

Monmouthshire County Council - Home to School Transport Policy 23/24

Introduction

This document sets out Monmouthshire County Councils (MCC) statutory duties to provide free home to school transport for children who live within the Monmouthshire County boundaries. If you do not pay council tax to MCC, please contact your Local Authority to find out how to apply for their home to school transport.

The Learner Travel (Wales) Measure (2008), places a statutory duty on Local Authorities to provide free home to school transport if certain eligibility criteria are met. Monmouthshire County Council has developed its transport guidance in accordance with this legislation to enable it to meet its statutory duties for pupils up to and including year 11.

Free transport will only be available where a student fulfils the necessary criteria which will be explained in detail in this policy document. Parents should only apply for free home to school transport if they have read this guidance and ensured themselves that their children meet the criteria thresholds. If you have previously applied for free home to school transport and been refused, please do not reapply unless your personal circumstances have changed, e.g. you have moved to a new house or your children changed school.

The information given in this guidance relates to the 2023 – 2024 school year. This policy will be reviewed annually in line with the requirements of the Learner Travel (Wales) Measure.

Contents

Monmouthshire County Council's Transport Policy	3
Nearest Suitable or Catchment School	3
Distance and how it is calculated	4
Transport for Children Under 5	4
Transport for Learners with Dual residencies	4
Looked After Children	4
Learners with a Statement of Special Educational Needs	5
Medical Conditions	5
Learners Changing Address During Years 10 & 11	5
Length of the Journey	6
Safe Walking Routes	6
Post 16 Travel	6
Concessionary Travel	7
Mode of Transport	7
Bus Passes	8
Additional Journeys	8
Right to Withdraw Transport	8
Behavioural Issues	8
Personal Transport Budgets	9
Unforeseen Circumstances	9
Complaints	9
Home to School Transport Appeals	10

Monmouthshire County Council's Transport Policy

All applications for home to school transport are assessed on an individual basis by the Commissioning Team.

To qualify for free home to school transport a child must attend their nearest suitable state funded or catchment school **and** that school must be over the MCC distance criteria. Free home to school transport will not be provided unless a learner meets both criteria.

Nearest Suitable or Catchment School

The Learner Travel Measure defines nearest suitable school as a school where the 'education or training provided is suitable having regard for the age, ability and aptitudes of the learner and any learning difficulties he or she may have'.

In determining whether a school is suitable it will consider:

- Age appropriateness – relating to attendance at a Primary or Secondary School
- Ability appropriateness – relating to attendance at a mainstream, welsh medium or faith school.
- Special education requirements – if a learner has a statement of special education needs (SEN) which specifies a school.

The nearest suitable school for Transport purposes will be the state-maintained school which is closest to the applicant's home. Where parents have applied for welsh medium or faith education, the same nearest and catchment criteria will apply. A learner's catchment school is defined by the Access Unit. Further information on catchment areas can be found by accessing [School catchment areas - Monmouthshire](#).

Whilst parents are free to exercise parental preference when selecting their preferred

school, free home to school transport will not be provided if the preferred school is not their nearest suitable school (see 1.40 & 1.46 of the Learner Travel (Wales) Measure) or catchment school. When assessing the nearest suitable school, the Commissioning Team will consider schools that are outside of the Council's administrative boundary.

When assessing suitability for Transport purposes the Council will not consider parental preferences or parental concerns with a specific school.

If your nearest suitable school is full, eligibility will be assessed on the basis of the next nearest suitable school that has availability to accept the learner. The same distance eligibility criteria will apply.

Where a learner has to move schools due to incidents of bullying, free transport will only be provided where the Education Welfare Service or Access Unit have been involved and supported the change of schools. Evidence will need to be provided by either the Education Welfare Service or Access Unit to support the request for transport.

Where a younger sibling applies to attend the same school as an older sibling that receives free transport this does not guarantee that the younger sibling will receive it. Each learner is assessed on an individual basis according to the prevailing policy.

Available walking routes are continually reviewed to reflect changes to the local footpath infrastructure. If an assessment results in a route that was previously designated as unsafe being re-categorised as available, home to school transport will be withdrawn from the start of the next academic year. The delay in withdrawing the provision is to provide parents and learners with the opportunity to prepare for the change.

No transport will be provided for a learner attending a fee paying mainstream independent school.

Distance Criteria and how it is Calculated

A learner's school must be over the prescribed distance for learners to be eligible for free home to school transport.

The Learner Travel (Wales) Measure provides minimum statutory walking distances of 2 miles for primary aged learners and 3 miles for secondary aged pupils. Monmouthshire County Council, however, has chosen to improve the statutory provision and has instead adopted the following distance criteria for all eligible learners:

- Primary aged learners – free home to school transport will be provided if the distance between the nearest suitable school and the learner's home is 1.5 miles or more.
- Secondary aged learners – free home to school transport will be provided if the distance between the nearest suitable school and the learner's home is 2 miles or more.

The Council will determine your nearest suitable school via the shortest available walking route. This will be measured using a Digital Information Mapping System from the point your property meets the adopted highway to the nearest available entrance to the school. A walking route will be considered available if it is safe (as far as is reasonably practicable) for a learner without a disability or learning difficulty to walk the route alone or with an accompanying adult if the learner's age or understanding requires this.

Free transport may also be provided where the Authority is satisfied that the route between home and school is sufficiently dangerous to warrant such provision, even

though the distance is below the prescribed 1.5 miles (primary) and 2 miles (secondary). As part of its assessment the Authority would have regard to the degree of danger involved and whether the accompanying adult is at risk from the traffic situation.

Transport for Children Under 5

The provision of free home to school transport is a statutory requirement for those learners aged 5 to 16. Transport for 4-year olds is discretionary and will only be provided if a learner is attending primary school and the parent confirms in writing that a driver and or passenger assistant is authorised to assist their child with the use of seatbelts.

Booster seats will not be provided for younger learners. A parent can however provide a booster seat for their child should they wish to do so.

Transport is not provided for learners attending nursery school.

Transport for Learners with Dual Residences

Where learners have more than one residence, they will be able to apply for home to school transport for up to two homes which are the nearest to their school. They will still need to meet the eligibility criteria in terms of distance, age and ability as outlined above. Evidence of the dual residency will be required from both parents.

Looked After Children

Where children are looked after by the Council, the same distance criteria to their nearest suitable school will normally apply. The Commissioning Team will however work with Social Care & Health colleagues to support any requests for discretionary transport as a result of individual learner's circumstances.

Learners with Additional Learning Needs (ALN), i.e. a Statement of SEN or an IDP

Transport for children with ALN who do not meet the eligibility criteria will only be funded by the authority:

- to take a child to their nearest suitable or catchment school if he or she has major mobility problems, or
- if a child attends specialist provision (a special school or Specialist Resource Base) that is not attached to their local school.

Transport will not be provided for children with additional learning needs (ALN) if the child is attending a school due to parental preference, i.e. a school that is not considered by the Local Authority to be the nearest suitable school. Personal Transport Budgets (PTBs) to cover mileage expenses are provided in exceptional circumstances and for time limited periods e.g. if there is no existing route. Time is required to commission this.

Free transport is only available to post 16 SEN pupils if they attend a specialist school or Specialist Resource Base (SRB). Free transport is not available to those learners attending further education within a mainstream school.

Medical Conditions

To qualify for assistance on medical grounds, the learner must be attending their nearest suitable or catchment school.

If a learner's medical needs affect their ability to travel to and from school accompanied as necessary by an adult, parents must provide supporting evidence from their child's consultant. The evidence should detail the

difficulties that the learner will experience walking or travelling by public transport.

If transport is granted on medical grounds, the learner's case will be reviewed on an annual basis and up to date evidence on their medical condition will be required at each review. If up to date medical evidence is not provided transport will be withdrawn.

If a parent has a medical condition that prevents them from taking their primary aged children to and from school, discretionary transport may be provided. Parents must provide evidence of their medical condition from their consultant and their child must be attending their nearest suitable or catchment school.

Discretionary transport granted because of a parent's medical condition will be reviewed on an annual basis and up to date evidence of their medical condition will need to be provided for their review. If up to date medical evidence is not provided, then the discretionary transport will be withdrawn.

Discretionary transport will not be provided to secondary aged learners because of a parent's medical condition as it is expected that the learner will be able to travel to and from school without parental assistance.

Learners Changing Address During Year 10/11

If a learner changes their home address whilst studying for their GCSE exams in either years 10 or 11, they will be entitled to free home to school transport if they meet the following criteria:

- The school they attend was the nearest suitable or catchment school for their previous address.
- Evidence of their new address
- That their new address is more than 2 miles from their school.

If the learner attends a school that was not their previous nearest suitable or catchment school, they will not be provided with free home to school transport for their new address. If, however their new address does mean that the school they are attending is now their nearest or catchment school they will be able to apply for transport in the normal way.

Length of the Journey

Where possible, journey travel times will be a maximum of 60 minutes for mainstream secondary aged pupils and 45 minutes for mainstream primary aged pupils. For those learners attending Welsh medium, faith or special education settings, journey times may be more than an hour dependent on the location of the education setting.

It may not be possible for all learners to be collected from their home address and therefore it will be necessary for parents to take and collect their children from designated pick up and drop off points. Every effort will be made to keep this distance as short as possible and it should not exceed 1 mile under normal circumstances.

Parents are responsible for the safe travel and safeguarding of their children from their home to the agreed pick up and drop off points.

Available Walking Routes

All walking routes are assessed based on the Learner Travel Measure and GB Road Safety Guidance.

Walking route assessments will be undertaken by the Councils Road Safety Officer or other suitably qualified person who will consider both the traffic and social risk factors. When undertaking the assessments, it will be assumed that an adult will accompany all primary aged children.

Copies of walking risk assessments will be made available to parents or learners on request.

Post 16 Transport

The Council does not provide free transport to any learners over the age of 16 at the start of the academic year, unless specified by a statement of SEN.

Post 16 learners will have the opportunity to apply for concessionary travel, but this will be dependent on the availability of seats, that there are no additional financial implications to the Council, no disruption to the transport route and the learner meets the vehicle at a point determined by the transport provider.

Concessionary seats are not guaranteed to be awarded from the start of the academic year; however, all learners will be notified if a seat is available within 10 working days of the commencement of the academic year. Learners attending Welsh medium or faith schools outside of the County area will be notified if they have been awarded a seat prior to the commencement of the academic year.

If an application is made during the school year, the applicant will be notified if a seat is available within 10 working days. It is the parent's responsibility to ensure that learners are transported to and from school whilst their application is being considered.

If a concessionary seat is awarded, learners will be collected from a specified point that may be different from any previous pick up and collection points and be in excess of a mile, but no further than two miles from their home.

Learners will not be authorised to use a concessionary seat until it has been officially confirmed in writing by the Commissioning Team.

Pupils allocated a concessionary seat midway through a term will be charged per week for the number of weeks remaining in that term. Payment may be paid in monthly instalments via a standing order by contacting the Sundry Debtor Team upon receiving an invoice.

On occasions it may be necessary to withdraw a concessionary seat, if the seat is withdrawn then we will provide 10 working days' notice and parents will be required to make alternative arrangements.

Applications for concessionary transport will not be considered for learners who are in arrears for previous concessionary transport. When the arrears are cleared the learner will then become eligible for concessionary travel if a seat is available.

The seat will be awarded for 33 weeks as it is assumed that learners will not travel once study leave commences. The cost of the seat is calculated based on 33 weeks only, however if learners need to travel during the study or exam period they can do so at no extra charge.

Refunds will be payable from the date that the Commissioning Team receive written confirmation from the parent that they wish to cancel their child's seat. Retrospective refunds will not be made.

If a Post 16 learner is in receipt of free school meals, they can apply for subsidised travel if they are attending their nearest suitable school.

Concessionary Travel

Those learners that are not eligible for free transport are able to apply for concessionary travel.

Concessionary seats will be awarded if a vacant seat exists, there is no financial implication to the Council, no disruption to the transport route and the learner is taken to a specified pick up and drop off point as determined by the transport provider.

Concessionary seats are not guaranteed to be awarded from the start of the academic year; however, all learners will be notified if a seat is available within 10 working days of the commencement of the academic year. If an application is made during the academic year, the applicant will be notified if a seat is available within 10 working days. It is the parent's responsibility to ensure that the child/children are transported to and from school whilst their application is being considered

The pickup and drop off point may be more than a mile from the learner's home but no further than 1.5 miles for primary aged learners and 2 miles for secondary.

Learners will not be authorised to use a concessionary placement until officially confirmed in writing by the Commissioning Team.

Applications for Post 16 learners will take priority for concessionary seats. If vacant seats remain, concessionary seats will be awarded based on when the application form was received. For one or more applications received on the same date, the learner whose home address measures the furthest walking distance to the educational establishment will take precedence.

On occasions it may be necessary to withdraw a concessionary seat, if the seat is withdrawn then we will provide 10 working days' notice and parents will be required to make alternative arrangements.

Pupils allocated a concessionary seat midway through a term will be charged per week for the number of weeks remaining in that term. Payment may be paid in monthly instalments via a standing order by contacting the Sundry Debtor Team upon receiving an invoice.

Applications for concessionary transport will not be considered for learners who are in arrears for previous concessionary transport. When the arrears are cleared the learner will

then become eligible for concessionary travel if a seat is available.

Refunds will be payable from the date that the Commissioning Team receive written confirmation from the parent that they wish to cancel their child's seat. Retrospective refunds will not be made.

Mode of Transport

Where a learner has been awarded free transport, travel will be in the form of a season ticket for public transport or on dedicated home to school transport.

The Council will always in the first instance seek to provide transport via season tickets on public transport and dedicated transport will only be provided if public transport is not available.

Parents are not able to choose which form of transport or specify vehicles their child will travel on. If a learner does travel on dedicated home to school transport, there is no guarantee that the driver or passenger assistant will stay throughout the learners' academic journey.

There is no guarantee that a learner with special educational needs will automatically receive a passenger assistant in the vehicle provided or be a sole passenger. The provision of passenger assistants is determined by the evidence provided by the learner's consultant or SEN statement.

Bus Passes

All learners travelling on dedicated transport will require a QR code to travel. This can be downloaded from the Councils Elitech software and parents will be provided with guidance how to do this when they are advised that their application for transport has been successful.

The QR code will need to be scanned by the learner when they embark and disembark a

vehicle. A hard copy or digital QR code can be used. If a learner loses their QR code during the day, all drivers have a list of passengers so the learner will still be able to travel if they are on the passenger list. No learner will be able to travel without a QR code or inclusion on the passenger list.

Those learners who have been granted free travel on public transport will be issued a season ticket by the operator prior to the commencement of the academic year.

Additional Journeys

Transport is only provided to and from the learner's home and school. Transport will not be provided to breakfast or after school clubs or for any journeys required during the school day.

Where a learner is taking part in an induction process or has a reduced school schedule, transport will not be provided, and parents will need to make their own arrangements. Transport will not be provided where a learner needs to leave school prior to the end of the school day for sickness or to attend medical appointments.

If a family must reside in a temporary address, transport will not normally be provided. If there are however exceptional circumstances, e.g. the learner is in years 10 and 11 discretionary transport may be provided.

Right to Withdraw Transport

Where it becomes evident that free transport has been provided in error, the Council has the right to withdraw the transport with 21 days' notice.

Where circumstances change with the walking route measurement or assessment during an academic year, the free transport will be withdrawn at the end of the academic year.

Where concessionary transport has been awarded and the seat is subsequently no longer available e.g. it is required for a pupil

eligible for free transport or the contract is terminated, the pass will be withdrawn with 10 days' notice.

Behavioural Issues

The safety of all learners travelling on home to school transport is paramount. If a learner misbehaves, the Council reserves the right to withdraw the transport provision. Whenever the Commissioning Team is made aware of an incident on home to school transport they will liaise with schools and the Education Directorate to investigate the incident. Where necessary warning letters and or email correspondence will be sent to the parents of learners who misbehave, cause damage to a vehicle, threaten or cause injury to passengers or drivers / passenger assistants or behave in such a way that might jeopardise safety. Home to school transport may be withdrawn from the learner on a temporary or permanent basis in accordance with the Learner Travel Operational Guidance. The Council also reserves the right to either suspend or cancel transport for learners where drivers or passenger assistants have received verbal abuse or been physically assaulted by parents or guardians. In such cases the victims will be encouraged to report such actions to the police and any other necessary authorities.

Where transport is withdrawn, parents are responsible for ensuring that their child gets to school.

Personal Transport Budgets

The Council may choose to offer parents a personal transport budget (PTB), where it is the most cost-effective solution for the Council to meet its statutory duties. It will not automatically be provided and will not be granted where existing suitable transport is in operation.

The PTB is a payment designed to reimburse parents for the costs incurred in providing transport for their children. The payments are

made directly into the parent's bank account monthly. The PTB will be calculated based on the driving distance between home and school (by using a Digital Information Mapping System), from the point your property meets the adopted highway to the nearest available entrance to the school. In addition, a calculation will be undertaken to determine the usual time it takes to travel from your home to the school and back again. Payments to parents will be calculated on a daily rate which includes the travel time and mileage for two journeys to the school and back. The current reimbursement rates are £10 an hour for travel time and 65p per mile.

Payments will be made to parents as follows:

September: Full Monthly Payment based on the completion of all school days for the calendar month.

October to July – The Commissioning Team will contact the school to confirm any learner absences in the preceding month. If a learner has been absent the monthly payment will be reduced to reflect the days where travel has not been incurred.

There will not be any additional allowance for delays due to traffic conditions.

Unforeseen Circumstances

If a transport operator is unable to provide transport due to an emergency or unforeseen circumstance, the Commissioning Team will try to secure alternative transport provision. If, however alternative transport cannot be provided, parents will be contacted and asked to take their children to school. If parents agree they will be reimbursed for the mileage incurred at the rate of 65p a mile following the submission of a completed claims form.

Complaints Process

Only complaints received in writing from parents or learners will be investigated by the Council. Complaints should be made to:

passengertransportunit@monmouthshire.gov.uk

The Commissioning Unit will acknowledge the complaint within 5 working days and respond within 10 working days. There may be occasions where we will need to take longer than 10 working days and we will advise you when this happens and provide a timescale as to when you will receive a response.

If a complaint is upheld, appropriate steps will be taken to remedy the issue as soon as is practicable.

Appeals Process

If an application for free transport is refused a parent can appeal the decision using the following process:

Stage 1

The parent should complete an appeal form which can be obtained from the Commissioning Team by emailing:

passengertransportunit@monmouthshire.gov.uk

or calling

01633 644777

The appeal form should be returned to the Commissioning Team with supporting evidence. Their appeal will be considered by the Commissioning Manager and they will receive a formal response within 21 working days.

Stage 2

If the parent is not satisfied with the appeal decision, they can refer the matter to the Head of Decarbonisation, Transport & Support Services. The Head of Service will consider the appeal and any supporting information provided by the parents and or local elected Member. The appeal decision will consider

the information provided and the Councils Home to School Transport Policy and the Learner Travel (Wales) Measure.

A response will be provided within 21 days. If the appeal is rejected, there will be no further right of appeal.

If the parent is dissatisfied with the decision process and believes that they have not been treated fairly and in accordance with the Councils Home to School Transport Policy, they can make a formal complaint by contacting.

feedback@monmouthshire.gov.uk or calling 01633 644644.