

Draft for consultation – February 2024

Proposed:

Home to School Travel
Policy - for children from
Reception to Year 11

Implementation date: 1st September 2024

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North Yorkshire Council
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Background

North Yorkshire Council is responsible for setting a Home to School Travel 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.

North Yorkshire is England's largest county, stretching from the North Sea coast to within 12 miles of Morecambe Bay and from the South of the M62 to the edge of Teesside. It is sparsely populated with some 600,000 people across 3,300 square miles; with 40% of the area being within either the North Yorkshire Moors or the Yorkshire Dales National Parks and over half the population living in areas classed as "sparse" or "super sparse". Around 20% of the population live in the two major urban centres – Harrogate and Scarborough.



There are approximately 125,000 children and young people aged 0-19 in the county, of those 79,000 are of school age, including 4,800 in post-16 education. There are 43 secondary schools (including a University Technical College), 297 primary schools and 10 special schools. North Yorkshire Council transports approximately 14,000 pupils per day to school or college.

About this Policy

North Yorkshire Home to School travel policy is based on the statutory guidance from the Department for Education, published in June 2023 (revised January 2024).

The policy is for children and young people, parents, schools, and other professionals to inform them how North Yorkshire Council (the Council) has implemented the statutory guidance, when carrying out its duties in relation to:

- arrangements for travel to school for children of compulsory school age;
- the promotion of sustainable travel to school

There is separate guidance on travel to post-16 education and training. This is published on the North Yorkshire Council website on or before 31st May each year.

This policy applies to residents of North Yorkshire only.

Review date:

This guidance will be kept under review and updated when necessary.

Minor changes will be published alongside the guidance as an amendment to policy.

Major changes will be consulted upon, and the policy amended to reflect this.

What legislation does this policy adhere to?

This policy has regard to the duties placed on Local Authorities in relation to the following legislation governing travel to school for children of compulsory school age, in particular:

- section 508A of the Education Act 1996: sustainable travel to school;
- section 508B of and Schedule 35B to the Education Act 1996: travel arrangements for eligible children;
- section 508C of the Education Act 1996: travel arrangements for other children;
- the School Information (England) Regulations 2008: publication of informal arrangements.

Section A: Eligibility

1. Eligible Children

The Council must make free-of-charge travel arrangements to facilitate the attendance at school of eligible children resident in North Yorkshire.

A child is eligible if they are of

A: compulsory school age (term after the 5th birthday to 30th June in year 11)

and:

B: attend their nearest suitable school to their home address

and:

- live more than the statutory walking distance from that school (section 3), **or**
- could not reasonably be expected to walk to that school because of their special educational needs, disability, or mobility problem, even if they were accompanied by an appropriate adult (section 4), **or**
- would not be able to walk to that school in reasonable safety, even if they were accompanied by an appropriate adult (section 5).

There are 'extended rights' to free travel to school for children from low-income households (section 6)

As a discretionary element the Council will extend the eligibility age from the start of Reception year instead of the term after the child's 5th Birthday.

In most cases, a child's eligibility for free school travel will be assessed following the normal school admissions round once parents have been offered a place for their child to begin primary school, or transfer to secondary school.

In some cases, eligibility will need to be assessed at other times of the school year, for example due to a family moving house.

It is parents' responsibility to inform the Council of any changes in their circumstances which may affect their eligibility for travel assistance.

Eligibility will normally be calculated using the home address provided at the time of application for a school place or following a change of circumstances.

In line with DfE (Department for Education) guidance, transport will only be assessed and, if eligible, provided from one home address.

2. Suitable School

A suitable school for the purpose of applying this policy is a 'qualifying school' that is suitable for the child's age, ability, aptitude, and any special educational needs they may have.

It should also be suitable for the child's sex, for example a girls' school could not be considered the nearest suitable school for a boy.

'Suitable school' does not mean the **most suitable** school for a child, or one that the parent considers suitable. The nearest secondary school to the home of a child of secondary school age, for example, will almost always be their nearest suitable school (provided it would be able to admit them).

A nearest suitable school may also be in a neighbouring Local Authority.

Qualifying schools are:

- community schools, foundation schools, voluntary aided and voluntary controlled schools;
- academies (including those which are free schools, university technical colleges, studio schools and special schools);
- alternative provision academies;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units;
- maintained nursery schools (where attended by a child of compulsory school age); and
- city technology colleges and city colleges for the technology of the arts.

For children with special educational needs, an independent school is also a qualifying school if it is the only school named in their Education, Health, and Care plan (EHCP), or where more than one school is named in the EHCP, the school nearest to the home address named in the EHCP will be the qualifying school.

Where a child's nearest school is oversubscribed and an application has been made for the school during the normal admissions round, and the admission authority is unable to offer them a place, then the next nearest school with places available is their nearest suitable school for school travel purposes.

When a child moves into the area, outside the normal admissions round, the suitable school for transport purposes is the nearest provision which can offer a school place. The eligibility criteria will then be applied.

Where a child changes preference of school during the school year, eligibility will be assessed based on the ability to secure a place at their nearest qualifying school.

The nearest qualifying school for school travel purposes **may not** be the catchment school used for admissions purposes.

3. Statutory Walking Distances

Statutory walking distances are used to determine whether a child is eligible for free travel to school.

Where a child lives within the statutory walking distance (and is not eligible for free travel on any of the other grounds set out in this guidance) the parent is responsible for arranging their child's travel to and from school. There is no expectation that the child will walk, it is for the parent to determine what arrangements would be suitable for their child.

A child under the age of 8 is eligible for free travel to their nearest suitable school

- if it is more than 2 miles from their home.

A child aged 8 years or over is eligible for free travel to their nearest suitable school

- if it is more than 3 miles from their home.

As a discretionary element the Council will extend the 2 miles statutory walking distance to the end of the academic year (year 3) instead of the child's 8th birthday.

The Council assesses whether the distance between a child's home and their nearest suitable school is further than the statutory walking distance. The assessed route will be the shortest route along which a child, accompanied as necessary, may walk in reasonable safety.

When deciding on eligibility for assistance with transport, the measurement from home to school will be taken from the fixed point within the property to the nearest entrance point (not always the main entrance) to the school following the nearest available walked route, as defined by the Council's Geographical Information System (GIS).

The distance is not the shortest distance by road and the route may include footpaths, public rights of way, bridleways, and other pathways as identified on the GIS.

This means that in some cases all pupils living in the same street or even in adjoining properties may not be eligible for free home to school transport.

Eligibility on the grounds of statutory walking distance will be calculated on the home address provided at the time of application for a school place or following a change of circumstances.

4. Special Educational Needs, and/or Disability

A child is eligible for free travel to school if:

- they attend their nearest suitable school, and
- it is within the statutory walking distance of their home, and
- they could not reasonably be expected to walk there because of their special educational needs, disability, or mobility problem, even if they were accompanied by an appropriate adult

To be eligible on these grounds, a child does not need to:

- have an Education Health and Care plan (EHC plan); or
- have travel to school specified in their EHC plan if they have one; or
- attend a special school; or
- live beyond the statutory walking distance.

Not every child with an EHC plan or who attends a special school will be eligible for free travel to school.

To qualify for eligibility on the grounds of special educational needs, disability or mobility problems, the Council is required to complete an individual assessment of the child, and this will take into account the child's physical ability to walk to school, and any health and safety issues related to their special educational needs, disability, or mobility problems.

The Council may take into account whether the child would be able to walk to school if they were accompanied by an appropriate adult.

Information the Council may consider when assessing a child's eligibility may include (but is not restricted to) the following;

- information provided by the parent;
- information provided by any professionals involved in the child's care;
- information provided by the child's school;
- any relevant information in the child's EHC plan if they have one;
- any relevant information in their individual healthcare plan if they have one.

Parents that wish to request an application to be considered on the ground of Special Education Needs/Disability will need to apply online (a link will be inserted when the policy is published). Paper copies will be available on request

5. Unsafe Walking Route

A child is eligible for free travel to school if they attend their nearest suitable school, it is within the statutory walking distance of their home, and

- the nature of the route means they could not be expected to walk there in reasonable safety even if accompanied by an appropriate adult, and
- there is no alternative route within the statutory walking distance that they would be able to walk in reasonable safety, even if accompanied by an appropriate adult.

When assessing whether a route can be walked in reasonable safety, the Council will consider the whole of the route. This will include, for example, any sections that use footpaths or bridleways, as well as sections that use roads.

The Council uses the 'Assessment of Walked Routes to Schools Guidelines,' published by Road Safety GB, which provides advice to local authorities on assessing the risk posed to pedestrians by traffic. These guidelines can form the basis of the assessment and are used in conjunction with local context and knowledge.

Where a child is assessed as not eligible to transport and the parent/carer believes the route to the nearest school is unsafe they can request for the route to be assessed, by making a request online (a link will be inserted when the policy is published)

6. Extended Rights (Low Income)

Extended rights are designed to support low-income families to exercise school choice. A child is eligible for free travel to school if they are eligible for free school meals or a parent with whom they live receives the maximum Working Tax Credit or Universal Credit equivalent and they are:

- aged 8 or over but under 11, attend their nearest suitable school and it is more than 2 miles from their home; or
- aged 11 to 16 years, and attend one of their three nearest suitable schools provided it is more than 2 miles but not more than 6 miles from their home; or
- aged 11 to 16 years, attend a school that is more than 2 but not more than 15 miles from their home that their parents have chosen on the grounds of their religion or belief if, having regard to that religion or belief, there is no suitable school nearer to their home.

When the Council assesses transport, for the purposes of extended rights, the first 2 miles will be the walking route. When assessing whether a child lives within the 6 or 15-mile upper limits, the Council will measure road routes only.

Where, during the course of an academic year, a child ceases to be eligible for free school meals, or their parent ceases to receive maximum Working Tax Credit, the Council will continue to provide free travel to school for the remainder of that academic year.

Working Tax Credit is being phased out as claimants are transferred onto Universal Credit. This does not change the way eligibility for extended rights to free travel to school is determined. It remains the case that children will be eligible for free home to school travel if they are eligible for free school meals or live with a parent who receives maximum Working Tax Credit. Once the roll out is complete, no further children will come forward who are eligible because their parents claim maximum Working Tax Credit.

Universal Credit: No child will cease to be eligible for extended rights because of the roll out of Universal Credit. Parents who claim maximum Working Tax Credit will have an earned income of no more than £7,400. This means their children will become eligible for free school meals (if they are not already) when they (the parent) are transferred to Universal Credit.

Where a child attends a North Yorkshire school and is in receipt of free school meals, the travel eligibility will, wherever possible, automatically be assessed under the criteria of extended rights. There are some limited circumstances where the parent may need to notify the Council of their free school meals status to enable that assessment to take place.

Where a child does not claim free school meals or is attending a school outside of North Yorkshire, please apply using the online form (a link will be inserted when the policy is published).

7. Further Information on Eligibility

Parental Preference

Parents have the right to preference any school of their choice when applying for a school place, they do not however have a right to free-of-charge travel arrangements to that school. Travel eligibility will be assessed in line with the eligibility criteria in this policy.

If the nearest school is undersubscribed with places available, then it will be the nearest suitable school for travel purposes, and free travel would not be provided to an alternative school that is further away.

If the nearest school is fully subscribed without places available, then the Council will need to assess if the child could have secured a place had one been applied for. This will be done by comparing the child with the last child to be offered a place at the school and determining which of them would have higher priority. This will often be a straightforward matter of determining which child lives closest to the school.

Transport to other education settings

A child may be eligible for free travel to a place that is not a qualifying school:

- where they receive education at a place other than a school by virtue of arrangements made by the Council under section 19 (1) of the Education Act 1996.
- where they are suspended (temporarily excluded) from a school (but remain a registered pupil of that school) and attend an educational establishment that is not a qualifying school and is not within the statutory walking distance of their home, then that educational

establishment will be treated as if it were a qualifying school for the purposes of eligibility for free travel

Schools should collaborate with the Council when arranging educational provision for a child during a suspension where the pupil might be eligible for free travel to the place where they will be receiving education.

Travel assistance will not be provided to alternative provision and work experience, where the provision has been arranged by the school.

Discretionary Arrangements.

Discretionary transport is a Council decision to provide travel arrangements beyond the statutory requirements.

The Council provides discretionary travel arrangements in four areas

- Eligibility extended to cover children eligible for travel assistance who are starting in reception in September but are under statutory school age.
- Extend the 2 mile statutory walking distance to the end of year 3 instead of a child's 8th birthday.
- Post 16 provision – please refer to the post 16 policy statement for details.
- Paid travel permits – where there is capacity in existing dedicated transport services provided for eligible children, spare seats may be purchased by parents/carers- applications are made through the Council website.

Exceptional Circumstances

The eligibility criteria as outlined in this policy will apply to most situations; however, the Council also recognises that at times assistance may be required in exceptional circumstances. This will be considered at the Council's discretion on a case-by-case basis. Any travel assistance awarded will normally be expected to be short-term.

Where a child is not eligible for travel assistance under the policy and requires consideration of travel assistance under exceptional circumstances parents will need to apply online (a link will be inserted when the policy is published).

The Council does not usually consider matters such as parent's working patterns, the cost to the parent of transport, or where parents have children attending more than one school, to be exceptional circumstances.

Removal of Travel Assistance

Where a child has been awarded transport in error – the Council will provide 6 weeks' notice to the parent and transport will be removed

Where a child's eligibility changes on the child's 8th Birthday, travel arrangements will be removed at the end of that academic year, under the Council's discretionary arrangements.

8. Accompaniment

A child will not normally be eligible for free travel to school on the grounds of their special educational needs, disability, or mobility problem, or on the grounds that the route is unsafe if they would be able to walk to school if they were accompanied.

Where the Council determines, following an individual assessment, that a child would be able to walk if they were accompanied, the general expectation is that the parent will accompany them or make other suitable arrangements for their journey to and from school.

A child will not normally be eligible solely because their parent's work commitments or caring responsibilities mean they are unable to accompany their child themselves.

Consideration will be given where parents have a disability or mobility problem that would make it difficult for them to accompany their child. The Council will consider the parents' reasons for not being able to accompany their child or make other suitable arrangements and would require evidence of the parental disability as part of the application.

Reasons such as the parent's working pattern or the fact they have children attending more than one school, on their own, will not normally be considered good reasons for a parent being unable to accompany their child. These apply to many parents, and, in most circumstances, it is reasonable to expect the parent to make suitable arrangements to fulfil their various responsibilities (for example, their responsibilities as an employee and as a parent).

Where the Council have determined, following an assessment, that a child could not reasonably be expected to walk even if they were accompanied, they will be eligible for free home to school travel regardless of whether their parent would be able to accompany them or make other arrangements for their journey.

Section B: How travel assistance will be provided

9. Facilitating Attendance

The Council will make travel arrangements to enable a child to travel to school for the **beginning** of the school day, and to return home at the **end** of the school day.

There are no requirements to make arrangements:

- for children to travel between institutions during the school day; or
- to enable children to attend extra-curricular activities and other commitments outside school hours; or
- to enable children to get to and from before and after school childcare, whether formal (for example, a childminder) or informal (for example, a grandparent)

Where particular classes, year groups or pupils have a start or finish time that is different from most pupils at the school, it will not normally be possible for the Council to make separate travel arrangements. Schools may need to make alternative arrangements to accommodate these pupils.

There may be a small number of circumstances in which the Council considers it appropriate to arrange transport at an alternative time of day, for example if a child has a medical condition which means they are not well enough to attend school for the whole day – this will be through an application, supported with evidence to request transport through exceptional circumstances.

The Council is not required to arrange travel for an eligible child where:

- suitable **free** travel is provided by someone else, for example, their school or Local Transport Authority
- a parent chooses to make their own arrangements for the child's travel to and from school (this does not prevent the parent from later requesting free travel to school, consideration will need to be given for the period involved in arranging alternative travel provision)

Transport for social care purposes such as respite and after school activities are not covered by this policy.

When a child is unwell and needs collecting from school, it will be a parent's responsibility to collect them and to determine what action needs to be taken with regards to the child's illness.

Transport will not be provided to facilitate work experience/placements.

10. Residential Children

Where the Council names a residential school in the EHC plan of an eligible child, the Council will provide reasonable free travel to enable the child to attend that school, for example, on a Monday and Friday for children who are weekly boarders, or before and after school holidays for children who board on a termly basis.

Where the Council has named a residential school on a 52-week basis, transport will only be provided in exceptional circumstances via the social worker assigned to the family.

11. Travel Arrangements

It is for the Council to decide how to arrange free travel for an eligible child.

The transport will be the most efficient, environmental, and economical method and route suitable for the child's needs.

This could be,

- A pass on a public service (bus or train), or
- A seat on a school bus service, or
- A direct commissioned service – taxis or coaches

12. Parental Travel Allowances

The Council may also provide a parental mileage allowance in some circumstances and with the agreement of the parent. For example, in the event that no existing service is available to accommodate an eligible child.

Allowances are paid in arrears at 45p per mile for four journeys a day for daily students, and two journeys for residential days travelled.

In some circumstances the Council will also pay an enhanced allowance where the child requires additional support with transport to meet a medical, mobility or special educational need. These are calculated on individual circumstances based on distance and travel time.

Regular payments including mileage allowance made by the Council to reimburse the cost incurred by a parent in providing a child's travel to school:

- will not be taken into account in a Universal Credit assessment. (Should the Council need to pay a parent any additional amounts, for example to cover unexpected expenses relating to a child's travel to school, these would be treated as capital in the Universal Credit assessment and the parent would need to declare them)
- should not give rise to income tax liability, but individuals should continue to satisfy themselves that they meet HMRC's requirements

Where a parent has agreed to receive a travel allowance, it will be based on attendance at school, the school will need to sign and confirm attendance.

The Council has the right to revoke an allowance if a child's attendance is deemed unsatisfactory and to provide assistance through an alternative travel arrangement.

A parent can surrender the allowance at any time; however, consideration will need to be given for the period involved in arranging alternative travel provision.

Section C- Suitability of Travel arrangements

13. Considering the Child's Needs

The Council will ensure that any travel arrangements they make will take account of the needs of the child concerned. For example, it would not be appropriate to provide a pass for free travel on a service bus to a child whose special educational needs meant they would be unable to travel on a service bus.

Any travel arrangements should enable the child to travel in reasonable safety and comfort, and without undue stress, strain, or difficulty, so that wherever possible they arrive at school ready to learn.

It is not a requirement to provide all children with 'door to door' transport. Many will be able to walk to a suitable pick-up point from the home or school address, provided they would be able to do so in reasonable safety, accompanied by an appropriate adult if necessary.

If, following an assessment of needs, a child is not able to walk to a pickup point accompanied as necessary, the Council will provide an alternative which can meet their need.

The waiting point for transport to school or college will be a public stop or station or, in the case of commissioned transport, a named point which is suitably safe, both for children to wait and vehicles to stop. The Council will carry out risk assessments on pick up and drop off points.

If the transport provided needs to meet a connecting service, the driver of the first vehicle will wait with children until the connecting vehicle arrives. The waiting time between connections will normally be no longer than 10 minutes. The meeting point will be suitable for the safe transfer of children.

When children are transported using a taxi or private-hire vehicle, that is not a public service vehicle, it must have one seat belt, and where appropriate child car seat or booster seat, for each person carried.

Some children may need additional arrangements to be made to meet their needs. In these cases, the Council would request that parents complete a travel assessment, so the Council can review and make suitable arrangements if required.

If children travel in a wheelchair this must be to ISO 7176-19;2022 standards and properly fixed in the vehicle in accordance with current Department for Transport guidelines. The Council will carry out a risk assessment to ensure that children are transported safely in these circumstances.

14. Children with Medical Needs

When the Council makes travel arrangements for a child with medical needs, the Council will consider if and how those needs might affect the child during their journey to and from school and, where necessary, put in place proportionate arrangements to manage those needs.

Not every child with the same condition will need the same arrangements, assessments will be undertaken on a case-by-case basis.

The assessment will consider

- the medical condition, its triggers, and symptoms; and
- the likelihood and consequences of the condition affecting the child on the journey to and from school; and
- the action that may need to be taken to manage the condition, for example whether the child may require medication and, if so, what dosage is required, how it should be administered, and by whom.

If a child has a medical need, parents must alert the Council to discuss their child's conditions, this may result in a risk assessment requirement before any transport can be arranged. This request should be made via the online form (a link will be inserted when the policy is published).

If a child has an EHC plan or individual healthcare plan, these may contain information that is relevant to the Council's assessment of medical need. There is a requirement for the school to share information from the individual healthcare plan with the Council, where it is relevant to the journey to and from school.

The Council may sometimes need to seek specialist advice about a child and their condition. A range of different health professionals may be involved in a child's care, for example a community nurse, specialist nurse or doctor. A parent should be able to help the Council identify the appropriate health professional in relation to their child.

The Council will ensure the driver of a vehicle providing dedicated school transport, and any passenger assistant involved in providing the child's travel, are aware of the child's needs and how to respond to them and have received any necessary training.

There is no expectation that a child's routine/daily medication will be administered on the journey to and from school, or that routine medical procedures will be carried out. Where a risk assessment recognises that it may sometimes be necessary to administer a child's emergency medication, the Council would deploy a passenger assistant who would be responsible for administering the medication.

The passenger assistant will receive all relevant training and the medication would be administered in accordance with instructions from a health care professional in the Health Care Plan.

15. Journey Times

The statutory guidance states that as a **general guide**, the maximum journey time for a child of primary school age should be 45 minutes each way, and 75 minutes each way for a child of secondary school age, including any time taken to walk to a pick-up point. However, there may be circumstances in which this is not possible, for example in rural areas where children live in remote locations, where a child needs to travel a long way to the school named in their EHC plan, or when journey times are extended by traffic delays. Wherever possible, a child should not be expected to make several changes on public transport.

North Yorkshire by the nature of its geography, makes transporting within the general guidelines difficult to achieve. Whilst the Council would expect any direct journeys not to exceed the guidance, to ensure transport is provided as efficiently and environmentally as possible, and to reduce the number of vehicles required in order to meet its sustainability duty, the Council anticipate some journeys may exceed this recommendation. Where this is the case, the Council will not expect the child to make several changes on public transport.

Travel arrangements for children with special educational needs, disability or mobility problems can be particularly complex to make. Shorter journeys may be particularly desirable, perhaps because a child's special educational needs or disability mean they become distressed while travelling, but a child may need to travel a long way to the school that is able to meet their needs and one vehicle may need to collect several children.

Travel arrangements should be considered when deciding which is the school that should be named in the EHCP.

Where long journeys are unavoidable, the Council will consider whether there are measures that can be taken to minimise the negative impacts for the child, working with parents and schools to develop a plan or risk assessment.

16. Safeguarding

The safeguarding of children is of paramount importance. The Council will ensure that:

- an enhanced Disclosure and Barring Service (DBS) check, with a check of the children's barred list, has been carried out for drivers and passenger assistants involved in providing dedicated school transport;
- drivers and passenger assistants have received any training they need to perform their role in relation to safeguarding;
- drivers and passenger assistants know how to report any concerns they have about the children in their care;
- they share any concerns they have about the driver of a taxi or private hire vehicle with the authority that licenses it;
- they consider whether concerns they have about a driver should be referred to the DBS.

Where concerns are present regarding the safeguarding of a child a referral must be made via the North Yorkshire Safeguarding Partnership as soon as possible.

<https://www.safeguardingchildren.co.uk/>

Where there are concerns around safety, but they do not relate to an individual child, these can be raised via email to:

IPT.compliance@northyorks.gov.uk

17. Training

The Council are currently developing a training package which will be mandatory for all drivers and passenger assistants to undertake.

The training package will include the following as a minimum standard

- Safeguarding
- Handling of emergency situations
- Equality, diversity and inclusion
- Any specific training to meet the needs of the children in their care.

Passenger Assistants employed to administer medication will receive relevant training to ensure they are competent to fulfil that responsibility.

18. Behaviour on School Transport

The Council will collaborate with schools to promote good behaviour on school transport. Schools have the power to sanction pupils for misbehaviour outside the school premises to such an extent as is reasonable, including for misbehaviour which takes place on school transport.

Unacceptable behaviour may include, but is not limited to, being rude, pushing and kicking, bullying, verbal abuse, distracting the driver, refusing to wear a seatbelt, or refusing to remain seated. It may endanger the safety and wellbeing of other people.

The Council and schools will work together to:

- set high expectations for children's behaviour on school transport and ensure they are communicated clearly to parents and children;

- ensure arrangements are in place to report and manage incidents of unacceptable behaviour;
- work with operators to put in place measures to manage unacceptable behaviour where it occurs.

The Council will ensure drivers and passenger assistants have received any training they need to manage children’s behaviour while travelling.

Where a child’s behaviour is indicative of their special educational needs or disability, for example a way of communicating they are in distress, personalised guidance or risk assessments will be provided to the transport provider, following information gathered by school and parents, on how to best manage these situations.

An eligible child’s travel arrangements may be withdrawn as a last resort and, in these circumstances, the Council will meet their duty in respect of the eligible child in an alternative way.

19. Additional Information about Travel Arrangements

Severe weather

In circumstance where severe and adverse weather conditions are forecast, which may result in a school closure, schools will follow their emergency procedures and;

- inform parents and staff.
- inform home to school transport contractors.
- inform the Council.

The Council will make suitable arrangements to provide transport to enable eligible children to return home. The arrangements may be different to the normal commissioned provision in the event of an emergency.

School closures are published on the Council website and through local radio stations.

[School closures | North Yorkshire Council](#)

Change of school hours

If a school or academy wants to change its start and finish times it should follow best practice and, before carrying out a consultation with affected parties, advise the Council of their proposed changes so that the Council can review and advise of the implications for school transport.

Any consultation should be at least three months before the planned change, and the school must include the Council in their consultation. Good practice suggests that schools can only change the times of the school day at the start of the academic year, i.e. in September.

Where a school or academy, following the consultation alters its hours, without agreement of the Council, the school will be expected to meet any additional transport costs for the remainder of the council’s contract for applicable services.

Early finishes – end of term

Where schools finish earlier in the school day than normal, for example the last day of term, it will be the school's responsibility to make such arrangements with the transport provider, including reimbursement of any additional cost, and ensure parents are notified of the early finish.

If a transport provider is unable to accommodate the early finish, it is the school's responsibility to make alternative arrangements.

Co-ordination of training days

There are three common training days agreed across North Yorkshire. The agreed school term dates and training days for each academic year can be found on the North Yorkshire Council website.

Schools with shared transport arrangements are encouraged to co-ordinate their remaining two training days to ensure the most efficient use of the transport network and reduce additional carbon emissions, in line with the Council's sustainability duty.

Federations of schools

Where a group of schools agree to a federation in which pupils may be temporarily taught on different sites, travel arrangements will only be provided in line with the eligibility criteria. Any transport between school sites is the responsibility of the school/federation.

Transition days

The Council is unable to provide additional resources to cover transition days. It is the responsibility of the school and parents to enable children to participate in these activities.

Transport assistance following a school closure or reorganisation

The Council's normal home to school transport policy will be followed. However, depending upon circumstances, the Council would, following a school closure consultation, have discretion to determine that alternative arrangements should apply.

Section D: Local school travel policies

20. Home to School Travel Policy for children from reception to year 11

The Council will;

- publish the policy on the Council's website;
- make available on request a paper format of the policy;
- include information about the school travel policy in the Council's composite prospectus for school admissions (which must be published by 12th September each year);
- include information about travel to school for children with special educational needs and disabilities in their SEND Local Offer.

The Council will keep the home to school travel policy under regular review to ensure it continues to meet local needs and comply with statutory requirements.

Any reviews will be completed, and the published policy will be available by 12th September each year, so that parents may take it into account when deciding which schools to apply for during the normal admissions round.

Parents should consider how their children will get to school at the time they are choosing which schools to apply for. For some, the availability of free travel to school may be a key factor in their decision making. Information about travel to school and checking which is your nearest school can be found on the Council's website at;

<https://www.northyorks.gov.uk/education-and-learning>

When reviewing and proposing changes to the Council's home to school travel policy which may affect children's eligibility for transport, the Council will consult locally. As a minimum:

- schools whose pupils will be affected by the proposed changes, including those located in other local authority areas;
- parents whose children will (or may) be affected by the proposed changes, including those whose children attend a school in a neighbouring authority, and those whose children may be affected in the future, for example, because they live in the catchment area of, or attend the feeder school of, a school affected by the proposed changes;
- the local Parent Carer Forum.

Consultation will last for at least 28 working days during term time.

The Council will have consideration for;

- the impact proposed changes to the policy will have on parents' choice of school, particularly where travel arrangements have been made to support parents' preference for their children to attend a school with a designated religious character (some such arrangements are associated with long-standing local agreements about the siting of schools);
- the financial impact the changes will have on affected families, paying particular attention to the potential impact of any changes on children from low-income families;
- the impact the changes will have on people with protected characteristics.

Wherever possible, any changes made to the home to school travel policy will be phased in to allow children who begin attending a school under one set of travel arrangements continue to benefit from those arrangements until they leave that school or have a change in circumstances.

21. Transport Beyond Compulsory School Age

A separate policy statement will be published on or before 31st May each year outlining the Council's position and travel offer for Post 16 and Post 19 with an EHC plan.

The Post 16 Policy statement including any discretionary offer is reviewed and published on a yearly basis and is valid for the forthcoming academic year only.

Section E – Transport Appeals

A transport appeal can only be made on the following grounds;

- Eligibility;
- Distance measurement of the walked route;
- Safety of the walked route;
- Transport arrangements that have been made for an eligible child.

22: Appeals Procedures

Where a parent wishes to challenge the initial decision in relation to statutory transport there is a two-stage appeal process.

Stage 1:

A request for a stage 1 review must be made in writing within 20 working days of the initial decision letter. The request:

- Should clearly state the reasons for the challenge and include any new documentary evidence.
- Will be reviewed by senior officers, the original decision may be upheld, overturned or alternative solutions suggested.
- Where travel assistance is agreed the Council will make the necessary transport arrangements.
- Where transport is not agreed, parent/carer will be told in writing and parents who are not satisfied with that decision will be informed of the next and final stage of the appeal process.

Stage 2:

A stage 2 appeal must be made in writing by completion of an appeal form within 20 working days of receipt of the stage 1 response:

- The appeal form must clearly state the reasons why parent/carers challenge the stage 1 response and provide any new documentary evidence.
- Stage 2 appeals are heard within 40 days of receipt of the appeal form by the Appeals Committee which consists of a small group of elected members of the Council.
- Parent/carers can attend the appeal hearing
- Each case is considered on its merits
- The Committee considers the policy guidelines but may recommend departure from those guidelines in exceptional cases
- When a decision is made, this will be communicated in writing within five working days, including the reasons for the decision. This decision is final.

Where the person is unhappy with the outcome, they will be advised how to escalate it to the Local Government & Social Care Ombudsman at, <https://www.lgo.org.uk>, who may investigate to decide whether there has been any maladministration.

23. Complaints Procedure

The Council wants to maintain high standards of reliability of the transport it provides for pupils. The Council makes sure that complaints by parents and schools are investigated and satisfactorily resolved. Account will be taken of any previous unsatisfactory operation in awarding contracts.

[Complaints, comments or compliments | North Yorkshire Council](#)

Section F: Sustainable Travel

Changes to legislation brought about by the introduction of the Education and Inspection Act 2006 added to the Education Act 1996 a general duty on the Council to promote the use of sustainable travel and transport.

Under the School Information (England) Regulations 2008 the Council is required to publish the general arrangements and policies in respect of transport for pupils of compulsory school age to and from school, sixth form centres and further education colleges.

There are four main elements to the duty:

- An assessment of the travel and transport needs of children and young people within the Council's area;
- An audit of the sustainable travel and transport infrastructure within the Council that may be used when travelling to and from or between schools/institutions;
- A strategy to develop the sustainable travel and transport infrastructure within the Council, so that the travel and transport needs of children and young people are better catered for;
- The promotion of sustainable travel and transport modes on the journey to, from and between schools and other institutions.

24. Sustainable Travel Strategies

The Council is developing a Sustainable Modes of Travel Strategy which will combine information from existing policies and aspirations.

The Council is committed to reducing climate change and promoting sustainable travel as set out in its priorities in the following.

- North Yorkshire Council Climate Change Strategy 2023-2030
- Yorkshire and Humber Climate Commission's Climate Action Pledge
- Safer roads, healthier places, the road safety strategy of the York and North Yorkshire Road Safety Partnership
- Local Transport Plan 4 – 2016 (2025 in draft)

25. Sustainable Travel Programmes

Modeshift

Modeshift STARS is the national school's awards scheme that has been established to recognise schools that have demonstrated excellence in supporting cycling, walking and other forms of sustainable travel. The scheme encourages schools across the country to join in a major effort to increase levels of sustainable and active travel to improve the health and well-being of children and young people.

Modeshift STARS has a 3-stage approach to achieve accreditation.

- Create a travel plan
- Monitor and evaluate travel plans
- Recognising and rewarding best practise.

Currently in North Yorkshire there are 82 schools registered with Modeshift.

Open North Yorkshire

Open North Yorkshire is a North Yorkshire Council programme encouraging active travel to create cleaner, safer communities and encourage active travel and the benefits it can bring, to help you save time, save money, and get fitter.

<https://www.opennorthyorkshire.co.uk>

Independent Travel Training -ITT

Travel Training is a step-by-step process by which a person learns to travel a specific route, between two given places, on their own and in a safe and responsible way.

The Council currently does not have a travel training programme; however, resources are available for parents, schools and professionals to utilise on the website.

Some schools may offer travel training within their curriculum – please speak to your school if this is something they offer.

Bikeability

The Council offers level 1 and 2 Bikeability courses to year 5 and 6 pupils via primary schools. For adults and older children, Bikeability level 3 is also available – please contact your school directly.

Section G – Useful Information

26. Contact details of School Transport Teams

Duties	Contact details
General enquiries	Schooltransporteligibility@northyorks.gov.uk
General enquiries SEN, medical, mobility and EHCP	SENDTransport@northyorks.gov.uk
Enquiries relating to existing transport Enquiries relating to paid travel permits	0300 131 2 131
Enquiries relating to transport operators including delays	0300 131 2 131
Payments of parental transport allowances and paid travel permits	0300 131 2 131
Stage 2 appeals	Appeals@northyorks.gov.uk
All other telephone enquires	0300 131 2 131
<p>Useful Webpages</p> <p>https://www.northyorks.gov.uk/education-and-learning/school-and-college-transport</p> <ul style="list-style-type: none"> • School transport for reception to year 11 • Transport to sixth form or college • Paid bus passes • Bus timetables • Replace a school bus pass <p>Department for Education statutory guidance</p> <p>https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance</p>	

Glossary of terms

Term or Reference	Explanation
Accompanied	Where a child is not eligible for transport under the policy, the expectation is that a parent will accompany their child to and from school or make other suitable arrangements for their journey to and from school.
Bulk Admission Round	The application round when children normally start at school for the first time i.e. Reception, when they transfer from an infant school to a junior school and when they start secondary school in year 7. See Normal admissions round.
Catchment Area	This is a defined geographical area that is served by a named primary and secondary school. Most home addresses fall into a catchment area for school admissions purposes. The catchment school may not be the nearest school to the home address and eligibility for free transport to that school would not apply in that circumstance.
Compulsory School Age	A child reaches compulsory school age on the prescribed day following their fifth birthday, or on their fifth birthday if it falls on a prescribed day. Prescribed days are the 31 st of December, 31 st of March and 31 st of August. A Child ceases to be of compulsory school age on the last Friday in June in the academic year in which the reach age 16.
Dedicated School Transport	Transport which exclusively carries children and young people to and from their place of education and cannot be boarded by the public.
Designated Religious Character	Schools with a designated religious character are schools which are designated as such under section 69(3) of the School Standards and Framework Act 1998. They may deliver religious education and collective worship in accordance with the tenets of their faith. They may also prioritise admissions for pupils of their faith and recruit staff on the basis of their faith.
Disability	Defined in section 6 of the Equality Act 2010. A person has a disability if they have (a) a physical or mental impairment, and (b) that impairment has a substantial and long-term effect on their ability to carry out normal day-to-day activities. A chronic physical or mental health condition may constitute a disability. Not all disabilities are visible.
Education Health and Care (EHC) plan	An Education, Health, and Care (EHC) plan details the education, health and social care support that is to be provided to a child or young person who has special educational needs or a disability. It is drawn up by the local authority after an EHC needs assessment of the child or young person has determined that an EHC plan is necessary, and after consultation with relevant partner agencies.
Free School Meal Criteria (extended rights)	The eligibility criteria is: <ul style="list-style-type: none"> • Universal Credit (provided you have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of your most recent assessment periods) • Income Support • Income-based Jobseeker's Allowance • Income-related Employment and Support Allowance • Support under Part VI of the Immigration and Asylum Act 1999 • The guaranteed element of Pension Credit • Child Tax Credit (provided you are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)

	<ul style="list-style-type: none"> Working Tax Credit run-on – paid for four weeks after you stop qualifying for Working Tax Credit.
Geographical Information System (GIS)	This is the NY measuring system which is used for measuring the home to school distances for both admissions and transport purposes. It includes footpaths, roads, and public rights of way as identified at the time a school place is allocated. This is used consistently for all measurements and the distances will vary to other measuring systems.
Home address	This is the place where a child is habitually and normally resident with their main carer/parent. There may be circumstances where a pupil has more than one home address for example where parents are separated, the address used for assessing eligibility will be the one used to apply for a school place. The Council will not provide assistance with transport from more than one home address.
Individual Healthcare Plans (IHP)	Are drawn up by schools in consultation with parents and relevant health professionals. They capture the key information and actions that are required to effectively support a child with medical needs in school. Schools may wish their policies on supporting pupils with medical conditions to refer to home to school travel and the Council may ask for the IHP when assessing transport for pupils with medical conditions.
Licensing Authority	Taxi and private hire operators and drivers must be licensed by a local licensing authority – usually a unitary or district council in a local area.
Medical need	A health need that has the potential to put a child’s safety or wellbeing at risk while travelling to and from school.
Mobility Need	A physical impairment that impacts a child’s ability to walk to school.
Normal Admissions Round	Also known as bulk rounds. This is the period during which parents apply for school places at the normal point of entry into a school i.e. reception and transfers to Year 7. The deadlines for applications are 31 October for secondary school places and 15 January for primary places. Places are offered to parents on National Offer Day. Secondary National Offer Day is 1 March, or the next working day. Primary National Offer Day is 16 April, or the next working day.
Parent	References to parent in this document include birth parents, adoptive parents, foster parents, carers, or legal guardians with parental responsibility.
Personal Safety	The matter of personal safety for a child who is not eligible for transport under the policy is one of parental responsibility. It is also the responsibility of the parent for the child’s safety to and from the transport provision.
Private Hire Vehicles (PHV's)	May carry up to 8 passengers and can only be pre-booked via a licensed private hire vehicle operator. See also the definition of taxi below.
Religion	Section 509AD (3) of the Education Act 1996 defines religion as any religion. A reference to religion includes a reference to a lack of religion.
Safeguarding	Defined in Keeping Children Safe in Education Keeping children safe in education - GOV.UK (www.gov.uk) as: <ul style="list-style-type: none"> protecting children from maltreatment preventing the impairment of their mental and physical health and development ensuring they grow up in circumstances consistent with the provision of safe and effective care taking action to enable all children to have the best outcomes.

School day	Schools are responsible for deciding when their school day will start and end. The expectation is that the Council will arrange travel for eligible children to enable them to attend for the 'normal' school day. Schools should organise the school day and school week in the best interest of their pupil cohort. They are expected to act reasonably when making changes to their school day or week. It is unacceptable for them to shorten their day or week unless it is a direct action to enhance pupils' education.
Selective school	A school that can select all or some of the children it admits by testing for aptitude or ability, for example a grammar school. Selective schools are not normally considered when identifying a suitable school unless the child has secured a place there.
Special Educational Needs (SEN)	Defined in section 20 of the Children and Families Act 2014. A child or young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her.
Taxis	Also known as Black Cabs or Hackney Carriages – unlike the definition of PHV – these can also operate on taxi ranks and can be accessed if hailed on the street.
Walk	In this guidance walk has its literal meaning. A child could not be considered to be able to walk to school if they would need to travel in a wheelchair, but the Council may decide for example, that suitable travel arrangements for a child would be an assistance to push them in the wheelchair.

Appendix 1 – Examples provided by the Department for Education

Eligibility examples

Child A is thirteen years old. Their nearest school is a co-educational secondary school that is 3.4 miles from their home. Their parents choose to send them to a single sex secondary school that is 5.3 miles from their home. Child A is not eligible for free travel to the single sex school because the co-educational secondary school is their nearest suitable school.

Child B is twelve years old. They attend School 1, a secondary school 3 miles from their home. Their parents chose this school because it offers a choice of several modern foreign languages at GCSE. School 2 is 1 mile from Child B's home and would have been able to admit them, but it only offers one modern foreign language. Child B is not attending their nearest suitable school because School 2 would have been able to provide them with an education that was suitable for their age, ability, and aptitude.

Statutory Walking Distances examples

Child C is six years old and attends their nearest suitable school. It is 2.3 miles from their home. Child C is eligible for free travel to school.

Child D is seven years old and attends a primary school that is 2.6 miles from their home. There is another suitable primary school 1.2 miles from their home which has places available. Child D is not eligible for free travel to school, as they are not attending their nearest suitable school.

Child E is eleven years old and attends their nearest suitable school. It is 2.6 miles from their home. Child E is not eligible for free travel to school.

Special education needs and or disability examples

Child F is fourteen years old and has a disability that requires them to use crutches to walk. They need to take their time to ensure they are balanced. They attend their nearest suitable school. It is 1 mile from their home. The local authority decides that they could not reasonably be expected to walk to school. Child F is eligible for free travel to school.

Child G is eleven years old and has been diagnosed with a long-term medical condition which causes them to take a long time to recover after strenuous physical activity. They attend their nearest suitable school which is a short walk from their home. The parent applies for free travel to school on the basis that the child needs to recover for a long time after any strenuous activity. Based on the information available to them, the local authority decides that Child G would not need to recover for a long time after the short walk to their school. Child G is not eligible for free travel to school.

Unsafe routes example

Child H is twelve years old. They attend their nearest suitable school. It is 2 miles from their home. The only walking route to this school is along a busy road with no footpaths or stepping off points. The local authority carries out an assessment of the route and decides it would not be possible for a child to walk it in reasonable safety, even if they were accompanied by their parent. Child H is eligible for free travel to school.

Extended Rights examples

Child I is eleven years old and eligible for free school meals. Their nearest suitable school is 2.5 miles from their home. Their second nearest suitable school is 3 miles away. Their third nearest is 5 miles away. Child I would be eligible for free travel to any of these schools.

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

Child K is thirteen years old and is eligible for free school meals. Their parents are Sikh and wish them to be educated in a school with a religious character. They attend a designated Sikh school that is 8 miles from their home. There are other schools which are nearer to their home, but none of these is a Sikh school. Child K is eligible for free travel to the Sikh school.

Parental Preference examples

Child L is eleven years old and attends School 1 which is 4.2 miles away from their home. Their parents applied for this school as their first preference. The nearest secondary school is School 2 which is 3.7 miles from their home. They chose not to apply for this school, despite information on the eligibility for free travel to school being readily available at the time they submitted their preferences. School 2 is undersubscribed, and Child L would have been offered a place there had their parents applied. Child L is not eligible for free travel to School 1 because School 2 is their nearest suitable school and has available places.

Child M is eleven years old and attends the second nearest secondary school to their home. It is 4.2 miles away. Their nearest secondary school is 3.7 miles from their home. Their parents applied for this school, but it was oversubscribed, and they were not offered a place. Child M is eligible for free travel to school as they are attending their nearest suitable school with available places.

Accompaniment examples

Child N is nine years old and has autism. They attend their nearest suitable school which is 2.5 miles from their home. They are unaware of danger and need to be accompanied even on very short journeys. They also become distressed and can act unpredictably in noisy environments. Their walk to school would be along busy roads. The local authority determines that the parent would not be able to keep them safe on this journey. Child N is eligible for free travel to school.

Child O is seven years old and attends their nearest suitable school which is 1.5 miles from their home. They do not have special educational needs, a disability or mobility problem. The local authority determines that they would be able to walk to school in reasonable safety if they were accompanied. There is no good reason why the parent could not reasonably be expected to accompany them or make other arrangements for their journey to and from school. Child O is not eligible for free travel to school.

Child P is fifteen years old and is blind. They attend their nearest suitable school which is a short walk from their home. The local authority determines that they could reasonably be expected to walk to school if accompanied. Child P's parent is a single parent with a disability which means they would not be able to accompany Child P to school. The local authority considers the individual circumstances of Child P and decides it would not be reasonable to expect their parent to make arrangements for their journey to and from school. It decides to arrange free travel to school for Child P.

Child Q is fourteen years old and is also blind. They attend their nearest suitable school which is a short walk from their home. The local authority determines that they could reasonably be expected to walk to school if accompanied. There is no good reason why Child Q's parent could not reasonably be expected to accompany them or make other arrangements for their journey to and from school. Child Q is not eligible for free travel to school

Travel training example

Child R has special educational needs. They live in a village 4 miles from their nearest suitable secondary school and are eligible for free travel to school. Other children living in the village attend the school. The local authority meets its school travel duty in respect of these children by providing them with a pass for free travel on the public service bus. When Child R joined the school in Year 7, the local authority determined their special educational needs meant they would not be able to travel on the bus with their peers. The local authority arranged a taxi to take Child R to school.

When Child R moved to Year 9, the local authority reassessed their needs. They determined Child R was ready for independent travel training. Child R's parent was hesitant at first, but the local authority explained the benefits and the parent agreed, knowing Child R would need the skill in adulthood.

The travel trainer helps Child R with understanding things such as where to wait for the bus, which bus to get on and what to do if they miss the bus or it is late. Once Child R has completed the travel training programme, the local authority reassesses their needs and determines they are now able to travel independently on the bus. They withdraw the taxi and provide Child R with a bus pass

Journey times examples

Child S is seven years old and has an EHC plan which names their nearest suitable school. This school is 20 miles from their home. The route is often very busy meaning the journey from Child S's home typically takes 45 minutes. The taxi collects one other child on the way, which adds 10 minutes to Child S's journey, meaning a total journey time of 55 minutes. Given the additional expense that would be involved in providing Child S and the other child with separate vehicles, the local authority decides it is reasonable to exceed the recommended journey time in Child S's case.

Child T is fourteen years old and has an EHC plan which names a school that is 10 miles from their home. Previously they travelled in a taxi with one other child and the journey took 30 minutes. The local authority then combined several routes into one. Child T now travels in a minibus with 11 other children. Due to the extra stops, the journey time is now 90 minutes. Child's T's school makes the local authority aware that, due to their special educational needs, they often become very distressed at being in the minibus for that length of time. On arrival at school, it takes them a long time to calm down. As a result, they miss some of the activities other children participate in. The local authority decides it is not reasonable to exceed the recommended journey time in Child T's case and reinstates their original travel arrangements.

Managing behavioural needs examples

Child U is twelve years old, has special educational needs and is eligible for free travel. They have recently moved to a new school. Having travelled quite happily in a taxi to their original school, they become distressed when travelling in a minibus to their new school. Their special educational needs mean they are unable to explain why they are distressed. The driver works with Child U's parent to resolve the issue. They identify that Child U's distress is caused by having the radio on during journeys. The driver agrees to keep the radio switched off whilst Child U is travelling.

Child V is 4 years old and has special educational needs. They are about to begin school for the first time and will be eligible for free travel. They can become very distressed in unfamiliar situations. The local authority arranges for their driver and passenger assistant to visit Child V's home to meet them before the start of term. This gives Child V the opportunity to familiarise themselves with the vehicle and sit in the seat they will use on the journey to school.

It also gives the driver the opportunity to let the parent know that two children will already be on the vehicle when it comes to collect Child V and that it will collect one further child after Child V. This enables the parent to talk to Child V to prepare them for what will happen on the journey to school. The parent is also able to let the passenger assistant know about some strategies they have found useful when Child V has become distressed when travelling.