

TIPS

Torbay Information for Parents and Schools



Home to School and College Transport Policy

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Explanation of Terms

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Category - the school category describes how it is governed or managed

Children's Services - the department of Torbay Council offering services to children

Co-educational - a school that educates boys and girls

Community School - a category of school

Comprehensive School - a school that admits pupils of all abilities

Concessionary Seats - spare seats on contract routes that are sold to non entitled riders

Contract Routes - routes where the council hires a dedicated vehicle under a contract

CRB - see Criminal Records Bureau

Criminal Records Bureau - the government agency that checks on the background of drivers and escorts

Denominational School - a school that is linked to a religious faith e.g. Church of England or Roman Catholic.

Designated School - the particular school that serves the child's home address.

Designated Area - the geographical area served by a school.

Discretionary Transport - transport provided through a local choice made by the council and not through a legal requirement.

Educational Continuity - when a child wants to remain at a particular school to continue their education.

Foundation School - a school where the governing body is the admission authority.

Faith School - a school with links to a particular religion e.g. Church of England and Roman Catholic

Further Education College - a college offering education for pupils aged over 16.

Grammar School - a school which has selective intake based on an 11+ test

Mainstream School - a school that caters for pupils of all abilities.

Maintained School - a school that is funded by the council using public funds

Parental Petrol Acknowledgement

a payment made to parents where the council agrees to reimburse the costs of the parents driving their child to school.

Pupil Referral Unit - a special unit for pupils who are unable to attend mainstream school.

Selective School - a school which has selective intake based on an 11+ test

SEN - Special Educational Needs

Single Sex School - a school for boys only or girls only

Statement of Special Educational Needs - an assessment of a child's needs and the provisions required to address these needs

Special Education Unit - a unit that is part of a school for children with Special Educational Needs

Special School - a school for children with Special Educational Needs

Voluntary Aided School - a school based on a religious foundation, which owns the buildings and the governing body acts as the admission authority

Voluntary Controlled School - a school based on a religious foundation, but not owned by a church body, and funded and managed by the local authority

Working Tax Credit - is for people who are employed or self-employed (either on their own or in a partnership), who

- usually work 16 hours or more a week
- are paid for that work, and
- expect to work for at least four weeks

and who are

- aged 16 or over and responsible for at least one child, or
- aged 16 or over and disabled, or
- aged 25 or over and usually work at least 30 hours a week

1 Introduction

1.1 The council's home to school transport policy has several underlying aims

- It ensures that children receive their basic, legal entitlement to transport
- It helps with parental choice for secondary school pupils
- It helps low income families to exercise parental choice
- It helps parents to send their children to denominational (church) schools
- It ensures that vulnerable children are able to access education
- It helps students aged between 16 and 19 continue in education at 6th form or FE college

Even so, only a small number of pupils in Torbay, around 1500 (7% of the school population aged 4 to 19) need help with transport. This is because in an urban area like Torbay, most pupils will live within walking distance of their school or college.

The purpose of the school transport policy is to describe the circumstances when parents can expect the council to provide transport.

Where the council does not help with transport, it is a parental responsibility to secure school attendance.

The policy also sets out some of the normal rules about how we operate school transport.

This policy cannot cover all situations and parents may have exceptional reasons why they want assistance with transport to school. For this reason, the council has an appeals process.

When the council provides transport we aim to provide high quality, safe, reliable and secure transport.

The council's school transport policy is operated by the Transport Team which is part of Children's Services.

You can contact the team for advice or to make an application using the following contacts:

Children's Services Transport Team

Tel: 01803 208240

Email: transport.co-ordination@torbay.gov.uk

www.torbay.gov.uk/schooltravelsupport

2 Eligibility Principles

2.1 Parental Preference

Generally, if parents choose a school that is not the designated school for the home address, it is a parental responsibility to make all of the arrangements for home to school transport for the whole time their child is at the school chosen.

There are exceptions to this general rule for parents who enrol their children at particular schools for denominational (faith) reasons, low income families and children at selective schools. The remainder of this section describes these limited exceptions.

That said, common reasons for parents preferring one school over another that do NOT normally attract assistance with transport include:

- Preferring a single sex selective grammar school over a co-educational grammar school and vice versa.
- Preferring a particular category of school (e.g. foundation, community etc)
- Preference for a school with a particular governance arrangement.
- Preference for a school with particular rules on uniform
- Preference for a school with a specialism in a particular subject
- Preference based on the content of the school curriculum
- Preference for a particular type of educational provision

- Preference based on the existence of certain facilities at school (e.g. sports)

The above list is not intended to be exhaustive.

2.2 Pupils Attending Community and Controlled Primary Schools

Transport is normally provided when the pupil attends the primary school designated by the LA to serve the home address and the home is beyond the statutory walking distance from school.

The walking distance is defined as up to 2 miles for pupils aged under 8 years of age and up to 3 miles for pupils aged over 8 years of age.

The starting age for eligibility is 4 years and the child must normally be in full time attendance in a reception class.

Note that there are special arrangements for children from low income families explained on pages 9-10.

2.3 Pupils Attending Faith Primary Schools

If pupils attend a faith school assistance with transport may be available if the child is attending the school because the parents adhere to the faith or religion to which the school is affiliated.

Torbay has Voluntary Aided and Voluntary Controlled Schools that are affiliated either to the Church of England or the Roman Catholic Church. These are faith schools.

Parents are required to evidence their adherence to the faith or religion to which the school is affiliated.

Each faith school has a designated transport area and to qualify for transport the child's home must be within the designated transport area for the school.

The school must be beyond the statutory walking distance. The walking distance is defined as up to 2 miles for pupils

aged under 8 years of age and up to 3 miles for pupils aged over 8 years of age. However transport will not normally be available to any faith school that is more than 15 miles from the home address.

The council will assist towards the cost of travel, but will normally expect a contribution from parents. The council has a policy to waive the contribution from low income families, please see page 18 for more information about this

The starting age for eligibility is 4 years and the child must normally be in full time attendance in a reception class.

Note that there are special arrangements for children from low income families explained on pages 9-10.

2.4 Pupils Attending Secondary Schools (in Years 7 to 11 inclusive)

Each of the Community and Foundation secondary schools in Torbay has a designated transport area. To be eligible for assistance to a particular school, the child must live within the designated area of the school attended and the home must be beyond the statutory walking distance from school.

The statutory walking distance is up to 3 miles.

All addresses in Torbay are served by a comprehensive school and a selective school. Free transport is provided to the designated comprehensive school if it is beyond the walking distance from home.

Transport to the designated selective school is normally provided under discretionary powers. Transport is provided in return for a parental contribution towards the cost of travel. Please see page 18 for more information about this. Free transport is provided to selective schools if the selective school is the nearest school of any type to the home address and it is beyond 3 miles.

Note that there are special arrangements for children from low income families explained on pages 9-10.

2.5 Children from Low Income Families (in Years Reception to Year 11 inclusive)

New arrangements were introduced by the Education and Inspections Act 2006. These apply to pupils joining reception classes in primary schools on or after September 2007 and pupils joining secondary school in Year 7 on or after September 2008.

Pupils must be eligible for free school meals, in receipt of a qualifying benefit for free school meals or from families in receipt of maximum Working Tax Credit. Please see page 18 for more information about this. Families must provide evidence that they are entitled to the relevant benefits and that the entitlement is current at the start of the school year. Once a low income entitlement is established then it lasts for the whole of the school year even if benefits cease.

Children aged 4 to 11 from low income families are provided with free transport to primary school if they live more than 2 miles from school. The school must be the designated school, the nearest school, or the nearest school affiliated to the parents' religion or belief. However transport will not normally be available to any school that is more than 15 miles from the home address

Children aged 11 to 16 from low income families are provided with free transport to secondary school if they live more than 2 miles from school. The school attended must be one of the three schools nearest to the home and be no more than 6 miles from home.

In Torbay, it is possible that the three nearest secondary schools could include selective schools, single sex schools and the denominational school (St Cuthbert Mayne) and that not all children will be eligible to attend these schools.

Therefore, the council will provide free transport to the children from low income families to St Cuthbert Mayne School or the designated selective school for their home

address and then any other school within 6 miles of the home address. To qualify for free transport, the home must be more than 2 miles from the school attended.

2.6 Transport to St Cuthbert Mayne School

Transport is provided if the child has enrolled at the school because the parents have a preference for the school based on their religion or belief.

Transport is provided from any address in Torbay provided it is beyond the statutory walking distance. This distance is up to 2 miles from low income families and 3 miles for other children.

Low income families are those eligible for free school meals, in receipt of a qualifying benefit for free school meals or in receipt of maximum Working Tax Credit. Please see page 18 for more information about this. Arrangements for children from low income families apply to pupils joining Year 7 on or after September 2008.

This transport will be free for low income families. For other pupils, parents are asked to contribute towards the cost.

2.7 Transport on the grounds of Parental “Beliefs”

The council will consider requests for transport to a particular school based on parental beliefs. The approach to pupils enrolling at schools because of religious beliefs are covered above, but it is possible that other beliefs held may give rise to a reasonable request for transport assistance to a particular school.

In this regard, the council will adhere to government advice that to merit consideration, a belief must have a certain level of seriousness, cohesion and importance; be worthy of respect in a democratic society and not be incompatible with human dignity, or the fundamental rights of the child. It must be more than an opinion or idea and the parent must demonstrate the belief is the real reason for preferring a particular school.

2.8 Transport to Special Education Units, Pupil Referral Units and Special Schools

Free transport will normally be provided where the child attends a special unit attached to a mainstream school or a special school provided that the LA agrees that the child must attend this school to meet the child's special educational needs.

Transport is not automatically provided for pupils who live within the walking distance of a special unit attached to a mainstream school or a special school. The assessment of the need for assistance with transport will take into account whether the child could reasonably be expected to walk to school and whether the parents could reasonably be expected to accompany the child to school.

2.9 Transport to Mainstream School for Pupils with Special Educational Needs

Free transport will normally be provided where a child with special educational needs attends a mainstream school and the LA agrees that the child must attend this school to meet the child's special educational needs.

Transport is not automatically provided for pupils with special educational needs who live within the walking distance of a mainstream school. The assessment of the need for assistance with transport will take into account whether the child could reasonably be expected to walk to school and whether the parents could reasonably be expected to accompany the child to school.

2.10 Transport to 6th Forms and Further Education Colleges

When assistance is provided, this will be in return for a contribution from the student towards the cost. The contribution reflects that the post 16 policy supports student choice and there is no scheme to remit this charge for students from low-income families in light of the arrangements for Education Maintenance Allowances.

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To be eligible for assistance, students must live more than 3 miles from the 6th form or college attended.

Students may choose to attend any 6th form in Torbay, or choose to attend South Devon College and will receive assistance.

If students attended a school outside Torbay for reasons of preference prior to entry into the 6th form, assistance with transport will not normally be provided to continue into the 6th form at the same school.

It is not normal for the council to support students to attend establishments outside Torbay since a full range of courses are available at local 6th forms and South Devon College. The student wishing to travel outside Torbay would need to demonstrate a compelling reason why he or she needs to study a particular course at an alternative establishment.

In reaching a decision, the council will take into account the availability of alternative courses locally, whether the course is key to the student's future career or study plans, whether the chosen course is an entry requirement to subsequent course(s), the cost of the transport arrangements and the length of the journey. The council will not normally agree to arrangements that appear to be a simple expression of preference for one establishment over another, are excessively expensive or require the student to travel for more than 75 minutes in any direction.

To be eligible for assistance, students must be aged under 19 on the 1 September at the start of the academic year.

Transport for students at 6th forms and FE colleges is provided through the exercise of discretionary powers.

2.11 Transport on grounds of unsafe walking route

If a child cannot access their school because there are no safe walking routes that are within the statutory walking distance, free transport will normally be provided.

The school attended must be the designated school, the nearest school, or the nearest school affiliated to the parents' religion or belief.

To be considered unsafe the route must be one along which a child could not be expected to walk in safety when accompanied by an adult. In assessing route safety, the council will assume that parents are able to meet their obligation to supervise their children on the walk to and from school.

Where students aged 16 to 19 live less than 3 miles from their 6th form or FE College but the route is an unsafe route, the council will assist with transport in return for the normal student contribution towards travel costs.

2.12 Transport on the grounds that the child is unable to walk to school

Where a child is attending a school within walking distance of the home address, free transport may be provided where the child has a medical condition which means that he or she cannot reasonably be expected to walk to school and where parents cannot be reasonably expected to make other arrangements to secure attendance.

In deciding whether to provide transport, the council will take into account relevant resources available to the family e.g. disability benefits and mobility cars.

In the case of pupils with a medical condition giving rise to a learning difficulty which might affect their ability to walk to school, the council will consider whether the parent could secure attendance at school through the normal expectation of accompanying their child.

The council will also take into account whether the school attended is other than the nearest or designated school.

In the case of children who require assistance with transport on the grounds of a medical condition giving rise to a learning difficulty, the council may decide to provide this child with a "walking escort".

2.13 Transport on the grounds of Parental Disability

Where a child lives within walking distance of a school and it would be normal for them to be accompanied to school by their parent, free transport is provided where a parent has a medical condition which means that he or she cannot reasonably be expected to accompany the child to school and where the family cannot be reasonably expected to make other arrangements to secure attendance.

In deciding whether to provide transport, the council will take into account relevant resources available to the family e.g. disability benefits, mobility cars, availability of the other parent, help from extended family, friends, neighbours etc.

The council will also take into account whether the school attended is other than the nearest or designated school.

In the case of children who require assistance with transport on the grounds of parental disability, the council may decide to provide this child with a “walking escort”.

2.14 Transport on the Grounds of Educational Continuity

When a pupil changes address, the council may provide assistance to secure educational continuity.

Assistance will not normally be available for any child on continuity grounds where the change of address is a voluntary, permanent relocation by parents.

In deciding whether to provide transport in other cases, the council will consider the age of the child, the stage of their education (i.e. whether they are in a transition year, or following an examination course) whether the school previously attended was other than the designated or nearest school, whether the child has special educational needs, the reason for the relocation, whether the relocation is temporary and the resources available to the family to secure attendance.

Where assistance is given, this may be for a limited period

(particularly when the relocation is temporary) and would not normally extend beyond a transition between school phases (e.g. primary to secondary, secondary to post 16).

2.15 Children with more than one home address

The council will not normally provide assistance from more than one home address.

In the case of applications for assistance from more than one place of residence, the council will normally assess the entitlement to transport from the address closest to the school attended and will provide assistance, if eligible, from only this address.

3 Key Operating Principles

3.1 Legislation

This policy is informed by the Education and Inspections Act 2006 and relevant case law.

3.2 Extent of Policy

This policy applies to all pupils in Torbay attending maintained schools in Torbay and all pupils in Torbay attending maintained schools in other local authority areas.

It is not possible to identify an exhaustive list of all the circumstances in which the council will or will not provide assistance with transport. This document outlines the council's position with regard to the most common circumstances in which transport is requested. The absence of a reference to any particular situation should not be taken as an indication that transport is provided, or is not provided. In such cases officers will exercise professional judgement as to the council's position.

3.3 Residence

To be eligible for consideration under this policy, the child must be ordinarily resident in Torbay. This policy covers Torbay

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residents attending schools in other local authority areas. Residents of other LA areas fall under their home LA's policy.

3.4 Age of Child

To be eligible for consideration the child must normally be over 4 years of age and under 19 years of age at the start of the academic year (i.e. 1 September)

3.5 Walking Distance

The walking distance is defined as up to 2 miles for pupils aged under 8 years of age and up to 3 miles for pupils aged over 8 years of age.

The walking distance for children aged 4-16 from low income families is up to 2 miles.

3.6 Distance Measurements

Walking route distances are measured along the shortest available walking route using digitised mapping (GIS), or physical measurement by a surveyor's wheel.

Straight line distances are also measured using GIS.

3.7 Safe Walking Routes

A safe walking route is one along which a child can walk in reasonable safety accompanied as necessary by an adult. A route does not fall to be regarded as unsafe if the parent chooses not to accompany the child.

3.8 Parental Responsibilities

When a child is not eligible for assistance with transport under this policy, it is a parental responsibility to secure school attendance.

There is a general expectation that parents will accompany their children on the walk to school if this is necessary.

When the council provides a journey to school there are a number of general expectations placed on parents including:

- Supervision of children to and from picking up and setting down points and whilst waiting for transport
- Collecting of children from and presentation of children to the vehicle when transport serves the home address.
- Ensuring that children are ready for transport at the appointed pick up time
- Ensuring that children are in a fit state to travel (e.g. not too unwell to be admitted to school, properly toileted before travel)
- Notifying the council when transport is not required
- Notifying the council of relevant medical conditions and changes to conditions
- Notifying the council of a change of address
- Notifying the council in writing requests to deviate from normal arrangements
- Taking reasonable steps to ensure good behaviour on transport

3.9 Mode of Travel Assistance

When a child is eligible for assistance with travel to school, it is a matter for the council to determine the mode of assistance which is safe, secure and cost effective. Arrangements include public bus route, ferry, contract coach, contract minibus, contract taxi, parental petrol acknowledgement, walking escort, assistance with bicycle journeys.

3.10 Pick up points

When a child is provided with a home to school journey, the council will determine the picking up and setting down point. These will be determined taking into account the age of the child and the nature of the journey between home and the pick up point. The maximum distance to a pick up point will not normally exceed 0.5 miles for primary age pupils and no more than 1.25 miles for secondary age pupils.

It is a parental responsibility to supervise children at pick up points and on the way to and from pick up points if they deem this necessary.

3.11 Journey time

The maximum journey times will normally be up to 75 minutes for secondary age pupils and up to 45 minutes for primary aged pupils. For some pupils with special educational needs placed at schools at a distance from home, these limits may need to be exceeded.

3.12 Waiting Time

Transport is normally arranged so that it arrives no more than 10 minutes before the start of school and departs not more than 10 minutes after school. Waiting time for connecting services should not exceed 10 minutes. Transport collecting from the home address will wait for up to 5 minutes maximum.

3.13 Parental Contributions

Where the council provides assistance with transport in return for a parental contribution, the cost in 2008-09 is as follows

- To denominational schools: £230
- To selective schools: £230
- For post 16 students: £300

The council reviews these charges annually. The council operates a scheme to waive parental contributions in certain circumstances on low income grounds. The qualifying benefits are:

- Income Support
- Income based Job Seekers Allowance
- Guarantee Element of State Pension Credit
- Support under Part VI of the Immigration & Asylum Act 1999
- Child Tax Credit BUT not entitled to Working Tax Credit and annual income does not exceed £15,575

For the new low income clause, the additional qualifying benefit is:

- Maximum level Working Tax Credit

A copy of the benefit must be produced before free transport

is awarded. This evidence will be requested annually however once eligibility is established it is valid for the whole of the academic year, even if the the eligibility for the benefit cease.

3.14 Concessionary Seats

The council does not normally sell spare seats on contract routes to pupils who are not entitled to assistance under this policy. This is because the contract network is small and liable to change at short notice so seats cannot be guaranteed.

3.15 Appeals

Parents may appeal against the council's decision not to assist with transport if they feel there are exceptional circumstances that merit deviation from normal policy.

The appeal will be considered by a panel of officers. If transport is not awarded by the Officer Panel, the council has an Appeals Committee, where elected members will consider representations from parents.

Appeals can be made against the implementation of the policy in individual cases, but not against the policy itself.

When parents indicate they intend to appeal, the transport arrangements that applied at the time the appeal was requested will be continued until the outcome of the appeal is decided. Parents must submit a formal appeal within four weeks of indicating their intention to appeal, otherwise this protection will be withdrawn.

Where the appeal is for transport to commence, it is not normal to provide transport in advance of an appeal.

Please refer to the Parent Guidelines on Appeals for further information, this can be obtained from the Children's Services Transport Team. Please see page 6 for contact details.

3.16 Severe Weather

At times of severe weather, it may be necessary for school transport to be cancelled. Every effort will be made to alert parents of cancellation.

Schools may be forced to close early due to severe weather and it may be necessary for the return journey to commence earlier than normal. Every effort will be made to alert parents of such changes.

The decision to cancel school transport is taken by the transport operators who communicate this decision to the council.

3.17 Escorts

Passenger escorts will be provided where vulnerable passengers would otherwise be at risk on an un-escorted journey. This is normally restricted to routes where passengers have significant special educational needs. Escorts are not provided to maintain normal standards of behaviour on mainstream transport.

3.18 Errors

When transport has been granted in error, the council must rectify such errors and give reasonable notice that transport is to be withdrawn.

3.19 Damage

The council requires contractors to indemnify the council against all damage, however caused. The council will support transport contractors to recover from parents the cost of damage that is caused by their children.

3.20 Child Protection

Where staff have substantial access to children the council will, where appropriate, carry out checks on any convictions, cautions, etc. Information obtained by such checks will not be released to a third party. These checks are carried out through the Criminal Records Bureau (CRB) and all drivers of small vehicles and contract vehicles and escorts will be checked. Drivers and escorts are required to display a valid ID badge.

Parents are not permitted to accompany their children on school transport because of child protection rules concerning other passengers.

3.21 Seat Belts

It is the council's policy that on contract and council vehicles provision will be made for each passenger to have his/her own seat and for seatbelts to be fitted. Cars must be fitted with seatbelts to all seats. The law states that children aged 14 years and over can be prosecuted by the Police for failing to wear a seatbelt. Children under 1.35 metres tall will be provided with booster seats, safety seats, etc to ensure they can travel safely. Equipment so provided is the property of the council.

3.22 Behaviour

Pupils provided with transport are required to maintain good behaviour. Drivers and escorts are required to report incidents of misbehaviour so they can be investigated. The council may ask schools to invoke disciplinary procedures against children responsible for bad behaviour on school transport, or the council may decide to withdraw transport for a temporary period, or permanently withdraw transport. During a ban from school transport, parents are responsible for securing school attendance.

3.23 Wheelchairs

The council will determine on safety grounds whether a child travels to school in their wheelchair, or whether they need to be transferred to a seat within the vehicle.

Parents should seek advice from the council about the choice of wheelchair so that it can be determined whether it can be safely conveyed to and from school. The council is responsible for ensuring the safety of wheelchair passengers en route.

3.24 Carrying Equipment

It may not be possible to carry bulky or large pieces of equipment on school transport. Unsecured items can pose a health and safety risk. Carrying a large amount of equipment could result in additional expenditure and so the amount of equipment should be agreed in advance and parents should give reasonable notice of their request.

Brixham





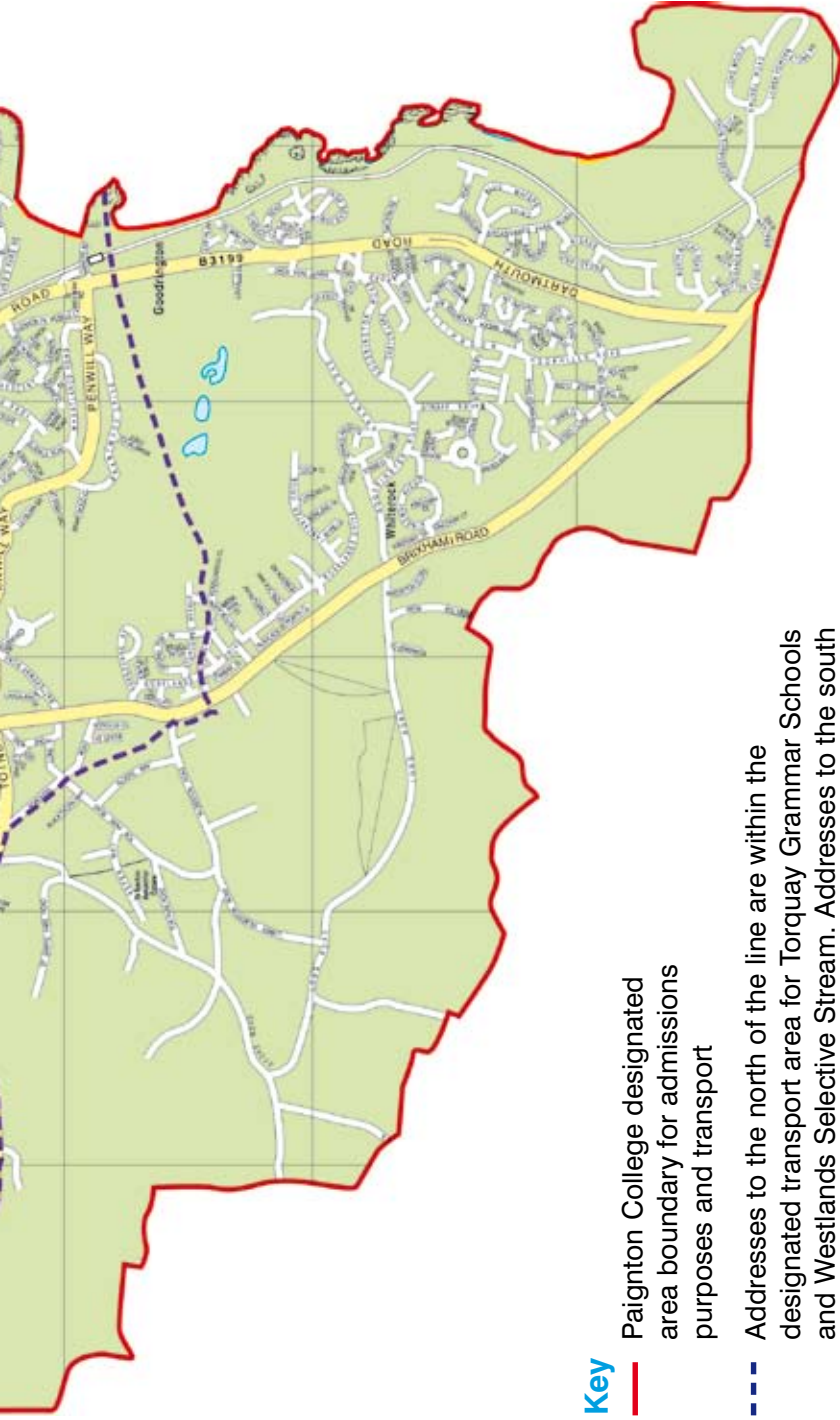
Key

— Brixham College designated area boundary for admissions purposes and transport

All of this area is within the designated transport area for Churston Grammar School

Paignton



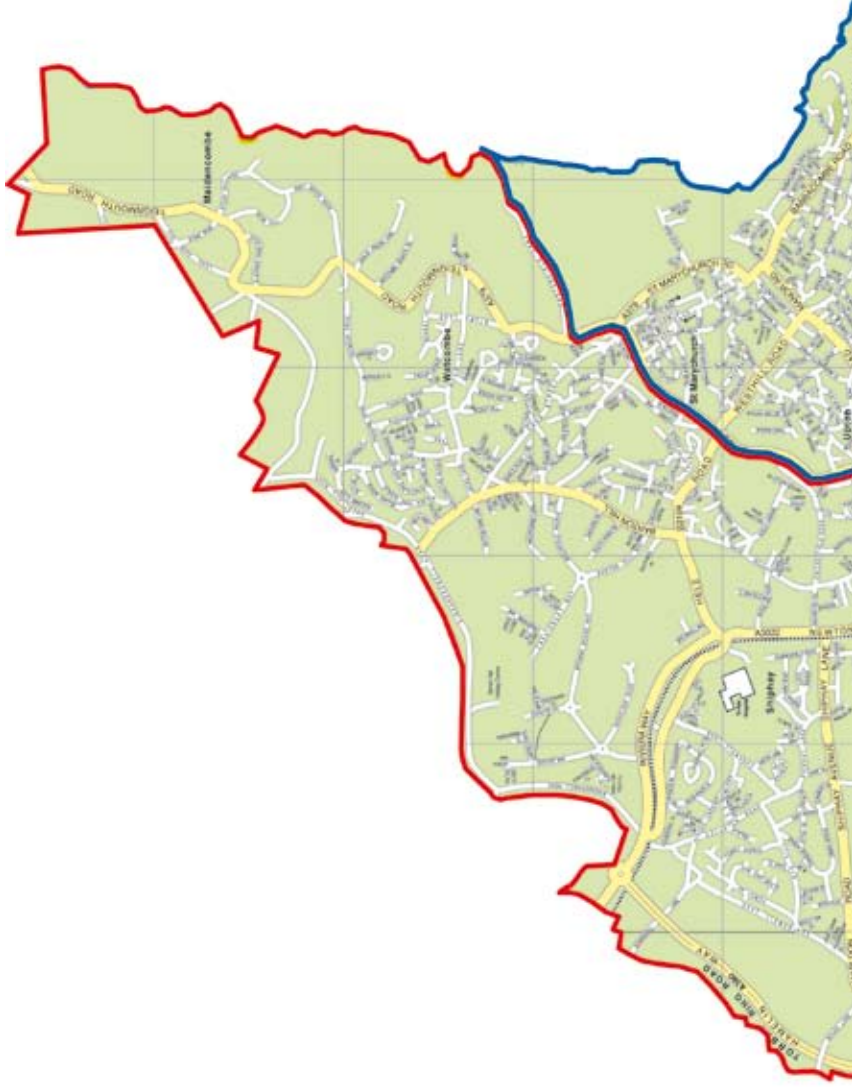


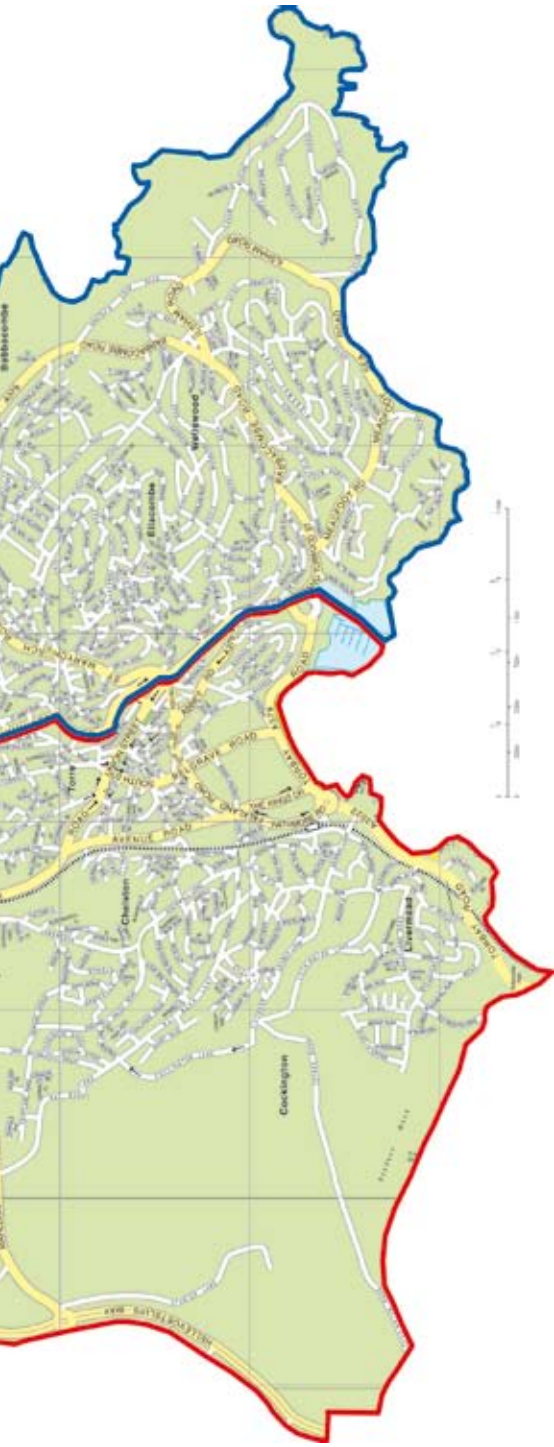
Key

— Paignton College designated area boundary for admissions purposes and transport

- - - Addresses to the north of the line are within the designated transport area for Torquay Grammar Schools and Westlands Selective Stream. Addresses to the south of the line are within the designated transport area for Churston Grammar School

Torquay





Key

— Torquay Community College designated area for admissions and transport.

— Westlands Bilateral School (non selective stream) designated area for admissions and transport.

All of this area is within the designated transport area for Torquay Grammar Schools and Westlands Selective Stream

Appendix 2: Feedback Form

Your comments please

Does this booklet contain the information you need?

Is it easy to read?

Is it set out clearly?

Your views on the booklet's content and style would be welcome so that we can improve it and the service we provide. Please take a few minutes to complete the questionnaire below and return it to Children's Services Transport Team, Oldway Mansion, Torquay Road, Paignton, TQ3 2TE.

1 How helpful was the information provided?

Very helpful Adequate Unhelpful

2 Was the information you required easy to find?

Very easy Adequate Difficult

3 How clear was the style and presentation of the booklet?

Very clear Adequate Unclear

**4 Were there any parts of the booklet you did not understand?
If so which?**

6

5 Is there more information that you would have found useful which is not included here?

6 How could the style and presentation of the booklet be improved?

To request a copy of this document in another format or language please telephone 01803 207688.

5708/0408