



Special Educational Needs (SEN) Transport Policy City of London Corporation

REVISION HISTORY

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Special Educational Needs (SEN) transport policy

1. The legal background

Please note that this policy should be read in the context and alongside the City of London Corporation's ("City of London") general Home to School Travel Policy.

Section 508B of the Education Act 1996 ("the 1996 Act") places a duty on local authorities to ensure that suitable free travel arrangements are made as considered necessary by the local authority ("LA") to facilitate the attendance of eligible children of compulsory school age at school. The duty applies to "home to school" travel arrangements at the start of the day, and "school to home" travel arrangements at the end of the day. It does not relate to travel between educational institutions during the school day. A LA may also make travel arrangements for other children and may or may not choose to subsidize those arrangements as it sees fit. (See section 508C of the 1996 Act.)

The law does not define precisely the transport arrangements a LA must provide for eligible children and leaves the LA to determine at a local level what arrangements are necessary and appropriate. (See Appendix 1 for the full legal framework.)

The Special Educational Needs (SEN) code of practice (2001) gives further guidance to local authorities. It explains the issues to be considered by local authorities when providing transport for pupils with statements of SEN. **It recommends that LAs have clear general policies relating to transport for children with SEN that should be made available to parents.** Transport need only be recorded in Part 6 of a statement in exceptional circumstances **where a child has particular transport needs.**

2. General principles

The responsibility for getting pupils to and from school is a parental responsibility. Many parents find getting their children to and from school inconvenient, difficult, very difficult or sometimes extremely difficult. The SEN Transport Policy does not seek to address these situations.

The same general entitlements for home to school travel assistance apply to pupils aged 5 to 16 with SEN as for other pupils of compulsory school age. Information about post 16 transport can be viewed in Part 12 of this policy.

Wherever possible and appropriate, children with SEN should be treated in the same way as those without; i.e. in general they should walk to school, travel on public transport or be taken by their parents. They should develop independent travel skills which should be assessed at each annual review.

The provision of transport is therefore discretionary except where pupils are entitled to free home to school transport under the City of London Home to School Transport Policy¹. The City of London wants all children with SEN to have, as far as practicable, the same experience of school as their peers and where possible to be independent travellers:

- Where the City of London decides to provide transport under this Policy there is no charge to parents or carers.
- Pupils will be encouraged to travel independently whenever possible
- Risk assessments will be undertaken to identify the least restrictive form of travel for each individual pupil to meet his or her particular needs
- The travel needs of each eligible pupil will be reviewed at least annually to ensure that provision is safe and appropriate
- When special arrangements are made for home to school travel, parents and carers will be provided with clear information and, for some pupils, additional arrangements are made to link with parents and school staff
- All contractors will have to conform to minimum standards requirements.

¹ A copy of the home to school transport policy can be obtained by contacting the delegated officer

3. Assessment of transport needs

a) Pupils who qualify for SEN transport

The City of London will consider assistance with travel arrangements, to and from school or college for:

- Children of pre-school age placed in a nursery by the City of London for the purpose of a statutory assessment of SEN;
- Pupils who suffer from a temporary illness, medical condition or disability, which makes walking or travelling by public transport inappropriate, and where the City of London is satisfied that the pupil's parent/carer is unable to make suitable arrangements. In such cases the City of London would require supporting documentation from a doctor, hospital consultants and/or a paediatrician. In these circumstances transport may be provided even when the journey from home to school is less than the statutory distance. It is not practical to list all the conditions and levels of severity but each individual case will be considered on its merits. As a general principle, the medical condition would make it impractical for parents to get the child to and from school.
- Pupils allocated a place in a special school where the geographical situation of the school places it outside the statutory distance guidelines or it is not on a regular bus route (see appendix 1).
- Pupils who cannot make their own way to school without assistance e.g. pupils in wheelchairs.
- Pupils with a statement of SEN where a special transport need has been identified (see appendix 2).
- Parents of pupils who suffer from a temporary illness.

b) Parental choice of school

When a parent elects to send their child to a school other than the nearest school (or third nearest school if the parent is on low income) or the school recommended by the City of London, there is no entitlement to have school transport.

c) Residential and out of borough special schools

Where the City of London places a pupil in a residential or out-borough special school, transport is provided for the pupil. The authority supports parents attending an out-borough statutory annual review by providing public transport warrants or equivalent costs where parents wish to make their own arrangements. The authority does not arrange transport for parents. Further information about transport to residential schools is in section 11.

d) Journeys for which the authority is unable to provide assistance

Unless it is required to meet assessed needs and specified in a statement, assistance is not available for:-

- Work experience placement;
- Dental or hospital appointments, clinical, psychiatric, speech therapy, occupational therapy or physiotherapy appointment;
- In the event of sickness where the child has to be collected from school (or returned to residential school midweek);
- Parents attending review meetings; and
- Childcare placements/short breaks

e) Parental considerations

The eligibility to home to school transport is determined by the needs of the child. In most situations the circumstances of the family will not be considered. Many families experience difficulty and inconvenience getting children to and from school. However the authority's policy is not intended to address this type of situation. Parents/carers will be responsible for the collection of their child in the event of illness during the school day.

Where the family is in receipt of disability living allowance, it should be made clear to the authority what the allowance covers. There is an expectation that allowances should be used to address transport needs where this is appropriate.

In terms of parental considerations, each case will be considered on its merits and where there are exceptional circumstances which place the family under severe and unexpected duress the City of London will take this into consideration.

4. Types of travel assistance provided

Where assistance with travel has been granted the City of London will provide:

- assistance for the cost of a travel pass for bus or rail for the most appropriate and cost effective route available

If the applicant has a special transport need (see appendix 2), the following options may also be considered:

- Independent Travel Skills Training
- Walking escort (This will only be provided where it can be demonstrated that the parent or carer cannot accompany their child to school and cannot make alternative arrangements and where the needs of the child are such that they would be at risk if unaccompanied).
- Mileage allowance for parent/carers to transport
- Place on a multi-occupancy vehicle
- Individual transport

Travel assistance is only from home to school on a daily basis (Mon-Fri) in accordance with the school's opening hours. Travel assistance outside of these times is not provided and any transport to another educational setting outside of the school day is the responsibility of the parent/carers.

5. The management of SEN transport

Guidance to local authorities was issued by DfES in November 2004 "Home to school travel for pupils requiring special arrangements."

The present administrative arrangements are as follows:-

1. Decisions regarding entitlement to SEN transport is made by the Education and Early Years Manager, to whom all requests should be submitted.

The Education and Early Years Manager holds the following responsibilities:

- determining entitlement to transport
 - determining the need for an escort
 - determining the need for special equipment
2. SEN transport is procured and managed by Education and Early Years Manager who is responsible for all transport contracts, provision and training of passenger escorts, determining pick-up times, routes and contingency arrangements, health and safety issues.

6. Responsibilities of the parties involved

The provision of transport for pupils with special educational needs involves a number of parties:

- a) Parents and pupils
- b) Headteachers
- c) Statutory assessment manager (Education and Early Years Manager)
- d) LA designated Officer
- e) Contractors and drivers

g) Education welfare service

h) Children's services, social care

The City of London expects these parties to fulfill the following responsibilities:

Eg. a) Parents & pupils

Parents are responsible for:

1. escorting their child to and from the vehicle.
2. informing the Headteacher and SEN transport officer of changes of address or other circumstances which affect transport.
3. Informing the Taxi Company if the child will not be attending the school and cancelling the pick up and drop off.
4. informing the escort (or driver on an unescorted route) as soon as possible if their child is not travelling for any reason or if their child is returning to school after absence.
5. providing the escort (or driver on an unescorted route) with a telephone number and/or address where they can be contacted in an emergency.
6. providing the escort or driver with information about safe operation of wheelchairs or other specialist equipment.
7. making sure that passenger escorts and drivers are aware of the child's difficulties and what to do in a medical emergency.

Pupils are not to:

1. behave in a manner which may endanger the safety of those travelling on the vehicle.
2. operate the door of the vehicle except in an emergency
3. be responsible for the supervision of other pupils
4. smoke on school transport
5. more detailed guidance on pupil behaviour on home to school transport is given in Section 8.

b) Headteachers

Headteachers are responsible for:

1. advising passenger escorts (or driver on an unescorted route) of the special needs of particular pupils.
2. providing information to the SEN transport officer on the quality of transport services.
3. providing information on the transport requirements of pupils to the LA's designated officer.
4. advising the LA's designated officer of changes of address of pupils or other changed circumstances which affect transport.
5. assisting the LA's designated officer in dealing with cases of difficulty on transport – for example, misbehaviour by pupils.
6. receiving reports from passenger escort on any signs of ill treatment of pupils and processing these as considered necessary in accordance with Child Protection guidance.
7. assisting the LA's designated officer in contacting parents in the event of breakdowns or accidents to transport, significant changes in transport times in emergencies, absconding of pupils from transport etc.
8. providing passenger escorts with instructions on the conveyance of medication and other items between home and school.
9. providing passenger escorts and drivers with dates of school terms and holidays and changes thereto.

c) Statutory assessment manager

Statutory assessment manager is responsible for:-

1. determining entitlement to transport
2. determining the requirement for an escort
3. determining the need for special equipment (for example, harnesses, special seats).

4. offering advice on and/or contributing to the training for passenger escorts.

d) LA designated officer

The LA designated officer is responsible for:-

1. managing the contractual arrangements laid down in the Service Level Agreement relating to escort provision.
2. obtaining information on pupils to be conveyed, including requirements for special equipment (for example, harnesses, special seats), changes in address or other changes in circumstances.
3. in consultation with headteachers, dealing with cases of difficulty on transport – for example, misbehaviour of pupils.
4. processing accident report forms in relation to pupils whilst on home to school transport.
5. processing claims for mileage for special needs pupils whose parents provide transport between home and school.
6. in consultation with the statutory assessment manager, determining the need for passenger escorts for particular pupils, or on particular routes.
7. participating in the contingency arrangements.
8. arranging and letting contracts for appropriate home to school transport for pupils and students with special educational needs.
9. ensuring vehicles and drivers are appropriately licensed and have adequate insurance cover.
10. arranging inspections of contractors' vehicles and maintenance facilities.
11. maintaining contracts, including allocating new pupils to routes, arranging changes to routes, negotiating price adjustments and investigating complaints about transport operation.
12. notifying parents of transport arrangements and of their responsibilities concerning home to school transport.
13. notifying passenger escorts of pupils to be conveyed.
14. processing claims for travel expenses for special needs pupils who use public transport between home and school, and for parents transporting their own children to and from residential schools who have been given approval.
15. reviewing and re-tendering of hired transport routes on a regular basis.
16. in consultation with headteachers, contacting parents and the LA designated Officer in the event of breakdowns or accidents to transport, significant changes in transport times in emergencies, absconding of pupils from transport etc.

e) Contractors & drivers

1. ensuring that vehicles provided are in a clean, safe and roadworthy condition; that they conform with all statutory and contractual requirements and that they enable pupils and passenger escorts to travel comfortably.
2. a) ensuring that drivers are appropriately licensed.
b) ensuring that all drivers are police cleared and that clearance forms are completed for all drivers on SEN contracts.
3. making every effort to provide the same drivers on the same routes on a regular basis.
4. giving priority to the well being and dignity of pupils at all times.
5. maintaining overall control of operation of vehicles, but seeking and following the advice of passenger escorts, where employed, on medical and behavioural matters concerning pupils.
6. where passenger escorts are not employed, the safety, welfare and behavioural control of pupils whilst being transported.
7. where passenger escorts are not employed, being aware of the special needs of particular pupils, through information provided by headteachers.
8. ensuring that pupils are picked up and set down at suitable and safe places.
9. ensuring that all doors and emergency exits are kept clear of obstruction.
10. the security of special equipment provided by the City of London which is used on vehicles (for example, harnesses, special seats) and the return of such equipment at the end of the contract period.
11. agreeing in advance any change to the number, type of seating capacity of vehicles with the SEN team officer.
12. assisting passenger escorts as required in respect of their responsibilities in the boarding and alighting of pupils, particularly those pupils with physical difficulties, including lifting where necessary.

13. where passenger escorts are not employed, close supervision of the boarding and alighting of pupils, particularly those pupils with physical difficulties, including lifting where necessary.
14. where passenger escorts are not employed, complying with the requirements of individual schools for the delivery and collection of pupils (for example, taking pupils into and collecting from school hall or classrooms).
15. regarding as confidential any information concerning pupils and families gained in connection with the contract.
16. where passenger escorts are not employed, ensuring that all pupils are properly seated and that restraints (for example, seat belts, wheelchair clamps) are properly fitted before vehicles move off.
17. ensuring that there is no smoking by passengers or drivers on vehicles during the period of hire.
18. obtaining the dates of school terms and holidays from headteachers.
19. in consultation with passenger escorts (if employed) operating the contingency arrangements detailed in this document.
20. determining routes, types of vehicles, picking up and setting down arrangements.
21. advising on the allocation of passenger escorts to routes.
22. initiating the disclosure of criminal background procedures for the drivers of hired vehicles.

f) Education welfare service

Assessing pupils who are not attending school for medical reasons to determine any short-term transport needs.

g) Contingency arrangements

Drivers (and escorts where employed) must comply with these contingency arrangements when the following difficulties arise:

1) Parent not available

- a) Where there is no parent/nominated adult to receive a child at the end of the school day, the escort will leave a card and return at the end of the school run. The Driver/passenger escort must try to contact the parent/carer by using the numbers available to him/her (mobile numbers / second emergency contact).
- b) If the Driver/passenger escort has exhausted the means of contacting the parents, they must contact the City of London Duty Social Worker. However, from 5pm onwards there are no duty social workers available in the City of London and the City and Hackney Emergency Duty Team should be contacted (see Appendix 3 for a list of contact details).
- c) The LA designated Officer will investigate the breakdown in communication to ensure it doesn't happen again. If this is something that is becoming persistence, the Children's Social Care Team may be notified or other sanctions will be put into place.

2) Disruption

If a pupil is excessively disruptive during a journey, the driver and escort will take him or her to the nearest appropriate point of assistance or advice, for example:

- the pupil's home
- the pupil's school
- a police station

The incident must be reported to the school and the LA designated Officer as quickly as possible.

3) Sickness

If a pupil falls ill during a journey, the driver and escort will take him or her to the nearest point of assistance, for example:

- a health centre
- a hospital
- the pupil's home
- the pupil's school

All incidents must be reported to the school as quickly as possible.

4) Escort not available

The driver should contact the LA designated officer. No pupils should be collected from home or school until an escort is available.

5) Breakdown or accident

The escort should remain in charge of the pupils whilst the driver summons assistance if necessary. If no escort is employed, the driver may have to leave pupils unsupervised, but this should be for as short a period as possible. The school and the LA designated officer must be informed as quickly as possible.

6) Bad weather

It is impossible to give comprehensive advice on how to respond to bad weather conditions and much be left to the good sense of those directly involved. The safety and well being of pupils, however, must be the first consideration. Contractors, drivers and passenger escorts must take into account the needs of pupils who have medical or other difficulties and for whom extended journeys may create problems.

a) Journeys to school

If bad weather occurs overnight or in the early morning, and it is not possible for schools to open, Headteachers will often arrange announcements on local radio. In the absence of such information, contractors or drivers should use their judgement, in the light of local conditions, as to whether or not to operate morning journeys. If it is decided not to operate a morning journey, the contractor or driver should notify the escort, the school and the LA designated officer as quickly as possible.

If a morning journey is operated and on arrival the school is closed, the driver and escort should consult the headteacher or other member of the teaching staff who is present. If it is decided to take the pupil home again, parents should be telephoned from the school wherever possible. If pupils are returned and parents are not at home, the procedure for 'parents not available' should be followed.

b) Journeys from school

If bad weather occurs during the day, after pupils have been taken to school, it may be necessary to request earlier journeys home than usual.

The LA designated officer will contact contractors and passenger escorts to make these arrangements and although other commitments may mean that it is not always possible to provide transport at an earlier time, the co-operation of all concerned is invited in the interests of pupils' well being. Parents will be contacted by the school wherever possible. If pupils are returned and parents are not at home, the procedure for 'parents not available' should be followed.

7) Absconders

If a pupil absconds whilst the responsibility of an escort and / or a driver, the escort or the driver must inform the LA designated officer and the police immediately.

7. Health and safety

It is incumbent on all parties to take whatever measures necessary to ensure the health and safety of children being transported from home to school.

Risk assessment

The City of London, through the LA designated officer, will consider the needs of each pupil. This will take account of:-

- medical/health related needs
- mobility
- wheelchair where used (type and anchorage arrangements)
- special seat belts/chairs
- access
- behaviour
- safe handling and lifting requirements

After the initial risk assessment, there are further assessments at key points.

- Transport is discussed as part of the statutory annual review process.
- Transport/health and safety are re-assessed if the child changes school.
- Drivers and passenger escorts will know what to do in the case of a medical emergency. They will not generally administer medication but where it is agreed that a driver or escort will administer medication (i.e. in an emergency) they must receive training and support and fully understand what procedures and protocols to follow.
- Where pupils have life threatening conditions, specific care plans will be carried on vehicles. These will be agreed with the school, parent or carers and the responsible medical practitioner for the pupil concerned. They will specify the steps to be taken to support the normal care of the pupil as well as the appropriate responses to emergency situations.
- Some pupils are at risk of anaphylactic shock. In this circumstance risks be minimised by not allowing anyone to eat on vehicles.

Record Keeping

The City of London, through its delegated officer, will need a record of each child's individual transport requirements. This record will include:

- Attendance: for example, schools, days, times.
- Escort requirements: for example, one to one, specially trained personnel
- Wheelchair provision: for example, make and model to ensure correct spacing; level of appropriate equipment/training.
- Special seating/harness
- Special assistance requirements: for example, lifting/handling children into and out of vehicles and wheelchairs
- Medical needs/medication
- If door to door transport is necessary

- Other information such as behavioural/specific issues that drivers/passenger escorts should be aware – Emergency contact telephone numbers

Health and safety form

Parents are required to complete a health and safety form, which will be sent to parents/carers as required. This form gives details of any physical or medical difficulties that drivers/passenger escorts should be aware of and gives an indication of what action parents would like to be taken in a medical situation.

Safe travelling

Pupils must behave in a way that does not endanger themselves, other passengers, drivers, passenger escorts or other road users. Detailed guidance on this is given in section 8.

8. Behaviour by pupils on home to school transport

Pupils are expected to behave in an acceptable manner whilst travelling on school transport.

The City of London will take all reasonable steps to seek to ensure that behaviour difficulties do not compromise the health and safety of pupils and employees.

In all cases the City of London will demonstrate that it has looked for alternative ways of continuing to provide services and only when reasonable possibilities have been exhausted will termination of the service provision be justified.

Each case will need to be considered individually and it will be taken into account that some SEN pupils cannot be held responsible for their actions, but where disruptive or challenging behaviour occurs beyond that which can reasonably be expected and tolerated, the City of London will normally advise those with parental responsibility for the child that:

1. the authority cannot tolerate such behaviour or any repetition of it.
2. the authority will continue to provide a service only on condition that the pupil agrees to refrain from such unreasonable behaviour in future and that the pupil and parents provide an undertaking of good behaviour.

In cases of unacceptable behaviour, the City of London through its delegated officer will inform parents advising them that the service may be withdrawn if the behaviour continues. Parents and pupils have the right to make representations at this stage.

When discretionary transport arrangements are suspended or withdrawn, the responsibility for transporting the child to school reverts to the parents or carers.

Behaviour guidelines

For reasons of health and safety, seat belts must be worn where fitted. In addition children must not:

- smoke on school transport
- drop litter inside the vehicle
- play radios or personal stereos unless using headphones
- have mobile phones switched on
- eat or drink on the vehicle
- stand up or move around the vehicle whilst it is moving

Parents are responsible for any damage caused to the vehicle by the child and will have to reimburse the operator accordingly.

9. Passenger escorts

It is the responsibility of parent/carer to accompany their child to school or to make arrangements for them to be accompanied by an authorised adult if necessary to ensure the child's safety.

Where travel assistance has been allocated however, the City of London may also consider whether it is necessary (to ensure health and safety) to provide an escort to support the home to school journey. There is no entitlement to an escort and decisions will only be made on the basis of clear supporting evidence.

a) Escort provision

The City of London will make arrangements (through its partnership and procurement processes) to provide passenger escorts where it considers it is necessary to ensure health and safety to ensure that pupils travel safely to school and to protect the general safety and well being of pupils.

1. the document accompanying the statement of special educational needs will indicate whether or not an escort will be required.
2. the decision about provision of passenger escorts will be taken by the City of London, through the delegated manager.
3. The City of London will ensure through commissioning of passenger escorts that passenger escorts will complete appropriate training.
4. except in exceptional circumstances there will be no provision of passenger escorts for pupils attending mainstream school.
5. except in exceptional circumstances, there will be no provision of passenger escorts for hearing impaired pupils.
6. except in exceptional circumstances, where there are fewer than three pupils in a vehicle there will be no provision of an escort.
7. pupils who have physical or medical difficulties, one escort should not be expected to supervise more than 15 pupils. Above this number, two passenger escorts should be provided.
8. pupils should not be given individual transport or individual escort entitlement because they misbehave. School sanctions should be applied as they would for unacceptable behaviour in school.
9. appeals against decisions should be made to the transport appeal panel.
10. review of arrangements. At each statutory annual review the arrangements for transport and escorting should be considered with a view to increasing pupil's independence in the use of transport. Any change in requirement or provision should be communicated to the statutory assessment manager.
11. passenger escorts will be trained in accordance with arrangements with the providing organisation, covering Induction, First Aid, Behaviour management and all Specialist training relating to the needs of the pupil.
12. Passenger escorts will be supported to spend time in Special schools to observe good practice in managing and providing for the needs of pupils.

b) Escort identification

1. All passenger escorts will carry an identification badge giving their name and title.
2. The LA designated Officer will keep a list of all passenger escorts who accompany children to and from school.

c) Escort support

The City of London recognises that being an escort can be challenging and that there should be methods of supporting passenger escorts in their work after they have completed their induction training. The authority will develop other strategies in partnership with the provider such as:

- reporting monthly to highlight problems or difficulties
- calling in to the office to discuss a situation
- developing regular channels of communication through established newsletters for example
- providing clear contractual arrangements giving protection and indemnity

10. Travelling times, waiting time, pick-up points changes to service times, changes to school day

a) Travelling times

The City of London will undertake to keep travelling times to a minimum within the constraint of operational necessities and cost effectiveness.

Individual students may have upper limits set on their travelling times which would be in their statement of special educational needs or determined through the statutory annual review process.

No pupil with SEN who travels on a daily basis should have a journey time exceeding 45 minutes for primary school children and 75 minutes for secondary school children. There may however be instances where this recommended time is exceeded by arrangement.

b) Waiting time

The City of London through the delegated officer will ensure, as far as possible, that children arrive at school no more than 30 minutes before school starts and leave no more than 30 minutes after school ends.

The arrival and departure times of a pupil should correspond as closely as possible to the beginning and end of the school day although the need to take practical and economic consideration into account in determining precise arrival and departure times is recognised.

c) Pick-up points

The pick-up points will be determined by the delegated officer. Transport will be provided from a point reasonably near the child's home to a point reasonably near the school's main entrance.

Pick-up points are arranged to balance the need to pick-up children as close to their homes as possible and the need to limit the number of pick-up points to a level which results in the most economic use of vehicles. Parents will be expected to get their children to the nominated pick-up points where required.

d) Pick-up point waiting times

- 1) Maximum driver/passenger escort pick-up waiting time is 10 minutes
- 2) Drivers and passenger escorts are instructed to wait 5 minutes at the designated pick-up point before trying to contact the parent/carer.
 - 2.1) If the driver/passenger escort is successful in contacting the parent/carers, they must let parent/carers know that that they have waited 5 minutes and that the parent/carer must arrive at the pick-up point in 5 minutes time, otherwise they must leave the designated pick-up point.
 - 2.2) If the driver/passenger escort is unable to contact the parent/carer, they should wait another 5 minutes before leaving the designated pick-up point.
- 3) Drivers and passenger escorts will not wait longer than 10 minutes for children who are not at the designated pick-up points at the arranged times, unless under exceptional circumstances.
- 4) Drivers (and passenger escorts) are instructed not to call for individual children and are not allowed to entre children's homes.
- 5) If the driver has waited 10 minutes and the child/young person is not at the designated pick-up point at the school/college, the Driver must investigate any delays at the school/college reception.

e) Changes to service times

Contracts with operators are based on the number of school days in the year, ranging from 182-200 days per annum for contracts serving schools to 172-190 for contracts serving colleges.

Operators are asked to obtain school holiday lists etc; but if this is not possible operators can contact the SEN transport officer. Operators will be given seven days notice of an amended operation where possible.

e) Changes to school day

Schools should inform the City of London delegated officer as soon as possible of any plans to change the school day.

11. Transport to residential schools

The City of London will provide transport for pupils attending residential special schools only if the local authority has advised the parent/carer that the residential special school is the only appropriate school for the child/young person.

a) Transport will be provided on a weekly (start and end of the week), half termly (start and end of the half term) or termly (start and end of the term) basis according to the terms of the pupil's placement.

b) In the case of 52 week placements which are joint funded with another agency, the Authority will fund agreed transport costs in term time only. Requests for additional transport between school and home will be considered on their merits.

c) Reasonable provision will be made for transporting luggage but no guarantees can be given for large items, such as bicycles to be conveyed. Transport will be provided for all physical aids which are essential for use at school.

d) Parents that can transport their own children to residential special schools, where the authority has agreed, will be paid a mileage allowance.

e) Parents attending a statutory annual review at the school may claim a fuel allowance if they use their own transport from the pupil's **main** place of residence. Where parents do not have their own transport the authority will provide the most cost effective assistance with travel such as the issuing of travel warrants for public transport. The City of London does not make transport arrangements for parents.

12. Post 16 Transport

The law requires Local Authorities in certain circumstances to make arrangements for transporting learners over the age of 16 and the City of London's policy "Home to School/College Transport Policy for those aged 16-19 years of age" describes the support available.

13. Transport Review and Promoting Independence

The City of London will review all travel assistance decisions and journeys at least annually. This is to ensure that the needs of the pupil are most efficiently met that the service provided represents effective and efficient use of public sector finance and to quality assure the service. Reviews will also take place when a pupil:

- Transfers school
- Changes address either temporarily or permanently
- Ceases to be on the roll of the school, e.g. because of permanent exclusion
- Reaches school leaving age

As pupils become older it is important to consider through the review process progressive movement to a more independent method of travel to contribute to developing independence skills.

14. SEN transport policy review

The City of London will review the SEN Transport Policy every two years or in line with a change in government policy. The policy (and any revisions and amendments) should be presented to elected members for approval on the same annual basis.

Appendix 1

The duties of local authorities regarding home to school transport are set out in the Education Act 1996. In summary:

Section 508B of the Education Act 1996 deals with the duty on Local Authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children.

Parents are responsible for ensuring that their children attend school regularly. However, section 444 of the 1996 Act outlines the situations in which a parent may have a defense in law against a prosecution by a local authority for their child's non-attendance at school. Section 444(3B) provides a parent with a defense if he or she proves that:

- The qualifying school at which the child is a registered pupil is not within statutory walking distance;
- No suitable arrangements have been made by the local authority for boarding accommodation at or near to the school;
- No suitable arrangements have been made by the local authority for enabling the child to become a registered pupil at a qualifying school nearer to his/her home; and
- The local authority has a duty to make travel arrangements in relation to the child under section 508B and has failed to discharge that duty.

Schedule 35B of the 1996 Act (amended by the Education and Inspections Act 2006) defines "eligible children" – those categories of children in an authority's area for who travel arrangements will always be required. A condition of each category is that they are of compulsory school age. Under section 508B, these arrangements must be provided free of charge

- It is up to the LA to decide what is necessary in the case of each child, taking into account matters such as the child's age and the nature of the route to school, subject to one proviso. Where a child is a registered pupil at the nearest suitable school, and that school is beyond the statutory walking distance from home (i.e. more than 2 miles in the case of a child under 8, and more than 3 miles in the case of a child 8 or over).
- A 'low income' family is one whose children are entitled to free school meals or whose parents receive the maximum Working Tax Credit. Primary school children from low income families qualify for free school transport if they are aged 8 to 11 go to their nearest suitable school, and live more than 2 miles away. Secondary school pupils (11 to 16 years old) from low income families are entitled to free school transport if they go to a suitable school between 2 and 6 miles away from their home address, as long as there aren't 3 or more suitable schools nearer to their home. Or if the nearest school was chosen on the grounds of religion or belief, and the school is between 2 and 15 miles away from their home address.
- As children can travel free on the bus/tram/tube/DLR and London Overground services under Transport for London's travel schemes, under the City of London Home to School Transport Policy¹, support is only given if the child attends their closest suitable maintained school²; they live further than the statutory walking distance³ and the bus/tube/tram/DLR journey is more than one hour via their closest bus stop or train/tram station. **If a child's SEN and/or disability were such that they could not reasonably be expected to walk even relatively short distances to school, it would be unreasonable for the LA not to provide transport.**

¹ A copy of the home to school transport policy can be obtained by contacting the delegated officer

² A school where the City deems to be suitable for the aptitude and ability of the pupil

³ The statutory walking distance is two miles for pupils aged under eight and three miles for pupils ages over 8

- In cases where pupils do not qualify for free transport, Section 508C provides a discretionary power for LAs to provide assistance by paying all or **part of the pupil's reasonable travelling expenses**. They may take account of parental means in deciding whether or not to do so. It is for each authority to decide whether and how to exercise these powers.
- In relation to pupils of 6th form age, sections 509 AA-AC require their LAs to prepare a transport policy statement each year setting out what travel arrangements they consider it necessary to make for them.

Appendix 2

Special Transport Needs

As part of the Statutory Assessment of a pupil's special educational needs, the City of London will decide whether the pupil would be able to comply with the distance criteria of accompaniment within the City of London Home to school transport policy. If the advice indicates that a pupil would be unable to fulfil this requirement the need for home to school transport would be written into Section six of the pupil's *Statement of Special Educational Needs*. Criteria would include:

1. The pupil's physical disability prevents them from achieving independent travel
2. The pupil's disabilities prevent them from complying with the distance criteria
3. Assessed behaviours exhibited by the pupil are such that the pupil is unable to comply with the distance criteria.
4. Assessed behaviours and social independence skills of the young person are such that the young person is unable to travel safely. Depending on the assessment, the most appropriate mode of transport will be agreed.

When the City of London issues a statement of special educational needs for a pupil it will contain a reference to a pupil's entitlement to home to school transport where it is appropriate. At each subsequent review of the statement of special educational needs transport requirements should be discussed.

Appendix 3

Contacts List

Department	Contact
<p>Education and Early Years Team</p> <p>Address: Northwing, PO Box 270, Guildhall, London EC2P 2EJ</p> <p>Telephone: 020 7332 1002</p>	<p>Title: Education and Early Years Manager</p> <p>Title: LA designated officer (1) Name: Family and Young People's Service Projects Manager</p> <p>Title: LA designated officer (2) Name: Student Services Officer</p> <p>Title: LA designated officer (3) Name: Family and Young People's Information Service Manager</p>
<p>Children Social Care Team</p> <p>Address: Northwing, PO Box 270, Guildhall, London EC2P 2EJ</p>	<p>Duty Social Worker: Tel: 020 7332 1224</p> <p>Outside office hours (after 5pm) - City & Hackney Emergency Duty Team, tel: 020 8356 2346 / 2345</p>