

SEND Travel Assistance Guide for Parents, Carers and Young People

A guide to applying for Home to School / Setting or Post 16 Travel Assistance for children and young people with Special Educational Needs & Disability (SEND) and / or Mobility Difficulties

Contents

Introduction ----- 3
Whose responsibility is it to get my child to school?----- 3
Who is eligible for travel assistance? ----- 3
How do I apply for Home to School Travel Assistance?----- 4
What type of travel assistance will be offered? ----- 5
What if I do not agree with the decision regarding my application ----- 7
What if I am not happy with the service provided?----- 8
Contact information ----- 9
Document control sheet ----- 10

1. Introduction

- 1.1. The purpose of this guide is to set out the key eligibility criteria, the application process and the appeals process for those with a special educational need, disability or mobility difficulty who wish to apply for home to school or post 16 travel assistance in Hackney.
- 1.2. The Council's travel assistance focuses on maximising, wherever possible and realistically, the independence of the borough's children and young people, including those with special educational needs or disabilities. It is also in place to ensure that all children and young people are given the best possible chance of achieving their potential by having the highest possible attendance record, and to promote the borough's School Travel Plan Strategies and Independent Travel.
- 1.3. For further information on Council policies relating to home to school travel assistance for children & young people who do not have a special educational need, disability & mobility, we recommend you refer to the Council's Pupil Benefits Policies available for download at <https://www.learningtrust.co.uk/content/help-home-school-travel>.
- 1.4. The guide has been developed ensuring due regard is given to the Education Act 1996, Children and Families Act 2014, Equality Act 2010 and relevant regulations, the Special Educational Needs Code of Practice 2014 and the Department for Education 'Home to School Travel & Transport Guidance' July 2014. See <https://www.gov.uk/government/publications> for more information.

2. Whose responsibility is it to get my child to school?

- 2.1. It is the responsibility of parents and guardians to ensure that children attend school regularly under section 444 of the Education Act 1996, and this includes making the necessary travel arrangements to and from school.
- 2.2. However, under section 508A and S508B of the Education Act 1996, local authorities have a power to offer assistance with travel based on individual circumstances. Where the local authority does offer assistance with travel, this is only provided for journeys to and from home and the child's school for attendance in normal school hours.

3. Who is eligible for travel assistance?

3.1. Home to school eligibility criteria for children and young people with special educational needs, disability or mobility difficulties

- 3.1.1. In determining travel assistance eligibility, we will consider the child or young person in context. The home to school / setting distance and the special educational needs / disability of the child or young person will be the primary consideration in the final decision regarding eligibility and type of support provided. The following points, however, will be taken into consideration to determine whether provision of travel assistance is appropriate:
 - If the school / setting or post 16 provision the child or young person is attending is named on their EHC Plan or, if no plan is held, is the nearest suitable school / setting to the child's home.
 - If the walking distance from home to school is within two miles of the child's home for children aged five to seven or three miles of the child or young person's home for those aged eight or over.
 - The type of school provision being made for the pupil.
 - The Special Educational Needs of the pupil.
 - Whether the pupil has physical, medical, or communication difficulties that would prevent them from safely using public transport.
 - Whether the pupil may be vulnerable and at risk of danger, or would be a danger to others, if they use public or other transport.
 - Whether suitable public transport is available (e.g. for wheelchairs, specialist seating etc.).

- Whether transport is required on medical grounds.
 - Whether the pupil's needs prevent the parents from providing transport.
 - Parental ability to transport & accompany their child to school.
 - The efficient use of the Authority's resources.
 - Any other individual circumstance.
- 3.1.2. The above list is for guidance only, and satisfaction of one or more of the criteria does not automatically agree entitlement to travel assistance. Each case will be reviewed on its individual merits.
- 3.1.3. In certain circumstances, children and young people with an Education, Health and Care Plan, or mobility or disability difficulties may be provided with travel assistance if they live within the distance described above, but it is not an automatic right.
- 3.1.4. Eligibility for travel assistance is based on the needs of the child. The Council may take family circumstances into account when considering the type of assistance to be provided, however, the efficient utilisation of Council resources will always take precedence.
- 3.1.5. When young people are offered a placement across 2 sites travel assistance will review and may not offer travel assistance to the site or travel assistance may offer to 1 site.
- 3.1.6. **Look After Children (LAC)** – Travel assistance for looked after children with special educational needs, disability and / or mobility difficulties will also take into account the care arrangements for the child. Application forms should be completed by the child or young person's social worker and supported by the Virtual School Headteacher.

4. How do I apply for Home to School Travel Assistance?

4.1. Application process

- 4.1.1. A copy of the application forms for Home to School and Post 16 Travel Assistance can be obtained in any of the following ways:
- Downloaded from the Hackney Local Offer website – go to <https://www.hackneylocaloffer.co.uk/kb5/hackney/localoffer/advice.page?id=XA-TR8-VsbNE>
 - Collect in person from the second floor reception, Hackney Technology & Learning Centre, 1 Reading Lane, London, E8 1GQ.
 - If you are unable to download a form or collect one from the Council, please contact our SEND Business Support Team on SEnDBusinessSupport@learningtrust.co.uk or 020 8820 7000 (option 4).
- 4.1.2. Return your completed application via email to SEnDBusinessSupport@learningtrust.co.uk or via post to SEND Administration, 1 Reading Lane, London E8 1GQ.

4.2. Emergency Contact Information

- 4.2.1. Two different emergency contact names and contact details within the London Borough of Hackney (or in neighbouring Boroughs and a reasonable travel distance from Hackney) are required to ensure that in the event of a parent/carer not being at the drop off address in the afternoon at the specified time, there is an alternative safe drop off address for the child or young person.
- 4.2.2. Parents are responsible for ensuring emergency contact details are kept up to date and failure to do so may result in the withdrawal of transport.

4.3. What happens once I have submitted my application? Assessment process for pupils with special educational needs, disability or mobility needs

- 4.3.1. To assist with the application process, as much evidence as possible must be provided to demonstrate that the child or young person meets the eligibility criteria.
- 4.3.2. Once the completed application form has been received, it will be assessed by an

OFFICIAL: 810f5fb5-10fc-40d0-9803-7bb84e3c065b

authorised officer to determine whether the pupil meets the eligibility criteria for help with travel and, if so, the type of travel assistance to be provided. The outcome of the application will be provided to the parent/carer or young person in writing.

- 4.3.3. Children & young people who do not have an EHC Plan and who do not have a freedom pass, but who are eligible for help with travel on the grounds of their SEN, disability or mobility needs, will normally receive a travel card if it is deemed unreasonable for them to travel by bus, but reasonable for them to travel by public transport.
- 4.3.4. A decision whether to provide travel assistance will be made by the Council's Head of SEND Travel Assistance Service (or nominated representative) and an officer of the Education, Health & Care Planning Team. An assessment of evidence provided in the application, information held by the Council relating to the child or young person's SEND (e.g., their Education, Health & Care Plan) and / or any information provided by relevant professionals who work with the child or young person will be considered in coming to a final decision. Where appropriate, further evidence may also be requested from the parent/carer.
- 4.3.5. The family and / or the school SENCo may also be asked for further information to gain an insight as to whether the child or young person would be capable of any of the following:
- Becoming an independent traveller through participation in travel training.
 - Walking to their educational setting with or without the assistance of a Local Authority provided walking escort.
 - Travelling by public transport with or without the assistance of a Local Authority provided escort.
 - Travelling by a Local Authority provided school bus which has an escort on board.
 - Travelling by private taxi with an individual escort which will, in exceptional cases, be provided where it is not deemed to be safe or appropriate for the child/young person concerned and/or other children/young person to travel in any other way than on a one to one basis.
- 4.3.6. As the young person becomes older, where possible, a move to a more independent method of travel is an important life skill to develop. We aim to work with those young people for whom independent travel is a realistic outcome to ensure that they are fully equipped with the skills and confidence needed to enable them to become an independent traveller.
- 4.3.7. **Regular Review** – Transport for children & young people with an Education, Health & Care Plan will be reviewed at each annual review. The Council, however, acknowledges that there are a proportion of pupils with specific needs who will require some form of assisted transport throughout their education and training. The Council expect that some children will not always require travel assistance. Where travel assistance is provided to a child or young person without an EHCP, this will be reviewed on an annual basis unless a shorter timeframe is specified.

5. What type of Travel Assistance will be offered?

- 5.1. Following evaluation of the evidence provided, the child/young person will be offered one of the following forms of travel assistance:
- An oyster travel card.
 - A place on a Local Authority provided school bus which has a Travel Assistant on board
 - A Personal Travel Budget to assist with travel costs and provision
 - A private taxi with a Travel Assistant. Only in exceptional cases where it is deemed one to one travel support is the most appropriate assistance.
- 5.1.1. Travel Assistance will only be provided for journeys to and from school for school start and

finish times. This does not include before or after school clubs or travel within the school day. Where educational provision is based across one or more school sites or settings, travel assistance will only be provided to and from one drop off point and one pick up point per day.

5.2. Travel Training Programme

5.2.1. Whilst we do not currently provide this, it is our intention to investigate means to implement this approach.

5.3. Bus or Taxi Transport

5.3.1. Buses transport several children and young people. Bus routes and pick up locations are determined based on the most efficient route. Journey pick up locations and times for the child or young person will be set based on the most efficient route. Travel Assistance will pick up and drop off at designated points.

5.4. Travel Assistants

5.4.1. Parents/carers may be asked to escort their child, where able, as it is the duty of the parent to transport their child to and from school. Travel Assistants are generally only provided where safety is a primary concern.

5.4.2. All Travel Assistants (including those provided by a contractor) will carry an identity card and be subject to DBS checks. Travel Assistants will be given written guidance on their duties and will receive appropriate training, including information of the needs of each pupil.

5.4.3. The Council will not normally request the gender of drivers supplied by taxi contractors or on bus rounds, unless in exceptional circumstances.

5.5. Residential schools

5.5.1. Where the Local Authority agrees that a child or young person should attend a residential school on a termly basis, and where the pupil is eligible for support with travel, this will only be agreed for journeys at the start and end of each term and half term. In general, this provides for up to 4 return journeys per term (12 return journeys per year).

5.5.2. Where a child or young person attends a residential school on a weekly basis, and where he or she is eligible for support with travel, this will be provided at the start and end of the school week.

5.5.3. A child or young person attending residential schools will be expected to use group transport arranged by the school or public transport if available and appropriate. If it is felt that the child or young person needs to be escorted on public transport, the Council may agree to reimburse parents/carers to accompany to and from school. In all cases where reimbursements for travel on public transport are agreed for the child or young person and parent/carers, valid receipts for the journeys must be provided. Payment will be made bank transfer only.

5.5.4. Where a child or young person travels on a daily bus or taxi service, this will be provided at the start and the end of the school day.

5.6. Personal Transport Budgets

5.6.1. As part of the Council's commitment to improve the choice and flexibility available to children, young people and their families who are entitled to receive travel assistance, in some cases it may be possible to offer a Personal Transport budget. This is a sum of money which is calculated and paid on a termly basis to enable the child/young person and their family to make travel arrangements which suit their needs best.

5.6.2. The basic calculation for a personal transport budget is outlined below. The total termly amount is then transferred before the term starts via BACS to a bank or building society account the parent/carer provides details of when signing the service level agreement for the Personal Transport Budget.

$$\text{Personal Budget} = \underbrace{(\text{flat rate} + \text{a per mile rate for a return journey to/from home and school} + \text{rate for a Travel Assistant* (only if required)})}_{\text{Daily Rate}} \times \text{number of schools days in the term}$$

**A Travel Assistant will generally only be provided where safety is a concern and a parent/carer is unable to escort their child.*

5.6.3. In the event that a parent/carer, provided with a personal transport budget, is unwell and cannot get the child or young person to school, they are responsible for and must make alternative arrangements for the child or young person to be taken to school.

5.6.4. The Council can request proof of attendance if the pupil doesn't attend and may reclaim this element from the personal budget.

5.7. Costs attributable to parents/carers

5.7.1. Should a parent/carer choose to send their child or young person to an educational setting that is further away than a setting the Council deems suitable to meet the needs of the child or young person, the Council may cover the cost between home and the nearest suitable educational setting and the parent/carer will be liable to pay the cost difference between the nearest suitable setting and the chosen setting.

6. What if I do not agree with the decision regarding my application?

6.1. Appeals Process

6.1.1. In line with National guidance, there is a two stage appeal process in place to allow parents/carers or young people to appeal a decision not to award travel assistance on the following grounds:

- The transport arrangements offered
- Their child's eligibility
- The distance measurement
- The safety of the route

6.1.2. Should a parent/carer or young person choose to make an appeal for any of the above listed reasons, the process will be as follows:

6.2. Stage One

6.2.1. A parent/carer or young person has 20 working days from receiving written confirmation of decision to make a written request asking for a review of the decision for either home to school or post 16 travel assistance.

6.2.2. The written request should detail why the parent/carer or young person believes the decision should be reviewed and give details of any personal and/or family circumstances the parent/carer or young person believes should be considered when the decision is reviewed.

6.2.3. Written requests for appeals should be sent via email to SENDBusinessSupport@learningtrust.co.uk or via post to SEND Business Support Team, 1 Reading Lane, London E8 1GQ.

6.2.4. Within 20 working days of receiving the written request for a review of the decision about either the method of transport or not to award transport at all, a senior officer will review the original decision and send the parent a detailed written outcome setting out:

- The nature of the decision reached
- How the review was conducted (including the standard followed e.g. Road Safety GB)
- Information about other departments and/or agencies that were consulted as part of the process

OFFICIAL: 810f5fb5-10fc-40d0-9803-7bb84e3c065b

- What factors were considered
- The rationale for the decision reached
- Information about escalation to stage two (if appropriate)

6.3. Stage Two

- 6.3.1. The parent/carer or young person concerned then has 20 working days from receipt of the stage one decision to make a written request to escalate the matter to stage two.
- 6.3.2. Within 40 working days, an independent appeal panel consisting of suitably experienced officers of the LA and with a good working knowledge of special educational needs and disabilities will be convened. The panel will consider written and verbal representations from the parent/carer or young person and Council officers. At the end of their deliberations, the Panel Chair will send a detailed, written outcome setting out:
- The nature of the decision reached
 - How the review was conducted
 - Information about other departments and/or agencies that were consulted as part of the process
 - What factors were considered
 - The rationale for the decision reached
- 6.3.3. The panel members are independent of the process up to the point of the second stage appeal being lodged, and have the appropriate experience of the transport issues faced by children and young people with special educational needs and or disabilities to ensure a balance is achieved between meeting the needs of parents and the local authority, and that road safety requirements are complied with.

7. What if I am not happy with the service provided?

7.1. HLT Complaints and Feedback Process

- 7.1.1. We want to provide you with the best possible service and welcome your feedback.
- 7.1.2. If you have a concern regarding any aspect of the SEND travel assistance services, please contact the SEND Travel Assistance Service by email at transport@learningtrust.co.uk, by phone on 020-8558-4283 or by writing to the Head of the Hackney SEND Travel Assistance Service at, 8 Rigg Approach, London, E10 7QN.
- 7.1.3. The service will try to resolve your concerns with you directly and informally. However, if you are unhappy with their response, you may want to raise this more formally through Hackney's complaint process. More information on this is available through the Council's website – go to <https://hackney.gov.uk/complaints> or contact the Business Analysis & Complaints Team by email at complaints@hackney.gov.uk or by phone on 020-8356-3770.
- 7.1.4. If, having completed Hackney's formal complaints procedure, you remain dissatisfied with our response, you can ask the Local Government Ombudsman (LGO) to investigate your complaint

7.2. Safeguarding Concerns

- 7.2.1. Where parents, carers, schools or other professionals have safeguarding concerns in relation to SEND travel assistance and transport services, they should contact the Hackney SEND Travel Assistance Service immediately and provide details of the concerns so that we may investigate and ensure procedures for safeguarding are adequately applied.
- 7.2.2. HLT's [Safeguarding Statement](#) outlines the procedures to be followed by all HLT staff. Furthermore, staff are also advised of, and expected to follow, the rules and regulations surrounding confidentiality and data protection.

8. Contact Information**8.1. Queries regarding applications or appeals:**

SEND Business Support Team, 1 Reading Lane, London E8 1GQ.

Tel: 020 8820 7000 (Option 4)

Email: SENDBusinessSupport@learningtrust.co.uk

8.2. Notifying HLT of change in circumstances:

SEND Business Support Team, 1 Reading Lane, London E8 1GQ.

Tel: 020 8820 7000 (Option 4)

Email: SENDBusinessSupport@learningtrust.co.uk

8.3. Queries regarding transport of children and young people with SEN or mobility or disability difficulties:

SEND Travel Assistance Service, 8 Rigg Approach, London, E10 7QN.

Tel: 020 8558 4283

Email: transport@learningtrust.co.uk

8.4. Queries regarding travel assistance for income assessed or parents/carers with mobility or disability issues:

Pupil Benefits Team, 1 Reading Lane, London E8 1GQ.

Tel: 020 8820 7248

Email: pupilbenefits@learningtrust.co.uk

Control Sheet: SEND Home to School Transport Guidance			
Reference:	n/a		
Date produced:	10 December 2019	Status:	Revised Draft
Valid until:	Ongoing until revision as part of review cycle or new guidance / legislation issued by Department for Education.		
Short description / notes:	Guidance for parents / carers of children & young people with SEN, disability and / or mobility regarding home to school transport assistance.		
Restrictions on use:	External document for public reference.		
Reporting cycle:	Review every 2 years or following revisions to legislation / guidance issued by Department for Education		
Next report due:	January 2022		
Report location:	Hackney Local Offer		
Supplied by:	Glenys Qualey	Role:	Head of SEND Travel Assistance Service
Checked by:	Hilary Smith	Role:	Head of Strategy, Policy & Governance
Authorised for use by:	Paul Senior	Role:	AD Education Services