



Leicester
City Council

Leicester City Council

Mainstream Home to School Transport Policy

General Enquiries

Enquiries and specific requests should initially be addressed to:

Email: education.transport@leicester.gov.uk

Telephone: 0116 4541009, Option 2

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Introduction

The Education Act 1996 sets out the categories of compulsory school age pupils who are eligible for free school transport. The council's policy is to provide free school transport (referred to in the Act as "travel assistance") to these categories of eligible pupils in accordance with its legal obligations, but not otherwise. An application must be made to the council on behalf of the child for eligibility to be assessed.

Free transport is usually provided through the issue of a bus pass to be used on commercial routes.

In circumstances where a parent/carer chooses to send their child to a school that is not the nearest qualifying school, the parent/carer will be responsible for the full cost of transport.

Issuing a bus pass does not remove the responsibility of the parent/carer to ensure that their child arrives at school safely and on time. Even where transport is provided by the council, the parent/carer remains responsible for the behaviour of their child when travelling to and from school.

Parents/carers & pupils covered by this policy

This policy applies to pupils of compulsory school age and their parents or carers who are resident within Leicester City.

A separate policy applies to pupils with special educational needs, as set out in their Education Health and Care Plans.

Eligibility criteria for pupils of compulsory school age

Free transport will be provided to a pupil if he or she attends the nearest qualifying school (see definitions) to their home address, where the distance from home to school is more than two miles for children aged under eight years old or three miles for those aged eight years old and over. The two mile and three-mile distances are measured using the shortest safe walking route.

Where a pupil chooses a school place more than the shortest safe walking distance because of parental choice, then no assistance will be provided.

Unsafe walking route

In circumstances where pupils are attending their catchment area or nearest qualifying school and where the walking route to school is less than the distances set out above but is assessed by the council as unsafe to walk (see definitions), the council will provide free transport.

Change of address – students in Year 11 only

For a pupil who changes address while in Year 11, transport will be provided free of charge to allow continued attendance at the same school if the following criteria apply:

- The student has already begun an examination course; and
- The walking distance from the new home to the school boundary is more than 3 miles but less than 15 miles; and
- The pupil is attending their catchment area school or the nearest available school to their old address.

Eligibility criteria for low income families

In addition to the eligibility criteria set out in Section 3 above, pupils from low income families may qualify for free transport as follows:

Primary school low income criteria

Pupils aged 8 to 11 years inclusive who are entitled to free school meals, or whose parent/carer is in receipt of the maximum level of Working Tax Credit, will receive free transport to their nearest qualifying school if they live more than two miles from that school, measured by the shortest safe walking route.

You can check your entitlement for free school meals here: [Free school meals \(leicester.gov.uk\)](http://leicester.gov.uk)

Secondary school low income criteria

Pupils aged 11 to 16 inclusive who are entitled to free school meals, or whose parent/carer is in receipt of the maximum level of Working Tax Credit, or income related universal credit will receive free transport to one of the three nearest qualifying schools to their home address which are over two miles (measured by the shortest safe walking route) and less than six miles (measured by the shortest road route).

Transport under grounds of religion or belief

The council does not provide any discretionary transport to voluntary aided or faith schools. Free transport is only provided to pupils aged 11-16 who meet the low income criteria and who are attending the nearest school preferred on the grounds of religion or belief with a place available, provided they live between 2 miles (measured by the shortest safe walking route) and 15 miles (measured by the shortest road route) from the school.

Evidence of low-income criteria

Parents/carers applying under the low-income criteria may be required to produce evidence that they receive the maximum level of Working Tax Credit to support their application.

Annual checks of entitlement will be made, so proof may be requested each year. If acceptable proof of benefit is not received upon request, then the transport assistance will be withdrawn with immediate effect.

Medical cases & temporary disability

In circumstances where the child is not able to walk to school or use public transport (when allocated with a free bus pass) as a result of an accident, planned surgery or an illness which results in a temporary disability, the council will consider a request for assistance with transport.

The parent/carer will be required to complete an application to explain why their child has a special transport need. This should be submitted to the Special Education Service by emailing SES-Admin@leicester.gov.uk They will also be required to provide evidence from an appropriate professional to support their application.

Specialist transport will be provided for a limited period based on the medical information available. The need for transport should be reviewed every six weeks and any request to continue transport will need to be supported by updated medical information.

Further information on transport on these grounds can be found in the document, "Home to School Transport for Children with Special Educational Needs, Disability or Mobility needs."

Parent or carer with a disability

The following criterion applies to children of statutory school age who have a parent or carer with a permanent or temporary disability. Where the council relies on a parent/carer accompanying a pupil along a walking route for it to be considered safe or to accompany a pupil between home and a picking up or setting down point but the parent or carers disability prevents them from doing so, then the council may provide free transport as a "reasonable adjustment" under the terms of the Disability Discrimination Act 2005.

The parent/carer will be required to complete an application to explain why their child has a special transport need. This should be submitted to the Special Education Service by emailing SES-Admin@leicester.gov.uk They will also be required to provide evidence from an appropriate professional to support their application.

Pupils living in temporary accommodation

Pupils from families which have to move into temporary accommodation for reasons outside their control will be able to apply for discretionary travel assistance to any city school which is over 2 miles from home, within Leicester City and accessible using the public transport network.

Reasons outside of parental control may include moving during emergency housing repair or movement to a women's refuge. Assistance is not provided where parents/carers go abroad for extended periods.

Transport to work experience and linked school/college placements

It is the responsibility of the pupil's parent/carer or their school to plan for any transport required for work experience placements and to enable pupils to attend a part-time placement at another school or college.

When free transport is provided by the council, it is only provided to and from the school at which the young person is in attendance.

Transport for transition days

It is the responsibility of the pupil's parent/carer or their existing school to plan for any transport required to support attendance at transition days.

Retrospective claims

The council will only meet the cost of transport that has been authorised in advance according to the published criteria. Retrospective applications to meet the cost of transport arranged by the parent/carer will be refused.

Errors

Where a pupil has been assessed as eligible for free or assisted transport in error, the provision will be withdrawn at the end of the term in which the error is brought to the attention of the parent/carer

Exceptional circumstances

In exceptional unforeseen circumstances (e.g. a house fire) and for a short period, consideration may be given to individual exceptional requests for transport assistance. Requests should be made in writing and supported with appropriate professional documentation. Each case will be considered on its merits by the Head of Service, School Organisation and Assets.

The following circumstances are not on their own likely to be regarded as exceptional:

- Single parent families.
- Temporary fragmentation of the family.
- Families in receipt of state benefit or re-housed families.
- Children in the same family attending different schools.
- Families moving to a new house who wish for their child to remain at their existing school.

Any temporary assistance that is provided will be subject to a review every 6 weeks to establish if support is still required.

How to apply for transport

Parents/carer should complete the 'under 16 free transport' form. This can be found online at [Free bus pass to school \(leicester.gov.uk\)](https://www.leicester.gov.uk/free-bus-pass-to-school/)

All applications will be processed as quickly as possible. However, no travel costs incurred whilst waiting for a decision on Home to School Transport will be reimbursed.

Replacement passes

If a pass has been lost, stolen, damaged or confiscated, please contact the team to arrange a replacement:

Telephone: 0116 454 1009 (option 2)

Email:

Please note a replacement fee will be required. Any costs incurred whilst waiting for a replacement pass are non-refundable.

Appeals

An appeal process is available to parents who wish to challenge a decision about:

- The transport arrangements offered
- Their child's eligibility
- The distance measurement in relation to statutory walking distances
- The safety of the route

Stage one: review by a senior officer

A parent/carer has 20 working days from the receipt of the local authority's home to school transport decision to make an appeal. The parent/carer should outline in writing the reason for their appeal and send this to the education transport team.

Within 20 working days of receipt of the appeal, a senior officer will review the original decision and send the parents/carer notification of the outcome of their review.

Appeals can be emailed to: education.transport@leicester.gov.uk

Or posted to:

Mainstream School Transport,
Halford House,
91 Charles Street,
Leicester,
LE1 1HL

Stage two: review by an independent appeal panel

A parent has 20 working days from receipt of the local authority's stage one decision to make a written request to escalate the matter to stage two.

Within 40 working days of receipt of the parent's request, an independent appeal panel will consider representations from both the parent and officers involved in the case and give a detailed written notification of the outcome within a further 5 working days.

The appeal panel members will be independent of the original decision making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the local authority), to ensure a balance is achieved between meeting the needs of the parents and the local authority, and that road safety requirements are complied with and no child is placed at unnecessary risk.

Parents/carers are not required to attend the appeal in person, as their written representation will be considered by the panel.

Successful appeals

If an appeal for transport is successful at either stage, or a decision is taken to provide transport as an exception to the home to school transport policy, the decision will only apply to the student in question.

Transport costs incurred by the family between the initial decision and the outcome of the appeal will not be reimbursed.

Unsuccessful stage two appeals

Where a parent believes the local authority has failed to comply with the procedural rules or if there are any other irregularities in the way the appeal was handled, they have the right to complain to the Local Government Ombudsman, the Local Government Ombudsman can be contacted for help and advice on or 0300 061 0614.

Travel arrangements for students aged 16-19

The council does not provide discretionary transport to young people over statutory school age i.e. in school years 12, 13 or 14. When available, students may choose to purchase a bus pass via the Local Authority if they wish, subject to any published qualifying criteria. Further details are available in the Post-16 Transport Policy Statement, which is published annually on the council's website.

Definitions

Compulsory school age

For the purpose of this policy, pupils will be assessed for free transport if an application has been made to the council and they are attending a primary school in the reception year (foundation two) through to the end of Year 11 in a secondary school. The council does not provide transport to enable children to attend a nursery school/early year setting in foundation one- or lower-year groups as this is not compulsory education.

Nearest Qualifying School

The "nearest qualifying school" is defined as a school that:

- Is maintained by the council (“state schools”), a pupil referral unit, or a non-maintained special school, an Academy, or a Free School. This includes community, voluntary aided, voluntary controlled, foundation and trust schools.
- Had a space available at the time the Admissions application was originally made.
- Is appropriate for the pupil’s age, ability and aptitude (including any special needs) and takes into account the impact upon parents on low income i.e. who are receiving the maximum level of Working Tax Credit, universal credit or whose children qualify for free school meals who have expressed a preference for a particular school because of their religious or philosophical beliefs.
- Represents an efficient use of the local authority’s resources.

Home address

This is the address where the pupil resides with their parent or carer during the school week. In circumstances where the pupil resides at more than one address during the week, the address that must be used in the application for free transport is the address of the person who receives the child benefit. A bus pass issued by the council will allow the pupil to travel on a designated route at the start and end of the school day during term time only.

Shortest safe walking route

When considering if a route is a safe walking route, it is assumed that the pupil is accompanied by a responsible adult where necessary. Pupils are expected to travel by the shortest available route, which can include the use of public footpaths.