

Education, Communities and Families Committee

10.00am, Tuesday, 21 May 2019

Assisted Travel Policy and Guidelines. Home to School

Item number
Executive/routine
Wards All
Council Commitments

1. Recommendations

- 1.1 The Education, Children and Families Committee is asked to:
 - 1.1.1 Note the existing Home to School Policy and Guidelines (Appendix 1) was first drafted in 1989 and last reviewed in 2011.
 - 1.1.2 Approve the proposed Assisted Travel Policy and Guidelines on the basis that they reflect the aims of the 2017/20 Edinburgh Children's Services Plan and take into account the changes to legislative framework that govern the delivery of Education and Social Work Services, including the Social Care (Self-Directed Support) (Scotland) Act 2013.
 - 1.1.3 Note that the revised Assisted Travel Policy and Guidelines (Appendices 2 & 3) will help to improve quality of information, reduce duplication, improve service delivery, and increase efficiency.

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Education, Children and Families Committee 21 May 2019

Report

Assisted Travel Policy and Guidelines. Home to School

2. Executive Summary

- 2.1 Parents/ carers have a responsibility to ensure that their child/young person attends school including providing their required travel arrangements. The City of Edinburgh Council may however, provide travel assistance if the child/young person meets the distance criteria or has additional support needs that prevent them from travelling accompanied as necessary.
- 2.2 The Edinburgh Children's Partnership aims to ensure that children and young people's attendance, engagement and achievement will be improved, that all children achieve the best possible health and their families and their communities will be empowered to improve their wellbeing. This policy enables access to services through the provision of travel solutions in order to ensure that the above aims for children and young people are achieved by promoting the independence and well-being of all children and young people through a range of travel options.
- 2.3 The Council provides a wide range of assisted transport across Edinburgh to enable children to attend schools, respite services and assessed social work services. In many cases the arrangements for the allocation of assistance with travel and transport for children are historical and as services have become more responsive requests for transport flow from a wide range of professionals, parents, and carers.
- 2.4 The existing Home to School Policy and associated Head Teacher Guidance Note (Appendix 1) was revised in 2011 before the implementation of the Children and Young People (Scotland) Act 2014, the foundation of Getting it Right for Every Child (GIRFEC). In line with GIRFEC a support plan is created for every child who requires one and this plan considers, amongst other things, assisted transport requirements. The Social Care (Self-Directed Support) (Scotland) Act 2013 makes legislative provisions relating to the arranging of care and support and children's services to provide a range of choices to people for how they are provided with support. Key intentions of this legislation are to empower people who need support to achieve

more independence and participate fully in education, economic and social life. It is vital that moving forward assisted travel policy reflects this new legislation, empowers families and communities and promotes good outcomes and independence for children and young people.

2.5 As the current policy does not reflect these more recent legislative changes or current best practice it is considered that further efficiency and improved service provisions will be possible with the new policy and guidelines. The proposed new policy is attached in Appendix 2 and the supporting guidelines for parents and carers in Appendix 3.

2.6 While the policy is being updated to reflect recent changes to legislation and the new guidance highlights some of the best practice in travel assistance which has already started to be introduced by Officers when it is of benefit to children and their families/carers, the basic policy criteria remain the same. Any new travel assistance packages which have been introduced recently have been done so in full consultation with the children and their families/carers to make sure the new package provides more support or encourages greater travel independence. This process will continue and no changes will be made to travel assistance packages without full consultation with children and their families/carers. Where possible, the type of changes which will be considered and will have benefits to children either in the short or longer term (or both) are:

- Use of Council transport and on board support assistants rather than an impersonal service provided by private operators.
- Use of support assistants and hire cars to provide children with an enhanced personal home to school transport service rather than reliance on taxis with no dedicated support.
- Support assistants buddying children on public transport to encourage independence in later life rather than creating a life-long dependency on taxi use.
- Provision of bus passes where appropriate with the long term aim that these can be used for personal travel as well as home to school transport without any added cost to the Council.
- Use of smaller, more fuel efficient Council owned and operated buses rather than expensive private hire 40+ seat coaches

3. Background

3.1 The provision of transport and travel support for children accessing Education and Social Work Services has changed over the past 8 years in response to the

number of children in need of support from a variety of backgrounds increasing. Accordingly, the flow of referrals for transport and travel support has changed to reflect the way that services are configured. This has led to transport and travel solutions being provided which are not always both the most effective and efficient or the best long-term approach for the child involved. In some instances decisions are encouraging young people to be dependent on taxis when it would be better for their own independence and development to learn to self-travel or to enjoy other forms of travel.

- 3.2 The implementation of Travel Allocation Panels in 2018 has addressed some of these issues and has supported recommendations for children with complex needs improving opportunity and enhancing better use of trained staff and resources. Self-travel and travel training initiatives feature strongly in the provision of assistance with travel and transport and lead to improved health for individual children travelling to school.
- 3.3 These interventions are in line with current best practice and the Communities and Families objective to promote the independence and well-being of all children and young people. In relation to travel, all children and young people should be encouraged to follow a healthy lifestyle including walking a reasonable distance accompanied where necessary and where possible to school.
- 3.4 The proposed new Assisted Travel Policy and Guidance will provide a strategic approach to travel support that is consistent with Communities and Families strategic objectives to:
- Improve and maintain independence
 - Develop effective personalised services
 - Develop the capacity and involvement of parents, carers and communities
 - Improve support for carers, children and families
 - Integrate and improve our approaches using community based resources
- 3.5 Engagement with Parent Councils (ASN) and the Equalities and Rights Network has helped to shape the proposed policy and guidelines.

4. Main report

- 4.1 The aims of the proposed Assisted Travel and Transport Policy and Guidelines are to:

- Provide a definition of assisted travel that provides clarity, equity and fair access to transport and travel arrangements for children accessing schools and respite services and social work services.
- Reflect local and national priorities for children with disabilities and additional support needs and complements the City of Edinburgh Councils approach to delivering Education and Social Work Services.

4.2 The key principles which underpin the Policy are:

- Transport provided must support the person to be as independent as possible.
- A preventative approach should be taken always to maintain a child's abilities and capabilities
- Assisted travel shall be commissioned within the 2 mile and 3 mile criteria for children accessing primary and secondary education when considered necessary by the Travel Allocation Panel.
- Assisted travel support should be considered when accessing Additional Support Needs schools (ASN) and will be supported with an assessment and review process approved by the Travel Allocation Panel.
- Travel Allocation Panels will comprise Senior Social Work, Education, and Travel Hub colleagues.
- Individual children with access to a vehicle or powered chairs provided as part of the Motability Scheme or whom are in receipt of mobility component of DLA/PIP can be supported to use this alongside an additional option of a Personal Travel Budget in a Self-Directed Support model. This is a unique element of the proposed policy and guidelines and recognises that the current arrangements do not fit the complex needs of children traveling to school or social work service.
- Assisted travel will be provided if there is a risk that distance to primary, secondary school presents a barrier to education. Therefore, the 2 mile (primary school) and 3 mile (secondary school) eligibility criteria remains unchanged.
- The Assisted Travel Policy and Guidelines recognises the ways that the council provides services has changed and will continue to develop and evolve with the development Integrated Joint Board (as set out in the Public Bodies (Joint Working) (Scotland) Bill 2013) and implementation of the Self-Directed Support (Scotland) Act 2013.

5. Next Steps

- 5.1 If the proposed policy is approved, the new Policy and Guidelines will be implemented in time for the new academic year 2019/20 and further engagement with parents, carers and children will be arranged to raise awareness and account for any potential concerns.
- 5.2 The Travel Allocation Panel will make provision for any transition arrangements mitigating against any children or families that could be affected adversely by the implementation of the new policy and guidelines.
- 5.3 The new Assisted Travel Policy and Guidelines will be applied to help support initiatives to reduce the number of coaches, minibuses, and taxis with as much focus on the use of public transport network as possible.

6. Financial Impact

- 6.1 As the criteria for providing home to school travel assistance will remain the same there are no direct financial implications arising from approval of the updated policy and guidance documents.
- 6.2 As school rolls rise throughout the city there will continue to be growing demand for assisted travel and this creates pressures on the Communities and Families home to school travel budget. A Travel Demand Management project has been established to address these budget pressures and the updated policy and guidance documents will support this work. The expected outcome of the Travel Demand Management project is to provide a balance in terms of improved services for children and delivering efficient and sustainable travel solutions.

7. Stakeholder/Community Impact

- 7.1 As part of ongoing engagement and with parents, carers and staff the Equality and Rights Network (EaRN) have supported an event with representatives from youth groups, disability groups; Police Scotland, Citadel Youth Centre, EVOC, LGBT Youth and People First.
- 7.2 Further engagement sessions will be planned and delivered to support parents, carers and staff to understand the Assisted Travel Policy and Guidelines.

- 7.3 The proposed policy and guidelines attempts to focus on travel support and a move to utilise the public transport network, as far as possible. The use of smaller more agile vehicles may reduce carbon emissions and improve travel time for children.

8. Background reading/external references

- 8.1 <https://www.mygov.scot/free-school-transport/>.
- 8.2 <http://www.legislation.gov.uk/asp/2014/8/contents/enacted>
- 8.3 <https://www.legislation.gov.uk/asp/2011/1/contents>
- 8.4 <https://www.gov.scot/policies/girfec/>

9. Appendices

- 9.1 Appendix 1 - Current Home to School Policy. (Head Teacher Guidance)
- 9.2 Appendix 2 – Proposed Draft Assisted Travel Policy
- 9.3 Appendix 3 – Proposed Draft Assisted Travel Guidelines

Appendix 1



Head Teachers Guideline 22

Provision of Assistance with Travel to and from school

Legislation

The current legislation regarding assistance with travel to and from school is designed to ensure that parents do not have a reasonable excuse for failing to ensure that their child attends school. The legislation is contained in the Education (Scotland) Act 1980 and the relevant Sections of the Act are 42, 51 and 36 (which was amended in 1996).

In general terms an authority is required; to provide assistance with travel if the child is attending their catchment school and the walking distance is 2 miles or above for children under the age of 8 years, and 3 miles or above for children of 8 years and over; and to take safety into consideration.

The City of Edinburgh Council Policy

The City of Edinburgh Council has decided to provide assistance with travel for all primary pupils attending a catchment primary school providing they live two or more miles from that primary school, and for all secondary pupils attending a catchment secondary school providing they live three or more miles from that secondary school. The Council is also concerned about the safety of children and assistance with travel is provided if there is no suitable walking route to a catchment school within the appropriate walking distance limits. Consideration is also given to providing assistance with travel on medical grounds and if the Authority places a child in a non-catchment school, otherwise attendance at a non-catchment school requires the parent to be responsible for travel arrangements.

It is not the policy of the Council to award assistance with travel on the basis of parental income, health, working or social circumstances.

Children attending Special Schools do not qualify automatically for assistance with travel, however, their travel needs are assessed on an individual basis within the framework of the Council's policy.

Aims

The City of Edinburgh Council aims to provide a safe, reliable and high quality service and to ensure children are not subjected to unnecessarily long journeys (eg above 1 hour 15 minutes) or waiting times, while organising the service in the most cost-effective manner.

Basis for Award of Assistance with Travel

For many years the Committee's policy has been to determine qualification on the basis of the most suitable direct walking route between the pupil's home and the catchment school attended. Distances are currently measured by graphical computer software based on Ordnance Survey information.

Where the vehicle provided has seating capacity in excess of that required, spare capacity can be offered on a 'grace and favour' basis to non-qualifying pupils. In compliance with Local Government in Scotland Act 2003 Local Authorities were provided the power to charge for available 'grace and favour' places on contracted school transport. At present City of Edinburgh Council have not implemented this legislation, and continue to apply the 'grace and favour' allocation at no charge, subject to spare availability on contracted school transport. Further information regarding the application process can be obtained directly from the Corporate Transport Unit. The provision of additional capacity or the alteration of routes for 'grace and favour' pupils, would not be approved if additional costs were to be incurred or the route disrupted. It must also be stressed that 'grace and favour' pupils are required to give up their seat at short notice if the seat is subsequently required by an entitled child.

Where an application is received on medical grounds, advice is obtained from the Child and Community Health Service. However, assistance with travel on medical grounds is not given to pupils with a pre-existing medical condition whose parents have chosen to enrol them in a non- catchment school.

Where a child does not qualify for the provision of assistance with travel, the responsibility for supervising the child's journey to and from school lies with the parent. In cases where assistance with travel is provided, it is similarly the parent's responsibility to supervise the child's journey to and from the bus stop/pick-up/drop-off point.

All parents are responsible for the behaviour of their child/children on their way to and from school.

Where an application is received on grounds of safety the Authorities Health and Safety Adviser, together with representatives from the Road Safety Unit of Lothian and Borders Police, will assess the routes to school.

Discussions with the Police have led to the view that the factors, which should be taken into account in assessing safety for primary children travelling to school in the company of an adult, would include:

Traffic: nature of route
volume of traffic
type of traffic
width of carriageway
presence of footpaths
presence of lighting
presence of crossing facilities
existence of public bus service
temporary factors

Other: high bankings
wooded areas
subways
crimes committed at school times

While these factors are taken into account, the presence of one or more of them in any specific instance does not necessarily indicate that assistance with travel is justified.

Where a suitable bus service exists parents, whose children do not qualify for assistance with travel on grounds of distance from home to school, will have the opportunity to choose this as an alternative to walking, but at their cost.

It should be noted that assistance with travel is not necessarily provided on grounds of safety where there is no suitable bus service, provided that there is a suitable walking route.

These criteria are, as stated above, in relation to primary pupils. The view is taken that by the time a child reaches secondary school he/she should be capable of making appropriate decisions to negotiate traffic with relative safety. Nevertheless parents are still responsible for the safety of their child/children on the way to and from school.

Means of Provision

In meeting its obligations the Council uses a range of travel services: some children travel on regular bus services while others journey on specially hired contract vehicles, which may be buses, minibuses, taxis or private hire cars.

Assistance with travel will normally be provided by public transport. If this is inappropriate, as may be the case for some pupils with special needs, contract hire travel arrangements, which pupils will be required to share, may be made. Only in extreme and exceptional circumstances will consideration be given to providing individual travel.

In common with many local education authorities the City of Edinburgh Council tenders its transport contracts every few years. It is accepted that parents value continuity, however it must be recognised that this is not always possible.

Changes to pupils' travel requirements can occur throughout the period of a contract. New pupils enrol at school and existing pupils leave or change address and an individual pupil's travel requirements can change. In time, this can have a significant effect on the pupil profile of some contracts and, occasionally, it is necessary to terminate some contracts and amalgamate others.

Whilst the Authority does all it can to maintain continuity and it is understood that changes in travel arrangements can cause anxiety and concern, it does have a duty to ensure value for money.

The Council is committed to improving public transport services within the City of Edinburgh and reduce the use of cars. Extensive use is made of the services provided by stage-carriage bus operators in the City. It is recognised that changes in the allocation of school travel business between stage-carriage bus operators and contract hires could affect the Council's wider public transport policies and associated budgetary provisions. Accordingly, changes in the type of provision will not be made without taking these considerations fully into account.

Where major changes in school arrangements are envisaged, Head Teachers must advise their Neighbourhood Manager **at least a term in advance** if there are

travel implications.

It must be borne in mind that some schools use public service routes and that the Traffic Commissioner requires at least 56 days notice from the operator to vary the timetable.

Contract Hires

When contract hires are arranged the following conditions are observed:

Operators must undertake to use only vehicles that are totally roadworthy, comply with Construction and Use Regulations and where appropriate to have seat belts fitted;

Operators must be adequately insured and comply with all statutory regulations regarding operator, vehicle and driver licensing; drivers and escorts are Enhanced level Disclosure Scotland checked and escorts are issued with and are required to carry ID badges.

- a. Mainstream routes and times must be adhered to and no changes may be implemented without the approval of the Children and Families Department. Head Teachers of Special Schools can make minor ad-hoc changes locally providing no change in costs or disruption to the route is associated with the change and the Corporate Transport Unit is subsequently notified about the change. Corporate Transport Unit must be contacted to consider the implications of any proposed changes that may alter the cost or significantly change/disrupt a route.
- b. Contractors are required to have a two-way communication device on board each vehicle.
- c. In the event of an emergency, contractors are required to use the two-way communication device to contact the emergency services, the school, the Corporate Transport Unit or parents as appropriate. In the event of a medical emergency, contractors are under instruction to safely stop the vehicle and use the two-way communication device to call for medical assistance.
 - Parents should ensure that children are ready to leave when the vehicle arrives. Contractors are required to wait up to five minutes after first making their presence known but should report persistent incidents to the Head Teacher.

Contracts will be terminable upon an agreed period of notice:

- a) if the need ceases or diminishes significantly in scale;
- b) if an operator wishes to withdraw;
- c) if the Authority is dissatisfied with an operator's performance: in this respect the contract can be terminated immediately and without notice if certain conditions are not met.

As previously stated contracts will normally be subject to competitive tender, but, in deciding upon the allocation of school travel business, the City of Edinburgh

Council may take into account its responsibilities and policies as a transportation authority, as well as the operational record of the contractor. However, before allocating work to stage-carriage bus operators on such policy grounds, the implications for the Children and Families budget will be examined carefully.

Monitoring of Operator Performance

The capacity of operators and their performance is assessed and monitored by the Corporate Transport Unit. All complaints and irregularities are investigated.

While parents are responsible for the behaviour of their children while using transport, the school has a role in leading and co-ordinating the response to anti-social behaviour that, in certain cases, would also involve the parents, contractor and Corporate Transport Unit. Contractors are instructed that, in the event of difficulties arising through pupil behaviour or other reasons, they should maintain a close liaison with the school so that co-ordinated action may be taken.

In serious cases of pupil disturbance, drivers are under instruction to confiscate the pupil's permit and hand it to school staff with details of the reasons for withdrawal. If necessary, assistance with travel for pupils can be temporarily withdrawn by the school and in extreme cases the school can permanently withdraw assistance with transport. Advice may be sought from the Corporate Transport Unit on the required standards of behaviour.

Head Teachers should arrange to satisfy themselves that contractors serving their pupils are operating in an acceptable manner. In this context, if they are not fully satisfied with time-keeping, the standard of vehicles, or the conduct of drivers, they should report their concerns to the Corporate Transport Unit without delay.

Where escorts are provided as part of the travel contract, they also are under instruction to liaise closely with the school. Similarly, if Head Teachers are concerned about the way in which escort duties are being carried out, the Corporate Transport Unit should be advised without delay.

Children and Families escorts, employed by schools on routes operated by the Authorities vehicles, are school employees and Head Teachers should deal with any difficulties and/or complaints as they would for all staff.

Application for Permission to Travel

The parents of mainstream pupils wishing to apply for assistance with travel must make a written application each year to the Corporate Transport Unit. Application forms should be available in each school, or can be obtained from the Corporate Transport Unit. The school, on behalf of the parent/guardian, normally makes applications for assistance with travel for pupils with special needs. In May each year the Corporate Transport Unit issues application forms to Special Schools.

Route lists are issued to contractors and to schools detailing which pupils are entitled to assistance with travel.

Under the conditions of contract, operators are instructed to only carry mainstream pupils who hold permits issued by the Corporate Transport Unit. Except in emergencies, Head Teachers are not empowered to authorise pupils to travel on contract routes.

The Children and Families Department is responsible for arranging transport for 'looked after' pupils except where they also have special needs in which case the Corporate Transport Unit takes on the responsibility.

While travel to respite care facilities should be provided by the Support to Children & Young People service area Social Work Children Services, use can be made of home-to-school travel arrangements providing there is no additional cost involved and there is no adverse effect on the normal arrangements associated with the route. The same is true if pupils regularly travel to alternative addresses.

Requests should always be referred to the Corporate Transport Unit where an additional cost is involved or where there would be disruption to the normal arrangements associated with the route.

The City of Edinburgh Council
Children and Families
Department Waverley Court
4 East Market Street
Edinburgh
EH8 8BG
August 2010

Assisted Travel Home to School

Policy statement

- 1.1 It is the responsibility of the parent/carer to accompany a child (or arrange suitable supervision) as necessary when walking to and from school, including to and from a provided transport pick-up and setdown point, unless such arrangements form part of the provision arranged by the Local Authority. Passenger Assistants will only be supplied on provided transport arrangements where they are necessary to meet a child's assessed needs.
- 1.2 The Policy accounts for the implementation of the Children & Young People (Scotland) Act 2014; Getting it Right for Every Child (GIRFEC) and implementation of the Child's Plan; Education (Scotland) Act, 2004 (Additional Support for Learning); The Equality Act 2010; UN Convention on the Rights of the Child, 1990.
- 1.3 The Policy reflects the implementation of The Children's Hearing (Scotland) Act 2011, implemented in 2013, The Social Care (Self-Directed Support) (Scotland) Act 2013 and the Children and Young People (Scotland) Act 2014
- 1.2 The City of Edinburgh Council, in line with all education authorities in Scotland has a statutory duty to decide the measures it considers necessary to assist parents with home to school travel; to determine the terms and conditions that will apply and to pay all or part of reasonable travelling expenses for school children residing in the Council's area, attending designated schools.
- 1.3 The Council's statutory duty extends to keeping school transport provision under review to secure, as far as is reasonable and practicable, the ongoing safety of children under its charge, when travelling on dedicated school transport.
- 1.4 Under the Public Finance and Accountability (Scotland) Act 2000, the Council also has a duty to implement Best Value for assisted home to school travel that is subject to scrutiny by the Auditor General for Scotland.
- 1.5 Accordingly, the Council is responsible for the discharge of a fair, consistent, thorough, and transparent approach to the provision of assisted travel to achieve the required balance between demand and the allocation of available Council budgetary resources.
- 1.6 The Council's transport strategy aims to promote sustainable travel by encouraging the use of alternatives to the car, and seeks to reduce emissions from motorised travel, working towards the air quality standards set down in European legislation. As part of that strategy the Council is committed to improving public transport services within the City of Edinburgh. Accordingly, wherever feasible, assisted school travel will take the form of a free bus pass.
- 1.7 The Council is also committed to assisting children in moving towards greater travel independence wherever feasible to aid their transition to adult life, whilst having due regard

to safety, and equality considerations under the Equality Act 2010.

- 1.8 This policy outlines the parameters of the Council's statutory provision and priorities under the power of discretion to provide additional school assisted travel provision within available budgetary resources and subject to identified and assessed travel need.
- 1.9 The Council's [Home to School Assisted Travel – Parent Guidance](#) provides further detail on the application of this policy.

Scope

- 2.1 Within the legislation outlined above the scope of this policy encompasses the range of provision the Council chooses to make to deliver assisted home to school travel and includes social work services and respite provision.
- 2.2 The scope of the policy has been widened to include the values of Getting it Right for Every Child (GIRFEC) - requiring joined-up working, is child focused, early intervention, and an understanding of the full needs of the child and family.

Definitions

- 3.1 Special school: A school is to be identified as a special school if the sole or main purpose of the school (or standalone unit) is to provide education specially suited to the additional support needs of children selected for attendance at the school (or unit) because of those needs.
- 3.2 Specialist provision: education especially suited to the additional support needs of children selected for participation in such provision because of those needs.
- 3.3 This policy refers to the term 'parent' which includes anyone who has parental responsibilities under the Education (Scotland) Act 1980 as amended or has care of child or maintain a child.

Policy content

2. Assisted Travel Eligibility

Council statutory responsibility for assisted home to school travel

- 2.1 Under the Education Act free school transport must normally be provided for children of statutory school age under 8 living 2 or more miles away and children aged 8 and over living 3 or more miles away, from their catchment school.
- 2.2 Council entitlement to free assisted school travel is more generous than the above national parameters resulting in higher number of eligible children and associated costs. The Council's statutory walking/qualifying distance is:

- 2 miles or over for primary aged children
- 3 miles or over for secondary aged children.

- 2.3 The legal walking distance/ qualifying distance does not mean that a child must walk and represents the boundary limit for Council statutory duty to assist with school travel on distance grounds. It is the parents' responsibility where the child lives within the legal walking/qualifying distance to decide on the method that they think is most suitable to get their child to/ from school.
- 2.4 The statutory distance will be measured using Council approved software programs in a consistent manner along available walking routes from the address point of the child's main residence to the nearest school gate of the catchment school available for his/her use.
- 2.5 If no safe walking route is available to the catchment school, because all routes assessed by the Council are considered unsafe, even when accompanied by an adult, assisted travel will be considered regardless of distance.
- 2.6 Parents are responsible for home to school travel arrangements if their decision is to start or move their child to a non-catchment school.
- 2.7 Statutory school age is 5 to 18 years (or 19 years, with the authority's agreement). The Council's school admission arrangements allow for 'rising 5's i.e. aged over 4 years within the specified date range when due to start primary school in P1.
- 2.8 Where a child attends an Edinburgh school with a city-wide catchment area, the statutory walking distance threshold will still form part of the travel need assessment.

Non-statutory assisted home to school travel

- 2.9 The Council has the power to provide other assisted travel on a discretionary basis, subject to its budgetary resources and priorities and based on the outcome of travel need assessment by the Travel Allocation Panel. Further details of the main priority categories for discretionary travel consideration are provided in the [Parents' Guidance](#).
- 2.10 The Travel Allocation Panel will review all aspects of the child and family situation including transport means and mobility allowance in payment and, where necessary additional information sought from the school and through a relevant social work service assessment in support of a Personal Travel Budget option, for example.
- 2.11 Under the Equalities Act 2010, the Council's duty to make reasonable adjustment is to enable children with a disability to gain access to an education as close as is reasonably possible to the education generally offered to children.
- 2.12 Assisted travel provide on a discretionary basis will be subject to ongoing review with the aim of moving the child or young person towards independent travel wherever appropriate.

Living within one mile of the catchment school

2.13 Where a child lives within 1 mile of the school this is not routinely assessed as an assisted transport need, unless there are safety or child at risk issues. Where the Travel Allocation Panel has confirmed there is no requirement for vehicle transport and a parent cannot reasonably be expected to accompany the child, schools will provide walking escorts from amongst school staff.

Spare seat scheme (formerly grace and favour)

2.14 Where spare seats exist on dedicated Council school transport vehicles, a child who does not meet the eligibility criteria may be temporarily allocated a seat if there is no additional cost involved and the route is not disrupted. Where a spare seat is re-allocated to an eligible child the temporary occupant will no longer be provided with assisted travel.

2.15 All routes and vehicle size will be closely monitored and reviewed to ensure the most cost-effective use of overall Council resources for eligible child numbers and, wherever possible and efficient, smaller vehicles deployed to replace larger vehicles or routes amended.

3. Home to school assisted travel parameters

3.1 Assisted travel is from the child's main home residence to and from the catchment school, or nearest special school with a suitable place available, at the start and end of the normal school day.

3.2 The Travel Allocation Panel may consider requests for alternative arrangements within available budgetary resources in exceptional circumstances and subject to a robust assessment of travel need whilst ensuring the most cost-effective and efficient mode of transport is used with no adverse impact on other passengers.

3.3 Transition visits to/from another school or college or part-time attendance (other than the normal Council temporary reduced hours arrangement for children starting in P1 during the Autumn term) do not fall within the Council's assisted home to school travel parameters and schools must make their own travel arrangements for such circumstances if required.

3.4 Distances will be measured from the address point of the child's house to the nearest school gate available for children's use along available walking routes using a consistently applied software program. The statutory walking distance measurement is not necessarily the shortest distance by road but the shortest route along which a child, accompanied as necessary, can get safely to school.

3.5 The Council's is committed to improving public transport services within the city and, wherever feasible, assisted school travel will be provided using the most cost-effective form of public transport i.e. a free bus pass. Alternatively, where this is assessed as not appropriate for the travel need, a suitable Council vehicle will be used with contract private hire only used where Council provision is not available.

3.6 The Council will keep assisted travel under review, benchmark best practices and be proactive in offering parental choice options wherever better outcomes for children and improved value for money can be achieved.

- 3.7 Schools, other relevant Council officers and parents are expected to accommodate the alignment of school business delivery at the start and end of the day to facilitate the achievement of these objectives as an integral part of assisted travel management, wherever feasible.

Independent travel training

- 3.8 The Council will work in partnership with parents, schools, and other key agencies to provide appropriate travel training for children as required to aid their transition to adulthood by promoting and supporting independent travel to and from school, wherever feasible.

4. Assisted travel health and safety

- 4.1 A parent will accompany a child where it can reasonably be expected for them to do so and where they consider it necessary for safety along a suitable walking route or when getting their child to/from school by other means within the qualifying distance.
- 4.2 A parent will ensure their child's supervision to and from the designated drop off point for assisted travel by Council or contract vehicle to the home address where they consider this is necessary due to the child's age or disability.
- 4.3 Where no public transport exists and/or where route is assessed as unsafe, even when accompanied by a responsible adult, assisted travel will be considered subject to Travel Allocation Panel assessment where the child lives within the statutory walking distance from their catchment school or nearest special school with a suitable place available.
- 4.4 Schools will be responsible for ensuring the child's supervision as required to and from designated school transport vehicle drop off and pick up points and escorting the child into /out of the school building as necessary to ensure their safety.
- 4.5 The Travel Hub will be responsible for ensuring recruitment and performance of all transport staff complies with Council requirements and that of Disclosure Scotland for the protection of children during assisted travel. The Travel Hub will ensure that the Council's tender parameters and standards for private contract hire are adhered to where no Council vehicle is available.
- 4.6 The [Assisted Home to School Travel Support Risk Assessment Guidance](#) forms an integral part of this shared responsibility in the identification and management of anticipatory risk throughout the journey lifecycle.

School travel plans

- 4.7 All schools will be responsible for agreeing and committing to operating school travel plans as part of a whole school approach to supporting a child's health, wellbeing, and safety.

5. Application for assisted school travel

- 5.1 Parents who wish to apply for assisted travel will be responsible for submitting an annual application form ahead of the start of each new school session in line with Council communicated timescales and deadlines.
- 5.2 Schools and other relevant Council officers including a child's social worker where appropriate, will be responsible for providing support to parents in the completion of the application form where requested or where the school pro-actively identifies assistance would be welcome.
- 5.3 A completed application form will be required for any change request to existing travel provision during the session or if a child starts at an Edinburgh school during the session.

6. Home to school assisted travel code of conduct

- 6.1 The responsibility of ensuring safe and acceptable behaviour rests with the parents for children travelling on school transport vehicles or on public transport.
- 6.2 Misbehaviour or action of children during school transport that could put the safety of others at risk may ultimately result in the removal of their child's transport provision on a temporary or permanent basis and police involvement may be sought where considered necessary.
- 6.3 Parents who abuse Council staff or Council contractors involved in assisted school travel, either verbally or physically, may result in the removal of transport on a temporary or permanent basis and police involvement may be sought where considered appropriate.
- 6.4 Further information on the code of conduct is provided in the [Assisted Home to School Travel Code of Conduct](#).

7. Roles and responsibilities

7.1 Council Travel Hub

- Will plan, organise, and deliver school transport using the most cost-effective and efficient mode available that meets assessed travel need.
- Will act as first point of contact and support for parents, school and other council officers on all assisted travel matters.

7.2 Travel Allocation Panel (TAP)

- Will comprise professional assessors and senior social work and education managers qualified to make appropriate judgements, monitor their implementation, and regularly review these where travel needs change.
- Will comprehensively assess travel need and apply a consistent, fair, and transparent approach to the allocation of school travel budgetary resources using the most cost-

effective mode of shared transport where available.

- Will support and facilitate other travel support initiatives to supplement to Council vehicle transport, within the parameters of this policy that deliver best outcomes for children, efficient and effective use of Council transport resources and, wherever feasible, increase parental choice.

7.3 Communities and Families

- Senior management will ensure schools and child social work services act in accordance with this policy and its associated processes and procedures.
- Schools and other council officers involved with the child will support parents in the operational delivery of assisted home to school travel.

8. Implementation

- 8.1 For details of the completed **Implementation and Monitoring** form, contact the named author of the policy.

9. Related documents

Publications

- Education (Scotland) Act 1980 Sections 51, 60-60G
www.legislation.gov.uk/ukpga/1980/44
- <https://www.mygov.scot/free-school-transport/>
- <http://www.legislation.gov.uk/asp/2014/8/contents/enacted>
- <https://www.legislation.gov.uk/asp/2011/1/contents>
- <https://www.gov.scot/policies/girfec/>
- Standards in Scotland's Schools etc. Act 2000 Section 37 www.legislation.gov.uk/asp/2000/6/contents
- Local Government (Scotland) Act 2003 Section 45 www.legislation.gov.uk/asp/2003/1/contents
- Education (Additional Support for Learning) (Scotland) Act 2004
www.legislation.gov.uk/asp/2004/4/contents
- Guide to Improving School Transport Safety: www.transport.gov.scot/system/files/documents/guides/Improving_School_Transport_Safety_-_guide_-_final.pdf
- Scottish Executive School Transport Guidance Circular
www.gov.scot/Topics/Education/Schools/Parents/transport/transport-guidance
- The parent's guide to additional support for learning, Enquire, (2018)
Sustrans.org.uk school travel planning toolkit

Websites Disclosure Scotland www.disclosurescotland.co.uk/

Council documents

- Assisted Home to School Travel – Parents Guidance.
- Assisted Home to School Travel Support Risk Assessment Guidance.
- Assisted Home to School Travel Code of Conduct

10. Equalities impact

- 10.1 The rights of children and young people attending Edinburgh schools or other educational establishments as allocated by the Council include rights to education and protection.
- 10.2 Under the UN Convention on the Rights of the Child the Council has a duty to promote and protect children's rights which include rights to education and protection and it is committed to the protection, respect, and fulfilment of these rights.
- 10.3 This policy reflects the Council's statutory duties under the Education (Scotland) Act 1980 (as amended 2016) and its common law duty of care for the safety of pupils under their charge and this duty extends to children using school transport. Accordingly, parents and their children have a right to expect that suitable arrangements for a safe school transport system will be made by the Council for eligible children, taking account of local circumstances. Given these provisions are laid down in policy there will be no negative equality or human rights impact.

11. Sustainability impact

- 11.1 Under the Climate Change (Scotland) Act 2009 Act Edinburgh Council has a duty to ensure its policies, plans and strategies contribute to the emission reduction targets. This is because local authorities are well-placed to drive and influence emissions reductions in their wider areas through the services they deliver, including transport.
- 11.2 The Council's transport strategy aims to promote sustainable travel by encouraging the use of alternatives to the car and high carbon vehicles, and seeks to reduce emissions from motorised travel, working towards the air quality standards set down in European legislation. As part of that strategy the Council is committed to improving public transport services within the City of Edinburgh and for school transport provision to be reflect this commitment wherever feasible.

12. Risk assessment

- 12.1 The risk assessment has been conducted in conjunction with the Travel Demand Management Project Board and subsequent Project Initiation Documents submitted to the Board and Senior Responsible Officer.

13. Review

13.1 The policy and associated procedures will be reviewed within 12 months, subject to any further changes in legislation.

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HOME TO SCHOOL TRANSPORT

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Contents

Introduction	3
Who is eligible for home to school transport?.....	3
Distance Measurements.....	4
Exceptional Circumstances and Discretionary Assistance	4
Transport Arrangements	5
Shared Care Arrangements	6
Code of Conduct	7
How to appeal a decision or raise a complaint.....	7
Contact us	8

DRAFT

Introduction

We have a statutory duty to provide free transport to children and young people who are entitled to receive it. This duty means we have to provide transport from their home to school and the return journey each school day.

The City of Edinburgh Council wish to promote the independence and well-being of all children and young people through a range of travel options. All children and young people should be encouraged to follow a healthy lifestyle including walking a reasonable distance, accompanied where necessary, and where possible, to school

We need to ensure we provide this in a cost efficient way and therefore use a number of different transport options to meet this entitlement.

In implementing this guidance (and policy), the Council aims to:

1. Assist parents and carers in their responsibility of ensuring that their child attends school safely and on time
2. Ensure that the right children and young people get the right option for travelling to school
3. Be responsible to the concerns of parents and carers in the provision of appropriate travel assistance arrangements
4. Ensure the most effective, safe and economical use of resource by the close monitoring of contract
5. Keep its arrangement for school travel assistance under continuous review

Who is eligible for home to school transport?

The Education (Scotland) Act 1980 says we must provide transport for any primary pupil up to the age of 8 living more than two miles from their catchment school or children over the age of eight who live more than three miles from their catchment school.

Here in Edinburgh we have agreed that we will provide transport for all primary aged children living over two miles from their catchment school and three miles for secondary pupils.

The Act also says we should also provide transport for children in exceptional and special circumstances.

All addresses in Edinburgh have two [catchment schools](#) – a denominational and non-denominational.

We also have several schools with a citywide catchment area:

- Gaelic medium primary or secondary
- The City of Edinburgh Music School
- The Edinburgh Dance Unit at Broughton High School
- The Scottish FA Performance School
- The Heart of Midlothian Performance School

We only provide transport support to children living with Edinburgh Council boundaries. If you live in another local authority area you will need to apply to them for support.

Please note if you make a successful placing request and send your child to a school other than one of your catchment schools or you move outside the catchment area they will not qualify for free transport and you will be responsible for transport arrangements.

Distance Measurements

We measure the distance from your home address to the nearest school gate by the shortest suitable walking route. We only consider routes that are well lit and have pavements throughout. Other factors like traffic speed and volumes and safe crossing points are also considered.

We take advice from the police and qualified road safety practitioners when assessing if a route is safe. If your house is less than the qualifying distance and they confirm a safe route is not available we will provide transport support.

If you disagree with our measurement, you can request a map from us that will show you the safe walking route we have measured. You also have the right to make a complaint if you disagree with our decision.

Exceptional Circumstances and Discretionary Assistance

There are some circumstances where we may provide transport support. Please ensure you provide as much information as possible to support your application when you apply. All applications for discretionary support will be reviewed by our Travel Allocation Panel who will decide whether support will be provided and agree what this should be.

No Suitable Walking Route:

If you do not meet the distance criteria we will provide transport if there is no safe suitable walking route to your school. We consider a route to be suitable for a child if they can walk with an adult along a pavement that is well lit throughout. Where required our own health and safety officers will carry out an assessment.

Medical Conditions:

If your child has a health condition that affects their mobility and would prevent them walking to school, we will provide transport if they are assessed as needing support.

Placed by us in an alternative school:

If there is no suitable place available in your catchment school and we place your child in an alternative school or a special school that is further to travel and meets our distance criteria we will provide transport

If we place your child in another school to ensure we can meet their needs and it is further to travel and meets our distance criteria we will provide transport

Temporary Relocation

If we move your family to another house on a temporary basis that is further from your child's school and the distance criteria are met or there are safety issues we will provide transport

Looked after children

If a child is looked after and living away from home but continuing to attend their previous catchment school

Single parent with disability

If you are unable to take your child to school and have no family or other support your child may receive transport support. This will require your social work to submit an assessment

Other Circumstances

If you believe there are other circumstances that should be considered please provide detailed information.

Transport Arrangements

Transport arrangements will be put in place to allow one daily journey from home to school and a return journey at the end of the school day.

We believe that a journey time of up to 45 minutes for primary pupils and 75 minutes for secondary pupils is an appropriate journey time. Occasionally it may be possible to exceed these times but only if the additional travel time does not place undue stress or strain on the child.

Edinburgh has good public transport links and wherever feasible we will provide a free bus pass. If this is not possible we have a range of other transport options that may be provided. Our aim where possible is to use shared transport but we recognise this may not always be appropriate.

Options provided include:

- Free Bus Pass
- The Council's own transport, for example minibus
- Coach, minibus or people carrier/taxi
- Black cab

External transport providers will be contracted following a tendering process. All vehicles will be expected to meet regulations on vehicle condition and road worthiness. In some instances for shared transport we will ask children to meet at a local pick up point. Parents are responsible for ensuring their child gets to the pick up point safely and should collect them at the same place at the end of the day.

There is no statutory requirement to provide passenger assistants when transport is provided. A passenger assistant will be provided if they are assessed as being required to meet the travel needs of a child. This is normally when a child has

complex additional support needs and/or health condition and require an additional level of support or supervision on a journey.

Additional Support Needs

In addition to the options outlined above, the following options may also be considered for children with **additional support needs**. **A Travel Allocation Panel will assess the most suitable travel support option available.**

Independent Travel

The Panel may consider providing support to enable children to travel independently.

For some children with additional support needs we will provide support to help them gain independent travelling skills. This could be through a member of staff initially escorting a child on a bus, practicing the route and or providing technology to support their journey.

Personal Assisted Travel Budget

A PTB is a sum of money paid to parents or carers of children with disabilities and additional supports needs special educational needs who qualify for free school transport.

The sum of money is based on the:

- distance from home to school
- child's travel needs

A PTB lets families decide how their child gets to and from school. Parents and carers can make arrangements which suit their needs.

School staff walking escort

If a child lives within a mile of their catchment school and there are reasons why a parent is unable to accompany their child to school, a walking escort may be provided on a temporary basis.

Shared Care Arrangements

If a child is living between parent addresses we will normally only provide transport support from one address. If more than one address is registered with the school, we will consider the address of the parent who receives child benefit to be the main residence for travel purposes.

Code of Conduct

We expect all children to behave appropriately on home to school transport. Parents are responsible for ensuring the safe and acceptable behaviour of their child to ensure that all children can travel in safety and comfort.

Misbehaviour or inappropriate conduct may result in transport being removed on a temporary or permanent basis. In these instances, parents will be responsible for ensuring their child gets to and from school.

We carry out risk assessments to ensure children are safe on their journey to and from school. We also have a duty to ensure our staff are safe. If a child's behaviour means we cannot safely transport a child in a contractor vehicle, even with a passenger assistant, we may need to look at other types of educational provision on a temporary basis until we can carry out an assessment and provide the additional support required for the child.

How to appeal a decision or raise a complaint

If your request for transport support has been refused or you believe the option offered is not appropriate you can raise a complaint through our complaint procedures. Please direct your complaint to our Travel Hub in the first instance.

Stage 1 Complaint

Our Travel Hub will aim to respond within five days unless there are exceptional circumstances. If your complaint is complex and cannot be resolved at this stage or you are unhappy with the decision you can take your complaint to Stage 2

Stage 2 Complaint

Please tell the Travel Hub you wish to take your complaint to Stage 2. It will then be passed to the Travel Allocation Panel. They will confirm within three working days they have received it.

The Panel will review your complaint and may ask you to provide further details or arrange to meet you. Within twenty days they will provide a response in writing. If for any reason they are unable to meet this deadline they will let you know and agree a revised timescale with you.

Scottish Public Service Ombudsman (SPSO)

If you have followed our complaints procedure and are still unhappy with the decision, you can ask the Scottish Public Service Ombudsman to look at it. They can only do this if:

- Our own complaints process has been followed and completed
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Contact SPSO

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HOME TO SCHOOL TRANSPORT

Guidance for Parents and Carers



Contents

Introduction	3
Who is eligible for home to school transport?.....	3
Distance Measurements.....	4
Exceptional Circumstances and Discretionary Assistance	4
Transport Arrangements	5
Shared Care Arrangements	6
Code of Conduct	7
How to appeal a decision or raise a complaint.....	7
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