



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA



City of Westminster

THE ROYAL BOROUGH OF KENSINGTON  
AND CHELSEA  
AND  
WESTMINSTER CITY COUNCIL

# HOME TO SCHOOL TRAVEL ASSISTANCE POLICY FOR CHILDREN (0-16)

This policy document will help you to know whether your child may be eligible for free home to school travel assistance and if so, how to apply

2023-2024

# CONTENTS

1. LEGAL FRAMEWORK AND STATUTORY DUTIES .....	3
2. WHAT IS A SUITABLE SCHOOL?.....	6
3. FURTHER INFORMATION ABOUT CHILDREN WITH EDUCATION, HEALTH AND CARE PLANS (EHCPS) .....	8
4. FREE TRAVEL PROVIDED FOR CHILDREN AND YOUNG PEOPLE BY TRANSPORT FOR LONDON.....	9
5. ASSESSING ELIGIBILITY.....	9
6. WHAT IS OUR CURRENT OFFER OF HOME TO SCHOOL TRAVEL ASSISTANCE? .....	11
7. HOW TO APPLY .....	12
8. YOUNG PEOPLE AGED 16 AND ABOVE .....	13
9. CHILDREN WITH EDUCATION HEALTH AND CARE PLANS ATTENDING RESIDENTIAL SCHOOLS.....	13
10. SHORT BREAKS AND AFTER SCHOOL ACTIVITIES.....	14
11. HOW DO WE MAKE DECISIONS?.....	15
12. APPEALS PROCESS .....	16
APPENDIX A - ELIGIBILITY EVALUATION PROCESS FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS, A DISABILITY OR MOBILITY PROBLEM ..	17
APPENDIX B - PARENTAL RESPONSIBILITIES WHEN SPECIAL TRANSPORT IS PROVIDED .....	18
APPENDIX C - POLICIES FOR OPERATIONAL ISSUES.....	20
APPENDIX D - FREQUENTLY ASKED QUESTIONS .....	22
APPENDIX E - WHO TO CONTACT.....	25
APPENDIX F - TRAVEL ASSISTANCE PROCESS CHART.....	26

# 1. LEGAL FRAMEWORK AND STATUTORY DUTIES

- 1.1 It is the responsibility of parents and carers to ensure that their children receive a suitable full-time education, and this includes the necessary travel arrangements to and from school. Local Authorities (LAs) have duties and powers to make suitable travel arrangements for children who have applied for and been assessed as eligible for travel assistance through the LAs application process.
- 1.2 The LA responsibilities are set out in the Education Act 1996, as amended in section 77 of the Education and Inspections Act 2006. It is important to note that the 2006 Act refers to travel rather than transport. Travel assistance can consist of a range of options depending on the needs of the child.<sup>1</sup>
- 1.3 The address where a child or young person usually lives is judged to be their ordinary residence, whether this is of a short or long duration (apart from temporary or occasional absences). Where a child/young person has parents/carers living at more than one address, the address they spend the majority of their time when attending school or college shall be considered the habitual home address. Where a child splits their time equally between addresses and there is a need for transport from both, applications will be assessed individually, looking at the mileage from each address and considering the child's eligibility under the below criteria.
- 1.4 For children of statutory school age (5-16), there are four categories of children who are eligible for free home to school travel assistance provided by the LA:
- statutory walking distances (see 1.5 below);
  - special educational needs, disability or mobility problems (see 1.6 below);
  - unsafe walking route (see 1.7 below); or
  - extended rights (see 1.8 below).
- 1.5 The LA has variable duties to provide home to school travel arrangements according to the child's age:

## **Below statutory school age**

No statutory duty to provide travel assistance. However assistance may be provided on a discretionary basis in certain circumstances, for example if the LA has arranged for a child to attend a non-local special school as there are no local provision able to meet their needs. Decisions

---

<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2006/40/section/77>

will be made on a case-by-case basis. Considering the individual needs of the child and the family circumstances.

### **Statutory school age (age 5 to 16)**

Duty to make free travel arrangements for eligible children to facilitate their attendance at school but only where no free travel arrangements are provided e.g., travel provision made available to children by Transport for London, or if the free travel arrangements provide are not suitable to meet the child's needs due to special educational needs, disability or mobility problem.

This applies to the beginning and end of the school day only and does not include travel between institutions during the school day or extra-curricular activities or other commitments outside school hours. Transport will not be provided for children to attend medical appointments, for after school clubs or other activities.

### **Over school leaving age i.e., those attending sixth form, in further education of delayed in year 11 (age 16 to 18)**

Duty to publish and give effect to a transport policy specifying the arrangements for the provision of transport and financial assistance.

### **18+ years**

Duty to make such arrangements for the provision of transport as the LA considers necessary for the purposes of facilitating the attendance of:

- young adults (under 25) receiving education at an FE institution.
- young adults (under 25) with SEN receiving education outside of HE or FE.

1.6 **Statutory walking distances** - the law sets out minimum walking distances for children to be eligible for travel assistance from the LA. The statutory walking distances for children to be eligible for assistance are:

- beyond 2 miles (if below the age of 8); or
- beyond 3 miles (if aged between 8 and 16).

Please see section 5.1 for information about measuring distances.

**Child A** is six years old and attends her nearest suitable school. It is 2.3 miles from her home. Child A is eligible for free home to school travel assistance.

**Child B** is seven years old and attends a primary school that is 2.6 miles from her home. However, there is another suitable primary school just 1.2 miles from her home which has places available. Child B is not eligible for free home to school travel assistance, as she is not attending her nearest suitable school.

**Child C** is eleven years old and attends his nearest suitable school. It is 2.6 miles from his home. Child C is not eligible for free home to school travel because his school is not beyond the statutory walking distance of his age.

### 1.7 **Special educational needs, a disability or mobility**

**problems** – a child is eligible for free home to school travel if:

- they attend their nearest suitable school; and
- it is within the statutory walking distance of their home; and
- they cannot reasonably be expected to walk there because of their special educational needs, disability, or mobility problems.

See section 5.2 for more information about assessing the eligibility of children with special educational needs, a disability or mobility problems.

**Child D** is fourteen years old and has cerebral palsy. She attends her nearest suitable school. It is 2 miles from her home. The nature of her condition requires her to use crutches to walk and she needs to take her time to ensure she is balanced. The LA decides that she could not reasonably be expected to walk to school due to the nature of her disability. Child D is eligible for free home to school travel assistance.

### 1.8 **Unsafe walking route** – a child is eligible for free home to school travel if:

- they attend their nearest suitable school; and
- it is within the statutory walking distance of their home; and
- they cannot reasonably be expected to walk there because the nature of the route means it would be unsafe for them to do so; and
- there is no reasonable alternative route, within the statutory walking distance, that it would be safe for them to walk.

See section 5.1 for more information about assessing route safety.

**Child E** is twelve years old and attends his nearest suitable secondary school. It is 2 miles from his home. The only walking route to his school is along a busy road with heavy traffic and no continuous adequate footways. The LA carries out an assessment of the route and decides it would not be safe for him to walk to school along this road. Child E is eligible for free home to school travel assistance.

### 1.9 **Extended rights** – a child is eligible for free home to school travel if they are eligible for free school meals or if a parent with whom they live receives maximum Working Tax Credit and:

- they are aged 8 to 10 years, attend their nearest suitable school and it is more than 2 miles from their home; or
- they are aged 11 to 16 years, and attend one of their three nearest suitable schools which is between 2 and 6 miles from their home; or
- they are aged 11 to 16 years, attend a school that is between 2 and 15 miles from their home that their parents have chosen on

the grounds of their religion or belief and, having regard to that religion or belief<sup>2</sup>, there is no suitable school nearer to their home.

Where, during the course of a school year a child ceases to be eligible for free school meals, or parents cease to receive maximum Working Tax Credit, the LA will continue to provide free home to school travel for the remainder of the school year. It is the parents' responsibility to inform the LA of any changes to their circumstances.

See section 5.1 for information about measuring distances for the purposes of assessing eligibility for extended rights.

Please note, the introduction of Universal Credit has not changed the way eligibility for extended rights to free home to school travel is determined.

In Westminster, where free school meals are provided to all primary aged children, travel assistance under the extended rights criteria would only be provided in circumstances where children would ordinarily qualify for free school meals under the criteria listed on the government website: <https://www.gov.uk/apply-free-school-meals>.

**Child F** is eleven years old and eligible for free school meals. His nearest suitable school is 2.5 miles from his home. His second nearest suitable school is 3 miles away. His third nearest is 5 miles away. Child F would be eligible for free home to school travel assistance to any of these schools.

**Child G** is eleven years old and eligible for free school meals. Her three nearest schools are School X, School Y and School Z. School X is 1.5 miles from her home, School Y is 2.2 miles from her home and School Z is 5.5 miles from her home. Child G would be eligible for free home to school travel to School Y or School Z, but not to School X.

**Child H** is thirteen years old and is eligible for free school meals. He and his parents are members of the Church of England. Because of this, he attends a Church of England school that is 8 miles from their home. There are other schools which are nearer to their home but none of these is a Church of England school. Child H is eligible for free home to school travel assistance.

## 2. WHAT IS A SUITABLE SCHOOL?

- 2.1 A suitable school is a qualifying school (see 2.3 below) that is suitable for the child's age, ability, aptitude, and any special educational needs or disability they may have as well as for their gender.

---

<sup>2</sup> Based on case law, examples of beliefs that are not included are a wish to attend a particular category of school e.g. foundation or grammar; preference for a particular type of management or governance which does not affect curricula or teaching at the school; a belief that your child should be educated privately; a wish that your child must be taught a particular language; objection to having to wear a uniform; a wish for single sex or co-educational education, where this is not based on religious views.

- 2.2 For a school to be suitable it must be possible for the child to secure a place there at the time that eligibility for travel assistance is being considered. For most children, this will be during the **normal admissions round**, but some children will need to be considered during the school year, for example, because of families moving into the area or due to their special educational needs. Please see section 3 below for more information about children with Education, Health, and Care Plans.

**Child I** attends a boys' secondary school that is 5.3 miles from his home. His nearest school is a co-educational secondary school 3.4 miles away. The co-educational school is Child I's nearest suitable school, so he is not eligible for free home to school travel assistance.

**Child J** is eleven years old and attends a secondary school 4.2 miles away from her home. Her parents applied for this school as their first preference. The nearest secondary school is 3.7 miles from their home. They chose not to apply for this school. Child J would have been offered a place at the nearest school had her parents applied. Child J is not eligible for free home to school travel assistance as she is not attending her nearest suitable school with available places.

**Child K** is eleven years old and attends the second nearest secondary school to his home. It is 4.2 miles away. His nearest secondary school is 3.7 miles from his home. His parents applied for the nearest school, but it was oversubscribed, and he was not offered a place. Child K is eligible for free home to school travel assistance as he is attending his nearest suitable school with available places.

**Child L** attends a school 3.4 miles away from her home. It is her second nearest school. Her parents applied for her nearest suitable school, but it was oversubscribed, and she could not be offered a place. Child L is eligible for free home to school travel assistance. Mid-way through the school year, a place becomes available at the nearest suitable school. The LA enables child L to retain her travel assistance entitlement for the remainder of the academic year at which point eligibility will be reassessed to determine whether the school still qualifies as the nearest suitable school with available places.

- 2.3 **Qualifying schools** – to be eligible for free home to school travel, a child must attend a qualifying school. Qualifying schools are:

- community schools, foundation schools or voluntary aided and voluntary controlled schools;
- academies;
- alternative provision providers;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units;
- maintained nurseries;
- city technology colleges and city colleges for the technology of the arts;

- independent schools but only if named in a child's Education, Health and Care Plan (EHCP) or it is the nearest of two or more schools named in part F of a child's EHCP.
- 2.4 A child may also be eligible for free home to school travel assistance where they receive education at a place other than a school by virtue of arrangements made under section 19 (1) of the Education Act 1996. This requires LAs to make arrangements for the provision of suitable education, at a school or otherwise, for children of compulsory school age who, by reason of illness, exclusion, or otherwise, may not receive suitable education unless such arrangements are made for them.
- 2.5 Where, as a result of receiving an exclusion from school, a child remains on the register of that school but attends an educational establishment that is not a qualifying school, that educational establishment will be treated as if it were a qualifying school for the purposes of considering eligibility for free home to school travel.
- 2.6 Some children are registered at more than one school. Where a child is registered at two qualifying schools, which are not pupil referral units, we will provide free home to school travel to whichever of the schools the child is attending on any school day on which home to school travel is required.

### **3. FURTHER INFORMATION ABOUT CHILDREN WITH EDUCATION, HEALTH, AND CARE PLANS (EHCPs)**

- 3.1 Parents have the right to ask for a particular school to be named in their child's EHCP. We ordinarily must name that school in the EHCP unless it would be unsuitable for the child's age, ability, aptitude or special educational needs, or the child's attendance would be incompatible with the efficient education of others or the efficient use of resources.
- 3.2 Where the parent's preferred school is further away from their home than the nearest school that can meet their child's special educational needs, we can name the nearer school if we consider it to be appropriate for meeting the child's special educational needs. Alternatively, we may agree to name the preferred school but will make it clear within Section I of the EHCP that travel assistance will not be provided and that parents will remain responsible for their child's home to school travel arrangements.
- 3.3 In deciding whether to name the nearest or preferred school in the EHCP, we will consider whether transporting the child to the preferred school would be compatible with the efficient use of resources.
- 3.4 We will first determine the cost of providing the child with free travel to each of the two schools. We will then decide whether the additional cost of providing travel to the parent's preferred school is compatible with the efficient use of resources. In doing so, we will have regard to the educational benefits and other advantages that each school will provide for the child.



- 3.5 If we decide it would be compatible with the efficient use of resources to provide free home to school travel to the parent's preferred school, we will name only that school in the child's EHCP. If we decide the additional cost is incompatible with the efficient use of resources, we may name both schools in the EHCP on the condition that the parents provide or pay for the travel to their preferred school.

## **4. FREE TRAVEL PROVIDED FOR CHILDREN AND YOUNG PEOPLE BY TRANSPORT FOR LONDON**

- 4.1 All children below the age of 16 are entitled to free travel on London Transport buses by applying for a ZIP Oyster Card.<sup>3</sup>
- 4.2 Transport for London (TfL) provides free travel on buses and tram services within the London area (Zones 1 to 6) for children under the age of 18 in full time education. Free travel by TfL is provided under the following guidelines:
- children aged 5 to 10 years old travel free at any time on buses, tubes, trams, DLR and London over-ground services without a ticket or Oyster photocard.
  - children aged between 11 and 15 years old will need to obtain a 10 to 15 Oyster photocard to travel free on bus and tram services. Child rates will apply on the tube and DLR. Application forms are available from the Post Office. Visit [tfl.gov.uk/zip](https://tfl.gov.uk/zip) for further details.

## **5. ASSESSING ELIGIBILITY**

### **5.1 Measurement and safety of routes**

- a) The distance between a child's home address and their school is measured by the shortest available route along which a child, accompanied as necessary, may walk safely. This is not necessarily the shortest distance by road as we take into consideration footpaths, other pathways and alternative entrances to the school. However, for children who may be eligible for free home to school travel assistance due to extended rights, i.e., the child must live over 2 miles from the school, we measure this by road routes only.
- b) When we are considering how safe a route is, we will take into consideration a range of risks such as canals, rivers, speed of traffic, field of vision for pedestrians and motorists. We will also consider whether it is reasonable to expect a parent to accompany their child along a route which would otherwise be considered unsafe. We will consider the child's age and any special educational needs that are relevant to their ability to walk to school safely.

---

<sup>3</sup> <https://oyster.tfl.gov.uk/oyster/entry.do>

- c) Where a child needs to be accompanied, there is a general expectation that they will be accompanied by a parent unless there is a good reason why it would not be reasonable to expect a parent to do so. For example, a parent's disability may prevent them from accompanying their child along a walking route that would be considered unsafe without adult supervision. We will also take into consideration the age of the child and whether a child of that age would ordinarily be expected to be accompanied.
- d) We use google maps to assess distances and measure the shortest (and safest) walking distance but where necessary, we will visit routes to make an assessment in relation to safety, particularly where there is any disagreement.

**Child M** is 9 years old and has an autistic spectrum disorder. He attends his nearest suitable school which is 2.5 miles from his home. He is unaware of danger and has to be accompanied even on very short journeys. He also becomes distressed and can act unpredictably in noisy environments. His walk to school would be along busy roads. From the information provided, the LA assess that his parents would not be able to keep him safe on this journey. Child M is eligible for free home to school travel assistance.

## 5.2 Children with special educational needs, a disability or mobility problem

- a) In determining whether to provide free home to school travel assistance to a child with SEN, a disability or mobility problems we will ask you to supply us with information about your child, explaining why they could not reasonably be expected to walk to school, accompanied as necessary, or make use of free public transport that is already provided. We will consider each request on a case-by-case basis.
- b) Most children with SEN, a disability or mobility problems will be able to travel on free public transport. However, a transport need may arise where the child:
  - is unable to walk; or
  - lives within the statutory walking distance but cannot reasonably be expected to walk safely to school accompanied as necessary due to safety concerns related to their SEN, disability, or mobility problem; or
  - cannot reasonably be expected to use public transport at all, or without assistance.
- c) When considering whether the provision of free home to school travel assistance for a child with SEN, a disability or mobility problems is necessary, we will consider the following:
  - the special educational needs and/or disabilities and/or mobility problems of the child. For example, where the child would have considerable difficulty in walking or using public transport due to his/her particular needs.

- the need for specialist transport, including an assessment as to whether the child has a physical or medical disability that rules out the use of free public transport, or suitable public transport is not conveniently available.
  - the distance and complexity of the journey from the child's home to the nearest appropriate school.
  - whether the child is deemed to be vulnerable and at risk of danger if they use public transport, even if accompanied.
  - the nature of the route to school including the safety of the route and alternative routes available.
  - the potential capability of the child to travel independently with the provision of suitable travel training.
- d) The weight to be given to each or any of the factors listed above will be a matter for the LA in their discretion, according to the circumstances of each individual child. Please see **Appendix A** for more information.
- e) It is important to note that even if your child has an Education, Health and Care Plan (EHCP), he/she will not qualify for free travel assistance if he/she is not attending his/her nearest appropriate qualifying school.
- f) Being in receipt of an EHCP and/or attendance at a special school does not automatically qualify a child for school transport. Children must qualify under the eligibility criteria for transport to be awarded.
- g) If you have an older child who was previously awarded travel assistance, this does not mean the younger child will automatically qualify. Your younger child must meet the requirements of this policy because each child is assessed for eligibility on an individual basis.

### **5.3 Other benefits or allowances**

- a) If your child is eligible for free home to school travel assistance, we will provide this free of charge. Being in receipt of Disability Living Allowance, Personal Independence Payments, Universal Credit, a Motability vehicle, or Foster Care Allowance does not affect a child's eligibility for free home to school travel.

## **6. WHAT IS OUR CURRENT OFFER OF HOME TO SCHOOL TRAVEL ASSISTANCE?**

- 6.1 We want to encourage all children to follow a healthy lifestyle including walking a reasonable distance to school, where possible.
- 6.2 It is expected that children resident in the Royal Borough of Kensington and Chelsea and in Westminster City Council will make use of the concessions offered by Transport for London (TfL) including free travel across London.

### **6.3 Special educational needs, a disability or mobility problem**

- a) Our overall vision for travel assistance is to promote and deliver a high quality and efficient travel assistance service, which is first and foremost

about caring for and understanding the travel and mobility needs of vulnerable children and working towards promoting a healthy lifestyle and independence wherever possible rather than just about providing transport. We will promote independent travel training and access to personal transport budgets to enable children to further develop their independence skills and to promote independent travel at other times.

- b) Where the child is deemed to be eligible for travel assistance, the following travel options will be considered in light of the efficient use of resources:
- travel pass/Oyster Card for the child;
  - travel pass/Oyster Card for the parent/carer;
  - walking bus (where appropriate);
  - walking escort/escorted travel by public transport;
  - Independent Travel Training;
  - Personal Transport Budget;
  - LA school bus/coach;
  - in a small number of cases the use of a taxi may be considered, for example, a pupil with a severe medical condition or special educational needs or where there are only a small number of pupils attending a provision.

## 7. HOW TO APPLY

7.1 If you feel that your child may be eligible for free home to school travel assistance, please complete the application form which is available on the Local Offer and corporate websites as below:

- Royal Borough of Kensington and Chelsea Local Offer [www.rbkc.gov.uk/localoffer](http://www.rbkc.gov.uk/localoffer)
- City of Westminster Local Offer [www.westminster.gov.uk/local-offer](http://www.westminster.gov.uk/local-offer)
- Royal Borough of Kensington and Chelsea corporate website [www.rbkc.gov.uk/children-and-education/schools/transport-schools-and-colleges](http://www.rbkc.gov.uk/children-and-education/schools/transport-schools-and-colleges)
- City of Westminster corporate website [bit.ly/3XVcJVZ](http://bit.ly/3XVcJVZ)

You can also request an application form by contacting the Travel Care and Support Coordinator by email on [travelassistance@rbkc.gov.uk](mailto:travelassistance@rbkc.gov.uk). Completed applications should also be sent to this address.

7.2 If you are applying due to your family income, you will need to provide a copy of the relevant documentation provided by HM Revenue and Customs with your application.

7.3 If you are applying due to your child having special educational needs, a disability or mobility problem, you must submit evidence in support of your application. If this includes your own disability which prevents you from accompanying your child yourself, you must submit evidence of this from a medical professional.

7.4 All applications will be considered on their individual merits in line with this policy and in accordance with statutory guidance. The following information may be considered as part of the assessment when determining eligibility for children with special educational needs, a disability or mobility problems:

- the Education, Health and Care Plan and Annual Review reports, where these exist;
- relevant professional reports;
- information about the nature and reasonableness of the route;
- information submitted during the application;
- where travel training has taken place or is in progress, an existing Travel Training Plan (or assessment being undertaken);
- evidence from a medical professional if you indicate that you are medically unfit to get your child to school;
- where evidence you provide conflicts with the advice of other professionals, further clarification or evidence will be sought.

## **8. YOUNG PEOPLE AGED 16 AND ABOVE**

8.1 For details of free travel assistance for young people aged 16 and above, please see:

- for Royal Borough of Kensington and Chelsea visit [bit.ly/Post16TransportPolicy\\_RBKC](https://www.rbkc.gov.uk/children-and-education/schools/transport-schools-and-colleges) or <https://www.rbkc.gov.uk/children-and-education/schools/transport-schools-and-colleges>
- for City of Westminster visit [bit.ly/3ZWvXN3](https://www.westminster.gov.uk/transport)

## **9. CHILDREN WITH EDUCATION HEALTH AND CARE PLANS ATTENDING RESIDENTIAL SCHOOLS**

9.1 A small number of children with an Education, Health and Care Plan may be placed in a specialist residential school. Where a child is attending a residential school that has not been agreed by the LA, parent/carers are required to make their own travel arrangements. For schools agreed by the LA, travel assistance will be provided as follows:

- travel assistance will be provided at the start and end of each term (3 term year) and half term, other periods of closure and the beginning and end of one other weekend per half term;
- parents/carers will be responsible for the cost of any additional journeys to and from school;
- where children attend on a weekly boarding basis, travel assistance will be provided at the start and end of each week and for other periods of school closure only.

9.2 Some specialist residential schools make their own arrangements for travel between the school and a central London meeting point. Where

this is applicable, it is the parent/carer's responsibility to meet the transport at the central London pick up point.

- 9.3 Any additional travel to and from school, for example to attend appointments or for other family reasons must be arranged by parents at their own expense.

## **10. SHORT BREAKS AND AFTER SCHOOL ACTIVITIES**

- 10.1 Some children with special educational needs and disabilities may attend short break provision after the school day. Even if the child is in receipt of free home to school travel assistance, transport to short break provision is the responsibility of the parents/carers. If parents do need assistance with transport to attend short break provision, parents are advised to speak to their child's disabled children's team support worker who may be able to assist with making transport arrangements.

Transport for short breaks will be agreed only under exceptional circumstances and as part of a care package. Applications should be sent to the family practitioner or social worker and will be agreed as part of a care package. Entitlement to transport will be reviewed annually. Decisions to provide transport will be made by a manager from the Disabled Children's Service using the following criteria:

1. Does the child live within walking distance (3 miles) of Tresham or St Quintin and other satellite centers used by the short breaks service?
2. Does the family have access to a car? If Yes, transport would not be provided for short breaks.
3. Does the child have siblings or other children with additional needs that they would need to bring with them to collect their child from the respite center.
4. Does the parent/carer have a disability that would make it difficult for them to take their child to the respite center?
5. Does the child's disability make it significantly difficult for the parent to take and collect them from the respite center?

Please be aware that transport will only be provided for home to center journeys as agreed by the panel. No deviations or changes of address will be possible.

For any further queries related to transport for short breaks please contact the disabled children's team on 02073612048 or email [BiBoroughDCTSupportDuty@rbkc.gov.uk](mailto:BiBoroughDCTSupportDuty@rbkc.gov.uk)

- 10.2 Parents are responsible for the travel arrangements for children who attend activities or clubs which the school provides beyond the usual school day even if their child is eligible for free home to school travel. Free home to school travel only applies to the beginning and end of the normal school day for all pupils.
- 10.3 Where travel assistance is provided in the form of a seat on a vehicle taking a particular route at a particular time, it is unlikely that the pickup

and drop off points and/or timing can be varied without additional cost to the council. Because of this we cannot accommodate one-off or regular requests for time variations. Home to school travel assistance is to facilitate school attendance.

- 10.4 Transport pick up and drop off times will be decided based upon the most time and cost efficient way of travelling. Timings cannot be coordinated around parent working hours or family circumstances. If the proposed collection and drop off times are unsuitable for family circumstances such as the time that parent leaves for work or has to collect a sibling from school, parents have a right to request a personal transport budget instead of home to school transport, which will allow them to make their own travel arrangements in a way that better suits their needs.

## **11. HOW DO WE MAKE DECISIONS?**

- 11.1 The decision whether to provide free home to school travel assistance (in whatever form) is made by the Special Educational Needs Transport Team in line with this policy and a decision will usually be confirmed in writing within 20 days of receipt of your application (outside of term times it may be longer).
- 11.2 If your child is deemed to be eligible for free home to school travel assistance, consideration will be given as to what assistance will be offered from the range of options available. The option will be determined during the Travel Care Plan assessment carried out by the Travel Care Coordinator and is determined by the individual circumstances of your child and the most cost-effective mode of travel assistance.
- 11.3 Where free home to school transport has been awarded, you will be asked to work with the SEN transport team to complete a Travel Care Plan which will detail your child's specific transport requirements, including your emergency contact details and information on any medication, equipment, or specialist care that your child may need to safely travel to school. It is the parent's responsibility to ensure that the information with their travel care plan accurately reflects their child's needs and remains up to date. Transport will not be scheduled until the point at which the travel care plan has been finalized and has been signed/agreed by the SEN team and the parent/carer.
- 11.4 Where transport is agreed, it is agreed to the end of the academic year and will be reviewed at least annually or if the child's or parents' circumstances change.
- 11.5 Where a child changes school or moves home or there are other changes in their circumstances such as successful travel training, travel assistance will be reviewed accordingly. It is the parent's responsibility to notify the Travel Care Coordinator if the child is no longer attending the school or if there are any other changes in circumstances such as a house move. Transport will not automatically be transferred to the new address or school, and it is the parents

responsibility to re-apply for travel assistance. It remains a parent's responsibility to ensure a child attends their school placement, while a transport application is in progress.

- 11.6 Where an application has been made and the parent wishes to challenge the decision, they may submit a request for appeal. Please see the Appeals Process section of this policy. Where an appeal request has been submitted, the original decision will stand until the appeal has been considered and a decision notified to the parent.
- 11.7 Where the decision is not to provide travel assistance, it will be the responsibility of the parent to make arrangements to get the child to and from school.

## **12. APPEALS PROCESS**

- 12.1 If you disagree with our decision about travel assistance for your child, you may request a Stage 1 review of the decision within 20 working days of receiving our decision. This must be made in writing, explaining why you feel that the policy has not been applied correctly. This should be sent to the Travel Care Coordinator at [travelassistance@rbkc.gov.uk](mailto:travelassistance@rbkc.gov.uk).
- 12.2 We will consider reviews against our decision about:
- your child's eligibility for free home to school travel;
  - the suitability of the travel arrangements offered;
  - the distance measurement in relation to statutory walking distance or extended rights;
  - the safety of the route.
- 12.3 A senior officer will undertake the Stage 1 review and you will be notified of the decision within 20 days of us receiving your request for a review.
- 12.4 If you remain dissatisfied with the decision, within 20 days of receiving the outcome of the review, you may submit written notification that you wish to escalate the matter to a Stage 2 appeal.
- 12.5 Stage 2 appeals are considered by the SEN Panel, which will be chaired by a senior manager within the SEN Service and representatives from a broader range of professionals from education, health, social care and schools.
- 12.6 All evidence supplied will be considered by the SEN Panel. The role of the Panel will be to advise the senior manager (as the decision maker) whether the policy has been applied correctly and whether there are any exceptional grounds for amending the original decision. Appeal panel meetings will be held virtually, and parents will be invited to attend the panel meeting if they wish to do so.
- 12.7 Provided that all necessary information is received, you will be notified of the appeal decision within 40 working days of receipt of your request for an appeal. However, where necessary you may be contacted for further information or for verification of information supplied. Where further information or clarification is required, this may delay the completion of the appeal within the prescribed timescale.



- 12.8 You remain responsible for ensuring the continuous attendance of your child at school whilst you await the outcome of the appeal process. The original decision will stand pending completion of the appeal.
- 12.9 The decision following the appeal will be final. If you remain dissatisfied with the decision, you may follow the LA's complaints procedure for concerns with the administration of the appeals process. The complaints procedures for Royal Borough of Kensington and Chelsea are available at <https://www.rbkc.gov.uk/contact-us/how-contact-us/complaints-comments-and-compliments> and those for City of Westminster at [bit.ly/WCC-Complain](http://bit.ly/WCC-Complain)
- 12.10 Alternatively, you may contact the Local Government Ombudsman:
- Phone:** 0300 061 0614
- Email:** [advice@lgo.org.uk](mailto:advice@lgo.org.uk)
- Website:** [www.lgo.org.uk](http://www.lgo.org.uk)
- Write to:** The Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH

## **APPENDIX A - ELIGIBILITY EVALUATION PROCESS FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS, A DISABILITY OR MOBILITY PROBLEMS**

This section lays out the issues we will consider when a parent/carer requests assistance in getting their child to school. Having considered the age of the child and the distance from home to school, if the request is based on the needs of the child the following issues will be considered:

- A. Physical difficulties / severe learning difficulties
- (i) If the child has a medical condition or disability which would result in the walk to school causing the pupil undue fatigue, distress, discomfort or pain.
  - (ii) If the child can access public transport without undue fatigue, distress, discomfort or pain (this would include walking to the bus stop/ station and mounting/dismounting the vehicle).
  - (iii) Reasons why the parent/carer cannot take the child to school.  
**Please be aware that working commitments or the need to take siblings to school will not be considered as a reason for a parent or carer to be unable to transport or accompany their child to school.**
- B. Social, emotional and mental health difficulties (SEMH)
- (i) If the child has SEMH of such a severity that a specialist school placement is required.
  - (ii) If the child can walk to school or travel by public transport without causing difficulties to him/herself and or to other people.

- (iii) If the child can travel safely without supervision.
  - (iv) Reasons why a parent/carer cannot take the child to school. **Please be aware that working commitments or the need to take siblings to school will not be considered as a reason for a parent or carer to be unable to transport or accompany their child to school.**
- C. Sensory impairment / social and communication / general and specific learning difficulties
- (i) If the child can walk to school and/or travel on public transport without supervision.
  - (ii) If the child can walk to school and/or travel on public transport without an escort.
  - (v) Reasons why a parent/carer cannot take the child to school. **Please be aware that working commitments or the need to take siblings to school will not be considered as a reason for a parent or carer to be unable to transport or accompany their child to school.**

## APPENDIX B - PARENTAL RESPONSIBILITIES WHEN SPECIAL TRANSPORT IS PROVIDED

1. If your child is provided with transport, it is your responsibility to ensure that your child is on time for collection and that you are available to receive your child after school at the designated pick up point. Where a parent/carer is persistently late either for pick up or drop off, they will be contacted by an appropriate person from the LA to try to alleviate the situation. If the parent/carer continues to be late they will be referred to a Manager in the SEN Service to decide on appropriate action. Withdrawal of transport will be considered if the problems persist. If transport is withdrawn:
  - parent/carers still have a legal responsibility to ensure their child attends school;
  - it will be the responsibility of the parent/carer to arrange alternative travel arrangements for their child to and from school.
2. If your child is unwell and will not require transport, you are expected to let The Travel Care and Support Team know so that the collection can be cancelled.
3. If your child's school has approved a period of absence during term time for exceptional circumstances, you must notify the council at least two working days before the transport is not required. If transport is not cancelled the Council will incur costs. Please help us to avoid unnecessary expense.
4. Through working together with the LA, parents/carers can help to support the provision of a consistently high-quality travel service. Together, we need to ensure:

- that mobile, home and work telephone numbers and an emergency contact number and address are held by the LA and documented within the child's travel care plan;
  - parents/carers and/or schools notify the Travel Care and Support Team of any changes to normal arrangements. For changes to address, it is not sufficient to inform the escort and driver – this must be notified to the SEN Travel Assistance Team and a new application completed so that eligibility can be reassessed.
  - that children are ready to be picked up prior to the arrival of their transport in order to ensure that all children are able to get to school on time;<sup>4</sup>
  - that parents/carers and school staff bring the child to the vehicle and, where necessary, provide assistance with placing the child on the vehicle. School travel assistance is a kerbside service and parents are expected to drop their child to the vehicle in the morning and collect their child from the vehicle at the end of the school day.
  - that children arrive at home in good time. To help with achieving this, parents/carers should always be at the set-down point to meet their child at the end of the school day. Drivers and escorts must ensure that the child is collected by a responsible adult. If someone other than the usual parent/carer will be collecting the child from transport, we ask that parents email [passengertransport@rbkc.gov.uk](mailto:passengertransport@rbkc.gov.uk) with the full name and contact number of the person that will be collecting the child so that we can ensure the child's safety. The person meeting the child should have appropriate ID.
  - that parents/carers support the smooth running of the service by:
    - telephoning the transport provider as soon as possible if their child is sick or unable to attend school for any reason;
    - advising the Passenger Assistant if there may be a particular difficulty with their child on a specific day;
    - encouraging and supporting their child to behave in an acceptable manner on the vehicle so as not to detract from the comfort and safety of other passengers or distract the driver;
    - treating SEN transport staff with courtesy.
5. The LA takes its responsibility for the safety of all children very seriously and, if a parent/carer is not at home to meet their child, the child will not be left alone. Transport will wait five minutes after the scheduled set-down time and then continue the journey. If a parent/carer has still not returned home the child will be taken to a safe place (for example, a Family Services Centre) and a message sent to the parent/carer. Parents/carers will be

---

<sup>4</sup> If a child is running late, transport can wait no more than five minutes after arrival. The transport crew will be instructed to leave after 5 minutes and parents will need to make their own arrangements to get their child to school.

responsible for the cost of any extra travel involved and supervision provided by Family Services. If such incidents occur frequently the LA may suspend provision of transport and parents/carers will be responsible for travel arrangements to ensure that their child attends school.

6. Parents/carers and schools are expected to work in partnership to take whatever steps are necessary to promote appropriate behavior on home to school transport and to take necessary action when incidents of unacceptable behavior are reported. Parents/carers will be responsible for the cost of any damage to the vehicle or property of other passengers caused by their child. Incidents of serious or persistent indiscipline may lead to the LA suspending transport. Parents/carers will then be responsible for travel arrangements to ensure that their child attends school.

DRAFT

## **APPENDIX C - POLICIES FOR OPERATIONAL ISSUES**

### **1. Pick-up points for home to school transport**

To help to ensure that transport keeps to specified time schedules, children will be picked up from a designated 'pick-up point'. This pick-up point may be the child's home address (not front door of the house) or may be a public meeting point for several pupils (for example, a bus-stop). Please be aware that pick-up points can be changed during the academic year. We will always give you notice and take a child's SEN, disability and circumstances into consideration before making a change.

### **2. Time children can expect to spend on home to school transport**

We recognize that the length of time spent travelling has an impact on our aim to ensure that children arrive at school fit to learn, whilst considering the factors that are outside of our control, for example unforeseen traffic congestion or poor weather conditions. Journeys will be completed in the shortest time possible, and our target is to complete all journeys within one hour. Journey times may be longer where children travel to school outside of the LA area.

### **3. Changes to planned routes and/or timings**

In certain circumstances it may be necessary for us to vary planned routes, and this may affect collection/drop off times. Examples of such circumstances include child absences on transport, road closures and traffic or road traffic accidents. When this is the case, we will endeavor to contact parents/carers in advance to advise them of any potential delays.

### **4. Administering medication**

Passenger Assistants (PAs) are trained in basic First Aid and receive additional training specific to the individual needs of the children who are using the travel assistance service. In an emergency, PAs or the driver will contact the 999 emergency services and follow this up with immediate contact to the Travel Care and Support Team for notification of circumstances to parents/carers. Transport staff members are not permitted to administer medication to any passenger unless approved by the LA following completion of any required training and as part of an individual's travel care plan. In instances where the administration of medication by a PA cannot be approved, an appropriate process will be adopted within an individual travel care plan that ensures emergency services are contacted as outlined above in an emergency. It is the parents responsibility to ensure that medication is correctly labeled and in date.

### **5. Food and drink**

To ensure the safety of all passengers, including those with medical needs and allergies, and to ensure children can travel comfortably and the cleanliness of transport is maintained at a high standard, food and drink other than water, is not allowed to be taken or consumed in vehicles used for home to school travel assistance.

## **6. Equipment on Transport**

In some cases, specialist equipment such as harnesses or seatbelt buckle clips will need to be used, for the safety of children travelling on transport. Equipment will be recorded within a child's travel care plan and will only be used with parents' permission.

## **7. Waiting times**

To ensure the efficient running of transport routes and to avoid lateness and waiting charges, transport is only permitted to wait for a maximum of 5 minutes after the set pick up time. If a child is not ready to be collected after this time, transport will move on, and parents will need to make their own arrangements for that day.

## **8. Absences**

To help avoid the wastage of resources and unnecessary spending of public funds, we ask that parents notify us in advance, with as much notice as possible if their child is going to be absent from transport for any reason. In cases where transport is continually cancelled without notice we will write to parents to warn of further action being taken and if cancellations continue, transport may be suspended.

## **9. Poor behavior on transport**

It is appreciated that some children with special educational needs will display behaviors related to their special educational need, such as autism. In this situation we will work with the school and the parent/carer to try to improve behavior so that the child can travel to and from school safely. If appropriate steps have been taken and we have reached the conclusion that we cannot continue to transport a child due to serious safety concerns related to their behaviors, we will offer the parent a personal transport budget and cease to provide transport as a last resort.

## **10. Travel Care Plans**

Travel Care Plans are essential documents for the purpose of transporting children with special educational needs and disabilities safely. They ensure that transport staff have all the information that they need about a child, their individual needs and any health or behavioral issues that they may need to be aware of. Travel care plans are an essential part of our service, and it is imperative that they are reviewed bi-annually; or as and when required to ensure that they remain up to date and accurate. We ask that parents work with us in updating these plans and be forthcoming with any new information that transport staff may need to be aware of and that may need to be included within the travel care plan.

In some cases, where we are missing or have outdated information and parents do not work with us to complete or update their child's travel care plan, it may be necessary to temporarily suspend transport until the plan can be completed and transport can be safely reinstated.

## APPENDIX D – FAQs

Q1. Will a child qualify for school transport if attending a school other than their nearest suitable school?

- A. Transport will only be provided in cases where a child is attending their nearest suitable school and meets one of the four eligibility criteria laid out in section 1. In cases of eligibility due to extended rights/low income, transport may be provided if the child is attending one of their three nearest appropriate schools. See examples in section 1.9.

Q2. What is the application process?

- A. Parents can apply for home to school travel assistance using our online application system or by downloading the application form. Links for both can be found in section 7. An overview of the application process is shown below on page 24. Alternatively, parents can email [travelassistance@rbkc.gov.uk](mailto:travelassistance@rbkc.gov.uk) to ask for a form to be emailed to them.

Q3. How long does the application process take?

- A. We aim to process mid-year applications for home to school travel assistance within 20 days. Applications made for the start of a new academic year should be made no later than 31<sup>st</sup> May of the same year to ensure that transport, if approved will be in place by the start of the school term in September.

Q4. Once an application has been agreed, how long will it take for transport arrangements to be begin?

- A. The time it will take for transport arrangements to begin varies as it is dependent on the availability of existing routes to a particular school. If there is no space on an existing route and new transport and or/staffing must be sourced, it may take up to six weeks from the point that an application is approved for transport to start. In some cases this may be longer, for example, where specialist staff or vehicles are required.

Q5. At what stage during the EHCP process should parents apply for transport?

- A. Parents can apply for travel assistance at any stage of the EHCP process. However, it is advised to wait to apply until their child's school has been named in Section F as this will avoid any delays with the processing of the application.

Q6. If my child doesn't meet the mileage criteria, how else may they qualify?

- A. Aside from the mileage criteria we also will consider if a child has any special educational needs and/or a disability and how this may affect their

ability to travel to school, even when accompanied as necessary. See section 1.7. We will also consider if a parent has any health issues that may affect their ability to accompany their child to school and whether the family is on a low income.

Q7. If my child receives transport to primary school, will they automatically qualify for transport to secondary school?

A. There is no automatic continuation of transport to secondary school for children that already receive transport to their primary school. Parents will need to re-apply for transport during the phase transfer process and again if their child's circumstances, school, or home address change throughout the year.

Q8. If my child becomes unwell during the school day will transport be provided to bring them home?

A. No, transport will only be provided at the usual start and end of the school day. If an early collection is required, parents will need to make their own arrangements.

Q9. Do parents have to re-apply for transport every year?

A. Eligibility for travel assistance will be reviewed annually. We may ask parents to re-apply at any point within the school year.

Q10. Will parents need to re-apply for transport if they change address?

A. Yes, as a change of address may affect eligibility for transport. Parents are advised to re-apply for transport in advance of moving address, giving as much notice as possible to ensure that their application is processed in time. If agreed, transport will take a minimum of 5 working days to be changed to a new address.

Q11. Will a child automatically qualify for transport if they have an EHCP? What if they attend a special school?

A. Being in receipt of an education, health and care plan or attending a special school does not give an automatic entitlement to transport. Parents will need to apply for transport and the eligibility criteria in section 1.7 will apply.

Q12. Will a child qualify for transport if they don't have an EHCP but have a disability or SEN?

A. A child can be eligible under the special educational needs, disability, or mobility problem criteria, without having an EHCP. Eligibility will be assessed using the methodology shown in appendix A. Equally children



may qualify for travel assistance under one of the other four criteria laid out in Section 1 of this policy.

Q13. Would transport pick up a child earlier/later to accommodate parent working hours or family circumstances such as other sibling school times?

- A. The Travel Care and Support Team will try to work with parents to see if alternate routes are available to accommodate different timings, but this will not always be possible as transport routes are scheduled in the most time, cost efficient and logical way. If timings cannot be changed, we will offer parents a personal transport budget so that they can make their own arrangements in a way that best suits their circumstances.

Q14. If a parent has shared custody, will the child receive transport to/from both homes?

- A. In circumstances where a child lives at two addresses, if both addresses are in borough, transport eligibility will be determined based on the usual criteria as listed in section 1. If the child is eligible from both addresses, then travel assistance will be granted to both. It is most likely that the family would be offered a personal transport budget in this circumstance, rather than transport. In circumstances where the child meets the eligibility criteria from only one address, then transport will only be provided on the days that the child resides at that address.

Q15. Will a child get transport for medical appointments, to attend exams, for after school clubs or extracurricular activities?

- A. Transport timings are set for the normal start and end of the school day. Transport will not be provided throughout the school day to accommodate exams and we ask for schools to work with us and with existing transport routes to ensure that children that require the use of travel assistance services are able to attend their exams. Transport will not be able to collect at a different time to accommodate for after school clubs, detention or any other extracurricular activities or appointments.

Q16. Will transport be available for school transition days?

- A. For transition days, transport would only be provided in circumstances where a child has been assessed as eligible to a particular school. Transport will only be provided at the usual start and end of the school day. For example, if a transition day starts at the usual school time but ends at midday, transport would be provided in the morning, but parents would need to make their own arrangements for the afternoon collection.

Q.17. If a family receives transport and moves out of borough, will transport continue?

A. No, we will only provide transport to eligible children living with RBKC or Westminster. If a family is going to be moving out of borough, parents should contact their new local authority SEN team to arrange transport. Parents should also notify their existing SEN Team to inform them that they will be moving so that arrangements can be made for the child's file to be transferred to their new borough.

## **APPENDIX F – WHO TO CONTACT**

Who should parents contact for operational queries?

For operational queries regarding the day to day running/operations of transport services, parents should contact the Travel Care and Support Team by phone on 020 7361 3623 or by email [passengertransport@rbkc.gov.uk](mailto:passengertransport@rbkc.gov.uk).

Office working hours are Monday – Friday 7.30am-5pm

Who should parents contact for application and eligibility queries?

For queries relating to eligibility, travel applications, personal transport budgets, independent travel training and travel care plans, parents should contact the SEN team on 020 73613311 or via email [travelassistance@rbkc.gov.uk](mailto:travelassistance@rbkc.gov.uk).

Office working hours are Monday – Friday 8am-5pm

# APPENDIX F – TRAVEL ASSISTANCE APPLICATION PROCESS FLOWCHART

