

# Southampton City Council School Travel Service Policy for Children of Compulsory School Age 2025-2026



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School Travel Service Policy for Children of Compulsory School Age 2024-2025			
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## Introduction

- I. This policy sets out Southampton City Council's approach to the operation of the School Travel Service in Southampton in relation to arrangements for travel to school for eligible children, and its discretionary power to arrange travel for other children, of compulsory school age. It sets out the Southampton City Council's statutory requirements along with local policy, including its duties in relation to the promotion of sustainable travel to school.
- II. The legal responsibility for ensuring a child's attendance at school rests with the child's parent or carer who are generally expected to provide travel arrangements for their child/children to travel to and from school.
- III. The purpose of this policy is to set out the framework within which Southampton City Council will deliver its statutory responsibilities to provide travel support for eligible children under the Education Acts 1996 and 2011, and the Equality Act 2010 to ensure no child of compulsory school age is prevented from accessing education by a lack of travel support or the cost of travel.
- IV. This policy applies to children whose permanent home address is within the administrative boundaries of Southampton City Council. Children studying in but not resident in Southampton should refer to the relevant travel and transport policies issued by the local authority in their resident area.

## Legislative Context and other Related Documents

- V. This policy takes into consideration how Southampton City Council will deliver its statutory duties to provide travel support as set out in the Education Acts, which outline the categories of children of compulsory school age (age 5-16) who are eligible for local authority funded travel support.
- VI. This policy fulfils the requirements of Section 509 of the Education Act 1996 as amended by the Education Act 2002 and the Apprenticeships, Skills, Children and Learnings Act 2009 in relation to post-16 learners.
- VII. This policy takes into consideration the School Information (England) Regulations 2008: publication of information about travel arrangements.
- VIII. This policy takes into consideration the requirements of the Equality Act 2010.
- IX. This policy also reflects the requirements set out in:
  - The Department for Education's travel to school for children of compulsory school age statutory guidance for local authorities, January 2024.
  - Part 5 of the Transport Act 1985.

## **1. Travel Support (Early Years – Age 16)**

### **Early Years Travel Support**

- 1.1. There is no legal entitlement to travel support to and from a nursery, school or early years provision setting for children below compulsory school age.
- 1.2. In most cases, travel support will not be provided under this policy for children travelling to nurseries or other early years settings who are below compulsory school age.
- 1.3. Children attending specialist early years provision with an Education Health and Care Plan (EHCP) or through agreement for an Education Health and Care assessment, will be considered for travel support on a case-by-case basis.
- 1.4. Where travel support is agreed by Southampton City Council, consideration will be given as to whether the parent or carer can be expected (where reasonable and appropriate) to accompany their child/children whilst they are travelling and for the parent or carer to make arrangements for their own return journeys.

### **Compulsory School Age (Primary and Secondary)**

- 1.5. Southampton City Council has a duty under the Education Acts 1996 and 2011 to provide free of charge travel support for 'eligible children' of compulsory school age.
- 1.6. Children aged under the age of 5 attending school in a Reception class will be considered to be of compulsory school age for the purpose of this policy and therefore qualify for travel support if they meet the eligibility criteria set out below.
- 1.7. Children of compulsory school age attending the nearest suitable school are eligible for free of charge travel support where the nearest suitable school is:
  - A distance of more than 2 miles from their home if the child is below the age of 8.
  - A distance of more than 3 miles from their home if the child is over the age of 8.
- 1.8. Children will be eligible for travel support under 'extended rights' where the child is entitled to free school meals, or a parent or carer with whom they live are in receipt of the maximum level of Working Tax Credit or Universal Credit (with an earned income of no more than £7,400) and they are:
  - aged 8 or over but under 11, attend their nearest suitable school and it is more than 2 miles from their home; or
  - aged 11 to 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; or
  - aged 11 to 16 years, attend a school that is more than 2 but not more than 15 miles from their home that their parents or carers have chosen on the grounds of their religion or belief if, having regard to that religion or belief, there is no suitable school nearer to their home.
- 1.9. Travel support will be provided if the nearest suitable school is measured as being nearer than the eligibility distance, but the child cannot be reasonably expected to walk (even if accompanied by a parent or carer) because the nature of the route is assessed to be unsafe to walk, and there is no alternative route within the compulsory walking distance that they would be able to walk in reasonable safety, as agreed by Southampton City Council. To assess whether a route can be walked in reasonable safety, Southampton City Council will consider the whole route, including, for example, any sections that use footpaths or bridleways, as well as sections that use roads. For example, this will consider a range of risks such as whether routes have crossing controls or the speed of traffic.

- 1.10. Assessment for travel support will be determined once a school place has been allocated by Southampton City Council to the nearest suitable school. Where a child's nearest suitable school is oversubscribed and unable to offer them a place, the nearest school with places available is their nearest suitable school for school travel purposes.
- 1.11. Where a child is not attending their designated catchment or nearest suitable school due to parental or carer choice, and does not meet the extended rights criteria, they will not normally be entitled to travel support.
- 1.12. For some children living within the Southampton City boundary, their nearest suitable school may be situated outside of the Southampton City boundary. Southampton City Council will consider travel support to a neighbouring local authority school if it is the nearest suitable school to the child's home address.
- 1.13. Children who are not eligible for travel support under the eligibility set out in this section may qualify under the 'Exceptional Circumstances Criteria' (**see Section 3** of this policy).

#### **Parents or Carers with a Disability**

- 1.14. Where a child lives within walking distance of the nearest suitable school (or designated school if it is not the nearest) but the route to school relies on a parent or carer with a disability accompanying that child for it to be considered safe, and the parent or carer's disability prevents them from doing so, the child may be eligible for travel support. This will be determined by Southampton City Council on a case-by-case basis and will require medical evidence of the parent or carer's disability.

#### **Special Educational Needs, Disabilities and Limited Mobility**

- 1.15. Southampton City Council will consider the provision of travel support to and from the nearest suitable school on a case-by-case basis, based on the needs of children of compulsory school age who cannot be reasonably expected to walk to school or travel independently due to their Special Educational Need and/or Disability (SEND) or limited mobility, even if they were accompanied.
- 1.16. Information that Southampton City Council may take into account when assessing a child's eligibility may include (but not restricted to) the following:
- Information provided by the parent or carer.
  - Information provided by any professional involved in the child's care, for example, an educational psychologist or hospital consultant.
  - Information provided by the child's school.
  - Any relevant information in the child's EHCP if they have one.
  - Any relevant information in the child's individual healthcare plan if they have one.
  - Any other relevant information or documentation needed to assess eligibility.
- 1.17. Travel support will be provided to and from a child's nearest suitable school. The nearest suitable school will be set out in a child's EHCP, taking into consideration the age, ability and aptitude of the child (including any SEND requirements). Children with an EHCP will be assessed on an individual basis and travel support will be provided where appropriate, based on a child's level of need, and will be reviewed in line with the statutory review process. Travel support is therefore subject to change, based on the outcome of subsequent reviews.
- 1.18. Not every child with an EHCP or who attends a special school will be eligible for free travel to school.

- 1.19. Children without an EHCP will be assessed for travel support to their nearest suitable school.
- 1.20. When a parent or carer makes a choice for a school that Southampton City Council does not assess to be the nearest suitable school at the time of the offer, travel support will not be provided. Where this is the case, the parent or carer's preferred school will be recorded in a child's EHCP on the condition that the parent or carer arranges or pays for the travel. If the parent or carer's circumstances subsequently change and they are no longer able to arrange or pay for their child's travel, the EHCP may be reviewed to reconsider whether naming the parent or carer's preferred school is incompatible with the efficient use of resources and may amend the EHCP to a different school that would be appropriate for the child's needs.
- 1.21. The appropriate travel support will be determined by Southampton City Council, taking into consideration information from the parent or carer, information and advice from relevant professionals, and any information that is recorded in a child's EHCP and Annual Review. Further details about how appropriate travel support will be determined are set out in Section 3 of this policy.

### **Independent Travel Training (ITT)**

- 1.22. Southampton City Council is committed to sustainable travel, and if travel support is agreed, it will be provided via the most cost-effective suitable method as assessed by the Southampton City Council School Travel Service. Further information regarding the method of travel support is detailed in **Section 3** of this policy.
- 1.23. All children eligible for travel support from year 5 will be considered, and where appropriate, assessed for Independent Travel Training (ITT). Further details about how appropriate travel support will be determined are set out in **Section 3** of this policy.
- 1.24. All children in years 5 and 6 and of secondary school age already in receipt of travel support and that have an Education Health and Care Plan (EHCP) will be routinely considered whether they are suitable for ITT.
- 1.25. For children below year 5 or in years 5 and 6, where it is deemed a suitable form of travel support, ITT may be offered to a parent or carer and their child to support independence and sustainable travel.
- 1.26. If Southampton City Council determines that ITT is the most suitable form of travel support, a Travel Trainer will work with the child (and parent or carer where applicable) to build their confidence and ability to travel independently.
- 1.27. ITT for pupils with SEND or limited mobility is tailored, and practical help is provided to support travel by public transport, on foot or by bike.
- 1.28. Further information on independent travel training is available at:  
**<https://myjourneysouthampton.com/education/independent-travel-training/>**.

## **2. Exceptional Circumstances Criteria**

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## **Discretionary Travel Support and Exceptional Circumstances Travel Support**

- 2.1. Children who do not meet the criteria for statutory travel support may be eligible for help under Southampton City Council's discretionary power that considers exceptional circumstances.
- 2.2. Southampton City Council recognises that travel support to and from school can have a positive impact on some vulnerable children and may provide travel support to children who do not meet the qualifying criteria for support set out in this policy.
- 2.3. Applications for travel support under the exceptional circumstances criteria will be assessed by a panel of Southampton City Council Officers from the SEND team and the School Travel Service on a case-by-case basis, taking into consideration the individual circumstances and the impact travel support will have on the educational outcomes of the child.
- 2.4. Discretionary travel may be provided in either direction between the child's home and their school, or both. Where a taxi, minibus or wheelchair accessible vehicle is offered as the travel support option, a reasonable contribution towards the cost may be required. This may apply, for example, where travel support is agreed for a 4-year-old attending reception classes if they will be eligible for free travel when they reach compulsory school age.
- 2.5. Where the parent or carer is in receipt of the maximum level of Working Tax Credit or Universal Credit or maximum Pension Credit (with an earned income of no more than £7,400pa), the contribution will be 25% of the full contribution per year.
- 2.6. The contribution per year for a child towards vehicle transport is based on the distance from the child's home to their school as follows:
  - Tier 1 – 0-5 miles: £500 (means tested - £125)
  - Tier 2 – 5-8 miles: £1,000 (means tested - £250)
  - Tier 3 – 9+ miles: £1,500 (means tested - £375)
- 2.7. Southampton City Council will consider any application for travel support for children of compulsory school age on the grounds of exceptional circumstances on a case-by-case basis.
- 2.8. The following factors will be taken into consideration when assessing applications for travel support under the criteria for exceptional circumstances. The list is not exhaustive, applications are not limited to these factors, and applications relating to these factors will not be automatically awarded travel support.
  - The educational outcomes of the child.
  - The health and wellbeing of the child, parent or carer and other family members.
  - Duties under the Equalities Act 2010.
  - Health and safety risks to the child or others that may apply if they travel to school without support.
  - Extraordinary circumstances that arise from a parent or carer's work or caring commitments.
  - Extraordinary circumstances that arise in relation to a child's parental or care duties.
  - A special need or medical condition that may prevent the child from walking to school or using public transport.
  - A special need or medical condition that may prevent parents or carers from being able to accompany the child, and it is reasonable to expect that the child requires accompaniment.

- 2.9. Southampton City Council will not usually consider matters such as the parent or carer's working pattern, the cost to the parent or carer of public transport, or the fact that the parent or carer has children attending more than one school, on their own, to be exceptional circumstances, however, Southampton City Council will consider factors where travel support to and from school for some vulnerable children will have a positive impact.
- 2.10. In exceptional circumstances where working patterns affect a parent or carer's ability to take their children to and from school and Southampton City Council considers that it will negatively impact a vulnerable child, written evidence from their employer will be requested before a decision about travel support is made.
- 2.11. The period for which travel support is awarded under the exceptional circumstances criteria will be dependent on the individual circumstances of the child and may be for a fixed time period, or ongoing with an agreed review frequency.

### **Children with Medical Conditions**

- 2.12. Travel support for a child may be provided within the minimum walking distances where written evidence from a GP or hospital consultant (or other appropriate independent professional) is provided stating:
- What medical or mental health conditions the child has and how this affects their ability to walk to and from school.
  - The child cannot walk the given distance to and from school.
  - How long the situation is likely to last.

### **Parent or Carer with Medical Conditions**

- 2.13. Travel support may be provided within the minimum walking distances where written evidence is provided from a GP or hospital consultant (or other appropriate independent professional) confirming that the parent or carer cannot accompany their child to and from school. Written evidence provided must include:
- What medical or mental health condition the parent or carer has where they are the only adult responsible for taking the child to and from school, and how this affects their ability to accompany the child to and from school.
  - Confirmation that the only parent or carer responsible for taking a child or student to school cannot walk the distance to and from school.
  - How long the situation is likely to last.

### **Decelerated Children**

- 2.14. Where a child is decelerated before school year 11, an exceptional school travel support application can be made where the child has previously, until age 16 years, been eligible for travel support.

### **3. Additional Information**

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### Applying for Travel Support

- 3.1. Parents and carers who wish to apply for travel support for their child can do so by completing Southampton City Council's School Travel Service form, details of which can be found at: <https://www.southampton.gov.uk/schools-learning/in-school/school-travel-support/>, or alternatively, a paper copy can be obtained by writing to the Southampton City Council at **School Travel Service, Civic Centre, Southampton. SO14 7LY** or by phoning Southampton City Council on **023 8083 2419**.

### Travel Support Considerations

- 3.2. When considering what type of travel support is appropriate for each child, Southampton City Council will consider:
- The age and maturity of the child.
  - The ability and aptitude of the child.
  - Any special educational needs the child may have.
  - If vehicle transport is offered, the type of vehicle the child can travel on and the length of the journey.
  - The nature of the possible routes from home to school, particularly in relation to safety.
  - Whether the child is physically able to walk the distance involved.
  - Whether the child needs to be accompanied and whether it is possible for the child to be accompanied.
- 3.3. The general expectation is that a child will be accompanied to and from school by a parent or carer where necessary, unless there is a good reason why it is not reasonable to expect the parent or carer to do so. Where a parent or carer says that there are good reasons why they are unable to accompany their child, a range of factors will be taken into consideration, including, but not limited to, any special educational needs or disabilities the child may have, and whether the parent or carer has a disability or mobility problem that would make it difficult for them to accompany their child.
- 3.4. Reasons such as the parent or carers working pattern or the fact that they have children attending more than one school, on their own, will not normally be considered good reasons for a parent being unable to accompany their child. These apply to many parents and carers and, in most circumstances, it is reasonable to expect the parent or carer to make suitable arrangements to fulfil their various duties (for example, their responsibilities as an employee and as a parent).
- 3.5. Cases where it is not reasonable to expect the parent or carer to accompany the child will be considered under the 'Exceptional Circumstances Criteria' (**see Section 2** of this policy).
- 3.6. Where travel support is found to have been granted in error, 4 weeks' notice or notice to the end of the current half term will be given, whichever is the shorter period, to allow families and carers time to make other arrangements.

### Travel Support Options

- 3.7. Local authorities have a duty to promote the use of sustainable travel on journeys to and from places of education in their area. If a child is eligible for travel support, this will be provided via the most sustainable, cost-effective, suitable method as assessed by Southampton City Council.
- 3.8. If a child is eligible for travel support, Southampton City Council will consider a range of hierarchical options, based on the needs of the child and their family will offer the most appropriate and sustainable option via a hierarchy of travel support.

3.9. The options for travel support will be considered by Southampton City Council in a clear order (but not limited to), which is set out below:

#### **1. Travel Training - Independent Travel Training (ITT).**

Independent Travel Training (ITT) gives children the essential skills needed to travel independently either on foot, by other sustainable travel option, such as bike or scooter, or by public transport.

Children from year 5 and secondary school age with SEND will be assessed for ITT, allowing them to have the confidence and ability to travel independently after specialist training.

#### **2. Sustainable Travel, Such as Bike or Manual Scooter.**

If Southampton City Council offers Independent Travel Training, it may provide a budget to child's parent or carer to purchase a bike or a manual scooter and appropriate safety equipment. The value will be assessed by the Independent Travel Trainer based on cost of a suitable bike or scooter and safety equipment when the travel support option is agreed.

#### **3. Bus Pass/Rail Pass.**

For mainstream school travel support applications, a bus pass or a rail pass for the journey to and from school will be provided for children of secondary school age. If an application is made under the exceptional circumstances criteria (**see Section 2** of this policy), alternative forms of travel support may be considered.

If Southampton City Council offers Independent Travel Training, it may provide a bus pass or a rail pass for the journey to and from school, if using the bus or rail is the safest, most suitable way for a child to get to and from school.

#### **4. Walking Passenger Assistant.**

A Passenger Assistant may be provided to accompany a child on the walk to school where walking is an appropriate means of making the journey.

#### **5. Personal Travel Budgets (PTBs).**

A PTB is a mileage allowance and is only applicable to children with an EHCP. Parents or carers can use PTBs in any reasonable way to get their child to and from school. Please see items **3.12-3.17** for more information.

#### **6. Vehicle Transport – Group Location Pick-up/Drop-off.**

Where appropriate and reasonable, parents or carers may be expected to take their child to and from a pick-up/drop-off point where a group of children will be collected by vehicle transport from the same location. Pick-up/drop-off points will be within 1 mile of the child's home address.

#### **7. Vehicle Transport (Taxi, Minibus, Wheelchair Accessible Vehicle or Coach) – Multi Occupancy.**

Where vehicle transport is the most suitable travel support option, it will be offered on a shared basis where there will be two or more children on the vehicle.

## **8. Vehicle Transport (Taxi / Wheelchair Accessible Vehicle) – Single Occupancy.**

In exceptional cases, Southampton City Council may offer vehicle transport with single occupancy, for example, where the child's needs mean that they cannot travel with other children, or they are the only child being transported to and from a school. Where this is the case, the travel support will be regularly reviewed to ensure that single occupancy continues to be the most suitable, cost-efficient option.

## **9. Other forms of travel support as appropriate.**

### **Passenger Assistants**

- 3.10. Passenger Assistants are provided in individual cases where Southampton City Council feels it is necessary to meet a child's individual needs and as identified by a risk assessment. The role of the Passenger Assistant will be to provide general supervision on a walking or transport journey and ensure that a child's journey to and from school is safe.
- 3.11. Passenger Assistants are not expected to administer a child's routine medication or procedures on a journey to and from school. Emergency medication will only be carried out if included in the risk assessment for the child (that has been discussed with the Parent or Carer) and the Passenger Assistant has been appropriately trained.

### **Personal Travel Budgets (PTB)**

- 3.12. Parents or carers of children who are assessed as being eligible for travel support may be offered a Personal Travel Budget (PTB) for the purpose of travel to and from school.
- 3.13. The School Travel Service will assess whether it would be a suitable form of travel based on the parent or carer's ability to provide their own transport to and from their child's school.
- 3.14. A PTB will only be offered where it is a more cost-effective option than a suitable alternative option (unless in exceptional circumstances).
- 3.15. Provision will be reviewed periodically and if a more economical mode of travel becomes available, the parent or carer will be given notice of a change to the mode of travel, for example, eligibility for ITT or a place becomes available on a shared transport route and it becomes a more cost effective option.
- 3.16. The PTB is a mileage allowance based on the type of vehicle (standard or wheelchair accessible vehicle) used by the parent or carer (or alternative means as determined by the parent or carer, such as a family member or friend) to transport the child to school. A higher rate will be offered where a wheelchair accessible vehicle is used. Please see Southampton City Council's School Travel Service webpages at: <https://www.southampton.gov.uk/search/?query=school+travel+service> for current mileage rates.
- 3.17. Southampton City Council may also offer an additional flexible, discretionary percentage increase on the base mileage rates depending upon the circumstances for the parent or carer and will consider cases on an exceptional basis, for example, they may have other children for which additional financial support towards the cost of breakfast and/or after school club or other childcare would enable them to take advantage of the PTB, the school is outside of the city boundary or an additional person is required to act as a Passenger Assistant.

### **Privilege Places**

- 3.18. Southampton City Council does not offer spare places known as 'privilege places' on a contract vehicle to a child who is not entitled to travel support, unless the child for whom a

privilege place is requested lives at the same address as a child who is entitled to travel support and is travelling on the same vehicle. A **contributory charge of £750.00** per annum, paid in three termly instalments of £250.00 per term will be charged towards the cost. Privilege places can be withdrawn if they are needed for eligible children and Southampton City Council has the discretion to remove the right of placement at any time. Southampton City Council will provide 10 days' notice of the withdrawal of the offer, and a refund on a pro-rata basis of fees received will be issued.

### **Suitable Education Provider**

- 3.19. Children of compulsory school age attending the nearest suitable school may be eligible for travel support as set out in this policy.
- 3.20. A suitable school is taken to mean the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any SEND that the child may have, or the place, other than a school, where they are receiving education by virtue of arrangements made under Section 19(1) of the Education Act 1996.
- 3.21. Qualifying education providers are:
- Community schools, foundation schools, voluntary aided and voluntary controlled
  - Schools.
  - Academies (including those which are free schools, university technical colleges, Studio schools and special schools).
  - Alternative provision academies.
  - Community or foundation special schools.
  - Non-maintained special schools.
  - Pupil referral units.
  - Maintained nursery schools (where attended by a child of compulsory school age).
  - City technology colleges and city colleges for the technology of the art.
- 3.22. For children with SEND, an independent school can also be a qualifying school where it is assessed to be the nearest, most suitable school and it is named on the child's Education, Health and Care Plan (EHCP). Where attendance at an independent school is based on parental or carer preference and not named in the EHCP, travel support will not be awarded.
- 3.23. Where a child is registered at more than one qualifying school (Dual Registration), the relevant educational establishment is whichever of the schools the child is attending at the relevant time.
- 3.24. Where a child is registered at a school but is attending a place other than that school as a result of a temporary exclusion, eligibility will apply in relation to the educational setting which they are attending for the duration of that exclusion.
- 3.25. Parents or carers applying for mainstream school provision, for a child who does not have an EHCP, who wish to apply for travel support must list their nearest three suitable schools on their school application form when applying for a school place in the normal admissions round.
- 3.26. Parents or carers can find out which schools are the nearest suitable schools at the following link: [My Nearest \(southampton.gov.uk\)](https://www.southampton.gov.uk).
- 3.27. Where a child has begun attending a school that is not their nearest because their nearest school was unable to offer them a place and a place subsequently becomes available at the nearer school, if a parent or carer chooses not to move their child to the nearer school, the

child's travel support will not be withdrawn if moving to the nearer school would be likely to cause significant disruption to their education.

- 3.28. If a parent or carer decides to move home and chooses for their child to remain at their existing school, including when a child is in years 10 and 11, the parent or carer needs to consider the cost and distance of travel to the existing school as part of their move costs because travel support is unlikely to be awarded based on distance and the child will not normally be eligible for school travel support. There may be exceptions where there are exceptional circumstances for the move, for example a change to the family structure or employment status, whereby an exceptional circumstances application can be made, and it will be unlikely to apply to children where travel support has been awarded on an exceptional basis.

### **Designated Home Address**

- 3.29. The designated home address will be defined as the address at which the child resides and spends most of their time. In cases where a child has a shared living arrangement, such as equal shared custody for separated parents or carers, the local authority determines the child's designated home address, based on the address at which the recipient of the child benefit resides. If no child benefit is received, the designated home address will be determined by the address at which the child is registered at their GP surgery. When the child stays at another address, they will not qualify for any travel arrangements other than those provided from the designated home address.
- 3.30. Where a child has no fixed abode, travel support will apply from wherever the child is residing at the relevant time to the nearest suitable school.

### **Vehicle Transport Travel Arrangements**

- 3.31. Where vehicle travel support (taxi, minibus, wheelchair accessible vehicle or coach) is provided as the travel support option, it will only be given for travel to school at:
- The start and end of the school day; or
  - Where the pupil is attending residential provision, at the start and end of their provision periods as agreed by Southampton City Council.
- 3.32. Where a child is on a reduced timetable and requires school travel at the start and end of their scheduled hours, school travel provision will be considered on a case-by-case basis and will be regularly reviewed.
- 3.33. Travel support will not be provided outside of a school's core hours, including before and after school events, such as breakfast clubs and sports events.
- 3.34. Schools are expected to give reasonable notice to Southampton City Council of any changes to provision hours. If additional costs arise associated with a change in provision hours, Southampton City Council reserves the right to make arrangements for all or part of those costs to be charged to the school concerned.
- 3.35. Travel support will be arranged to be as easy and comfortable as possible. Acknowledging that there may occasionally be transport network disruption on travel routes that is out of Southampton City Council's control, Southampton City Council will aim for a maximum journey time of 45 minutes for children in mainstream primary settings, and 75 minutes for children in mainstream secondary settings.
- 3.36. In exceptional circumstances, for children attending specialist provision to meet their SEND needs, journey times may be longer.



- 3.37. Distances in relation to eligibility for travel support will be measured by the shortest reasonable walking route, by which a child may walk safely. In cases where extended rights apply and the child is travelling more than 3 miles (up to 6 miles or up to 15 miles to a school preferred on the grounds of religion or belief) walking routes do not apply, and the shortest route will be measured along road/driving routes.
- 3.38. Changes to transport arrangements, including the Transport Operator, vehicle, Driver or Passenger Assistant, may be necessary and may be made at short notice.

#### **Vehicle Transport Pick-up/Drop-off Points**

- 3.39. Where appropriate and reasonable, parents or carers may be expected to take their child to and from a pick-up/drop-off point. Pick-up/drop-off points will be within 1 mile of the child's home address.
- 3.40. Parents or carers are responsible for the safety of their child until they board and after they exit the vehicle. If the parent or carer is not at the drop-off point to meet their child, the child will be placed into the care of the duty social worker from Southampton City Council's Children's Social Care Service.

#### **Changes of Circumstances**

- 3.41. Parents or carers should notify Southampton City Council's School Travel Service of any change of circumstances or address with as much notice as reasonable possible, but with a minimum of 10 working days' notice.
- 3.42. In the case of a change of home address, eligibility will be reassessed based on the new address.
- 3.43. To notify the School Travel Service of a change in circumstances, please contact the School Travel Service via email at: [travel.coordination@southampton.gov.uk](mailto:travel.coordination@southampton.gov.uk) or write to: School Travel Service, Civic Centre, Southampton, SO14 7LY.
- 3.44. The normal eligibility will apply to the children of families where closure or reorganisation of schooling in the city takes place. Exceptional Circumstances Criteria may be taken into consideration in cases where travel support would minimise significant disruption to the child's education.

#### **Unacceptable Behaviour**

- 3.45. Southampton City Council reserves the right to review travel support where a child's behaviour is deemed unacceptable, for example, but not limited to, being rude, pushing or kicking, bullying, distracting the driver, refusing to wear a seatbelt or refusing to remain seated, and where it may threaten the safety of the other passengers, the Driver and the Passenger Assistants, or could cause or has caused damage to a vehicle.
- 3.46. Southampton City Council will work with the child, their parent and carer, the school and the transport operator to put in place measures to manage unacceptable behaviour where it occurs.
- 3.47. Where travel support is removed, Southampton City Council will engage with parents and carers to provide suitable alternative travel support when it is safe to do so.

#### **Lost, Stolen or Misused Bus Passes**

- 3.48. Where a bus or rail pass or other travel pass is lost, the pass holder (or their parent or carer) is

responsible for any administrative charges made by the bus company or other issuer. Southampton City Council will not meet the costs of administrative charges for lost or stolen passes. Stolen travel passes will normally not incur an administrative charge for replacement if a police crime number is provided by the child or their parent or carer.

3.49. If a bus or rail pass is misused, for example, the pass is not being used by the intended person, the bus or rail pass will be withdrawn.

### **Appeals Process**

3.50. Parents and carers are entitled to appeal against the type of travel support that is offered and decisions where Southampton City Council has decided not to provide travel support.

3.51. The appeals process is split into two stages; Stage 1 and Stage 2.

3.52. Stage 1 of the appeals process is a review of the decision by a senior officer(s) at Southampton City Council. A request for a review of the decision must be made within 20 working days of receiving the decision by Southampton City Council. Requests should detail why the parent or carer believes the decision should be reviewed and give details of any personal and/or family circumstances the parent or believes should be considered when the decision is reviewed. Requests can be submitted by email to: [travel.coordination@southampton.gov.uk](mailto:travel.coordination@southampton.gov.uk) or write to: School Travel Service, Civic Centre, Southampton, SO14 7LY. Following the review, a decision will be made, and a response will be provided in writing to the appellant within 20 working days of receiving the appeal. This will clearly explain:

- Whether the original decision is being upheld.
- Why the decision was reached.
- How the review was conducted.
- The factors considered in reaching the decision.
- Any other agencies or departments that were consulted as part of the review.
- Information about how the parent or carer can escalate the case to Stage 2 of the appeals process (if appropriate).

3.53. Following the Stage 1 review, appellants have a further 20 working days to escalate the matter to Stage 2.

3.54. Stage 2 of the appeals process will consist of a review by an independent panel. An appeal form can be requested from the School Travel Service by email at: [travel.coordination@southampton.gov.uk](mailto:travel.coordination@southampton.gov.uk) or write to: School Travel Service, Civic Centre, Southampton, SO14 7LY.

3.55. The appeal form asks the parent or carer to explain why they believe Southampton City Council should review its decision and the parent or carer is asked to include any information they would like to be considered as part of the review. The panel members will be independent of the original decision-making and the Stage 1 appeals process but may not be independent of Southampton City Council. Parents or carers may attend an appeal hearing if they wish, virtually or in person, to present their case. Where a parent or carer does not wish, or is unable, to attend a hearing, the panel will make its decision based on the parent or carer's written representations.

3.56. The Stage 2 review will take place within 40 working days of the parent or carer notifying Southampton City Council that they wish to escalate their appeal to Stage 2. The panel will consider information provided at Stage 1 of the appeal, any additional information provided,

and any oral representations made at Stage 2.

3.57. A decision will be made and within 5 working days of the panel meeting and detailed written notification of the outcome will be provided to the appellant. This will clearly explain:

- Whether the original decision has been upheld.
- Why the decision was reached.
- How the review was conducted.
- The factors considered in reaching the decision.
- Which, if any, other agencies or departments were consulted as part of the review.

3.58. Where travel support is found to have been granted in error, 4 weeks' notice or notice to the end of the current half term will be given, whichever is the shorter period, to allow families and carers time to make other arrangements.

3.59. Where entitlement has been denied in error, travel support will be arranged as soon as possible and consideration will be given to reimbursing parents or carers retrospectively from the date of the application for travel support, with a normal time limit of the start of the academic year in question.

3.60. Parents or carers may complain to the Local Government and Social Care Ombudsman if they believe Southampton City Council has made a mistake in the way it has handled their case. If a parent or carer considers the decision of the independent appeals panel to be flawed on public law grounds, they may apply for a judicial review.

3.61. Further details about the appeals / complaints procedures are set out in **Appendix 3** of this policy.

### **Policy Review**

3.62. The School Travel Policy for Children of Compulsory School Age will be reviewed on an annual basis and updated where required.

3.63. Where changes are made to the policy that may affect a child's eligibility for school travel support, the policy will be subject to a public consultation with:

- Schools whose pupils will be affected by the proposed changes, including those located in other local authority areas.
- Parents and carers whose children will (or may) be affected by the proposed changes, including those whose children attend school in a neighbouring authority, and those whose children may be affected in the future – for example, because they live in the catchment area of, or attend the feeder school of, a school affected by the proposed changes.
- The Southampton Parent Carer Forum.

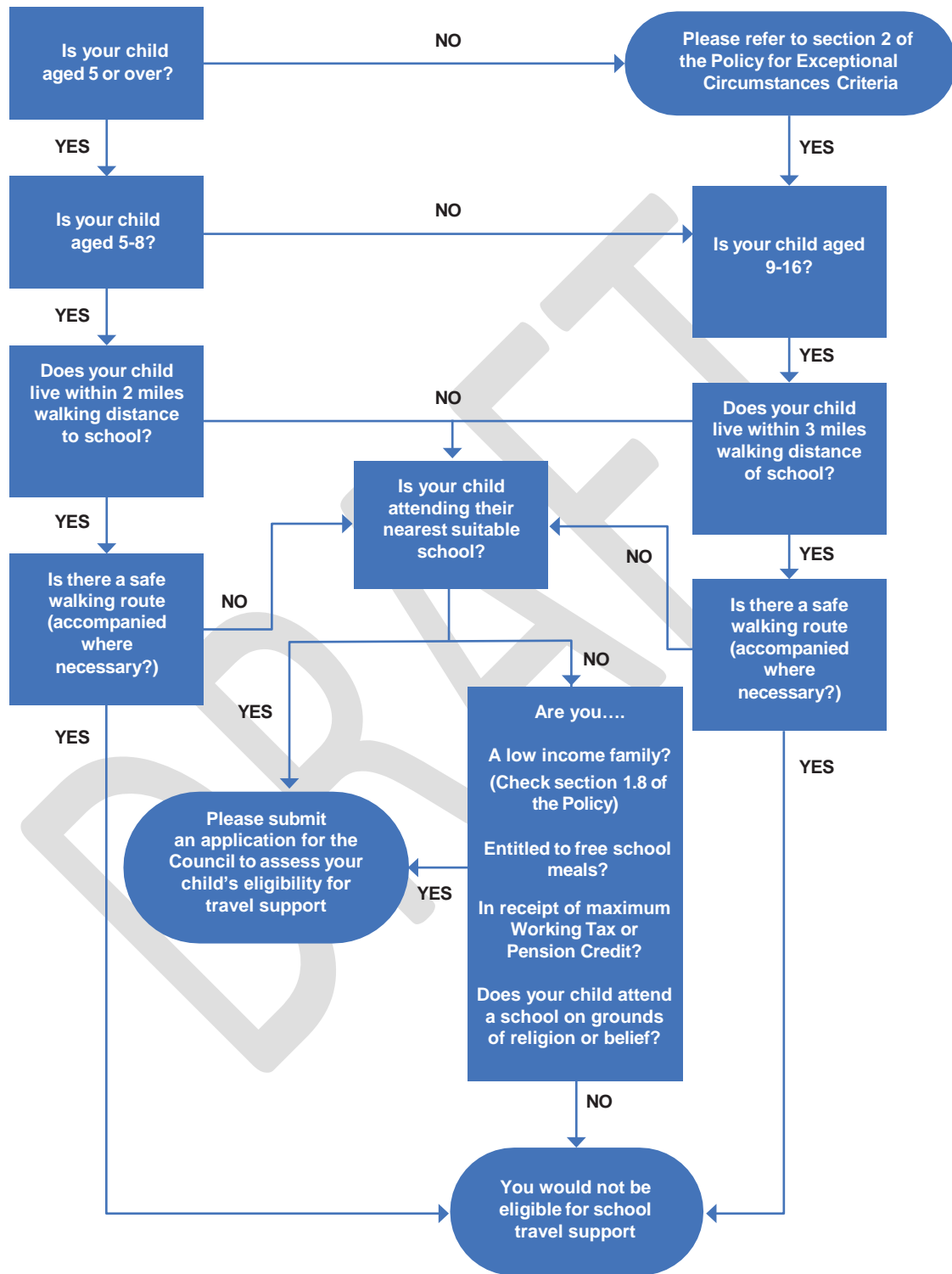
3.64. The consulting period will last for at least 28 working days during term time, before any changes are agreed.

[END]

## Appendix 1 – School Travel Service Eligibility Summary

<b>School Travel Support Eligibility Table - School Aged Children: Reception Year to Year 11</b>	
<b>Who are we helping?</b>	<b>What are the criteria?</b>
Children living further than the statutory walking distance from their nearest most suitable school	<p>For children below the age of 8, travel support will be awarded where the distance between home and their nearest most suitable school is more than 2 miles from their home.</p> <p>For children over the age of 8, travel support will be awarded where the distance between home and their nearest most suitable school is more than 3 miles from their home.</p> <p>Children who cannot be reasonably expected to walk to school because the walking route is deemed unsafe will be eligible for travel support.</p>
Children with an Education Health or Care Plan (EHCP)	Children attending their designated most suitable school that can meet their need who are unable to walk to school (accompanied or unaccompanied) by reason of their special educational needs and/or disability will be considered eligible for travel support.
Children of parents or carers with a disability	Children who live within the walking distance criteria of the nearest suitable school (or designated school if it is not the nearest) but the route relies on a disabled parent/carer accompanying the child for it to be considered safe, and the parent/carer's disability prevent them from doing so will be considered eligible for travel support.
Children whose families meet the low-income criteria	<p>Travel support will be provided where:</p> <ul style="list-style-type: none"> <li>• The nearest school is more than 2 miles from their home (for children over the age of 8 and under 11).</li> <li>• The nearest school is between 2 and 6 miles from their home (if aged 11-16 and there are not three or more suitable nearer schools).</li> <li>• The school is between 2 and 15 miles from their home and is the nearest school preferred on the grounds of religion or belief (aged 11-16).</li> </ul>

## Appendix 2 – Diagram to Show Eligibility of Children of Compulsory School Age



# Appendix 3 – School Travel Service Appeals and Complaints Procedure

## 1.0 Summary

- 1.1 Southampton City Council has adopted the process recommended by the Government's statutory guidance for home to school travel should parents, carers or post-16 students wish to appeal a travel application outcome which includes a two-stage process:
  - Stage 1: review of a decision by Southampton City Council for travel support by two Senior Officers, and where this has not resolved the matter,
  - Stage 2: appeal against a decision where an appeal hearing will be held by an independent Appeals Panel
- 1.2 This document details Southampton City Council's procedure for school and post-16 travel support appeals and complaints.

## 2.0 Right of Appeal

- 2.1 Parents, carers and post-16 students with concerns about Southampton City Council's decision on their travel support application are entitled to request that the decision is reviewed, and where this has not resolved the matter, to appeal against a decision.
- 2.2 Appeals may relate to:
  - the travel arrangements offered
  - a child or student's eligibility
  - the distance measurement in relation to statutory walking distances
  - the safety of the route
- 2.3 Common concerns include, but are not limited to:
  - the child/student's eligibility
  - the transport arrangements offered
  - the distance measurement in relation to statutory walking distances
  - unsuitability (safety) of the route to school / an education setting
  - financial concerns
  - ill health/disability of the parent, carer or child / student
  - administrative errors and application of the law
- 2.4 Parents, carers or post-16 students may not request a review or appeal on the grounds that they disagree with the road safety assessment undertaken by a qualified road safety officer. However, they may appeal if they consider there are exceptional personal circumstances that need to be taken into consideration by Southampton City Council.
- 2.5 The review can only consider whether the relevant policies have been applied appropriately.
- 2.6 The process that must be followed is set out in this document.

## 3.0 Appeal Panel

- 3.1 Stage 1 reviews are undertaken by two Southampton City Council Senior Officers representing the School Travel Service and either the Education and Admissions Service or the SEND Service and will be independent of the original decision-making process.
- 3.2 Stage 2 appeals are heard by an independent Appeal Review Panel and will be independent of the original decision-making process and the Stage 1 review. The panel will be suitably experienced (at the discretion of Southampton City Council), to ensure a balance is achieved between meeting the needs of the parents, carers and post-16 students and Southampton City Council, and that road safety

requirements are complied with, and no child or student is placed at unnecessary risk.

#### **4.0 Stage 1 – Review of the Decision**

- 4.1 A parent, carer or post-16 student has 20 working days from receipt of the Southampton City Council's travel support decision to make a written request asking for a review of the decision.
- 4.2 The written request should detail why the parent, carer or post-16 student believes the decision should be reviewed and give details of any personal and/or family circumstances the parent, carer or post-16 student believes should be considered when the decision is reviewed.
- 4.3 Supporting evidence can be provided as appropriate.
- 4.4 Requests must be submitted by email to [travel.coordination@southampton.gov.uk](mailto:travel.coordination@southampton.gov.uk). Alternatively, requests can be received by post: School Travel Service, Southampton City Council, Civic Centre, Southampton. SO14 7LY.
- 4.5 A review of the decision on travel support will be undertaken, together with consideration of any information and supporting evidence received with the written request.
- 4.6 The Appeal Review Panel will review the original decision and provide a written Stage 1 response within 20 working days of receipt of the Stage 1 written request.
- 4.7 The response will include detailed information about the outcome of their review, setting out:
  - whether the original decision is being upheld
  - why the decision was reached
  - how the review was conducted (including the standard followed e.g., Road Safety GB)
  - information about other services and/or agencies that were consulted as part of the process
  - what factors were considered
  - information about how the parent carer or post-16 student can escalate their case to Stage 2 (if appropriate)

#### **5.0 Stage 2 – Appeal of the Stage 1 Decision**

- 5.1 A parent, carer or post-16 student has 20 working days from receipt of Southampton City Council's Stage 1 written decision notification to escalate the matter to Stage 2.
- 5.2 All appeals must be submitted in writing using the application form provided by Southampton City Council.
- 5.3 Supporting evidence can be provided as appropriate.
- 5.4 Appeal applications will be acknowledged in writing within 5 working days of receipt.
- 5.5 Within 40 working days of receipt of the appeal application, an independent Hearing Appeal Panel will consider written and verbal representations from both the Appellant and Officers involved in the case.
- 5.6 The Appellant will be invited to present their appeal case to the Hearing Appeal Panel at a formal appeal hearing.
- 5.7 Appeal hearings will be held during the normal working day only.
- 5.8 Appellants unable to attend the appeal hearing can send a friend, relative, or other representative to attend on their behalf but must notify Southampton City Council in advance of the appeal hearing.
- 5.9 Legal representation is not permitted.
- 5.10 Further correspondence will be issued, which will include a date and time for the appeal hearing.



- 5.11 At least 5 days prior to the appeal hearing, Appellants and the Southampton City Council's Hearing Appeal Panel will receive a copy of the case papers and any supporting documentation for consideration at the appeal hearing.
- 5.12 The Hearing Appeal Panel Chair will provide a detailed written notification of the outcome to the Appellant (within 5 working days), setting out:
- whether the original decision is being upheld
  - why the decision was reached
  - how the review was conducted (including the standard followed e.g., Road Safety GB)
  - information about other departments and/or agencies that were consulted as part of the process
  - what factors were considered
  - information about the right to put the matter to the Local Government Ombudsman (see below)
- 5.13 The Hearing Appeal Panel will consider an appeal on the basis of the information received in writing if an Appellant is unable to attend the appeal hearing or send a representative.

## **6.0 Appeal Hearing Procedure**

- 6.1 The Hearing Appeal Panel will comprise three to five members, one of which will Chair the appeal hearing.
- 6.2 A Presenting Officer will attend the appeal hearing to present the case for the travel support decision.
- 6.3 A note taker will attend the appeal hearing to make a record of the meeting.
- 6.4 At the start of the appeal hearing, the Chair of the Hearing Appeal Panel will introduce all attendees and will explain the procedure before continuing.
- 6.5 The Hearing Appeal Panel may ask anyone questions at any time or may alter the order at any time.
- 6.6 The appeal hearing procedure is as follows:
- 1) The Presenting Officer will explain the reasons for the travel support decision.
  - 2) The Hearing Appeal Panel may ask the Presenting Officer questions.
  - 3) The Appellant/Representative may ask the Presenting Officer questions.
  - 4) The Appellant/Representative will explain the grounds of the appeal and its desired outcome.
  - 5) The Hearing Appeal Panel may ask the Appellant/Representative questions.
  - 6) The Presenting Officer may ask the Appellant/Representative questions.
  - 7) The Presenting Officer will be asked to summarise their case.
  - 8) The Appellant/Representative will be asked to summarise the grounds of their appeal.
  - 9) The Appellant/Representative and the Presenting Officer will be asked to leave the room, and the Hearing Appeal Panel will make its decision.
- 6.7 In reaching their decision the Appeals Panel:
- may agree to consider only written evidence for either or both parties
  - must have regard to Southampton City Council's School Travel Service Policy and Post-16 Travel Service Policy Statement
  - will begin by reviewing the application of Southampton City Council's School Travel Service Policy and Post-16 Travel Service Policy Statement to ensure compliance with published arrangements
  - has a responsibility to consider the most cost-effective travel solutions to ensure an efficient use of public funds
- 6.8 The outcome of the Hearing Appeal Panel will be one of the following:
- uphold the appeal
  - decline the appeal



- partially uphold the appeal. This can include meeting the appellant's wishes in part or for a time-limited period. At the end of the time-limited period, the Hearing Appeal Panel can reconsider the circumstances and may request additional information, for example up to date medical records or school / education setting attendance records
- 6.9 Following the Stage 2 outcome, there is no further opportunity to appeal the travel support decision with Southampton City Council.
- 6.10 For cases that have been upheld by the Hearing Appeal Panel, arrangements for the agreed level of travel support will be made as soon as reasonably practical.

## **7.0 Local Government Ombudsman**

- 7.1 If an appellant considers that there has been a failure to comply with the procedural rules or if there are any other irregularities in the way an appeal was handled, they may have a right to refer the matter to the Local Government Ombudsman.
- 7.2 The Ombudsman cannot question a local authority's decision if it has been made properly and fairly.
- 7.3 The Ombudsman will not normally consider a complaint until the two-stage review and appeals process has concluded.
- 7.4 An appellant can find out how to make a complaint to the Ombudsman at: [www.lgo.org.uk](http://www.lgo.org.uk).
- 7.5 Further information is published online by the Local Government Ombudsman at: <http://www.lgo.org.uk/make-a-complaint/fact-sheets/education/school-transport>

## **8.0 Repeat Applications**

- 8.1 Once a decision on an application has been made, including any review or appeal decisions, further applications for assisted travel in relation to the same child at the same school / education setting cannot be accepted. The exception to this is where Southampton City Council, or body appointed, is satisfied that there has been a significant and material change in circumstances since the original application was considered.
- 8.2 Where Southampton City Council determines a change to its School Travel Policy or Post-16 Travel Service Policy Statement, parents, carers, and post-16 students affected by the change can apply for a review and appeal in accordance with the arrangements set out in this procedure.

## **9.0 Complaints**

- 9.1 Complaints about service delivery shall be made in accordance with the Southampton City Council's Corporate Complaints Procedure. Complaints will not be accepted if simply seeking to challenge the decision following the review and appeal process set out above (in respect of which the appeal panel decision is binding and outside the scope of the Southampton City Council's Complaints Policy).
- 9.2 Complaints about Southampton City Council's School Travel Service (rather than an appeal outcome) can be made via the website at: <https://www.southampton.gov.uk/council-democracy/have-your-say/comments-complaints/complaints/>