

Home to School Transport Policy

Compulsory School Aged Children

September 2025

Contents

1. Introduction
2. Main points

General Information

3. Suitable school
4. Compulsory school age
5. Statutory walking distance
6. Journey times
7. Ways in which transport assistance may be provided
8. Withdrawal of transport assistance
9. Independent Travel Training
10. Distance calculations
11. Behaviour on school travel
12. Excluded pupils
13. Accompaniment
14. Home address
15. Change of address
16. Additional information (eligible children)
17. Transport assistance for children with SEND
18. Children with an EHC plan
19. Transport assistance for children without SEND
20. Extended rights
21. Transport assistance for Children Looked After
22. Religion or belief
23. Appeals process
24. Contact information
25. Glossary

1. Introduction

This policy has been produced following the release of the statutory guidance for local authorities, by the Department for Education, in June 2023; **Travel to school for children of compulsory school age**.

The statutory guidance is issued under the duties placed on the Secretary of State by sections 508A (7) and 508D (1) of the Education Act 1996. It replaces the previous **Home to school transport Guidance** from 2014.

The statutory guidance refers to legislation governing travel to school for children of **compulsory school age**, in particular:

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

Free travel to school is a valuable service for many families, but budget pressures mean that the local authority may have to make difficult decisions about how to make best use of the limited resources available. The local authority must comply with its duty to arrange free travel for eligible children, but has some discretion in how to do this.

Any word in **bold**, within this policy has a meaning, which is shown in *section 25 Glossary*.

2. Main Points

- 2.1 For children to be considered for transport assistance under this policy, they will need to be living within the Borough of Calderdale (ie council tax is payable to Calderdale Council) or be a Child Looked After where Calderdale Council has **parental** responsibility (see *section 21 Children Looked After*).
- 2.2 **Parents** are responsible for ensuring their child attends school. This means they must take all the action necessary to enable their child to attend school.
- 2.3 For most **parents**, this include making arrangements for their child to travel to and from school. The local authority will make arrangements, free of charge, for eligible children to travel to school.
- 2.4 The local authority is responsible for deciding what travel arrangements to make, provided they are suitable for the needs of the children for which they are made.
- 2.5 Schools should support the local authority to deliver their **home** to school travel functions, for example, by promoting good behaviour on transport and sharing

information to ensure children's needs are met and taking travel arrangements into account when making changes to the **school day**.

- 2.6 The local authority has a duty to promote sustainable and active travel to school.
- 2.7 An assessment for transport assistance normally occurs at the point where a child is starting school for the first time or transferring to secondary school (**normal round of school admission**). An application form will need to be submitted at these times to assess eligibility for free transport assistance.
- 2.8 Children with **special educational needs** and **disabilities** may need assessing for transport assistance at more regular intervals to ensure that any transport assistance in place, is sufficient for their needs.
- 2.9 Application forms for transport assistance which are submitted outside the **normal round of school admissions** will be assessed within 10 days of receipt, wherever possible. Any award for transport assistance will commence no longer than 10 working days after the date of assessment.

General Information

3. Suitable School

- 3.1 A **suitable school** for school travel purposes is a **qualifying school** that is suitable for the child's age, ability, aptitude and any **special educational needs** they may have. It should also be suitable for the child's sex, for example a girls' school would not be a **suitable school** for a boy.
- 3.2 '**Suitable school**' does not mean the most **suitable school** for a child. Schools are able to meet a wide range of needs. The nearest secondary school to the **home** address for example, will almost always be their **nearest suitable school**, providing they were able to admit the child.
- 3.3 Where a child has an **EHC plan**, the school named within the plan will normally be considered to be the **nearest suitable school**. See *section 18 Children with an EHC plan*.

Child A is 13 years old. Their **nearest school** is a secondary school, which is 3.4 miles from the **home** address. **Parents** choose to send them to a grammar school which is 5.3 miles from the **home** address. Child A is not eligible for free transport assistance as it is not the **nearest suitable school**.

Child B is 12 years old. They attend school 1 which is 3 miles from their **home** address. **Parents** chose this school as it offers several modern foreign languages (MFL) at GCSE. School 2 is 1.2 miles from the **home** address and would have been able to admit, but only offers one MFL. Child B is not eligible for free transport assistance to school 1 as school 2 could provide an education suitable to their age, ability and aptitude.

4. Compulsory school age

- 4.1 A child reaches **compulsory school age** on the prescribed day following their 5th birthday.

Prescribed days: 31 December, 31 March, 31 August

- 4.2 A child ceases to be of **compulsory school age** on the last Friday in June, in the **academic year** they reach age 16.
- 4.3 In Calderdale, transport assistance will be provided to children who are aged 4, attending Reception class, subject to eligibility. Transport assistance will also be provided to eligible 16 year old pupils who are completing Year 11.

5. Statutory walking distance

- 5.1 **Statutory walking distances** are used to determine eligibility for free transport assistance. If a child lives within the **statutory walking distance** and is not eligible for transport assistance under any other grounds set out in this policy, the **parent** is responsible for arranging their child's travel to and from school.
- 5.2 A child under the age of 8 is eligible for free transport assistance to their **nearest suitable school** if it is more than 2 miles from their **home**.
- 5.3 A child aged 8 years or over is eligible for free transport assistance to their **nearest school** if it is more than 3 miles from their **home**.
- 5.4 The route used for **distance calculations** will be the shortest route along which a child, **accompanied** as necessary, may **walk** in reasonable safety. This may not be the shortest **road route** and may include footpaths, bridleways and other pathways. *(See section 10 for more details on Distance Calculations).*

Child C is aged 6 and attends their **nearest suitable school** which is 2.3 miles from their **home**. Child C is eligible for transport assistance.

Child D is aged 7 and attends a primary school which is 2.6 miles from their **home**. There is another **suitable school** which is 1.2 miles from their **home**, with available places. Child D is not eligible for free transport assistance as they are not attending their **nearest suitable school**.

6. Journey times

- 6.1 As a general rule, the maximum journey time for a child of primary school age is 45 minutes each way and 75 minutes each way for a secondary school aged

child, including time taken to **walk** to any pick up point. There are exceptions to this (this is not an exhaustive list):

- a. A child may live in a rural or remote area
 - b. The named school within the **EHC plan** may be a long way from the **home**
 - c. Extended journeys due to traffic delays
 - d. Multiple children may travel on the same vehicle
- 6.2 Whilst shorter journeys for children with **SEN, disabilities** or **mobility problems** may be desirable, this may not always be possible. Where long journeys are unavoidable, the local authority will consider measures to minimise negative impacts on the child. This may include asking the **parent** or school for effective ways to keep the child calm or distracted when travelling or agreeing a suitable, enroute, pick up and drop off point with parent to minimise the journey time.

7. Ways in which free transport assistance may be provided

- 7.1 It is for the local authority to determine the type of transport assistance that is provided to an eligible child. This may be in the form of:
- a. A bus pass
 - b. Transport from a designated pick up point (specialist fleet vehicle or taxi)
 - c. Transport from the **home** address (specialist fleet vehicle or taxi)
- 7.2 Door to door transport assistance is not always necessary to meet the child's needs. The child may be expected to **walk** (provided they could do so in reasonable safety, **accompanied** by their **parent** where necessary) to a designated pick up point.
- 7.3 Legislation (508B of the Education Act 1996) permits local authorities to meet its duty to provide transport assistance in other ways, with **parental** consent. These may include:
- a. Providing a Personal Transport Budget (PTB) to enable **parent** to make their own travel arrangements
 - b. Reimburse bus tickets
 - c. Pay a cycling allowance to enable a child to cycle to school
 - d. Provide independent travel training, where it is appropriate to do so
 - e. Provide someone to escort the child (including when a child is **walking** or **wheeling** to and from school)
- 7.4 PTB's will be paid in arrears and the local authority will require receipts and evidence of school attendance, where a PTB has been agreed.
- 7.5 The local authority will arrange for the most cost effective provision to be put in place for an eligible child's transport to travel to and from school, taking into account any **special educational needs** the child may have.

- 7.6 To ensure arrangements are free of charge to the **parent** of an eligible child, travelling expenses (PTB) will be sufficient to cover the **parent's** journey **home** having taken them school. This means that four legs of the journey will be provided for (to incorporate the return journey from school to **home**). There may be exceptions to this, for example a **parent's** work place may be close to the school and the **parent** does not travel **home** after taking their child to school.
- 7.7 The local authority will not consider any retrospective personal transport budget claims.

8. Withdrawal of transport assistance

- 8.1 If transport assistance has been obtained by providing false information to the Council, it will be withdrawn immediately.
- 8.2 If transport assistance has been awarded in error, following the assessment of an application, and the error is identified prior to the start of an **academic year**, the **parent** will be notified that the offer is withdrawn and they will be given the right of appeal, or;
- 8.3 If transport assistance has already commenced, the child will retain their transport provision until the end of the term in which the error has been identified and **parent** notified.
- 8.4 For consistent inappropriate behaviour on transport provision which may cause safety and/or wellbeing concerns to the child, other passengers and/or staff members. *Please see section 11 relating to 'behaviour on school travel'.*
- 8.5 If there is a change of circumstances after transport assistance has been awarded e.g. change of **home** address or change in school, then eligibility for transport assistance will be re-assessed and withdrawn if ineligible.

9. Independent Travel Training

- 9.1 As part of Calderdale's statutory duty to promote sustainable travel, it has an Independent Travel Training Programme in place. The purpose of the programme is to promote independence for young people who perhaps may not normally be expected to travel independently.
- 9.2 The programme includes travel training for students with and without **special educational needs** and **disabilities**.
- 9.3 Potential independent travellers can be identified in a number of ways:-
- by the child's primary school prior to transitioning to secondary school
 - by the local authority when assessing an application for transport assistance
 - by the child's current school
 - by a **parent**

- 9.4 An initial meeting will be arranged for one of Calderdale's Independent Travel Trainer's to meet with **parent** and the young person. This will give the **parent** the opportunity to discuss any concerns they may have about the programme and for the Travel Trainer to carry out an initial assessment.
- 9.5 There is no set period for training as children learn at different rates. It may take one student 2 weeks to be able to travel safely on their own, but 6 weeks or more for another student.
- 9.6 If at any point during the training, the Travel Trainer determines that the young person is not suitable to continue with Independent Travel Training, it will cease immediately and the local authority will consider alternative transport arrangements for eligible children.
- 9.7 **Parental** consent is required for the local authority to carry out an initial assessment and commence Independent Travel Training with the young person.

10. Distance calculations

- 10.1 The distance will be calculated using the shortest **walking route** from the child's **home** to the school's designated gate or entrance. This needs to be a **safe walking route**, being one where a child may **walk** in reasonable safety, **accompanied** as necessary. Routes may include public footpaths and bridleways. A **safe walking route** is determined in line with Road Safety GB guidance.
- 10.2 Calderdale Council uses a geographical system, which measures distance to an accuracy of 1000th of a mile. This is based on Ordnance Survey data. *'Ordnance Survey (OS) is Great Britain's national mapping agency. It carries out the official surveying of GB, providing the most accurate and up-to-date geographic data, relied on by government, business and individuals'.*
- 10.3 To ensure that distances are calculated in a fair, transparent and consistent manner, no other **distance calculation** tool will be considered. This includes any distance calculators which are available online.
- 10.4 Distance calculations to a grammar school, will only be included in establishing the nearest school if a child has taken the relevant entrance exam, and been ranked high enough to have obtained a place at that school.

11. Behaviour on school travel (including SEND)

It is expected that all children travelling to school should do so in such a manner that does not endanger the safety and wellbeing of other people and themselves.

- 11.1 Unacceptable behaviour may include, but is not limited to:
- a. Being rude or abusive

- b. Any physical abuse (i.e. pushing, kicking, hitting, spitting)
 - c. Bullying
 - d. Refusing to wear a seatbelt or remaining seated
 - e. Distracting the driver
 - f. Causing damage to the vehicle or other passengers belongings
- 11.2 The local authority will work with schools to ensure that arrangements are in place to eliminate unacceptable behaviour. Schools have the power to sanction pupils for misbehaviour outside school premises, to an extent that is reasonable, which includes unacceptable behaviour which takes place on school transport provision.
- 11.3 The local authority will also work with operators who provide school service buses.
- 11.4 For those children with **special educational needs** and/or **disabilities**, their challenging behaviour may be part of their additional needs. The local authority will work with **parents** and schools to find positive ways to manage challenging behaviour. This may include travelling with toys or books for distraction purposes.
- 11.5 In the event that unacceptable or challenging behaviour for any child, becomes a risk to the safety or wellbeing of that child or others travelling, the local authority reserves the right to impose sanctions. This may be in the form of:
- a. Temporary suspension of transport provision
 - b. Permanent withdrawal of transport provision
 - c. Prosecution by the police
 - d. The requirement for **parent** to pay for any damage caused by their child
- 11.6 **Parents** will be notified in writing of any sanctions and will be given the opportunity to appeal the decision, in line with the *appeals process outlined in section 23*.
- 11.7 Where transport provision is withdrawn, the local authority will work with the **parent** and school to identify possible alternative travel arrangements.

12. Excluded Pupils

- 12.1 A pupil who has been permanently excluded from school will be eligible for free transport assistance, if they are attending their **nearest suitable and available school**, subject to the **statutory walking distances**.
- 12.2 Where a pupil is registered at a school but attends an alternative provision due to a temporary suspension (or managed move), they will be eligible for free transport assistance if it is the **nearest suitable and available school**, subject to the **statutory walking distances**.

13. Accompaniment

- 13.1 A child will not normally be eligible for free transport assistance from **home** to school, based on their **special educational needs, disability** or **mobility problems**, or on the grounds of an **unsafe walking route**, if they would be able to **walk** to school if they were **accompanied**.
- 13.2 If the local authority determines that a child would be able to **walk**, if **accompanied**, the general expectation is that the **parent** will **accompany** them or make other suitable arrangements for their child's journey to and from school.
- 13.3 The local authority will take into account reasons why a **parent** is unable to **accompany** their child or make other suitable arrangements. For example, if a **parent** had a physical **disability** and had good reasons for not being able to make other arrangements, free transport assistance may be considered. A **parent's** working pattern or caring responsibilities such as having another child at a different school, would not be good reason for a **parent** to not be able to **accompany** their child or make alternative arrangements. Many **parents** have work and caring commitments, and it is reasonable to expect **parents** to make suitable arrangements to fulfil their various responsibilities (for example their responsibilities as an employee and as a **parent**).
- 13.4 Where the local authority determines that a child could not reasonably be expected to **walk**, even if they were **accompanied** by their **parent**, they will be eligible for free transport assistance.
- 13.5 It remains the **parent's** responsibility to **accompany** their child (or ensure **accompaniment**) to and from any designated pick up or drop off point, and during the journey if required.

14. Home address (residing at more than one address)

- 14.1 The **home** address will be determined as the place where a child is habitually and normally resident and where child benefit is registered.
- 14.2 The local authority may consider providing **home to school transport** where there is shared care, and each address would qualify under the normal eligibility criteria, which includes **statutory walking distance** and attending their **nearest suitable school** (or one of 3 schools if **low income criteria** applies).
- 14.3 If both addresses qualify, the local authority may make arrangements for a proportionate payment to be made to each **parent**. The Council will not provide two separate transport methods e.g. a place on two school buses.

15. Change of address

- 15.1 If a child moves **home**, they will not normally be eligible for transport assistance if they do not qualify for assistance based on the new address. However, where a house move has occurred during Years 6, 10 or 11 of the child's education,

and the new address is still within the Metropolitan Borough of Calderdale, transport assistance will be provided, subject to the **statutory walking distances**. If the new address is outside the Borough of Calderdale, the local authority's (of the new address) Home to School Transport policy applies.

15.2 Evidence of the house move will be required.

16. Additional information (eligible children)

The following information applies to eligible students, regardless of whether or not they have any **special educational needs** (including those with an **EHCP**)

The local authority will make arrangements to enable a child to travel to school, at the beginning of the **school day** and to return them **home** at the end of the **school day**. Where particular classes, year groups or pupils have a different start or finish time that is different from most pupils at the school, the school may need to make alternative arrangements for these pupils (exceptional circumstances such as a medical condition preventing a pupil attending for whole **school day**, will be considered).

Transport arrangements will not made:

- 16.1 for children to travel between institutions during the **school day**;
- 16.2 to enable children to attend extra-curricular activities and other commitments outside school hours;
- 16.3 to facilitate a child's return **home** from school if a detention has been issued by the school
- 16.4 to facilitate a child's return **home** from school in the event they have to return **home** early (e.g. due to illness) if they are in a shared transport provision.
- 16.5 to enable a child to get to their before or after school childcare, whether it is formal (e.g. a childminder) or informal (e.g. a grandparent)
- 16.6 to enable a child to attend transition visits to a new provision
- 16.7 where suitable free travel is provided by someone else (e.g. school)
- 16.8 if a **parent** chooses to make their own arrangements for their child's travel to and from school
- 16.9 to a nursery setting, unless the child is of **compulsory school age** and is eligible for assistance
- 16.10 to facilitate personal circumstances, for example childcare or working commitments

17. Transport assistance for children with SEND

17.1 Not all children with **special educational needs** and **disabilities**, who are in receipt of an Education Health and Care Plan will be eligible for free transport assistance.

17.2 Eligibility criteria:

For a child to be eligible for free transport assistance:

- a. they must be attending their **nearest suitable school**, and
 - b. the school is above the **statutory walking distances** (i.e. over 2 miles for under 8 years of age and over 3 miles if over 8 years of age); or
 - c. a child could not reasonably be expected to **walk**, due to their **special educational needs, disability, or mobility problems**, even if **accompanied** by their **parent**; or
 - d. the nature of the route would mean that the child could not be expected to **walk** there in reasonable safety, even if **accompanied** by their **parent**; or
 - e. there is no alternative route, within the **statutory walking distance** that they would be able to **walk** in reasonable safety, even if **accompanied** by their **parent**.
- 17.3 The local authority will assess each child's application for free transport assistance, on a case by case basis. The assessment will take into account the child's physical ability to **walk** to school and any other health and safety issues relating to their needs. The assessment will also take into account if they were able to **walk**, if **accompanied** by a **parent**.
- 17.4 When determining eligibility, and whether the child is not able to **walk**, the local authority will consider the following (this is not an exhaustive list):
- a. Information provided by the **parent**
 - b. Information provided by professionals involved in the child's care (including consultants, educational psychologist, school)
 - c. Information contained within the child's **EHCP** or individual health care plan if one exists.
- 17.5 The local authority will request this information from the **parent**, where possible, avoiding requesting information not already in the **parent's** possession.
- 17.6 A child may be eligible for free transport assistance due to a temporary **mobility problem**. It may not always be practicable for the local authority to make travel arrangements if a child has recovered from a short term **mobility problem**.
- 17.7 A child may also be eligible for free transport assistance where the **home** to school distance is under the **statutory walking distance**, if the local authority deems it unreasonable to expect a child to **walk**, due to their **SEN** or **disability**, with **accompaniment**.

18. Children with EHC plans

- 18.1 The naming of a school in a child's **EHCP** is governed by section 39 of the Children and Families Act 2014. A **parent** has the right to request a particular school is named in the **EHCP** when the plan is first drawn up or an existing plan is amended. The local authority must name that school, unless it is unsuitable for the child's age, ability, aptitude or **special educational needs**, or it is incompatible with the efficient education of others or the efficient use of the local authority's resources. Travel costs and arrangements (for example the length of a journey) may also be relevant in the naming of the school.
- 18.2 The local authority will consult with the **parental preferred school** and also **nearer schools**. If a school closer to home than the **parent's preferred school** can meet the child's needs, transport provision will not be provided to the **preferred school**. The local authority service responsible for placing the child in school, will formally confirm this in writing to the **parent**, which may include a **caveat**, written into the child's **EHCP**.
- 18.3 Where naming **parental preference** would be unsuitable for the child or incompatible with the efficient education of others or the efficient use of resource, the local authority must name a different school which they think would be appropriate for the child.
- 18.4 If a **parent** would **prefer** their child to attend a school further away from their **home** than the **nearest school** that could meet their needs, the local authority will need to consider if travel costs would be an inefficient use of resources. This could be determined by the costs for travel arrangements to both the **parent's preferred school** and the **nearest school** that could meet needs. Educational benefits and other advantages that a school could offer will be considered against the additional cost of transport arrangements.
- 18.5 If the local authority determines that providing transport assistance to the **parent's preferred school** would be an inefficient use of resources, then it may:
 - a. Name a different school appropriate to meet the child's needs; or
 - b. Name the **parent's preferred school**, on the condition that the **parent** arranges the travel or provides some or all the cost of the travel. In this case, **parent** will be formally notified in writing or a **caveat** may be included in the **EHCP**.
- 18.6 If the **parent's preferred school** is named, and they are arranging or paying for their child's travel and the **parent's** circumstance subsequently changes and they are no longer able to arrange or pay for transport, the local authority may conduct a review of the **EHCP** to reconsider if naming the **parent's preferred school** remains incompatible with the efficient use of resources. If this is case, the **EHCP** may be amended to name a different school that would be appropriate to the child's needs.
- 18.7 Whilst transport provision is not normally included in an **EHCP**, a **caveat** may be included recording that **parent** is undertaking travel arrangements and

associated costs. The local authority may also issue a formal letter to **parent** confirming such arrangements.

Child E is aged 14 with a **disability**, requiring the use of crutches to **walk**. Time is needed for them to gain balance. They attend their **nearest school** which is 1 mile from their **home**. The local authority decides the young person could not reasonably be expected to **walk** to school. Child E is eligible for free transport assistance.

Child F is aged 11 with a long term medical condition being diagnosed. It takes a long time for them to recover from strenuous physical activity. They attend their **nearest suitable school** which is short **walk** from their **home**. Based on the information, the local authority decides that as it is only a short **walk**, they would not need a long time to recover. Child F is not eligible for free transport assistance.

Child G is aged 12 attending a secondary provision which is **parental preference** and is 14 miles from the **home** address. The local authority has identified a closer school, 2.5 miles from the **home**, which can meet needs. The local authority has named the **parent's preferred** school, but has formally notified the **parent** in writing, included a caveat within the **EHCP** or named both the **preferred** school and **nearest school** within the **EHCP**. Child G is not eligible for transport assistance.

Child H is aged 9 and has autism. They attend their **nearest suitable school** which is 2.5 miles from their **home** (under **statutory walking distance** of 3 miles). They have no sense of danger and need to be **accompanied**. As the route is on a very busy road and Child H acts unpredictably in noisy environments, the local authority determines that the **parent** would be unable to keep the child safe on the journey. Child H is eligible for free transport assistance to school.

Child I is aged 15 and is blind. They attend their **nearest suitable school** which is a short **walk** from their **home**. The local authority determines that they could reasonably be expected to **walk** if **accompanied**. Child I's parent is a single **parent** with a physical **disability** meaning they cannot **accompany** their child. The local authority considers the circumstances and deems that it is not reasonable to expect the **parent** to make alternative arrangements for their child's journey to and from school. Child I is provided with free transport assistance.

Child J is aged 14 and also blind. They attend their **nearest suitable school** which is a short **walk** from their **home**. The local authority determines that the child could **walk** if **accompanied** and **parent** has no good reason why they cannot **accompany** their child or make alternative arrangements for the journey to and from school. Child J is not eligible for free transport assistance.

19. Transport Assistance for Children without SEND

For children who require transport assistance to travel to and from school, who do not have **special educational needs** or a **disability**, applications must be made online at www.calderdale.gov.uk/hometoschooltransport

19.2 Eligibility criteria:

For a child to be eligible for free transport assistance:

- a. they must be attending their **nearest suitable and available school**, and
- b. the school is above the **statutory walking distance** (i.e. over 2 miles for under 8 years of age and over 3 miles if over 8 years of age); or
- c. the nature of the route would mean that the child could not be expected to **walk** there in reasonable safety, even if **accompanied** by their **parent**; or
- d. there is no alternative route, within the **statutory walking distance** that they would be able to **walk** in reasonable safety, even if **accompanied** by their **parent**.

20. Extended rights

20.1 Eligibility criteria:

For a child from a **low income** family to be eligible for free transport assistance, they must be:

- a. aged 8 or over (but under 11), attend their **nearest suitable school** and that school must be over 2 miles from the **home**; or
- b. aged 11-16 years, and attend one of their three **nearest suitable schools**, provided it is more than 2 miles, but not more than 6 miles from their **home** address; or
- c. aged 11-16 years, attend their **nearest suitable and available school** that is more than 2 miles, but less than 15 miles from their **home**, that the **parent** has chosen on the grounds of their religion or belief

- 20.2 If, during an **academic year**, a child ceases to be eligible for free school meals or a **parent** ceases to be in receipt of the maximum level of working tax credit, transport assistance will continue for the remainder of the **academic year**.

Child K is aged 11 and eligible for free school meals. The **nearest suitable school** is 2.5 miles from their **home**. The second **nearest suitable school** is 3 miles and the third is 5 miles. Child K is eligible for free transport assistance to any of these schools.

Child L is aged 11 and eligible for free school meals. The distances to the three **nearest suitable schools** from the **home** address are (a) 1.5 miles, (b) 2.2 miles and (c) 5.5 miles. Child L is eligible for free transport assistance to schools (b) and (c), but not to school (a).

Child M is aged 13 and is eligible for free school meals. The family are catholic and wish for child M to receive their education at a catholic provision. The school is 8 miles from the **home** and no other catholic provision is nearer. Child M is eligible for free transport assistance.

Child N is aged 11 and is not eligible for free school meals. **Parental first preference** was to a school 4.2 miles from the **home** address. The **nearest school** is 3.7 miles, which is undersubscribed and a place would have been offered, but **parent** did not apply for this school. Child N is not eligible for transport assistance to the **preferred** school (4.2 miles) as the **nearer school** has available places.

Child O is aged 11 and attends the second **nearest secondary school** to their **home**, which is 4.2 miles away. The **nearest school** is 3.7 miles from the **home** address. The **parent** applied, but Child O was not offered a place as the school was oversubscribed. Child O is eligible for free transport assistance as the **nearest school** was not available.

Child P is aged 12 attending their **nearest school**. It is 1.8 miles from their **home** but the only **walking route** is along a busy road with no footpaths or step-off points. The local authority determines the child could not **walk** the route in reasonable safety even if **accompanied**. Child P is eligible for transport assistance.

21. Transport arrangements for Children Looked After

- 21.1 Calderdale Council acknowledges that Children Looked After (CLA), those children in public care, are amongst the most vulnerable and disadvantaged groups. Calderdale Council is fully committed to its role as Corporate **Parent** to children looked after.
- 21.2 Subject to paragraph 21.3, the eligibility criteria within this policy still applies to Children Looked After. A CLA will need to be attending their **nearest suitable school** within 2 miles if they are under 8 years of age, and 3 miles if over 8 years of age.
- 21.3 Schools judged by Ofsted to be 'good' or 'outstanding' should be prioritised when seeking a place for looked-after children in need of a new school. Unless there are exceptional evidence-based reasons, looked-after children should never be placed in a school judged by Ofsted to be 'inadequate'. When consideration is given to schools judged 'Requiring Improvement', The Council should have evidence that the school is providing high quality support to its vulnerable pupils and will enable a looked-after child to make maximum progress before placing them in that school.

- 21.4 Transport awards may be considered for CLA, where the child is not normally eligible for free transport assistance (for example a Calderdale CLA residing in another local authority area). These will be considered on a discretionary, case by case basis.

22. Religion or belief

- 22.1 Section 509D of the Education Act 1996 requires local authorities to have regard to any wish of a **parent** to have their child educated at a school based on their religion or belief, when exercising their school travel duties. This does not mean local authorities must arrange travel to a school with a designated religious character for a child who **parents** have chosen it on the grounds of their religion or belief.
- 22.2 Any requests for free transport assistance on the grounds of religion or belief (other than those considered under **extended rights**), will be considered on a case-by-case basis as part of the appeals process.
- 22.3 Beliefs which are not included in the duty are:
- a. A wish for a child to attend a particular type of school (i.e., grammar or same sex school)
 - b. **Preference** for a particular type of governance or management
 - c. A belief that a child should be educated privately
 - d. A wish for a child to attend a school where they would be taught in a specific language
 - e. Objection to rules relating to school uniforms
 - f. Content of school curriculum (i.e., sex education)
- 22.4 Evidence will be required to demonstrate belief, for example a baptismal certificate.

21. Appeals process

If a **parent** has been refused transport assistance or is not satisfied with the transport provision that has been offered for an eligible child, they have the right to an appeal.

Within 20 working days of the refusal, the **parent** must submit their appeal in writing.

- 23.1 **Stage 1 appeal.** The Service Manager (or the delegated Officer) will review the **parent's** appeal within 20 working days. The **parent** will be notified of the outcome in writing.
- 23.2 Within 20 working days, the **parent** will submit a **Stage 2 appeal**, if they remain unsatisfied with the outcome of their Stage 1 appeal.
- 23.3 **Stage 2 appeal.** This is a review of the appeal by an Independent Appeals Panel. The panel will have had no involvement in any prior decision making of

the transport application and will consider written and oral representations from the **parent**, by means of an appeal hearing. A Stage 2 appeal hearing must be arranged within 40 days of the Stage 2 appeal being submitted by **parent**.

- 23.4 Within 5 working days of reaching their decision, the Independent Appeal Panel will notify the **parent** of the outcome in writing. This decision is binding on both parties (i.e. **parent** and the local authority).
- 23.5 If the **parent** feels there has been a process error in dealing with their appeal, they may make a complaint to the Local Government and Social Care Ombudsman (LGSCO). Alternatively, the **parent** may request a judicial review, if they believe the refusal of travel assistance is flawed on public law grounds.

22. Contact information

If you wish to apply for, or have a query relating to a zero fare bus pass:-

Email: FreeTravel@westyorks-ca.gov.uk; or

Phone: 0113 3481122

For any other transport assistance related enquiry:-

Email: transport@calderdale.gov.uk; or

Phone: 01422 393532

23. Glossary

Academic year	Period commencing 1 August and ending the following 31 st July
Accompaniment	Walking distances calculated are based on the shortest route along which a child, accompanied as necessary, may walk in reasonable safety.
Compulsory school age	A child reaches compulsory school age on the prescribed day following their 5 th birthday. <i>Prescribed days: 31 December, 31 March, 31 August</i> A child ceases to be of compulsory school age on the last Friday in June, in the academic year they reach age 16
Dedicated transport	Refers to transport provision provided solely for children and young people to travel to and from their education provision
Disability	A person is deemed as having a disability if they have a physical or mental impairment and this has a substantial or long term effect on their ability to carry out normal day to day activities.
Distance calculation	The local authority uses a Geographical Information System, which measures distance accurately to 1000 th of a mile. To ensure consistency and fairness to all applications and assessments, no other measuring tool will be considered. Distances are calculated from the home to school address, by

	means of a safe walking route . This may include public footpaths and bridleways.
Education health & care plan (EHCP)	An EHCP details education and health and social care support that is to be provided to a child or young person, who has special educational needs or a disability . An EHCP is drawn up by a local authority, following a needs assessment, in consultation with relevant partner agencies. Travel costs may in exceptional circumstances be provided as part of the Personal Budget, which will be agreed as part of the EHCP and recorded in section J of the plan.
EHCP Transport Caveat	The named school is in line with the parental preference under section 39 of the Children and Families Act 2014, which Calderdale Council accepts is a suitable school. However, it is not the nearest suitable school and therefore to fund transport to the named school would constitute an inefficient use of the council's resources. Consequently, Calderdale Council has agreed to name this school only on the express condition that the parent/s accept and continue to accept liability for arranging and funding transport to/from school. If for any reason they are no longer willing or able to do so then the child will be expected to transfer to the nearest suitable school , in line with relevant EHCP review and transition processes
Home	Defined as the place where a child is habitually and normally resident. If parents do not live together, and the child spends part of the week with each parent , there is no expectation that the local authority will provide assistance to both addresses
Home to school transport	This refers to the transport provision put in place by the local authority. Travel arrangements will be from the child's home address (or designated pick up point) to the educational provision where the child is registered. Transport assistance to alternative provisions will not be provided.
Low income criteria (Extended rights)	Any child who is registered for Free School Meals or a parent who is in receipt of the maximum level of working tax credits (or the Universal Credit equivalent, where the income of the parent is less than £7400)
Mobility problem	A physical impairment that impacts a child's ability to walk to school
Nearest suitable/available school	This refers to a school/provision where education is provided according to the child's age, aptitude, ability and faith. It must be a ' qualifying school ' which can be within or outside the Calderdale boundary. It must also be an available school , eg able to admit the child at the point when school places are offered during the normal admissions round or have a place available at the time of application, for transport assistance if outside the normal round of admissions . If a school is not available, the next nearest available school would be considered the nearest suitable .

Normal Admission Rounds – Offer date	<ul style="list-style-type: none"> • Secondary School, national offer day is 1 March (or next working day) • Primary School, national offer day is 16 April (or next working day)
Parent	Within this policy, parent includes birth, adoptive and foster parents , carers or legal guardians with parental responsibility. It also includes the local authority in it's capacity as Corporate Parent for Children Looked After
Parental Preference (preferred)	This refers to a parent's preferred school, which is not necessarily the nearest suitable school to their home address. Transport assistance would not be provided to a school which is parental preference unless the child was eligible for transport assistance on other grounds, for example extended rights .
Qualifying schools	<ul style="list-style-type: none"> • Community, foundation, voluntary aided or voluntary controlled schools; • Academies (including free school, university technical colleges, studio schools, special schools and alternative provision academies); • Community or foundation specials schools; • Non-maintained special schools; • Independent special school (if named in EHCP) • Pupil referral units; • Maintained nursery school (if the child is of compulsory school age) • City technology colleges and city colleges for the technology of the arts <p>NB. 'Alternative Provision' that is not an academy, and not named on an EHCP is not a qualifying school</p>
Road route	Passable by a motor vehicle. A road route will be used for calculating distances between 6-15 miles for any transport assistance based on religion or belief, for those families on low income.
Safe walking route	A route in which a child could be expected to walk in reasonable safety, accompanied as necessary. Route assessments are carried out in line with Road Safety GB guidance
School day	The expectation is the local authority will arrange for travel provision, for eligible students, to enable them to attend for the 'normal' school day . Start and finish times of the 'normal' school day are set by the governing body/academy trust of the school.
Special educational needs (SEN)	This includes a child who has a learning difficulty or disability which calls for special educational provision to be made for them
Statutory walking distance	For those children who do not qualify for assistance under low income criteria , they will need to travelling more than 2 miles to their nearest suitable available school if under 8 years of

	age, or more than 3 miles to their nearest suitable available school if over 8 years of age.
Walk	Literal meaning. A child could not be considered able to walk to school if they need to travel in a wheelchair, for example
Walking route	Where distances are calculated using a walking route , it is not an expectation that a child will actually walk to school. It is a method for consistent measuring.

PROPOSAL