19th birthday.

The Local Authority has the discretion, under section 5 of the guidance, to determine transport of financial support, and must act reasonably taking into account all relevant matters.

The statement summarises the provision of transport schemes for 16-19 year old learners who live in West Berkshire and study in or outside of West Berkshire and supports learners to access the education and training of their choice.

The ***Travel Guide for 16-19 year old students*** provides details of all concessionary fares, discounts, subsidies, passes or travel cards available for learners aged 16-19, and who provides them. The Guide covers Colleges, Training providers and 6th form at schools, as well as bus and train discounts. The content is applicable to learners at school 6th form, Colleges, apprenticeships and traineeships.
<http://info.westberks.gov.uk/index.aspx?articleid=27824>

The ***Home to School Transport Policy*** outlines the provision for post-16 pupils (including arrangements for post-16 pupils with special educational needs) who wish to access 6th form in school or The Porch Pupil Referral Unit. This includes use of the existing school bus routes provided by West Berkshire Council at a subsidised flat rate.
<http://info.westberks.gov.uk/index.aspx?articleid=29687>

Students must apply for a place using the Fare Payers Application Form on our website. The details of the Scheme and the application form are available here:
<http://www.westberks.gov.uk/index.aspx?articleid=28171>

Transport on a school bus is subject to the provisions of the ***Behaviour Code***.
<http://info.westberks.gov.uk/index.aspx?articleid=29687>

The ***16-19 Bursary Fund*** is provided by the government to support the most financially disadvantaged 16-19 year olds with the cost of staying in education and training. The Fund is administered by schools, colleges and other establishments and students are advised to contact their school or college in cases of financial hardship. Comments from school and Colleges about the 16-19 Bursary and any financial support they offer for transport are included in the Travel Guide.

Exceptional Circumstances

Where a post-16 student requires additional support to be able to access education or training, the Council may take exceptional circumstances into account and could offer support.

There is **no automatic entitlement**, and the phrase “exceptional circumstances” primarily refers to the circumstances of the student rather than those of the parent. However, this could include families on low income (in receipt of maximum working tax credit (i.e. with no deductions due to income) – although most providers hold a bursary to support low income families. Evidence may be requested.

Parental work commitments would not be considered “exceptional”.

A request for support should explain relevant personal and/or family circumstances you believe should be considered and what support you are seeking.

Please send your application to:
pupiltransport@westberks.gov.uk

Or write to:
Service Manager (Access, Planning and Trading),
West Berkshire Council, West St House, Newbury RG14 1BZ

Within 20 working days of the application, a senior Council Officer will review your application and make contact with you about your request.

Feedback

If you believe that the Council’s post-16 Transport Statement is not objective, clear and fair, please email or post your comments to the address above.

Complaints

If you believe that the Council’s post-16 Transport Statement does not fulfil the Council’s statutory duty, this can be raised through the Council’s corporate complaints process, using the address above.

If you remain dissatisfied with the outcome of the complaint and believe that the Council has acted unreasonably, you can appeal to the Local Government Ombudsman. Your complaint must have been considered by the Council in the first instance.

Consultation

The Council consults annually on its transport policies for pupils and 16-19 students. The consultation appears on the Council’s consultation finder and information is provided to schools to pass onto its families to make them aware of the consultation. The Transport policy will be available on the Council website. The website also contains a link to www.gov.uk/subsidised-college-transport-16-19.

Fare Payer Scheme for School Travel 2016/17

Introduction

Spare seats on existing school transport contracted by the Council are made available through the Fare Payer Scheme to school pupils and post-16 students. Passes will be valid for journeys to and from school or academy between Monday and Friday only.

Eligible Pupils/Students

This Scheme is open to school pupils/students who are resident in West Berkshire and attend either a West Berkshire maintained school or academy, or their nearest school if the school is outside of West Berkshire. It does not apply to independent schools.

Where places are still available on 24 September each year, these can be made available to non-West Berkshire pupils/students attending West Berkshire schools.

Pupil/Student Guarantee

Where the pupil/student is attending their nearest or catchment school, they are guaranteed a place on an existing school bus route provided by West Berkshire Council. In line with statutory guidance, students aged 16-19 are also guaranteed a place. In order to qualify for the guarantee, the student must apply by 20 June 2016 and pay the relevant fee by 29 August 2016.

The guarantee will not apply to applications made after 20 June 2016 (late applicants).

For other students/pupils, there is not an entitlement to a place or a guarantee that a place would be available.

How to Apply

Applications should be made online - application forms are available on the West Berkshire Council website at www.westberks.gov.uk/schooltransport from 1 June 2016.

If you do not have computer access, please contact us for advice on how to proceed on 01635 519777.

Applicants will receive email confirmation that their application has been received and their unique identification number.

Where there are more applications than available places, successful applications will be drawn at random from those received by midnight on 20 June 2016, using the unique identifiers and a random number generator.

Late Applications (received after midnight on 20 June) will be added to the waiting list, unless spaces remain, in which case a space will be allocated.

Banding/Prices (per academic year)

The Scheme is based on a banding system for all routes:

- | | |
|---|------|
| • Nearest or Catchment school – flat rate | £250 |
| • 6 th form students – flat rate | £250 |
| • Other – up to 6 miles | £450 |
| • Other – over 6 miles | £800 |

Invoices will be raised by West Berkshire Council for the amount owed. Families can pay in up to 6 instalments, on request. Either full payment or the first instalment of an agreed repayment schedule must be made before the pass is issued.

Sibling Discount

Fares will be discounted by 10% for children in Years 7-11 who have an older sibling in the school, including a 6th form sibling. Sibling discount does not apply to 6th form students. Therefore, for example, 6th form twins would both pay the flat rate.

Waiting List

A waiting list will be kept for any unsuccessful applicants. These will be ranked as follows:

- Siblings of successful applicants who are attending their nearest or catchment school (in order of random allocation draw ranking)
- Other applicants (in order of random allocation draw ranking)
- Late applicants

Spaces on Contracted School Transport

Assistance is strictly limited to existing contracted school transport where spaces are available after those pupils eligible for free home to school transport and post-16 students eligible under statutory guidance have been accommodated.

Once the fare payer allocation for an existing school bus route has been filled, no further allocation will be made unless additional provision can be made at zero net cost.

Withdrawal of places on Contracted School Transport

The Council reserves the right to withdraw a place if it is required for a pupil who is entitled to free home to school transport or post-16 transport under the Council's statutory responsibilities. Any places (except post-16 guaranteed seats) which are available can be withdrawn if the seat is required for a pupil entitled to free transport; the contract ceases to operate; the contract is re-routed; or seating capacity is reduced.

The order of withdrawal will be Non-West Berkshire resident pupils/students in order of allocation ("last in, first-out" principle), followed by West Berkshire resident school pupils in order of allocation ("last in, first-out" principle).

A refund will only be made if the Council withdraws a fare payer place. West Berkshire Council operates a 6-term year. The refund will be calculated for the remaining complete terms. Please note: If a pupil is withdrawn for behaviour reasons, no refund will be made.

Subsidised Train Passes are available on some routes, and to apply for a pass, use the online application form. Train passes are charged at the rate determined by the train company, except post-16 students where, in line with statutory guidance, the Band D flat rate fee will apply.