

# Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel

**Date: Monday, 13th May, 2024**

**Time: 9.30am**

**Venue: Council Chamber - Guildhall, Bath**

**Councillors:** Dine Romero, Liz Hardman, Alex Beaumont, Andy Wait, Dave Harding, Ruth Malloy, Michelle O'Doherty, Lesley Mansell and Joanna Wright

**Co-opted Non-Voting Members:** Chris Batten and Kevin Burnett

**The Panel will have a pre-meeting at 9.00am**



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## NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

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**Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.**

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**Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel - Monday,  
13th May, 2024**

**at 9.30am in the Council Chamber - Guildhall, Bath**

**A G E N D A**

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

- (a) The agenda item number in which they have an interest to declare.
- (b) The nature of their interest.
- (c) Whether their interest is **a disclosable pecuniary interest** or **an other interest**,  
(as defined in Part 4.4 Appendix B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

6. ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

Councillor Eleanor Jackson has registered to make a statement to the Panel.

7. MINUTES: 15TH APRIL 2024 (Pages 7 - 24)

8. CABINET MEMBER UPDATE

The Cabinet Member(s) will update the Panel on any relevant issues. Panel members may ask questions on the update provided.

9. B&NES, SWINDON & WILTSHIRE INTEGRATED CARE BOARD (BSW ICB) UPDATE

The Panel will receive an update from the B&NES, Swindon & Wiltshire Integrated Care Board (BSW ICB) on current issues.

10. SEND HOME TO SCHOOL TRAVEL POLICY REVIEW (Pages 25 - 140)

The SEND travel policy has been reviewed and rewritten in line with new Department for Education guidance. It has also been updated to clarify the eligibility criteria and to outline all travel support options for SEND children and young people more clearly.

11. SAFETY VALVE UPDATE (Pages 141 - 148)

The Department for Education (DfE) has introduced two programs: the Safety Valve (SV) and Delivering Better Value. These programs collaborate with local authorities to create recovery plans for financial sustainability. The SV program, specifically, provides financial support from the DfE.

12. SACRE ANNUAL REPORT (Pages 149 - 168)

The Annual Report contains key actions and findings throughout the year. The Panel is asked to review the SACRE Annual Report for information.

13. PANEL WORKPLAN (Pages 169 - 172)

This report presents the latest workplan for the Panel. Any suggestions for further items or amendments to the current programme will be logged and scheduled in consultation with the Panel's Chair and supporting officers.

The Committee Administrator for this meeting is Mark Durnford who can be contacted on [mark\\_durnford@bathnes.gov.uk](mailto:mark_durnford@bathnes.gov.uk) 01225 394458.

**BATH AND NORTH EAST SOMERSET**

**CHILDREN, ADULTS, HEALTH AND WELLBEING POLICY DEVELOPMENT AND SCRUTINY PANEL**

Monday, 15th April, 2024

**Present:-** Councillors Dine Romero (Chair), Liz Hardman (Vice-Chair), Alex Beaumont, Paul Crossley, Ruth Malloy, Michelle O'Doherty, Lesley Mansell and Joanna Wright

**Co-opted Members (non-voting):** Chris Batten and Kevin Burnett

**Also in attendance:** Suzanne Westhead (Director of Adult Social Care), Rebecca Reynolds (Director of Public Health), Ceri Williams (Policy Development & Scrutiny Officer), Paul Scott (Associate Director for Public Health), Lucy Baker (BSW ICB), Theresa Redaniel (ARC West), Jon Banks (ARC West) and Rebecca Wilson (ARC West)

**Cabinet Member for Adult Services:** Councillor Alison Born

**Cabinet Member for Children's Services:** Councillor Paul May

**108 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting and those present introduced themselves.

**109 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

**110 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Dave Harding had sent his apologies to the Panel.

Laura Ambler (BSW ICB) had sent her apologies to the Panel and Lucy Baker (BSW ICB) was present as her substitute.

**111 DECLARATIONS OF INTEREST**

There were none.

**112 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

**113 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING**

There were none.

## 114 MINUTES: 11TH MARCH 2024

Kevin Burnett raised the following points.

- Attendance of himself and Chris Batten missing from the front page.
- Minute 99: Should read CEO of MAT, not Chair.
- Minute 102: Awaiting Community Summit summary from Director of Education and Safeguarding.
- Minute 105: Amend paragraph 6 to read 'The Head of SEND replied that the applications are put before a multi-agency panel to establish whether (i) the child has SEND and (ii) whether their needs are above the level of what the school can normally provide. She added that they need to see a robust record of the offer of what the school has done.

The Chair informed the Panel that Councillor Dave Harding had contacted her regarding the following amendment.

Councillor Dave Harding commented that a recent survey of 3,500 pharmacists had shown that almost half of them were concerned about having enough staff in place to deliver the Pharmacy First initiative. He asked how the safety and wellbeing of patients would be monitored within B&NES.

With these amendments in mind the Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chair.

## 115 CABINET MEMBER UPDATE

Councillor Alison Born, Cabinet Member for Adult Services addressed the Panel and said she was happy to take questions on the update report that had been provided. A copy of the report will be attached as an online appendix to these minutes.

Kevin Burnett commented that he was pleased that further discussions were taking place with community partners regarding the budget savings and asked if there was a timeline for completing the strategic review of services that they provide.

Councillor Born replied that the process was already underway and that contracts were being reviewed to gain an understanding of the service specification required for contract renewals. She added that the intention is to try to complete the review by September 2024 and that the Panel will be updated on progress where possible.

Councillor Liz Hardman asked what will happen in the next phase of communication with the community partners.

The Director of Adult Social Care replied that the strategic review will take place with the community partners on the services they provide and that principles of future work will be established with them.

She added that a period of procurement would then take place prior to implementation. She welcomed the level of engagement that had been received so far.

Councillor Hardman asked if any further cuts were planned to the Community Support contract.

The Director of Adult Social Care replied that those contracts are currently with HCRG, that the Council was working with them and that they were not expecting to make any further savings. She said that this was an opportunity to try to get more for our money and to focus on early intervention.

Councillor Hardman stated that she was pleased that the Council had passed the recent motion regarding Care Experienced Young People and asked if an update could be provided in six months' time.

Councillor Paul May, Cabinet Member for Children's Services replied that work was already underway and he would provide further information at the next meeting.

Councillor Joanna Wright asked if services are overlapping, will any further investment be required.

Councillor Born replied that they are seeking to see services become more strategic / streamlined and to be able to target funding better. She said that the review will try to make sure that any actions taken will not cost the Council more money in the future.

Councillor Wright asked when the Panel could next be updated on the review.

The Director of Adult Social Care replied that an update could be provided in July / August.

Councillor Ruth Malloy referred to the issue of oral health amongst children and asked what percentage of schools within B&NES had signed up to the Supervised Toothbrush Scheme, delivered by At Home Dental.

The Director of Public Health replied that 18 primary schools and nurseries were eligible to take part in the scheme, 13 are participating, 3 have declined and 2 have yet to respond. She added that this equated to 425 schoolchildren taking part in the 2-year scheme.

Councillor Malloy asked if it was known if how many of the schools taking part are being supported by the St. John's Foundation.

The Director of Public Health replied that she did not have that information to hand and would seek an answer on behalf of the Panel.

Kevin Burnett said that he would welcome a report on the work of the voluntary sector, how the Local Authority engages with them and how they support services provided by the Local Authority. He asked if Charlton House would continue to provide meals to the extra care and sheltered housing tenants in the local area.

The Director of Adult Social Care replied that it would. She suggested whether the voluntary organisation 3SG could be invited to the June meeting to explain their role further.

Kevin Burnett asked if the Schools Health and Wellbeing Survey has replaced the SHEU survey and whether it includes the topics of Social Media and Mental Health.

The Director of Public Health replied that it has and will take place every two years. She added that it was now funded by the St. John's Foundation.

Kevin Burnett asked what the eligibility criteria was for taking part in the Supervised Toothbrush Scheme.

The Director of Public Health replied that it was focussing on the six most deprived areas in B&NES.

Kevin Burnett asked who was leading on the Whole System Health Improvement Framework and what the timeline / success criteria was.

The Director of Public Health replied that it was being led by Annette Luker, Public Health Consultant along with Hannah Thornton, Public Health Registrar, and with other colleagues, partners, and organisations and that a report is scheduled to go to the Health & Wellbeing Board in either June or July.

She added that the work has sought recognition and an agreement as a system to work in a collaborative, integrated way using a whole-systems approach to health improvement.

Kevin Burnett asked if the 'Excellent' rating as a Public Health training location secured any additional funding.

The Director of Public Health replied that it did not.

Kevin Burnett asked if the Food Insecurity research was part of the Food Equality Action Plan and what benefit is to be achieved through the use of the toolkit.

The Director of Public Health replied that it was part of the work surrounding Food Equity and was being led by Bath University. She said that the aim of the toolkit is to have in place a good practice guide for local organisations to follow on this issue.

Councillor Liz Hardman asked how confident they were that bringing the Minor Adaptations Service in-house would improve the service.

The Director of Adult Social Care replied that not all of the scoping work had been completed yet, but there is a good infrastructure in place with the Housing department. She said that investment in the service was also likely alongside the use of AI and other technology to make the service become more efficient.

The Chair asked if the use of allotments was part of the Food Insecurity work.

The Director of Public Health replied that she was aware that this had been considered by the Food Equity Group, but was not an area that Public Health were leading on.



The Chair commented that she was concerned about the schools that were not taking part in the Supervised Toothbrush Scheme and asked if any consideration had been given to becoming involved with the Dental Bus initiative that is in place in other areas in the country.

Lucy Baker, BSW ICB replied that £700,000 has been earmarked for a Dental Bus to be used in B&NES, Swindon & Wiltshire, which would be an all-age facility. She added that the development plan was currently being worked upon.

The Chair asked if there were plans to fit solar panels to the site of the Culverhay Sports Centre in line with the work that has been carried out on Bath Sports Centre.

Councillor Paul May replied that the site has not been formally approved yet as part of the DfE proposal relating to a Free School / Alternative Provision and said that a Cabinet decision was required. He said that once that was in place discussions could begin about the detail of what was to be put in place on the site. He added that he had requested that a decision be drafted that could be taken to the Cabinet meeting on 9<sup>th</sup> May.

The Chair thanked Councillor Born for her update on behalf of the Panel.

## **116 B&NES, SWINDON & WILTSHIRE INTEGRATED CARE BOARD (BSW ICB) UPDATE**

Lucy Baker, BSW ICB addressed the Panel and said she was happy to take questions on the update report that had been provided. A copy of the report will be attached as an online appendix to these minutes.

Councillor Michelle O'Doherty wished to share a recent experience of attending the A&E department at the RUH. She explained that initially she had taken her son to Paulton Minor Injuries Unit only to find out that there was no X-ray service available on that day. They then returned to the RUH and had a 7 hour wait before being seen. She said that whilst there she noticed at least 15 ambulances waiting outside the A&E.

She asked what services were in place for patients that don't need to attend A&E and what is being done to address the backlog of ambulances waiting to deliver their patients.

Lucy Baker replied that a huge amount of work is being done to try to address the issue of ambulance backlog at A&E and that over the past 4-6 weeks the waiting time had reduced.

She said that a review of what services can be provided at the Minor Injuries Units was ongoing and that it does have provision of an X-ray service, but might not have been possible on this occasion due to staffing levels.

She advised that a separate Urgent Treatment Centre is available through contacting the 111 service to book an appointment.

She explained that discussions relating to forming a plan for future provision were due to begin next week with colleagues from Primary Care, Clinicians from A&E and the Urgent Treatment Centre and Community Clinicians.

Councillor O'Doherty said that she had called 111 and the option of the Urgent Treatment Centre at the RUH was not mentioned, they were advised to go to Paulton. She questioned whether having it on the RUH site was the most appropriate location as people would almost naturally go to A&E instead.

Lucy Baker replied that it has been acknowledged that more could be done to make the public aware of the Urgent Treatment Centre. She said that when contact is made through 111 the operator can access a directory of services, of which the Urgent Treatment Centre is one of them, and this now has a separate flow to those patients trying to access A&E. She said that updates on progress can be provided to the Panel.

Councillor Lesley Mansell asked if the Panel could be informed of who was in contention to being awarded the Community Health contract and what form of public consultation will take place.

Lucy Baker replied that as a live procurement process was ongoing, she was unable to provide any further comment.

Councillor Paul Crossley asked if a reply in principle regarding consultation could be given.

Lucy Baker said that in principle they would work with the public on this matter at some stage. She added that more information could be shared when allowed and this might be in July / August. She added that feedback on community provision is gathered on a regular basis.

The Director of Adult Social Care added that it was hoped that a preferred bidder would be identified by September and at that point the Panel could potentially review the process, but she stated that it is a procurement by the ICB, not the Council.

Councillor Mansell asked if feedback would be in the form of a survey or through an in-person Q&A session.

Lucy Baker replied that her comment regarding feedback was not in relation to the procurement, but in terms of the current provision, how they have discussions with friends, family and individual patients and also via questionnaires.

Councillor Mansell asked if an update could be given on how our local hospitals are working together to share ideas on service transformation and provision.

Lucy Baker replied that within B&NES, Swindon & Wiltshire there is the Acute Hospital Alliance (RUH Bath, Great Western Hospital Swindon and Salisbury Foundation Trust) who work together as a group on matters from clinical pathways to back-office savings.

Councillor Liz Hardman referred to subject of GP surgeries and how difficult it is for people to get an appointment. She said that she was proud of the Paulton Minor Injuries Unit, but acknowledged that some services are not always available. She asked if the Panel could be updated on how this situation is planned to improve.

Lucy Baker replied that work is ongoing regarding access to Primary Care and that she would be prepared to bring something further back to the Panel at a future meeting. She added that part of that work was around the triage of patients when they contact their GP as in some cases it would be more beneficial for them to see a pharmacist or a Mental Health professional rather than a GP.

Councillor Hardman suggested whether a code could be given to patients who are asked by their GP to contact them within a few days if symptoms still persist rather than starting from the beginning of the process again.

Lucy Baker replied that she was aware that some practices do use text messaging and other forms of technology to communicate directly with their GP, but she was conscious that not all patients would be digitally able. She proposed whether a GP lead could attend a future meeting to give a more direct account.

Councillor Paul May commented that the Local Plan process was currently ongoing which could see a further 10,000 – 16,000 homes within B&NES and wanted to raise the potential impact this would have on local GPs. He said that he had already raised the matter with the ICB.

Councillor Ruth Malloy referred to an incident that she had been made aware of where a member of the public had requested a home visit from their GP and was told that this would not be possible, so they had to call for an ambulance.

She asked if it was known whether this occurs on a regular basis.

Lucy Baker replied that home visits by GPs is quite a historical model of care and that now, nationally and locally, there is a system used called the Virtual Ward which allows for hospital level care to be delivered at home.

She added that either a Doctor, Paramedic or an Enhanced Care Practitioner Nurse would carry out an assessment at home and would also be able to administer oxygen and intravenous medication whilst being monitored by the Virtual Ward.

Councillor Mansell asked if the issue of repeat prescriptions could be included in any future update report as she was aware that some members of the public were finding themselves going round in circles to obtain their medication.

Lucy Baker replied that the direction of travel on this matter is to use the NHS app to request repeat prescriptions. She acknowledged that there could be more work to do to make the public aware of this process and to support them with their access to health care.

Councillor Wright referred to a recent matter involving a family member where following surgery they were asked to attend their local doctor for follow up care. She explained that they were then actually told that they needed to be treated in Paulton

despite the person in question not being able to travel that distance due to the surgery carried out.

She stated that this was not a reasonable service to expect and that all parties should know and be aware of what information has been given to a patient relating to their ongoing care.

Lucy Baker replied that any patient having had either emergency or elective surgery should be given a Patient Initiated Follow Up (PIFU) that does not require them to go through their GP for access to care after a surgical procedure.

She added that case studies are used regularly for learning within the NHS and that as part of a future report she would enquire as to how they are used within Primary Care.

Kevin Burnett asked at what point in the triage service does the level of knowledge or skill reach the level of a doctor, acknowledging that there needs to be a degree of experience to be able to ask the right questions.

Lucy Baker replied that within the Primary Access report they would seek to include information on examples of what GPs are doing locally in terms of providing a triage service.

Kevin Burnett asked if medical services within the RUH were still working under a rating of 'Requires Improvement'.

Lucy Baker replied that she would respond separately on that issue to the Panel in due course.

Kevin Burnett said that despite receiving a written answer he was still not clear on the roles and responsibilities of the ICB SEND Representative and whether their role involved connecting services or seeking additional resources. He commented that there was also an ongoing DfE Change Programme relating to SEND and asked if the ICB was involved in that in terms of B&NES.

Lucy Baker replied that it was the Chief Nurse who has that role within the ICB and she would ask if further information on the role could be shared with the Panel. She added that she would also pursue a response regarding the DfE Change Programme.

She said that a lot of work regarding the SEND agenda was ongoing locally, including the Partnerships for Inclusion of Neurodiversity in Schools (PINS) which was working with 40 schools across the BSW footprint.

Kevin Burnett asked if any further comment could be given regarding pharmacies and their current capacity levels.

Lucy Baker replied that until recently the ICB did not have pharmacies within their area of responsibility, it had been under NHS England. She added that a Pharmacy Strategy was in the process of being developed and could provide an update to a future meeting.

Councillor Paul Crossley commented that he regularly uses the NHS app and encouraged those who can to download and use it.

The Chair commented that the number of students within B&NES has increased to around 25,000 and that this must also add to the pressure on GP services locally.

Lucy Baker replied that she had recently met with the GP lead at the University of Bath practice, and they are doing some particular work with students who have an autism diagnosis and access to medication. She added that with regard to overall capacity concerning student numbers she would provide an answer to the Panel outside of the meeting.

The Chair asked if the Police were involved in the work the ICB does regarding Mental Health issues.

Lucy Baker replied that they are and that they work closely and collaboratively with both Police Forces within the BSW footprint. She added that there is an ongoing national piece of work relating to the role of the police when attending a mental health incident.

The Chair, on behalf of the Panel, thanked Lucy for the update report and attending the meeting.

## **117 COVID-19 - CARE HOMES STUDY**

Councillor Alison Born introduced this item to the Panel. She explained that this report follows on from the interim report that had been previously submitted to the Panel that looked at a wider section of data regarding the pandemic and showed that whilst there was a higher than expected number of deaths within Care Homes, there was a low number of deaths within hospitals from Covid-19.

She said that this was a pattern that had been in place for some time locally with many people choosing for their end-of-life care to be with their own home or place of residence.

She said that a decision was taken to ask for an independent review to be undertaken to look at more detailed local data, and also qualitative data by speaking to people who had been working in the Care Homes during the pandemic. She added that she did not feel that any large concerns had been identified in the report, but that it does give an insight into what it was like at the time and what points can be learned in preparation for any such events in the future.

Theresa Redaniel addressed the Panel and shared some presentation slides. These slides will be attached as an online appendix to these minutes, a summary is set out below.

What is an Applied Research Collaboration or ARC?

- Funded by the National Institute for Health and Care Research (NIHR), the nation's largest funder of health and care research.
- ARCs support applied health and care research that responds to the needs of local populations and health and care systems.
- NIHR ARC West is one of 15 ARCs across England, part of a £135 million investment by the NIHR over five years.
- Collaborations of local partners, including providers of NHS and care services, commissioners, local authorities, universities, companies and charities.
- The research is done in collaboration with the partners as well as the public and communities.

### What is applied research?

- Applied health research aims to address the immediate issues facing the health and social care system.
- ARC researchers do research that addresses the needs of the health and care system, the people who use services and other communities.

### The research problem

- Impact of COVID in care homes – cases 13 times higher than in the community.
- Vulnerable population – higher risk of death & high number of deaths in care homes.
- High death rates in care homes in B&NES – in comparison with similar areas.

### The research aims

- Determine why B&NES appears to have higher death rates from COVID in care homes compared to other locations.
- Whether there are specific risk factors associated with COVID-19 infections and deaths in care-homes within B&NES.
- To examine what learning from the first and second wave of the pandemic can be used to improve policy and practice.

### Study design

- Quantitative
  - Risk factors for high COVID infection rates/death, e.g.
    - Care home size / Care home type / Care home ownership / Engagement with B&NES Council / Plus eight others
  - Care-home level data supplied by B&NES (Second COVID wave)
  - Association between risk factors and infection/death rates
- Qualitative
  - Semi-structured interviews with care home staff
  - Sample of care homes of different sizes/types
  - Participants and data to be fully anonymised in reports.

- Presented as documenting experience to learn rather than an audit of practice.
- Draw on findings from the quantitative research to explore in detail.

## Challenges

- Quantitative
  - Data quantity
    - Small number of care homes in the sample
    - Only covers a limited period (Sept 2020 – Feb 2021)
    - No data from comparator areas
  - Data quality
    - Only data at care home level is available.
    - Not data on variables such as actual number of residents in the care homes, use of agency staff, vaccination status, staff infection rates or staff working across different sites.
- Qualitative
  - Care home recruitment.
    - Staff shortages – research not prioritised.
    - Staff changes - managers and staff in post during pandemic moved on.
  - Study design change
    - Recruit outside B&NES WHY?
    - Interviews in B&NES - interesting and valuable data but B&NES recruitment stalled - data spoke to issues within and beyond B&NES
    - Decision to build on these data and recruit across ARC West patch.
    - Inform and reflect on management of COVID in care homes in general.

Jon Banks addressed the Panel on the following section of the presentation.

## Results – Quantitative

- 33 care homes included in analysis (Sept 2020 – Feb 2021)
- Total 290 COVID-19 cases
- Average weekly cases = 0.35 (range 0-16) / Average age was 85 years / 71% female
- Total 101 COVID-related deaths
- Average weekly deaths = 0.12 (range 0-6) / Average age was 89 years / 64% female

## COVID-19 cases

- Medium and large care homes were at greater risk.

- Managers in post for less than a year were associated with fewer cases.

### Results – Qualitative

- Recruitment and analysis
  - 5 care homes
  - 14 interviews (managers and support staff)
  - Data analysed thematically.
- Key themes – focus on
  - Infection prevention & control policies
  - Guidance and legislation
  - Relationships with outside bodies (local authorities and health services)
  - The psycho-social aspects of lockdown
  - Reorientation of practice

Note – data presented represent participants' views and experiences rather than an audit of practice or behaviour – a reflection of how staff in care homes saw and experienced the pandemic.

Jon Banks shared a series of quotes with the Panel that had been gathered as part of the study.

### Summary and learning

Results indicate ...

- Care homes practices & behaviour did not contribute to the B&NES pandemic death rates.
- Staffing shortages - biggest challenge.
- Building layout and structure mitigated against resident isolation policies.
- Looking forward - More autonomy to balance infection control and psychosocial wellbeing.
- Support and maintain lines of communication.
  - Reduce feelings of care homes feeling abandoned.
  - Reduce confusion caused by multiple sources of information.

Kevin Burnett referred to section 3.15 of the covering report and asked who was responsible for taking these learning points forward.

The Associate Director for Public Health replied that these points have been shared with colleagues in Adult Social Care and it will be for them to take forward as part of future work around infection control / pandemic planning.

The Director of Adult Social Care added that they could provide an update as part of the Transformation Programme in September.

Jon Banks said that the study would also be published in a policy making journal to feed into policy at a wider level.



Kevin Burnett asked how the Care Homes and the ICB are involved in taking this work forward.

The Director of Adult Social Care replied that they meet with all Care Homes on a regular basis and discuss issues relating to culture, leadership and infection control. She said that they have a joint approach to this work with the ICB who also take part in visiting them alongside a colleague from the Council.

Kevin Burnett asked if any degree of autonomy could be given to Care Homes in the future with regard to procedures to follow in future pandemics.

The Director of Adult Social Care replied that this would be difficult as all homes are inspected and governed by the CQC and therefore not many factors would be within our gift.

She added that B&NES was in a good position regarding the range of Care Homes that are available in the area with 77% rated as either good or outstanding. She said that a significant amount of leadership and co-production is carried out with the residents.

Councillor Born added said that the issues relating to isolation -v- social cost and the guidelines that were set down by central government should be analysed as part of the Covid Inquiry and consideration given as to whether they could be more balanced in the future.

Kevin Burnett asked if individual Care Home plans were required.

The Director of Adult Social Care replied that the Council has provided information to the Covid Inquiry and said that there was a standard approach that was adopted for visitors and regarding PPE that would be difficult to go against if this was again advised nationally.

The Director of Public Health stated that all Local Authorities have been approached to provide feedback into the Covid Inquiry. She added that during the pandemic staff followed the national guidance and worked as collaboratively as possible with Care Home managers to put that into practice.

Councillor Liz Hardman asked if following the research that has taken place, is there a plan in place for future pandemics that will protect the residents and staff in our Care Homes.

The Associate Director for Public Health replied that the pattern of a high percentage of Care Home deaths and low percentage of hospital deaths has been in place for around the past 10 years. He added that the percentage of deaths in hospital was decreasing year on year which he suspected was due to more individual care planning being in place.

He informed the Panel that B&NES has a low rate of hospital admissions from Care Homes when compared to other Councils.

Councillor Hardman asked whether the scenario of patients being discharged from hospital into Care Homes had been a factor in the figures locally.

The Associate Director for Public Health replied that no association with this scenario had been found in the study.

The Director of Public Health added that they would be learning from the national Covid Inquiry to inform future planning. She added that at a local level, reviews have taken place and a document has been produced entitled 'Living safely and fairly with Covid'.

She said that work has also been done to plan on how such a similar event would be escalated, but a lot would depend on a national plan including access to testing, PPE and funding for those who have to self-isolate.

Councillor Paul Crossley asked if any action was recommended if any outliers were identified during the course of the study.

Jon Banks replied that 5 Care Homes were involved in the study and that no exceptional information had been identified. He added that it was also not within their remit to take such action.

Councillor Crossley asked if there had been any refusal to take part in the study.

Jon Banks replied that the Care Homes that took part were invited to do so after expressing an interest and that there was no pressure to do so.

Councillor Crossley asked if any lessons could be taken from the study regarding social isolation.

Jon Banks replied that the study has been able to give a voice to staff on how they perceived the impact of the pandemic. He added that consideration needs to be given to how we approach further incidents of this nature.

Paul Scott added that this study and other pieces of work need to be reflected upon and the impact such as decisions regarding keeping children away from school have had, whilst recognising the need to keep people as safe as possible.

Councillor Crossley commented that it was felt that as a country we were two weeks late in taking information about the virus seriously and asked if there was a guide now for how we should be prepared for another such event.

The Director of Public Health replied that guidance is expected following the conclusion of the national inquiry and that examples of good practice have already been established.

Councillor Crossley how was it possible for there to be contradictory advice being given when there were nightly broadcasts regarding the latest available information.

The Director of Public Health replied that elements such as this were again expected to be addressed within the national inquiry. She said that she felt that messages and guidance became clearer the longer the pandemic lasted.

She added that specific advice relating to Care Homes was not given initially with the focus being on general infection control and prevention. She said that it was important for information and messages to be agreed corporately so that all departments / sectors, including Public Health and Adult Social Care, are aligned.

Councillor Wright commented that she found the quotes within the report to be powerful and recalled at the time a case of a resident moving to be near a relative living in a Care Home and was then not able to see them and the lasting impact that this has had on them. She said that instances like this should not happen again.

Jon Banks said that ARC West want to see changes following their research and intend to do their utmost to make sure our work has an impact on future policies.

Councillor Wright commented that the matter of excess deaths locally was still to be fully understood. She said that it was recognised that the public needs to be protected when another similar event occurs, but queried the balancing factors between the financial cost -v- emotional cost as she believed that pain within communities still exists following the pandemic.

The Director of Adult Social Care said that the staff now working within our Care Homes are experts in infection control and that as a department they will work with Public Health on how to progress with these findings. She added that she would like to take this opportunity to thank all those who have and continue to work in our Care Homes for all their work, especially under such circumstances during the pandemic.

Councillor Mansell asked if the study took account of whether staff moved between hospitals and care homes and whether that had any impact. She added that there needs to be consistency over advice for whenever another such event occurs.

Theresa Redaniel replied that they did not have access to hospital staff data as part of the study.

The Associate Director for Public Health added that data relating to agency staff was also not available for the study.

Councillor Malloy asked if the overall age of Care Home residents was considered as a contributing factor locally.

The Associate Director for Public Health replied that we do know that within B&NES we have a higher percentage of nursing home beds per head of population than residential beds and that could be seen as a factor in the number of deaths that occurred.

Councillor Hardman said that she would like to suggest a recommendation 2.3 that seeks to adopt the learning points that were listed within the covering report at section 3.15.

- i) Staffing shortages was the biggest challenge identified by the care home staff. This is an ongoing issue with no clear answer. However, we would urge policy makers at government and local authority level to develop contingency plans that will enable care homes to be supported with emergency staff cover for pandemics and other unexpected events.
- ii) Isolation and infection control: building layout and structure mitigated against some of the recommended policies for isolating infected residents. In partnership with local authorities care homes could develop and regularly update infection and prevention control plans that are particular to their setting.
- iii) More consideration and autonomy could be given to care homes to enable them to find the right balance between infection control measures and the psychosocial wellbeing of their residents. There was a strong feeling that the measures imposed to support infection control went too far in removing the social aspects of resident's lives, especially in homes with a significant proportion of people living with dementia.
- iv) A key aspect to diminish the feelings of abandonment and isolation is to support and maintain lines of communication especially around policy and guidance where multiple sources of information led to confusion and uncertainty.
- v) Thank ARC West for their report and the staff within our Care Homes and their respective families for all their work, effort, commitment and sacrifice during the pandemic.
- vi) These recommendations are to be considered alongside any findings and actions that are proposed following the conclusion of the national Covid inquiry.
- vii) The Panel requests an update report to their September meeting on the implementation of these recommendations.

These recommendations were seconded by Councillor Crossley.

The Panel **RESOLVED** unanimously to note the findings of the work undertaken by NIHR ARC West, as well as the previous analysis brought to PDS in 2023 and to approve the recommendations set out above from Councillor Hardman.

## 118 PANEL WORKPLAN

The Chair introduced this item to the Panel. Following a brief discussion, the items below were identified as potential reports to be added to their workplan.

- Update on Covid-19 study
- GP Triage service / repeat prescriptions
- Care Experienced Young People (Cabinet Member Update)
- 3SG invite (June meeting)

- Dental Bus
- A&E avoidable admissions
- Primary Care Access
- Former Culverhay site
- Suicide Prevention Strategy
- Schools Health and Wellbeing Survey results
- Public Health - Whole system improvement work
- ICB Children & Young People Programme (inc. Mental Health & Social Media)

Councillor Wright asked if some joint working could take place regarding School Streets.

The Policy Development & Scrutiny Officer replied that this was a matter due to be discussed at the May meeting of the Climate Emergency PDS Panel. He added that they could discuss at the next Chairs & Vice-Chairs meeting whether any joint working should take place.

The meeting ended at 12.33 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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<b>Bath &amp; North East Somerset Council</b>		
MEETING:	<b>CAHW Policy Development &amp; Scrutiny Panel</b>	
MEETING DATE:	<b>On 13<sup>th</sup> May 2024</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		<b>E 3529</b>
TITLE:	<b>SEND Home to School Travel Policy Review</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<p><b>List of attachments to this report:</b></p> <ul style="list-style-type: none"> <li>▪ The SEND Home to School Travel Policy 2024</li> <li>▪ Equalities Impact Assessment</li> <li>▪ Risk Assessment</li> <li>▪ DfE Travel to school for children of compulsory school age – Statutory guidance for local authorities Jan 2024</li> <li>▪ Policy comparison document</li> </ul>		

## 1 THE ISSUE

1.1 The current SEND Home to School Travel Policy has not been updated for several years and since then a number of DfE guidance updates have been issued. This has caused the current policy to become out of date. The SEND travel policy has been reviewed and rewritten in line with new Department for Education guidance. It has also been updated to clarify the eligibility criteria and to outline all travel support options for SEND children and young people more clearly.

## 2 RECOMMENDATION

**The Panel is asked to;**

**2.1 Proposal 1** Review and comment on the issue and attached appendices as part of the consultation process.

### **3 THE REPORT**

- 3.1 The B&NES Home to School Transport Policy required updating due to new statutory guidance issued in January 2024. The policy had become outdated, causing confusion for parents and operational difficulties within the team.
- 3.2 The Policy has been updated to meet this new guidance, and to allow for consistent decision making under the policy. This will allow us to better manage our resources.
- 3.3 The consultation process has been followed robustly, including writing to 477 parent/carers, contacting 69 schools, transport providers, B&NES parent carer forum, consulting our B&NES colleagues. Feedback was given online, via the telephone and at 6 in person events.
- 3.4 A comparison document highlighting the changes is provided in the appendix.

### **4 STATUTORY CONSIDERATIONS**

- 4.1 **Education Act 1996**, section 508b states that local authorities must provide travel provision to and from school for eligible children. Schedule 35B outlines the eligibility criteria.
- 4.2 **DfE Travel to school for children of compulsory school age – Statutory guidance for local authorities Jan 2024** provides guidance on what should be in the relevant Local Authorities policy.

### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 **DfE Travel to school for children of compulsory school age – Statutory guidance for local authorities Jan 2024** states that Local Authorities should make the most efficient use of council resource when allocating suitable travel provision.

### **6 RISK MANAGEMENT**

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

### **7 EQUALITIES**

- 7.1 A comprehensive equalities impact assessment has been carried out and is included in the attachments. Alternatively you can find it here:  
<https://beta.bathnes.gov.uk/sites/default/files/SEND-HTST-Policy-Review-EIA.pdf>

### **8 CLIMATE CHANGE**

- 8.1 This policy looks to encourage the use of public transport and shared transport whenever this can meet the needs of the child or young person.



## 9 OTHER OPTIONS CONSIDERED

9.1 None

## 10 CONSULTATION

10.1 We have consulted with Paul May, S151, Monitoring plus include all info around consultation.

10.2 We have written to all parent/carers of children with SEND school travel support, emailed all schools and settings with SEN placements, all Rainbow Resource card holders, Bath Parent Carer Forum members and taxi companies. There have been posts on social media (LWB, Corporate & BPCF) and a press release. We have also attended 6 in-person drop-in events across the Authority area.

<b>Contact person</b>	Laura Donnelly
<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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# SEND Home to School Travel policy for compulsory school age children 2024/25

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## **Glossary of terms:**

Terms we use in this document and what they mean:

**Parents:** The term “parents” should be read to include foster parents, carers and other guardians of children and young people

**Child:** refers to child or young person throughout

**The Council / LA:** Bath and North East Somerset Council

**SEN / SEND:** Special Educational Needs/Special Educational Needs and Disabilities

**Special School:** A school is a special school if it is specifically organised to provide special educational provision for pupils with SEN

**Mainstream School:** Means a maintained, free school or an academy that is not a special school

**EHCP:** Education, Health and Care Plan

**SEND Service:** The Council team which assesses and maintains Education, Health and Care Plans

**Passenger Transport Team:** The Council team which commissions, allocates and manages the home to school transport contracts

**Travel Support:** The term we are using to describe the support available to help children/young people attend school

**School:** In this policy, we refer to school as any setting a child attends that provides education, and has been agreed by the Local Authority

**‘Suitable’ school:** A suitable school is one that provides education appropriate to the child’s age, ability, aptitude, and any special educational needs they may have

If your child has an Education, Health and Care plan, the school named in their plan will usually be considered their nearest suitable school for travel purposes

## **Introduction:**

Bath and North East Somerset Council are committed to improving people's lives. We do this while ensuring we are also making the best use of Council resources. You can find details of our [Corporate Strategy](#) on our website.

Parents and carers have a legal duty and a responsibility to ensure that their children attend school regularly and to make any necessary arrangements to ensure that they attend. In certain circumstances based on statutory guidance, the Council has a duty to provide school Travel Support and this document sets out these circumstances.

Parents are encouraged to support their children to walk or cycle when the route is safe. There are health benefits for children who walk or cycle to school, but local communities also benefit through improved road safety, reduced traffic congestion and associated noise and air pollution.

One of our service aims is to promote the independence of our children wherever possible. For those children who do qualify for school Travel Support, the Council reserves the right to decide on the type of Travel Support offered and where best to collect the child/young person from. The categories of children who are eligible for Travel Support are defined below. These apply to children of compulsory school age (5-16).

The nature of Travel Support will be determined by the Local Authority and will be one that is consistent with the Local Authority's duty to ensure it makes the most effective use of resource. It will normally be provided at the standard school hours, at the beginning and end of the school day.

## **School Travel policy for mainstream and post 16 young people with an Education, Health and Care Plan (EHCP)**

This policy is for SEND Travel Support, but the eligibility criteria outlined below shows criteria for all travel support options. Details of Bath and North East Somerset Council's mainstream and post 16 Travel Policies can be found on the [school transport](#) webpage.

## **Eligibility:**

The Local Authority has a strict duty to ensure that suitable travel arrangements are made to facilitate a child's attendance at school, where it is deemed absolutely necessary. The four categories of eligibility are outlined below and can be found in [Home to school travel and transport guidance January 2024](#).

### **Statutory walking distance eligibility**

Provide transport for those children who live more than the statutory walking distance from their home address to the nearest suitable school, as calculated by the Council;

- beyond 2 miles (if below the age of 8)
- beyond 3 miles (if aged between 8 and 16)

### **Unsafe route eligibility:**

Provide transport arrangements for all children who cannot reasonably be expected to walk to their nearest suitable school because the nature of the route is deemed by the Council unsafe to walk even if accompanied by their parent.

### **Extended right eligibility:**

Provide transport where pupils are eligible for benefit related free school meals or one of their parent/carers are in receipt of maximum Working Tax Credit **and** if;

- The nearest suitable school is beyond 2 miles (aged 8-11); or,
- The school is between 2 and 6 miles (aged 11-16 and they are attending one of their 3 nearest suitable schools)
- The school is more than 2 but not more than 15 miles from their home address and their parents have chosen the school 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 and the child is aged 11 to 16.

### **Special educational needs, a disability or mobility problems eligibility:**

If a child's special educational needs, disability or mobility problems mean that they could not be reasonably expected to walk to school, then the Council will assess each child on an individual basis to identify the most appropriate travel option.

A child may be eligible for Travel Support if:

- The child is attending the nearest suitable school as determined by the Local Authority.
- The child cannot reasonably be expected to walk to school, even when accompanied by an adult.
- There is professional evidence that their medical condition, mobility issues or special educational needs affects their ability to travel to and from school.

The Council will consider relevant evidence from a consultant or other relevant medical professional such as a Community Paediatrician, Occupational Therapist or Physiotherapist (this list is not exhaustive) to demonstrate the difficulties they have in walking or travelling on public transport in order to go to and from school, accompanied as necessary by a responsible adult or parent.

Please note that not all children with an Education, Health and Care Plan (EHCP) are eligible for Travel Support, and having an EHCP does not automatically entitle one to Travel Support. Furthermore, parental working commitments will not be taken into account when deciding whether to grant Travel Support, except in exceptional circumstances (see page 9).

## **Accompaniment**

In determining whether a child cannot reasonably be expected to walk for the purposes of 'special educational needs, a disability or mobility problems eligibility' or 'unsafe route eligibility', the Local Authority will need to consider whether the child could reasonably be expected to walk if accompanied and, if so, whether the child's parent/carer can reasonably be expected to accompany the child. When considering whether a child's parent/carer can reasonably be expected to accompany the child on the journey to school, a range of factors may need to be taking into account, including the parent/carers own disability.

The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.

## **Types of Travel Provision:**

Our Transport Officers will help parents/carers explore different options for getting their child to and from school. Here are some ways we may be able to assist:

- Offering training so that young people can travel independently
- Encouraging walking and cycling, where appropriate
- Directing young people and their families to additional Travel Support available through other government programs or local services
- Exploring a Personal Travel Budget (PTB)
- Providing travel passes for public transport
- Offering a seat on existing school transport
- Providing the option of an extra seat on a Council-contracted bus



## Personal Travel Budgets:

Personal Travel Budgets (PTB) can be a great way to make your child's journey to school more comfortable and enjoyable. By offering 50 pence per mile for 4 journeys a day, we aim to help parent/carers take their child to and from school in a way that suits them best. With Personal Travel Budgets, your child can travel to school with family members, which means fewer transitions during their school day, a stronger link with the school and it will mean the child won't need to adapt to varying drivers/Guide Escorts. This payment is tax free and doesn't affect any benefit entitlement.

Below is an example of how much you could get with a Personal Travel Budget depending on the number of miles between home and school:

Miles between home and school	How much you could get (per week)	Per year (38 weeks)
3 miles	£30	£1,140
5 miles	£50	£1,900
7 miles	£70	£2,660
10 miles	£100	£3,800

There are several ways in which Personal Travel Budgets can be used, including:

- Shared travel arrangements with other parent/carers, such as shared driving responsibilities, walking buses or joint taxi bookings
- Overcoming barriers that may prevent parent/carers accompanying their child to school, e.g. travel/childcare arrangements for siblings (this payment could be used to pay for Breakfast club for siblings in mainstream school)
- Covering the cost of parent/carers driving or cycling with their child to school
- Paying for a Guide Escort for the child to walk to school or travel by public transport. Parent/carers may also choose to do this themselves.

Personal Travel Budgets are granted at the discretion of the local authority, where it is cost effective for the authority to do so. To enable monthly payments, parent/carers will need to sign an agreement with Bath and North East Somerset Council and provide their bank details.

To find out more about Personal Travel Budgets and to see if you are eligible, contact the Travel Team by email: [SENDSchool\\_TravelTeam@BATHNES.GOV.UK](mailto:SENDSchool_TravelTeam@BATHNES.GOV.UK)

## Independent Travel Training

Independent travel training is a tailored and practical support for young people with Special Education needs or disabilities (and an Education Health and Care Plan) to travel by public transport, on foot or by bike. It aims to help children and young

people travel independently and without fear so they can get to school or college and learn skills for later in life such as work and for social and leisure activities.

The training is usually provided through school in transitions to college from Year 10 onwards, and is a set programme of learning that can be delivered one-to-one, in groups or in a classroom. Key skills include personal and road safety awareness, journey planning and preparing for a journey, leaving the home safely, coping in emergencies or unexpected circumstances, and using technology such as smart travel cards and mobile phones. Travel training could increase a young person's independence by developing these transferable skills, improving their self-esteem and confidence. Being less reliant on parents and carers to take them to places can lead to more opportunities to take part in social and community activities.

## **Applying for SEND Home to School Travel**

Applications for Travel Support beginning in September must be submitted before 30<sup>th</sup> June. Parent/carers will be notified of the outcome in August. You can find the online application form on the School Transport section of B&NES Council website.

To apply for SEND Travel Support during the academic year, please fill out the online application form. After submitting your application, the SEND Travel Team will review your eligibility and arrange the most suitable Travel Support for your child within 15 days, if applicable.

If there are any changes in circumstances, such as moving home, that may affect your child's eligibility for Travel Support, please inform the Local Authority as soon as possible. Once notified, the Council will re-check eligibility and arrange the most suitable Travel Support, if necessary, within 15 days.

## **Explanation of Terms:**

### **Home address**

The home address is where the child resides and spends the majority of their time and is the address registered with a GP surgery. Occasionally a child will have more than one address; in this situation the address used for determining travel support will be the one at which the child spends most of their time, including weekends and school holidays as well as during the week. When the child lives at the other address, they will not qualify for any travel support arrangements other than the one provided from the primary address. If there is a legal court order stating 50/50 dual residency for a child and both addresses are within B&NES, Travel Support will be considered on a case-by-case basis, following evidence being provided.

## **Guide Escorts**

A Guide Escort may be allocated in exceptional circumstances through an assessment of the child's Special Educational Needs and/or medical requirements, tailored to the student's travel needs. This assessment, which may vary in a school or home setting, is conducted by the SEND Service in collaboration with the Passenger Transport Team. Factors considered include:

- Medical needs of the student, especially if emergency intervention may be required.
- Instances where an individual student's needs pose a clear danger or health and safety risk to themselves and other passengers.
- Where there are multiple children/young people in a vehicle, to support the driver or when the route requires one.

Guide Escorts are responsible for ensuring the well-being and supervision of children or young people traveling to and from school. Their role includes overseeing the conduct and safety of the child or young person, allowing the driver to focus on their responsibilities. The provision of a Guide Escort will be reviewed on a regular basis.

## **Exceptional Circumstances**

The Local Authority will look at each case separately while also considering the Council's efficient use of resource. Exceptional circumstances will be recognised for the most vulnerable children when there is a strong need and the required transportation criteria are not met. This special consideration is a temporary solution and will be regularly reviewed to ensure the Local Authority's resources are used efficiently. This approach will only be taken when a child's education would face significant disruption otherwise.

## **Nearest school**

Where parents/carers apply for the nearest suitable school and the school is unable to offer a place, support with Travel Support may be offered to the next nearest school with a place, providing the eligibility criteria are met. This will be reviewed at each Annual Review and the Local Authority may exercise their right to request a school change if it would make more efficient use of Council's resource.

## **Review of Eligibility:**

The Local Authority has the right to re-evaluate the Travel Support requirements of a child or young person, and may change the type of Travel Support provided or

discontinue it if it is deemed the individual is no longer eligible. If the child/young person no longer qualifies for Travel Support, the Council will provide written notice to the parent/carers and the current Travel Support will cease at the end of the current term or after 4 weeks, whichever is longer.

Eligibility reviews will include discussions on Travel Support arrangements, and these are scheduled at, but not limited to, specific milestones, such as;

- the end of Year 3,
- Year 6 in preparation for secondary education,
- Year 9 for potential extended curriculum studies,
- Year 11 for those moving to Post 16,
- completion of Independent Travel Training,
- and in cases of change in address or family circumstances.

The Council may decide to change the type of Travel Support provided if the outcomes of a young person's EHCP relate to supporting greater independence or the annual review process deems it appropriate to do so.

The Council may consider amending the named school on an EHCP if there is a nearer suitable school that would make more efficient use of the Council's resources.

## **Parental Preference**

If a parent/carers has requested a school to be named in the EHCP but there is a place at a nearer suitable school, generally the parent/carers will be responsible for transport to this school.

## **Behaviour on school transport**

Details regarding the child's code of conduct during Home to School Travel are provided in the offer letter, and it is expected that all children and young people comply with this.

Given that a child's challenging behaviour may be a result of their special educational needs or disability and can be a form of communication, we will work together with transport providers to understand and assist these children and young people. However, it is important to note that the Local Authority has a responsibility to ensure the safety and well-being of both the children and young people being transported as well as the driver and Guide Escorts.

In the event of an incident occurring during the journey, it might be essential to temporarily halt transportation for a period of 10 working days pending an investigation. This pause is crucial to enable a thorough assessment of future transportation alternatives to ensure the safe transport of the student. During this period, parents/carers are expected to take responsibility for organising their child's transportation to and from school until the matter has undergone a comprehensive review.

## **Exclusions**

Under this policy, the Council typically does not provide Travel Support in the following situations:

- For the purpose of enabling parents to take siblings to different schools or to commute to work at specific times.
- To attend extracurricular activities.
- For attending doctors, dental, or any other appointments.
- For participation in breakfast or after-school clubs/activities.
- For students excluded during the school day (week/term for boarding placements).
- For students attending work experience placements, taster or open days.
- For students who are unwell and need to be collected from school during the school day, including those in residential settings unable to use scheduled transport
- For transitions
- Part time timetables will be considered on a case-by-case basis
- To or from childminders, friends, or other family members' addresses
- At a differing time due to detention
- To or from part-time provision off the school site organised by the school (e.g., vocational classes at a college, including movement between educational establishments/sites).

## **Car seats:**

Children must use an appropriate child seat from birth until they reach either a height of at least 135cm (4'5") or 12 years old, whichever happens first. Afterward, if a seat belt is available, they should use that.

Home to School Transport services (such as taxis, mini-busses, and private hire vehicles) are not required by law to provide child seats; it's the responsibility of the parent/carers to provide one. If a professional or independent assessor deems that a child needs a specialized car seat (not a standard booster seat), parent/carers should supply and make it available for school transport. Note that ISOFIX may not

be available in all vehicles, so ensure any equipment provided is compatible with a standard 3-point seatbelt.

## **Appeals process**

Every application for Travel Support is reviewed based on criteria outlined in this policy. If an application does not meet the outlined policy conditions, a careful evaluation of the individual's circumstances will be undertaken. Importantly, students and parents/carers retain the right to appeal decisions that do not align with their expectations or specific situations.

To initiate an appeal, the applicant is required to provide a written statement outlining the grounds for the appeal, along with any supporting documentation, such as a medical report, which should be submitted to either of the following:

by email to: [SENDSchool\\_TravelTeam@BATHNES.GOV.UK](mailto:SENDSchool_TravelTeam@BATHNES.GOV.UK)

*or*

by post to:

Bath and North East Somerset Council  
SEND Service  
Lewis House  
Manvers Street  
Bath BA1 1JQ

There are two stages of the appeals process, which are outlined below

### **Stage 1 – Appeal to a Senior Officer:**

Parents/carers have 20 working days from receiving our decision to request a review in writing. In this initial stage, the Team Manager, overseeing SEN school travel, carefully examines the evidence to ensure the fair and proper application of our policy. If it is determined that the policy was not appropriately applied, and entitlement is established, travel support will be provided. However, if the policy application is found to be fair and proper, the Stage 1 appeal is rejected, and a response is provided within 20 working days, explaining the decision.

### **Stage 2 – Appeal to a Senior Officer Panel:**

Parents/carers dissatisfied with the Stage 1 outcome can proceed to Stage 2 – Appeal to a Senior Officer Panel. They must submit a request for a Stage 2 appeal within 20 working days of receiving the Stage 1 response and may include additional evidence to support their stage 2 appeal. The appeal is directed to a senior officer

panel, including representatives from both Transport and Education services, who organise a hearing within 40 working days. The commitment is to conduct a transparent and fair appeal process, providing parents/carers the opportunity to present their case.

Approximately 10 working days before the hearing, parents/carers receive an invitation to provide information and evidence supporting their appeal. Documents are treated confidentially, and hearings are private. If parents/carers cannot attend, the appeal panel may proceed in their absence and make a decision on all the written evidence available including any written statements from the parents. However, if the parents wish to attend a hearing, the Authority will make reasonable efforts to accommodate that request.

Following the hearing, the panel reviews all information submitted for both stages of the appeal, as well as any additional information gained during the hearing. Within five working days, the parent/carer receives a detailed explanation of the decision, including how it was made, how the review was conducted, and any professionals consulted or other factors considered.

Parent/carers can make a complaint to the [Local Government and Social Care Ombudsman](#) if they believe the Local Authority has made a mistake in the way they handled their case. If a parent considers the decision of the independent appeals panel to be flawed on public law grounds, they may apply for a judicial review.

## **Information sources:**

### **Live Well B&NES - The SEND Local Offer Website:**

B&NES SEND Local Offer is the source of information for young people with SEND and their families. It includes information about services provided by and commissioned through B&NES, alongside services provided in the community, by voluntary and charity groups across education, health and social care. You will find information to support you and your child through their education, social opportunities, signposting to a variety of support services, details of holiday playschemes and short breaks, benefits and funding information and much more. You can also apply for your child's free Rainbow Resource card by visiting the site: <https://livewell.bathnes.gov.uk/send>

Facebook: <https://www.facebook.com/livewellbathnes/>

## **SENDIAS BathNES (SEND information, advice and support)**

The Special Educational Needs and Disability Information, Advice and Support Service (Sendias Service) for Bath & North East Somerset is provided by Sendias Bathnes.

Sendias Bathnes offers a free, confidential and impartial service for children and young people aged 0-25, and their parents and carers, who live in Bath and North East Somerset.

The service can provide information advice and support throughout a child or young person's SEND journey, from initial concerns through to help with appeals.

The service offers face to face appointments, information sessions a telephone and email helpline and signposting service.

For more information and resources, please visit:

Website: <https://sendiasbathnes.org.uk>

Email: [sendias@bathnes.gov.uk](mailto:sendias@bathnes.gov.uk)

Telephone: 01225 394382



## Equality Impact Assessment / Equality Analysis

Item name	Details
<b>Title of service or policy</b>	SEND Home to School Travel policy for compulsory school age children
<b>Name of directorate and service</b>	SEND/ Passenger Transport
<b>Name and role of officers completing the EIA</b>	<b>Laura Donnelly</b> , Head of SEND
<b>Date of assessment</b>	

Equality Impact Assessment (or ‘Equality Analysis’) is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The main aim is to identify any discriminatory or negative consequences for a particular group or sector of the community, and also to identify areas where equality can be better promoted. Equality impact Assessments (EIAs) can be carried out in relation to services provided to customers and residents as well as employment policies/strategies that relate to staffing matters.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis. **Not all sections will be relevant – so leave blank any that are not applicable.** It is intended that this is used as a working document throughout the process, and a final version will be published on the Council’s website.

## 1. Identify the aims of the policy or service and how it is implemented

Key questions	Answers / notes	
<p>1.1 Briefly describe purpose of the service/policy e.g.</p> <ul style="list-style-type: none"> <li>● How the service/policy is delivered and by whom</li> <li>● If responsibility for its implementation is shared with other departments or organisations</li> <li>● Intended outcomes</li> </ul>	<p>The SEND Travel Policy for children/young people of compulsory school age has been reviewed and rewritten in line with new <a href="#">DfE guidance</a>. The new policy clarifies the eligibility criteria and clearly outlines all options for travel support for SEND children/young people.</p> <p>There are several aims of this policy review:</p> <ul style="list-style-type: none"> <li>- make the information easier for parent/carers to understand</li> <li>- make it easier for consistent decisions to be made</li> <li>- ensure we are aligned with the DfE requirements</li> <li>- value for money</li> </ul> <p>The new policy may make it less likely, in some cases, for parent/carers to get home to school travel support for their SEND child/young person due to the adjustments in the DfE criteria. This will affect new applications and people currently receiving travel support.</p>	

Key questions	Answers / notes	
<p>1.2 Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> <li>● Is it a new service/policy or review of an existing one?</li> <li>● Is it a national requirement?).</li> <li>● How much room for review is there?</li> </ul>	<p>This is a review of the existing policy, taking into consideration new guidance published by DfE and political steer around budget savings. We currently spend over £4m a year on SEND home to school transport.</p> <p>This policy covers children and young people aged between 5-16 years of age.</p> <p>The changes between the current and new policy are clearly defined below:</p>	

Policy Area	Current SEND Travel Policy	New SEND Travel Policy
<p><b>Special educational needs, a disability or mobility problems eligibility</b></p>	<p><b>In Summary:</b> It is stated that the Council will assess eligibility and make transport arrangements for children who cannot reasonably be expected to walk because of their mobility problems or associated health and safety issues related to their SEN or disability and parents are unable to get them to school.</p>	<p><b>Key Changes:</b></p> <ol style="list-style-type: none"> <li>1. Each child will be assessed on an individual basis to identify the most <b>appropriate travel option</b>.</li> <li>2. Clarity and more information provided regarding circumstances whereby a child may be eligible: <b>a] attending nearest school b] cannot walk even accompanied, c] medical condition affects travel.</b></li> <li>3. Information and clarification provided</li> </ol>

		regarding <b>medical professional evidence</b> (which will be considered).
<b>Personal Travel Budgets (PTB)</b>	Referenced as part of promoting and <b>presenting alternative travel options to parents/carers</b> . Also briefly mentioned in the context of options available for <b>lone travellers</b>	<b>Parents/carers are encouraged to take up Personal Travel Budgets</b> with clear information provided, outlining the advantages, <b>indicative examples of how much you could get</b> based on number of miles. Including the ways in which a PTB can be used Personal Travel Budgets can be used, including: <ul style="list-style-type: none"> <li>• <b>Shared travel arrangements</b> with other parent/carers</li> <li>• <b>Overcoming barriers</b> that may prevent parent/carers accompanying their child to school</li> <li>• <b>Covering the cost of parent/carers driving or cycling</b> with their child to school</li> <li>• <b>Paying for a Guide Escort</b> for the child to walk to school or travel by public transport.</li> </ul>
<b>Independent Travel Training</b>	No information provided	<b>Encouraging uptake of Travel training as this could increase a young person's independence by developing these transferable skills, improving their self-esteem and confidence.</b> Being less reliant on parent/carers to take them to places can lead to more opportunities to take part in social and community activities.

<b>Applying for SEND HTST</b>	No guidance provided	<b>Clear instructions including expected timescales, deadlines etc.</b>
<b>Explanation of term 'Home Address'</b>	Not defined in policy	Clearly defined. In summary: The home address is where the child resides and spends the majority of their time and is the address registered with a GP surgery.
<b>Explanation of term 'Guide Escorts'</b>	Not defined in policy	Clearly defined. In summary: A Guide Escort may be allocated in exceptional circumstances through an assessment of the child's Special Educational Needs and/or medical requirements, tailored to the student's travel needs.
<b>Explanation of term 'Exceptional Circumstances'</b>	Not defined in policy	Clearly defined. In summary: Exceptional circumstances will be recognised for the most vulnerable children when there is a strong need and the required transportation criteria are not met.
<b>Explanation of term 'Nearest School'</b>	Not defined in policy	Clearly defined. In summary: Where parents/carers apply for the nearest suitable school and the school is unable to offer a place, support with Travel Support may be offered to the next nearest school with a place, providing the eligibility criteria are met.
<b>Review of eligibility</b>	Referenced in the <b>Guiding principles for SEND travel provision:</b> We will regularly assess transport throughout a child's school life to ensure the right travel provision is in place.	Clarity and more information provided on the review process and the milestones at which these reviews typically take place. The Council may also consider <b>amending the named school on an EHCP if there is a nearer suitable school or a school that would make more efficient use of the</b>

		<b>Council's resources</b> regarding school travel support. (which ties in with Parental preference).
<b>Behaviour on school transport</b>	Referenced in the <b>Guiding principles for SEND travel provision:</b> We will regularly assess transport throughout a child's school life to ensure the right travel provision is in place.	Clarity on Expected behaviour in line with separate policy. Advice provided on what may happen in the event of an incident occurring during a journey.
<b>Exclusions</b> (listing situations where the Council typically does not provide Travel Support)	Exclusions are referenced throughout the policy document but not set out in separate section.	Exclusion information is clearly listed in a separate section.
<b>Parental preference</b>	No guidance provided	Clearly states that: If a parent/carer has requested a school to be named in the EHCP but there is a place at a nearer suitable school, the parent/carer will generally be responsible for transport to this school.
<b>Car seats</b> (required until child reaches a height of at least 135cm (4'5") or turns 12 yrs)	No guidance provided	Guidance for parents/carers on what they are responsible for providing until child reaches a height of at least 135cm (4'5") or turns 12 yrs, whichever happens first.

<b>Key questions</b>	<b>Answers / notes</b>
1.3 Do the aims of this policy link to or conflict with any other policies of the Council?	Mainstream Travel information can be found on the webpage: <a href="https://beta.bathnes.gov.uk/school-transport">https://beta.bathnes.gov.uk/school-transport</a>

## 2. Consideration of available data, research and information

Key questions	Data, research and information that you can refer to																																													
<p><b>2.1</b> What equalities training have staff received to enable them to understand the needs of our diverse community?</p>	<p>Applications for SEND travel support is dealt within the SEN Team, where staff have a good understanding of SEN and Disabilities. However, no specific equalities training has been identified within the teams assessing and planning SEN Travel Support.</p>																																													
<p><b>2.2</b> What is the equalities profile of service users?</p>	<p>There are currently 433 children and young people with an Education, Health and Care plan receiving Home to School Transport:</p> <p><b>Age</b></p> <table border="1"> <tbody> <tr><td>4y</td><td>9</td><td>2.1%</td></tr> <tr><td>5y</td><td>18</td><td>4.2%</td></tr> <tr><td>6y</td><td>25</td><td>5.8%</td></tr> <tr><td>7y</td><td>29</td><td>6.7%</td></tr> <tr><td>8y</td><td>37</td><td>8.5%</td></tr> <tr><td>9y</td><td>31</td><td>7.2%</td></tr> <tr><td>10y</td><td>32</td><td>7.4%</td></tr> <tr><td>11y</td><td>56</td><td>12.9%</td></tr> <tr><td>12y</td><td>52</td><td>12%</td></tr> <tr><td>13y</td><td>38</td><td>8.8%</td></tr> <tr><td>14y</td><td>49</td><td>11.3%</td></tr> <tr><td>15y</td><td>45</td><td>10.4%</td></tr> <tr><td>16y</td><td>12</td><td>2.8%</td></tr> </tbody> </table> <p><b>Sex</b></p> <table border="1"> <tbody> <tr><td>Male</td><td>307</td><td>71%</td></tr> <tr><td>Female</td><td>126</td><td>29%</td></tr> </tbody> </table>	4y	9	2.1%	5y	18	4.2%	6y	25	5.8%	7y	29	6.7%	8y	37	8.5%	9y	31	7.2%	10y	32	7.4%	11y	56	12.9%	12y	52	12%	13y	38	8.8%	14y	49	11.3%	15y	45	10.4%	16y	12	2.8%	Male	307	71%	Female	126	29%
4y	9	2.1%																																												
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16y	12	2.8%																																												
Male	307	71%																																												
Female	126	29%																																												

**Ethnicity** (some data not available due to information not given)

White	359	(incl. British, Irish or Eastern European)
Mixed Heritage	45	(incl. Black Caribbean, Black African, Asian, Chinese or White)
Black or Black British	9	(incl. Caribbean or African)
Asian or Asian British	6	(incl. Indian, Pakistani, Bangladeshi or Chinese)
Other ethnic group	6	(incl. Arab)

**Primary Need** (some data not included due to possible identification of individuals)

Autism	162	37%
Social, Emotional & Mental Health	91	21%
Speech, Language & Communication Needs	75	17%
Moderate Learning Difficulty	46	11%
Physical Disability	13	3%
Severe Learning Difficulties	10	2%
Specific Learning Difficulties	9	2%
Hearing Impaired	7	2%
Profound & Multiple Learning Difficulties	7	2%

**Deprivation** (some data not available)

(Most deprived quintile)	1	161	37%
	2	75	17%
	3	77	18%
	4	81	19%
(Least deprived quintile)	5	38	9%

**Rural/Urban** (some data not available)

Urban city & town	334	77%
Rural village & dispersed	58	13%
Rural town & fringe	40	9%

This number only includes children with an EHCP, this doesn't include all children receiving SEND travel support as accurate data is not available.



<p><b>2.3</b> Are there any recent customer satisfaction surveys to refer to? What were the results? Are there any gaps? Or differences in experience/outcomes?</p>	<p>In a recent survey sent to parent/carers asking for their feedback on the SEN Team, a few questions asked about Home to School Travel. Out the 139 respondents, 32 said they receive Home to School Transport.</p> <p>65% of respondents said they were either very satisfied or satisfied with the transport their child/young person receives.</p> <p>The feedback given was centred around several themes:</p> <ul style="list-style-type: none"> <li>- Lack of communication with the Local Authority</li> <li>- Changes of driver without notice, which negatively impacts child</li> <li>- Finding out about transport at short notice for start school</li> </ul>
<p><b>2.4</b> What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?</p>	<p>none</p>
<p><b>2.5</b> If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?</p>	<p>The new SEND policy and consultation documents can be requested in other languages and formats. People will be able to speak to someone within the Council Connect Team to give their feedback verbally if they would prefer to give feedback that way.</p> <p>An in-person event has been planned which will offer people the opportunity to give their feedback in different formats, such as verbally, using images, recording a video or soundbite. A BSL interpreter will be available at this event. There will also be an easy-read version of the new Policy available on the website and at the event. The event will take part in a warm space where we will be offering food.</p>

### 3. Assessment of impact: 'Equality analysis'

Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy:

- Meets any particular needs of equalities groups or could help promote equality in some way.
- Could have a negative or adverse impact for any of the equalities groups

**Intersectionality statement:** At this point it is not possible to state or determine whether people with more than one protected characteristic will be disproportionality impacted. However this will be continually assessed during analysis of the consultation process.

Key questions	Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
<b>3.1 Issues relating to all groups</b> and protected characteristics	This policy doesn't intentionally discriminate based on any protected characteristics, but some people may be more impacted than others.	It is recommended that when decisions are made using the new policy, the protected characteristics of the child or young person and parents/primary carers are also recorded, to ensure there is no unintended discrimination against a particular group or groups over time.
<b>3.2 Sex</b> – identify the impact/potential impact of the policy on women and men.	This new Policy may impact women more than men. This is largely due to the fact that women are often the main carer for children/young people so may be the hardest hit with the implementation of this policy.	As there are more males using the service, this change in policy may have a bigger impact on them
<b>3.3 Pregnancy and maternity</b>	We do not collect information on pregnancy when deciding if a child/young person is eligible for HTST, so this policy change may unintentionally affect parent/carers who may be pregnant.	No risk assessments are carried out if a child/young person receiving travel support is pregnant

<p><b>3.4 Gender reassignment</b> – identify the impact/potential impact of the policy on transgender people</p>	<p>It is not anticipated that the policy changes will impact on transgender people.</p>	<p>We do not use gender identity when deciding if a child/young person is eligible for Travel Support so the rules of the group applies to all residents regardless of their gender identity</p>
<p><b>3.5 Disability</b> – identify the impact/potential impact of the policy on disabled people (ensure consideration both physical, sensory and mental impairments and mental health)</p>	<p>As this policy is aimed at children/young people with Special Educational Needs and/or Disability, it is acknowledged that this will impact this protected characteristic group.</p> <p>Although we don't collect details of parents/primary carer disabilities, there may be some disabled people that this new policy may impact.</p>	<p>Where parents/carers are disabled, we will assess their requirements for getting their child/young person to school and therefore needing travel support on a case-by-case basis.</p> <p>Training for administering medication or behaviour on transport isn't currently available.</p> <p>No written risk assessments are currently done when assessing child/young person's needs on transport.</p>
<p><b>3.6 Age</b> – identify the impact/potential impact of the policy on different age groups</p>	<p>This new SEND Travel policy relates to children and young people aged between 5-16</p>	<p>The Travel Team takes into consideration a child/young person's age when considering travelling time to and from school, as set out in the DfE Guidance document.</p>
<p><b>3.7 Race</b> – identify the impact/potential impact on across different ethnic groups</p>	<p>It is not anticipated that there will be an impact on residents depending on their ethnicity.</p>	<p>We do not use ethnicity data when deciding if a child/young person is eligible for HTST so the rules of the scheme would apply equally to residents of all ethnic groups.</p>

<p><b>3.8 Sexual orientation</b> – identify the impact/potential impact of the policy on lesbian, gay, bisexual, heterosexual people</p>	<p>It is not anticipated that there will be an impact on residents depending on their sexual orientation</p>	<p>We do not use data on sexual orientation when deciding if a child/young person is eligible for Travel Support so the rules of the scheme would apply equally to residents regardless of their sexual orientation.</p>
<p><b>3.9 Marriage and civil partnership</b> – does the policy/strategy treat married and civil partnered people equally?</p>	<p>Personal circumstances will be considered during the assessment process however it is not anticipated that there will be an impact on residents based on their marital status.</p>	<p>When looking at Travel Support applications, personal circumstances will be considered. However, eligibility will be based on the individual's ability and not their marital status.</p>
<p><b>3.10 Religion/belief</b> – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.</p>	<p>It is not anticipated that there will be an impact on residents based on their Religion or Beliefs.</p>	<p>The SEND Travel policy will base a decision on the SEND needs of the child and not the preferred school chosen on grounds of religion, which is covered by the mainstream travel eligibility criteria.</p>
<p><b>3.11 Socio-economically disadvantaged*</b> – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances <b>(this is not a legal requirement, but is a local priority).</b></p>	<p>The new SEND Travel Policy may impact some families that are socio-economically disadvantaged because eligibility for SEND Travel Support is not means tested. However, the mainstream eligibility around extended rights also applies, which covers this category.</p>	
<p><b>3.12 Rural communities*</b> identify the impact / potential impact on people living in rural communities</p>	<p>Children/young people living in rural communities will be assessed for travel support based on the eligibility criteria.</p>	<p>Rural communities tend to experience poorer transport and travel options, so if a child or young person living in a rural community is assessed as not being eligible for Travel Support they may find it more complex / more expensive to arrange themselves.</p>

<p><b>3.13 Armed Forces Community **</b>  serving members; reservists; veterans and their families, including the bereaved. Public services are required by law to pay due regard to the Armed Forces Community when developing policy, procedures and making decisions, particularly in the areas of public housing, education and healthcare (to remove disadvantage and consider special provision).</p>	<p>It is not anticipated that there will be an impact on residents based on whether there are from an Armed Forces community.</p>	
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\*There is no requirement within the public sector duty of the Equality Act to consider groups who may be disadvantaged due to socio economic status, or because of living in a rural area. However, these are significant issues within B&NES and have therefore been included here.

\*\* The Equality Act does not cover armed forces community. However, the Armed Forces Bill (which came in on 22 Nov 2022) introduces a requirement to pay 'due regard' to make sure the Armed Forces Community are not disadvantaged when accessing public services.

## 4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment/analysis. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when
Collecting equalities data	Make information about equalities available in one place for children/young people receiving Travel Support within the SEND category.	This is being picked up as part of the Safety Valve project and will be included on Liquid Logic as standard within a project being picked up with the Service Design Team project.	Akhila Maddela and Laura Donnelly	April 2024
Training for drivers/ escorts	Offer drivers and escorts training on SEN behaviour and medication administration	All drivers and Guide Escorts will receive a new updated Safeguarding Course (replace existing), understanding your role & behaviours training and information sharing training.  Identify Guide Escort who pupils carry EpiPens, school nurse to provide training.	Steve Doel	Ongoing

Risk assessments	Carry out risk assessments for SEND children/young people, and transport including their mediation and behaviour needs	This is currently split between two teams, but will soon become the Integrated Transport Team which will enable to risk assessments to be undertaken by one team. The Integrated Travel team are looking at developing a new post to perform this role, liaising with schools, transport and parent/carers.	Gary Peacock	September 2024
Equalities training	Ensure all relevant officers within B&NES have completed equalities training	Encourage Travel Officers to attend Equalities Training provided by the Council	Claire Sullivan	End of February 2024
Monitoring of decisions to include protected characteristics	It is recommended that when decisions are made using the new policy, the protected characteristics of the child or young person are also recorded, to ensure there is no unintended discrimination against a particular group or groups over time.	Ensure the Power BI dashboard is pulling the correct information from Liquid Logic. Where this information isn't currently on Liquid Logic, it will be gained at Annual Reviews from February 2024	Laura Donnelly and Jon Poole	Ongoing

## 5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team ([equality@bathnes.gov.uk](mailto:equality@bathnes.gov.uk)), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

**Signed off by:** Christopher Wilford (Divisional Director)

**Date:** 8<sup>th</sup> April 2024

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**WORK ACTIVITIES RISK ASSESSMENT RECORD SHEET**

<b>ACTIVITY REVIEWED:</b>	Decision to implement a revised SEND Home to School Travel Policy
<b>SERVICE:</b>	SEND
<b>SECTION:</b>	Home to School Travel Support
<b>LOCATION:</b>	N/A

Assessor's name:	Laura Donnelly
Assessor's signature:	
Assessor's post title:	Head of SEND
Assessment date:	
Assessment review date:	

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<b>SIGNIFICANT HAZARD/RISK</b>	<b>EXISTING CONTROL MEASURES IN PLACE</b>	<b>Risk Rating With existing controls</b>	<b>REMEDIAL ACTION/ ADDITIONAL CONTROL MEASURES REQUIRED</b>	<b>Risk Rating With additional controls</b>
A child in receipt of existing travel support may be adversely impacted if they are no longer eligible at the point of review	The individual circumstances of the child are assessed on a case-by-case basis and decisions to alter or remove existing travel support will take the impact on the child into account	Low	None	
A child currently receiving travel support to an existing school or setting is adversely impacted by moving to a different school or setting if a place at a nearer suitable school or setting is identified	The individual circumstances of the child are assessed on a case-by-case basis and decisions to alter or remove existing travel support will take the impact on the child into account	Low	None	

SIGNIFICANT HAZARD/RISK	EXISTING CONTROL MEASURES IN PLACE	Risk Rating With existing controls	REMEDIAL ACTION/ ADDITIONAL CONTROL MEASURES REQUIRED	Risk Rating With additional controls
Not reviewing the policy in line with lawfulness and the current DfE guidance for Home to School Travel for children of school age	The existing policy does not clearly define the Council's position on a large number of critical areas which may lead to an increased number of successful appeals	Medium	The new policy is lawful, aligned with up to date DfE guidance and provides clarity of the Council's position on SEND Home to School Travel support eligibility	Low
Adverse impact on parent/carer if due to removed eligibility they have to provide home to school transport which affects work or caring responsibilities	The existing policy does not clearly define the Council's position on parent/carer commitments leading to false expectations	Medium	The new policy makes it clear that work responsibilities is not considered when deciding on eligibility however as assessment is on a case-by-case basis, other commitments such as caring responsibilities may be included when reviewing eligibility	Low
Parent/carers apply for personal travel budgets in circumstances where it would be more costly for the Council	The new policy also contains additional information about the availability of personal travel budgets to promote them as a more cost effective alternative to council provision	Low	The new policy also makes it clear that personal travel budgets will only be issued in cases where it would be more cost effective for the Council such as in the case of solo taxis	Low
Parent/carers receiving personal travel budgets but not financially wise so become unable to afford to provide home to school transport themselves	Currently there is no consideration for a parent/carer's financial management capability when issuing a personal travel budget however suitability of a personal travel budget would be re-assessed if it was found the child was failing to attend	Low	None	

SIGNIFICANT HAZARD/RISK	EXISTING CONTROL MEASURES IN PLACE	Risk Rating With existing controls	REMEDIAL ACTION/ ADDITIONAL CONTROL MEASURES REQUIRED	Risk Rating With additional controls
A child in receipt of existing travel support may be adversely impacted if the travel support offered changes to a different type of support that they are unfamiliar with and seeks to promote travel independence	The individual circumstances of the child are assessed on a case-by-case basis and decisions to change existing travel support will take the impact on the child into account In respect of promoting travel independence, suitable support will be given to manage the child's transition to the new type of travel support	Low	None	
Reputational damage to the Council if a child with SEN is adversely impacted by a decision to change their travel support according to the new policy	The individual circumstances of the child are assessed on a case-by-case basis and decisions to alter or remove existing travel support will take the impact on the child into account	Medium	Due to the extra clarity around eligibility and support review frequency contained in the new policy, parents and carers will be more informed about when and how existing travel provision may change or be removed altogether	Low

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Department  
for Education

# **Travel to school for children of compulsory school age**

**Statutory guidance for local authorities**

**January 2024**

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# Summary

## About this guidance

This is statutory guidance from the Department for Education. It is issued under the duties placed on the Secretary of State by sections 508A (7) and 508D (1) of the Education Act 1996. It replaces the previous *Home to School Travel and Transport Guidance* from 2014.

Local authorities are under a duty to have regard to this guidance when:

- carrying out their duties in relation to arrangements for travel to school for eligible children of **compulsory school age**;
- exercising their discretionary power to arrange travel for other children;
- carrying out their duties in relation to the promotion of sustainable travel to school (this duty applies in relation to young people of sixth form age as well as children of **compulsory school age**).

There is [separate guidance on travel to post-16 education and training](#).

## Review date

This guidance will be kept under review and updated when necessary.

## What legislation does this guidance refer to?

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

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

Links to some of the legislation that relates to travel to school can be found in annex 3: additional resources.

## Who is this guidance for?

This guidance is for local authorities, in particular their school travel teams and **special educational needs** casework teams.



It may also be of interest to schools, academy trusts, **parents**, organisations that advise **parents** and travel operators. Parts of it are likely to be of particular relevance to schools that choose to arrange home-to-school travel for their pupils.

## Main points

- **Parents** are responsible for ensuring their child attends school. This means they must take all the action necessary to enable their child to attend school.
- For most **parents**, this includes making arrangements for their child to travel to and from school. Local authorities must make arrangements, free-of-charge, for eligible children to travel to school (see part 1 of this guidance).
- Local authority school travel and **special educational needs** teams should work together to ensure travel arrangements are considered when deciding what school to name in a child's **Education, Health and Care plan** (part 1).
- Local authorities have a discretionary power to arrange travel to school for other children (part 2).
- Local authorities are responsible for deciding what travel arrangements to make, provided they are suitable for the needs of the children for which they are made (part 3).
- Schools should support local authorities to deliver their home-to-school travel functions, for example, by promoting good behaviour on transport, and sharing information to ensure children's needs are met, and taking travel arrangements into account when making changes to their **school day**.
- Local authorities' school travel policies should be easy for **parents** to find and understand (part 4).
- Local authorities should have a fair and transparent process so that **parents** can appeal a decision about travel to school for their child (part 5).
- Local authorities have a duty to promote sustainable and active travel to school (part 6).

In updating this guidance, we have had regard to:

- a [School Transport Inquiry](#) conducted by the charity [Contact](#);
- a [School Transport Report](#) by the charity [Cerebra](#);
- the [coroner's regulation 28 report to prevent further deaths](#) issued in 2016, following the death of a child on a **dedicated** school bus;
- responses to our [2019 public consultation](#);
- stakeholder comments provided in late 2022 and early 2023.

## Words used in this guidance

Where the words ‘**must**’ and ‘**must not**’ are used, they represent a statutory requirement. Where the word ‘should’ is used, it represents something authorities ought to do or something that is considered good practice but is not a mandatory requirement.

The word ‘**reasonable**’ is used throughout this guidance. Local authorities are expected to act reasonably in the performance of their functions. Whether an action is reasonable may vary according to the circumstances in which it is being considered and local authorities will need to use their judgement. In general, they should seek to act in a way that is fair and rational and takes into account relevant factors.

An explanation of words in ***bold italics*** can be found in annex 1: explanation of terms used in this guidance.

## Context

Home-to-school travel is an integral part of the school system. It ensures no child of ***compulsory school age*** is prevented from accessing education by a lack of transport or the cost of transport.

The cost of delivering free home-to-school travel has increased significantly in recent years. It is important that local authorities take travel costs into account when planning the supply of school places. Capital expenditure, revenue costs and travel costs need to be considered together to ensure financial sustainability.

The [SEND and Alternative Provision Improvement Plan: Right Support, Right Place, Right Time](#) sets out the Government’s plans for a national ***special educational needs, disability*** and alternative provision system that fulfils children’s potential, builds ***parents’*** trust and provides financial sustainability. The new system will improve early identification of needs and set clear expectations for the types of support that should be ordinarily available in mainstream settings, meaning fewer children will need to access support through an ***EHC plan***. Taken together with [£2.6 billion of Government investment](#) in new places and improvements to existing provision for children with ***special educational needs*** and ***disabilities*** or who require alternative provision, this will mean fewer children will need to travel long distances to a school that is able to meet their needs.

The Improvement Plan also sets out plans for local SEND and alternative provision partnerships which will bring together partners in education, health and care to plan and commission support for children and young people with ***special educational needs*** and ***disabilities*** and in alternative provision. The partnerships will create local inclusion plans that will set out how the needs of children and young people in the local area will be met. Home-to-school travel is important in enabling children to access the support available to them and partnerships will factor it into their plans.

We know that local authorities need schools to support them to deliver their home-to-school travel functions by:

- promoting good behaviour on transport;
- sharing information to ensure the needs of children with **special educational needs, disabilities** or **medical needs** are met;
- considering any implications for travel arranged by the local authority when arranging for children to be educated off-site or proposing changes to their **school day** or week; and
- promoting sustainable travel to school.

The Department has published trust quality descriptions which define what we want academy trusts to deliver. These include an expectation that trusts work collaboratively with schools, trusts, local authorities, dioceses, parents and other civic partners to ensure the delivery of statutory functions<sup>1</sup>. This includes working collaboratively with local authorities to support them in the delivery of their home-to-school travel functions.

## Fairness and getting things right

Free travel to school is a valuable service for many families, but budget pressures mean local authorities often have to make difficult decisions about how to make best use of the limited resources available to them. They must comply with their duty to arrange free travel for eligible children but have some discretion in how they do this. This means they need to make a range of decisions, many of which can be challenging. For example, they need to decide what travel arrangements to make for eligible children, whether a child with **special educational needs** can reasonably be expected to **walk** to school, and whether to exercise their discretion to provide travel for children that are not eligible.

School travel can sometimes become the subject of disputes between **parents** and their local authority and of complaints to the Local Government and Social Care Ombudsman (LGSCO). It is not always possible to make a decision that **parents** are happy with, but it is important they are treated fairly and understand how the decision has been reached.

It is important to have policies to guide decision making but genuine consideration should be given to each case, rather than rigidly adhering to a policy, particularly when considering whether to exercise discretion.

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<sup>1</sup> See page 3 of the trust quality descriptions available here: [Commissioning high-quality trusts - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/commissioning-high-quality-trusts).

Annex 4 sets out some questions that local authorities may find helpful when reviewing their policies and procedures. LGSCO has published [guidance on good administrative practice and the effective handling of complaints](#).

## The public sector equality duty

The Equality Act 2010 requires local authorities to comply with the public sector equality duty. This means they must consider how their school travel decisions and policies affect people with protected characteristics, and must have due regard to the need to:

- eliminate discrimination against people with protected characteristics;
- promote equality of opportunity between people who have a protected characteristic and those who do not; and
- foster good relations between people who have a protected characteristic and those who do not.

The public sector equality duty is likely to be particularly relevant when local authorities are revising their school travel policies (see part 4), deciding whether to exercise their discretionary power (see part 2) and deciding whether it would be reasonable to expect a **parent** to accompany their child on their journey to and from school (see paragraphs 49 to 54).

## Duty to have regard to religion or belief

Section 509AD of the Education Act 1996 requires local authorities to have regard to any wish of a **parent** to have their child educated at a school based on their **religion** or **belief** when exercising their school travel duties. This does not mean local authorities must arrange travel to a school with a **designated religious character** for a child whose **parents** have chosen it on the grounds of their **religion** or **belief** (unless the child would be eligible for free travel to that school), but they should not have a blanket policy that they never provide travel assistance to schools with a **designated religious character** and may need to make decisions on a case-by-case basis if asked to exercise their discretionary power in relation to such a school.

## Part 1: local authorities' statutory duty in relation to eligible children

1. Subject to paragraph 66 below, local authorities must make free-of-charge travel arrangements to facilitate the attendance at school of eligible children resident in their area<sup>2</sup>.

2. A child is eligible<sup>3</sup> if they are of **compulsory school age**, attend their nearest suitable school and:

- live more than the statutory **walking** distance from that school (see paragraphs 9 to 12), or
- could not reasonably be expected to **walk** to that school because of their **special educational needs, disability or mobility problem**, even if they were accompanied by their **parent** (see paragraphs 13 to 28), or
- would not be able to **walk** to that school in reasonable safety, even if they were accompanied by their **parent** (see paragraphs 29 to 32).

3. There are 'extended rights' to free travel to school for children from low-income households (see paragraphs 33 to 37).

### Suitable school

4. A suitable school for school travel purposes is a qualifying school (see paragraphs 7 to 8 for the definition of a qualifying school) that is suitable for the child's age, ability, aptitude and any **special educational needs** they may have<sup>4</sup>. It should also be suitable for the child's sex, for example a girls' school could not be considered the nearest suitable school for a boy.

5. 'Suitable school' does not mean the most suitable school for a child. Schools are able to meet a wide range of needs. The nearest secondary school to the **home** of a child of secondary school age, for example, will almost always be their nearest suitable school (provided it would be able to admit them).

6. Where a child has an **EHC plan**, the school named in the plan will normally be considered to be their nearest suitable school. (See paragraphs 20 to 28 for more

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<sup>2</sup> [Section 508B of the Education Act 1996](#)

<sup>3</sup> The categories of eligible children are set out in [schedule 35B of the Education Act 1996](#)

<sup>4</sup> [Section 7 of the Education Act 1996](#) (Duty of parents to secure education of children of compulsory school age) defines suitable education.

information about children with **EHC plans** and paragraphs 38 to 48 for more information about suitable schools and qualifying schools.)

**Child J** is thirteen years old. Their nearest school is a co-educational secondary school that is 3.4 miles from their **home**. Their **parents** choose to send them to a single sex secondary school that is 5.3 miles from their **home**. Child J is not eligible for free travel to the single sex school because the co-educational secondary school is their nearest suitable school.

**Child K** is twelve years old. They attend School 1, a secondary school 3 miles from their **home**. Their **parents** chose this school because it offers a choice of several modern foreign languages at GSCE. School 2 is 1 mile from Child K's **home** and would have been able to admit them, but it only offers one modern foreign language. Child K is not attending their nearest suitable school because School 2 would have been able to provide them with an education that was suitable for their age, ability and aptitude.

## Qualifying schools

7. Qualifying schools<sup>5</sup> 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**); and
- city technology colleges and city colleges for the technology of the arts.

8. For children with **special educational needs**, an independent school is a qualifying school if it is the only school named in their **EHC plan**, or the nearest of two or more schools named in the **EHC plan**. (See paragraph 20 to 28 for more information about children with **EHC plans** and paragraphs 38 to 48 for more information about suitable schools and qualifying schools.)

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<sup>5</sup> Qualifying schools are defined by paragraph 15 of [schedule 35B to the Education Act 1996](#).

## Statutory walking distances<sup>6</sup>

9. The statutory **walking** distances are used to determine whether a child is eligible for free travel to school. They are the distance beyond which a child who is attending their nearest suitable school is eligible for free travel arranged by their local authority. Where a child lives within the statutory **walking** distance (and is not eligible for free travel on any of the other grounds set out in this guidance) the **parent** is responsible for arranging their child's travel to school. There is no expectation that the child will **walk**. It is for the **parent** to determine what arrangements would be suitable for their child.

10. A child under the age of 8 is eligible for free travel to their nearest suitable school if it is more than 2 miles from their **home**.

11. A child aged 8 years or over is eligible for free travel to their nearest suitable school if it is more than 3 miles from their **home**.

12. When a local authority assesses whether the distance between a child's **home** and their school is further than the statutory **walking** distance, the route they measure must be the shortest route along which a child, accompanied as necessary, may **walk** in reasonable safety. This is not necessarily the shortest distance by road. The route may also include footpaths, bridleways, other pathways and alternative entrances to the school (see paragraph 49 to 54 for guidance about accompaniment).

**Child A** is six years old and attends their nearest suitable school. It is 2.3 miles from their **home**. Child A is eligible for free travel to school.

**Child B** is seven years old and attends a primary school that is 2.6 miles from their **home**. There is another suitable primary school 1.2 miles from their **home** which has places available. Child B is not eligible for free travel to school, as they are not attending their nearest suitable school.

**Child C** is eleven years old and attends their nearest suitable school. It is 2.6 miles from their **home**. Child C is not eligible for free travel to school.

## Special educational needs, disability or mobility problems

13. A child is eligible for free travel to school if:

- they attend their nearest suitable school, and
- it is within the statutory **walking** distance of their **home**, and

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<sup>6</sup> The statutory walking distances are prescribed by [section 444\(5\) of the Education Act 1996](#).

- they could not reasonably be expected to **walk** there because of their **special educational needs, disability or mobility problem**, even if they were accompanied by their **parent** (see paragraph 49 to 54 for guidance about accompaniment).

14. To be eligible on these grounds, a child does not need to:

- have an **Education Health and Care plan (EHC plan)**; or
- have travel to school specified in their **EHC plan** if they have one; or
- attend a special school; or
- live beyond the statutory **walking** distance.

15. Not every child with an **EHC plan** or who attends a special school will be eligible for free travel to school.

16. Local authorities will need to assess eligibility on the grounds of **special educational needs, disability or mobility problems** on a case-by-case basis. The assessment should take account of the child's physical ability to **walk** to school and any health and safety issues related to their **special educational needs, disability or mobility problems**. It may take account of whether they would be able to **walk** to school if they were accompanied (see paragraphs 49 to 54 for guidance about accompaniment).

17. Information that local authorities may take into account when assessing a child's eligibility may include (but need not be restricted to) the following, where it illustrates why the child may not be able to **walk** to school:

- information provided by the **parent**;
- information provided by any professionals 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 **EHC plan** if they have one;
- any relevant information in their **individual healthcare plan** if they have one.

18. It is likely local authorities will need to ask **parents** to provide some or all the information they will need to make their decision. Wherever possible, they should avoid asking **parents** for any information which is not already in their (the **parent's**) possession or is not easy for them to obtain.



**Child D** is fourteen years old and has a **disability** that requires them to use crutches to walk. They need to take their time to ensure they are balanced. They attend their nearest suitable school. It is 1 mile from their **home**. The local authority decides that they could not reasonably be expected to **walk** to school. Child D is eligible for free travel to school.

**Child E** is eleven years old and has been diagnosed with a long-term medical condition which causes them to take a long time to recover after strenuous physical activity. They attend their nearest suitable school which is a short **walk** from their **home**. The **parent** applies for free travel to school on the basis that the child needs to recover for a long time after any strenuous activity. Based on the information available to them, the local authority decides that Child E would not need to recover for a long time after the short **walk** to their school. Child E is not eligible for free travel to school.

19. A child may be eligible because of temporary **mobility problems** but, due to the short-term nature of some **mobility problems**, it may not always be practicable for the local authority to make travel arrangements before the child has recovered.

## Children with EHC plans

### Key points

- Subject to the exception set out in paragraphs 23 to 28 below, the school named in a child's **EHC plan** will be their nearest suitable school for school travel purposes.
- Local authorities should take the cost of travel into account when deciding whether it would be incompatible with the efficient use of resources to name the **parent's** preferred school in the **EHC plan**.
- It is important for local authority school travel and **special educational needs** teams to work closely together and to engage with one another early in the process for drawing up an initial **EHC plan** and when changing the school named in an existing plan following review.

20. The naming of a school in a child's **EHC plan** is governed by section 39 of the Children and Families Act 2014. **Parents** have the right to ask for a particular school to be named in their child's **EHC plan** (when the plan is first drawn up and when the local authority amends the existing plan). The local authority must name that school in the plan unless it would be unsuitable for the child's age, ability, aptitude or **special educational needs**, or incompatible with the efficient education of others or the efficient use of

resources<sup>7</sup>. Where the child will be eligible for free travel, they should take the cost of travel into account as part of this decision. Travel arrangements may also be relevant to the decision about the school that should be named in the plan in other ways, for example, the effect the journey may have on the child and their ability to learn when they arrive at school.

21. Where naming the **parent's** preferred school would be unsuitable for the child's age, ability, aptitude or **special educational needs**, or incompatible with the efficient education of others or the efficient use of resources, the local authority must name a different school that they think would be appropriate for the child.

22. This means that, where a **parent** would prefer their child to attend a school that is further away from their **home** than the nearest school that would be able to meet their needs, the local authority should consider whether arranging travel to the preferred school would be incompatible with the efficient use of resources.

23. The local authority should determine the cost of providing the child with free travel to each of the two schools. If travel to the preferred school would cost more than travel to the nearer school, they should decide whether the additional cost of providing travel to the **parent's** preferred school is incompatible with the efficient use of resources. This will include deciding whether the educational benefits and other advantages the school will provide for the child outweigh the additional cost.

24. If the local authority determines that providing travel to the **parent's** preferred school would be incompatible with the efficient use of resources, the local authority may:

- name a different school that would be appropriate for the child's needs (this may be the nearer school), or
- name the **parent's** preferred school on the condition that the **parent** arranges the travel or provides some or all of the cost of the travel, or
- name the **parent's** preferred school on the condition that they arrange the travel (or provide some or all of the cost) and name a different school that would be appropriate for the child's needs and to which the authority would provide transport.

25. When deciding whether to name the **parent's** preferred school conditionally (alone or in addition to another school), the local authority may take account of the risk of the **parent** later becoming unable to arrange or pay for the travel and the local authority then becoming responsible for transport costs. The level of risk will vary depending on the circumstances of each case.

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<sup>7</sup> See paragraphs 9.78 and 9.79 of the [Special educational needs and disability code of practice: 0 to 25 Years](#)

26. Although transport should not normally be recorded in a child's EHC plan<sup>8</sup>, when the local authority names the **parent's** preferred school on the condition that the **parent** arranges or pays for the travel, they may set out this condition in Section I of the plan.

27. Where in such circumstances the **parent's** circumstances subsequently change and they are no longer able to arrange or pay for the transport, the authority may conduct a review of the **EHC plan** to reconsider whether naming the parent's preferred school is incompatible with the efficient use of resources. If they determine that providing travel to the parent's preferred school would be incompatible with the efficient use of resources, they may amend the plan to name a different school that would be appropriate for the child's needs.

28. The local authority should make clear to the **parent** that they may review the school named in the **EHC plan** if the **parent** becomes unable or unwilling to arrange or pay for the travel. We recommend that the local authority records this information in a formal letter to the **parent**.

## Unsafe walking route

29. A child is eligible for free travel to school if:

- They attend their nearest suitable school, and
- it is within the statutory **walking** distance of their **home**, and
- the nature of the route means they could not be expected to **walk** there in reasonable safety even if accompanied by their **parent**, and
- there is no alternative route within the statutory **walking** distance that they would be able to **walk** in reasonable safety, even if accompanied by their **parent**.

30. When assessing whether a route can be **walked** in reasonable safety, local authorities should consider the whole of the route. This will include, for example, any sections that use footpaths or bridleways, as well as sections that use roads. They should consider a range of risks such as canals, rivers, ditches, speed of traffic and fields of vision for the pedestrian and motorist.

31. Some local authorities use the '*Assessment of Walked Routes to Schools Guidelines*', published by Road Safety GB<sup>9</sup>, which provide advice to local authorities on assessing the risk posed to pedestrians by traffic. These guidelines can form the basis

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<sup>8</sup> The Special Educational Needs and Disability Code of Practice: 0-25 Years says that transport should be recorded in the EHC plan only in exceptional cases where the child has particular transport needs.

<sup>9</sup> [Road Safety GB](#) is a national road safety organisation made up of representatives from groups across the UK, including local authority road safety teams.

from which to develop a route safety assessment but are not a complete assessment and should be used in conjunction with local context and knowledge.

32. Modern technology is valuable in identifying, measuring and assessing routes but it may sometimes be appropriate for a route to be assessed by **walking** it at the times of day and on the days of the week that the child would travel, particularly if the safety of a route is challenged.

**Child F** is twelve years old. They attend their nearest suitable school. It is 2 miles from their **home**. The only **walking** route to this school is along a busy road with no footpaths or stepping off points. The local authority carries out an assessment of the route and decides it would not be possible for a child to **walk** it in reasonable safety, even if they were accompanied by their **parent**. Child F is eligible for free travel to school.

## Extended rights

33. Extended rights are designed to support low-income families to exercise school choice. A child is eligible for free travel to school if they are eligible for free school meals or a **parent** with whom they live receives maximum Working Tax Credit 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** 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**.

**Child G** is eleven years old and eligible for free school meals. Their nearest suitable school is 2.5 miles from their **home**. Their second nearest suitable school is 3 miles away. Their third nearest is 5 miles away. Child G would be eligible for free travel to any of these schools.

**Child H** is eleven years old and eligible for free school meals. Their three nearest schools are School X, School Y and School Z. School X is 1.5 miles from their **home**, School Y is 2.2 miles from their home, and School Z is 5.5 miles from their **home**. Child H would be eligible for free travel to School Y or School Z, but not to School X.

**Child I** is thirteen years old and is eligible for free school meals. Their **parents** are Sikh and wish them to be educated in a school with a **religious character**. They attend a **designated** Sikh school that is 8 miles from their **home**. There are other schools which are nearer to their **home**, but none of these is a Sikh school. Child I is eligible for free travel to the Sikh school.

34. When a local authority assesses, for the purposes of extended rights, whether a child lives more than 2 miles from a school, the route should be measured in the way described in paragraph 12. When assessing whether a child lives within the 6- or 15-mile upper limits, the local authority should measure **road routes** only. There is no expectation that a child would **walk** these distances and so **walking** routes should not be used for assessing eligibility.

35. Where, during the course of an **academic year**, a child ceases to be eligible for free school meals, or their **parent** ceases to receive maximum Working Tax Credit, the local authority should continue to provide free travel to school for the remainder of that **academic year**.

36. Working Tax Credit is being phased out as claimants are transferred onto Universal Credit. This does not change the way eligibility for extended rights to free travel to school is determined. It remains the case that children will be eligible for free home-to-school travel if they are eligible for free school meals or live with a **parent** who receives maximum Working Tax Credit (and meet the criteria set out above). Once the roll out is complete, no further children will come forward who are eligible because their **parents** claim maximum Working Tax Credit.

37. No child will cease to be eligible for extended rights because of the roll out of Universal Credit. **Parents** who claim maximum Working Tax Credit will have an earned income of no more than £7,400. This means their children will become eligible for free school meals (if they are not already) when they (the **parent**) are transferred to Universal Credit. More information about eligibility for free school meals is available in [Free School Meals: guidance for local authorities, maintained schools, academies and free schools](#).

## More information about suitable schools and qualifying schools

38. Children may sometimes live a very similar distance from more than one school. Where the schools are within the statutory **walking** distance, local authorities should determine which is the nearest by measuring the shortest **walking** route. (It is not necessary to determine whether they would be able to walk that route in reasonable safety for the purposes of determining which is their nearest school, but the local authority may need to determine that separately for the purposes of assessing their eligibility for free travel).

39. Where the schools are beyond **walking** distance, local authorities may consider it more appropriate to measure the shortest **road route** or the straight-line distance. It should be made clear in the local authority's school travel policy how the route will be measured.

40. Where a child's nearest 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. A child's nearest school may be in a neighbouring local authority area.

41. In most cases, a child's eligibility for free school travel will be assessed following the **normal school admissions round** once **parents** have been offered a place for their child to begin primary school or transfer to secondary school. In some cases, eligibility will need to be assessed at other times, for example due to a family moving into the area in-year.

42. When an application for travel is considered following the **normal admissions round**, it can be difficult for a local authority to know whether a child could have been admitted to their nearest school if their **parent** did not list that school as a preference when they applied for a school place. It is, therefore, reasonable for a local authority to expect **parents** to list their nearest school on their application form if they intend to apply for free travel to school. Some local authorities have alternative ways of determining whether a child's nearest school could have offered them a place.

43. Where a local authority expects **parents** who intend to apply for free travel to list their nearest school on their application form, this information should be clearly available to all **parents** at the time they are deciding which schools to apply for. It should also be clear to parents how they can find out which is their nearest school for admissions purposes and whether this is also their nearest school for school travel purposes. Some authorities have a postcode checker on their website that parents can use for this purpose.

44. Local authorities may expect **parents** to list their nearest school as their first preference. However, in the Department's view, this should not normally be necessary. School admission authorities must provide ranked lists of all applicants to the local authority. If a parent lists their nearest school as their second or lower preference, it

should be possible for the local authority to tell whether their child could have been offered a place at that school. This can be done by comparing the child in question with the last child to be offered a place at the school and determining which of them would have higher priority. This will often be a straightforward matter of determining which child lives closest to the school.

45. Local authorities may find it helpful to have a set date that they use for the purposes of determining whether a child could have been offered a place at their nearest school, for example, would they have been offered a place on National Offer Day<sup>10</sup>.

46. Where a child has begun attending a school that is not their nearest because their nearest school was unable to offer them a place, a place may subsequently become available at the nearer school. In these circumstances, some **parents** may choose to move their child to the nearer school. Where they do not, local authorities should not withdraw the child's home-to-school travel, because moving to the nearer school would be likely to cause significant disruption to their education.

**Child L** is eleven years old and attends School 1 which is 4.2 miles away from their **home**. Their **parents** applied for this school as their first preference. The nearest secondary school is School 2 which is 3.7 miles from their **home**. They chose not to apply for this school, despite information on the eligibility for free travel to school being readily available at the time they submitted their preferences. School 2 is undersubscribed, and Child L would have been offered a place there had their **parents** applied. Child L is not eligible for free travel to School 1 because School 2 is their nearest suitable school and has available places.

**Child M** is eleven years old and attends the second nearest secondary school to their **home**. It is 4.2 miles away. Their nearest secondary school is 3.7 miles from their **home**. Their **parents** applied for this school, but it was oversubscribed and they were not offered a place. Child M is eligible for free travel to school as they are attending their nearest suitable school with available places.

47. A child may be eligible for free travel to a place that isn't a qualifying school:

- where they receive education at a place other than a school by virtue of arrangements made under section 19 (1) of the Education Act 1996 (which requires local authorities to make arrangements for the provision of suitable

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<sup>10</sup> National Offer Day is the day each year on which local authorities send an offer of a school place to parents in their area. Secondary National Offer Day is 1 March. Primary National Offer Day is 16 April. Where 1 March or 16 April falls on a day that is not a working day, National Offer Day is the next working day.



education for children of **compulsory school age** who would otherwise not receive suitable education for reasons such as illness or exclusion)<sup>11</sup>

- where they are suspended (temporarily excluded) from a school (but remain a registered pupil of that school) and attend an educational establishment that is not a qualifying school and is not within the statutory **walking** distance of their **home**, then that educational establishment must be treated as if it were a qualifying school for the purposes of eligibility for free travel<sup>12</sup>

48. We expect schools to collaborate with the local authority when arranging educational provision for a child during a suspension where the pupil might be eligible for free travel to the place where they will be receiving education. More information is available in the [School suspensions and permanent exclusions](#) guidance.

## Accompaniment

49. A child will not normally be eligible for free travel to school on the grounds of their **special educational needs, disability or mobility problem**, or on the grounds that the route is unsafe, if they would be able to **walk** to school if they were accompanied. Where the local authority determines that a child would be able to walk if they were accompanied, the general expectation is that the **parent** will accompany them or make other suitable arrangements for their journey to and from school. A child will not normally be eligible solely because their **parent's** work commitments or caring responsibilities mean they are unable to accompany their child themselves, but local authorities must act reasonably in the performance of their functions.

50. In most cases, local authorities will not need to consider whether a **parent** would be able to accompany their child, but they should not have a blanket policy that they will never arrange free travel for a child who would be able to walk to school if accompanied. They must consider cases where the **parent** says there are good reasons why they are unable to accompany their child, or make other suitable arrangements for their journey, and make a decision on the basis of the circumstances of each case.

51. The circumstances that a local authority should take into account may include, but are not limited to, whether the **parent** has a **disability or mobility problem** that would make it difficult for them to accompany their child, and the **parent's** reasons for not being able to accompany their child or make other suitable arrangements.

52. Reasons such as the **parent's** working pattern or the fact 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, in most circumstances, it is reasonable to expect the **parent** to make

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<sup>11</sup> This is set out in paragraphs 3, 5, 7 and 10 of [schedule 35B of the Education Act 1996](#).

<sup>12</sup> This is set out in paragraph 8 of schedule [35B of the Education Act 1996](#).



suitable arrangements to fulfil their various responsibilities (for example, their responsibilities as an employee and as a **parent**.)

53. Where a local authority determines that a child could not reasonably be expected to walk even if they were accompanied, they are eligible for free home-to-school travel regardless of whether their **parent** would be able to accompany them or make other arrangements for their journey.

54. We know it can be difficult for local authorities to make decisions in relation to children of secondary school age whose **special educational needs, disability** or **mobility problem** mean they could not reasonably be expected to **walk** to school unaccompanied. Other children of this age may normally be expected to **walk** to school unaccompanied which might, for example, enable **parents** to increase their working hours. When deciding whether it is reasonable to expect the **parent** of a child with **special educational needs, disability** or **mobility problem** to accompany their child to school, local authorities should be sensitive to the particular challenges **parents** of such children may face.

**Child N** is nine years old and has autism. They attend their nearest suitable school which is 2.5 miles from their **home**. They are unaware of danger and need to be accompanied even on very short journeys. They also become distressed and can act unpredictably in noisy environments. Their **walk** to school would be along busy roads. The local authority determines that the **parent** would not be able to keep them safe on this journey. Child N is eligible for free travel to school.

**Child O** is seven years old and attends their nearest suitable school which is 1.5 miles from their **home**. They do not have **special educational needs**, a **disability** or **mobility problem**. The local authority determines that they would be able to **walk** to school in reasonable safety if they were accompanied. There is no good reason why the **parent** could not reasonably be expected to accompany them or make other arrangements for their journey to and from school. Child O is not eligible for free travel to school.

**Child P** is fifteen years old and is blind. They attend their nearest suitable school which is a short **walk** from their **home**. The local authority determines that they could reasonably be expected to **walk** to school if accompanied. Child P's **parent** is a single **parent** with a **disability** which means they would not be able to accompany Child P to school. The local authority considers the individual circumstances of Child P and decides it would not be reasonable to expect their **parent** to make arrangements for their journey to and from school. It decides to arrange free travel to school for Child P.

**Child Q** is fourteen years old and is also blind. They attend their nearest suitable school which is a short **walk** from their **home**. The local authority determines that they could reasonably be expected to **walk** to school if accompanied. There is no good reason why Child Q's **parent** could not reasonably be expected to accompany them or make other arrangements for their journey to and from school. Child Q is not eligible for free travel to school.

## Promoting independence for eligible children with special educational needs and disabilities

55. The *Special educational needs and disability code of practice: 0 to 25*<sup>13</sup> sets the expectation that professionals working with children with **special educational needs** or **disabilities** will support them to prepare for adult life and help them to achieve the best outcomes in employment, independent living, health and community participation. Planning should start early. Where a child has an **EHC plan**, local authorities must

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<sup>13</sup> Further information on the local authority role in supporting children and young people to prepare for adulthood is available in the [Special Educational Needs and Disability Code of Practice: 0-25 Years](#).

ensure that the annual review of the **EHC plan** from at least year 9 onwards includes a focus on preparing for adulthood, including independent living.

56. For many children, learning to travel independently is an important part of preparing for adulthood and will help them lead fulfilling adult lives. When making travel arrangements for eligible children with **special educational needs** or **disabilities**, local authorities may take account of how best to support them to develop independence. For example, they might consider whether a child who would otherwise travel in a taxi, might be able to travel on a public service bus if provided with support to do so, or whether a child who uses a wheelchair might be able to **wheel** to school rather than travel in a minibus, if provided with support to do so.

57. **Parents** may be anxious about their child's ability to travel independently. The child may also be worried about this. It will be important to work sensitively with them to help them understand the benefits of independent travel and to build their confidence.

58. Wherever possible, local authorities should offer independent travel training to children with **special educational needs** or **disabilities** who are eligible for free travel to school and who they think will be able to complete the programme.

59. Independent travel training is a tailored programme to help children with **special educational needs** or **disabilities** travel independently, for example by public transport or **walking**. Some children may need to participate in travel training again if their circumstances change, for example if they move school.

60. Once an eligible child can travel independently, their travel arrangements may need to be reviewed. For example, they may now be able to **walk** or catch a bus to school rather than travel in a taxi. Local authorities must not withdraw free home-to-school travel from an eligible child who does not successfully complete the travel training programme.

## Parental consent and independent travel

61. Section 508B (4) (b) of the Education Act 1996 requires local authorities to obtain parental consent in order to meet their school travel duty in respect of an eligible child by:

- providing someone to escort the child, or
- paying their travelling expenses.

62. This means, for example, that the **parent's** consent is required for a local authority to meet their school travel duty by providing independent travel training, or providing someone to accompany a child so they can **wheel** to school in their wheelchair. Where the **parent** does not provide consent, the local authority must make alternative arrangements for the child's travel to school.

**Child R** has *special educational needs*. They live in a village 4 miles from their nearest suitable secondary school and are eligible for free travel to school. Other children living in the village attend the school. The local authority meets its school travel duty in respect of these children by providing them with a pass for free travel on the public service bus. When Child R joined the school in Year 7, the local authority determined their *special educational needs* meant they would not be able to travel on the bus with their peers. The local authority arranged a taxi to take Child R to school.

When Child R moved to Year 9, the local authority reassessed their needs. They determined Child R was ready for independent travel training. Child R's *parent* was hesitant at first, but the local authority explained the benefits and the *parent* agreed, knowing Child R would need the skill in adulthood.

The travel trainer helps Child R with understanding things such as where to wait for the bus, which bus to get on and what to do if they miss the bus or it is late. Once Child R has completed the travel training programme, the local authority reassesses their needs and determines they are now able to travel independently on the bus. They withdraw the taxi and provide Child R with a bus pass.

## More information about travel to school for eligible children

63. Local authorities must make arrangements to enable a child to travel to school for the beginning of the *school day*, and to return *home* at the end of the *school day*. They are not required to make arrangements:

- for children to travel between institutions during the *school day*;
- to enable children to attend extra-curricular activities and other commitments outside school hours; or
- to enable children to get to and from before and after school childcare, whether formal (for example, a childminder) or informal (for example, a grandparent)<sup>14</sup>.

64. Where particular classes, year groups or pupils have a start or finish time that is different from most pupils at the school, it will not normally be possible for the local authority to make separate travel arrangements. Schools may need to make arrangements to accommodate these pupils. There may be a small number of circumstances in which local authorities consider it appropriate to arrange transport at an

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<sup>14</sup> To note, a local authority may have a separate duty under [section 2 of the Chronically Sick and Disabled Person's Act 1970](#) to provide transport enable a child in need to access any services provided for them by the authority in accordance with [section 17 of the Children Act 1989](#). This guidance does not seek to provide advice on that duty.

alternative time of day, for example if a child has a medical condition which means they are not well enough to attend school for the whole day.

65. Where a local authority names a residential school in the **EHC plan** of an eligible child, the local authority must provide reasonable free travel to enable the child to attend that school, for example, on a Monday and Friday for children who are weekly boarders, or before and after school holidays for children who board full-time.

66. A local authority is not required to arrange travel for an eligible child where:

- suitable free travel is provided by someone else, for example, their school or the local transport authority (for example, Transport for London); or
- a **parent** chooses to make their own arrangements for the child's travel to and from school (this does not prevent the **parent** from later requesting free travel to school).

## Ways in which free travel may be provided

67. It is for local authorities to decide how they will arrange free travel for an eligible child. For example, they might provide a pass for travel on a service bus or arrange a **dedicated** school bus or a taxi. The arrangements must be free of charge to the **parent**.

68. The legislation<sup>15</sup> permits local authorities to meet their duty in respect of an eligible child in a range of alternative ways, provided they have the consent of the **parent**. For example, with the agreement of a **parent**, the local authority might:

- provide expenses<sup>16</sup> to enable the **parent** to make their own travel arrangements for their child;
- pay a cycling allowance to enable a child to cycle to school;
- provide independent travel training to a child where it is appropriate to do so (see paragraphs 55 to 60 for more information about independent travel training);
- provide someone to escort the child, for example when they are **walking** or **wheeling** to and from school.

69. Where a **parent** has agreed to receive travelling expenses, it is for the local authority to determine how to administer this. They may require **parents** to provide copies of receipts and other supporting documentation.

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<sup>15</sup> This is set out in section [508B \(4\)\(b\) of the Education Act 1996](#).

<sup>16</sup> Some local authorities call this a personal travel budget or a mileage allowance.

70. To ensure the arrangements are free of charge to the **parent** of an eligible child, the travelling expenses may need to be sufficient to cover the **parent's** journey **home** having taken their child to school in the morning, and their journey back to school to collect their child in the afternoon (in other words, all four legs of their journey to school and back). There will be exceptions to this, for example if a **parent** works close to their child's school and does not travel **home** after taking their child to school. (See paragraphs 72 to 74 below for information about the interaction between the payment of travelling expenses and other benefits and allowances.)

71. The examples below provide further suggestions of alternative ways in which local authorities might meet the duty if they have parental consent.

**Local authority 1** has introduced a scheme it believes will promote consistency and routine for children at a local special school. Rather than contracting a travel operator, they have leased a minibus. The local authority funds the special school for the cost of a driver and fuel. The school can use the minibus during the **school day** provided they also use it to provide travel to and from school. The school knows the children well and is better able to make travel arrangements that meet their needs.

**Local authority 2** has received an application for free travel to school for a child with **special educational needs**. The child is an eligible child. The **parent** would prefer to take the child to school themselves, because they get distressed when travelling with anyone else, but are unable to do so because they need to take their other child to school. The other child is not an eligible child. Local authority 2 suggests to the **parent** that the authority should make travel arrangements for the non-eligible child, enabling the **parent** to take the eligible child to school. The **parent** is happy with this arrangement, and it does not cost them any more to take the eligible child to school than it would to take their other child.

## Interaction with other benefits and allowances

72. A child's eligibility is not affected by any further benefits or allowances they or their **parents** may receive. Disability Living Allowance (DLA) for children is a contribution towards the extra cost associated with being disabled. It has two components – a care component payable at three rates, and a mobility component payable at two rates. **Parents** who receive the higher rate mobility component for their child may choose to use it to lease a Motability vehicle, but there is no requirement for them to do so. Being eligible for DLA or having access to a Motability vehicle is not relevant to a disabled child's eligibility for free travel to school (except as evidence of their **disability**).

73. Foster carers receive an allowance to cover the cost of caring for a child. Being in receipt of foster care allowance does not affect a child's eligibility for free travel to school, but a local authority may meet their duty in respect of an eligible child by including

additional funding in the foster care allowance, provided this is agreed with the foster carer.

74. Regular payments made by the local authority to reimburse the cost incurred by a **parent** in providing a child's travel to school:

- will not be taken into account in a Universal Credit assessment. (Should a local authority need to pay a **parent** any additional amounts, for example to cover unexpected expenses relating to a child's travel to school, these would be treated as capital in the Universal Credit assessment and the **parent** would need to declare them<sup>17</sup>
- should not give rise to income tax liability, but individuals should satisfy themselves that they meet HMRC's requirements<sup>18</sup>.

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<sup>17</sup> When a person's Universal Credit is calculated, any capital they have is taken into account. Capital includes savings, investments and property (other than the home they live in). Claimants should declare any lump sum payment that would form part of their capital. Regular payments from the local authority which the claimant then spends on their child's travel will, therefore, not be taken into account. However, local authorities should be aware that, if they need to pay a parent any additional amounts and if, for example, they chose to pay 12-months' worth of additional amounts in one lump sum, this may be taken account in the Universal Credit assessment. This is because it would be considered to form part of their capital until such point as they need to spend it. More information is available about [Universal Credit](#).

<sup>18</sup> Further information is available about [income tax](#).

## Part 2: local authorities' discretionary power

75. Local authorities have a discretionary power to provide travel to school for children resident in their area who are not eligible children<sup>19</sup>, referred to in this part as 'discretionary travel'.

76. Discretionary travel may be provided in either direction between the child's **home** and their school, or both. It may be provided free, or a charge may be made. Any charges should be reasonable. Local authorities may wish to consider waiving or reducing charges for children from low-income families but are not required to do so.

77. With **parents'** consent, local authorities may pay all or part of a child's reasonable travel expenses, provide them with a travel allowance, or arrange for them to be accompanied by a passenger assistant. Discretionary travel need not be limited to children of **compulsory school age**.

78. It is for each local authority to decide whether and how to exercise their discretionary power. Most use it to provide free travel to school for 4-year-olds attending reception classes if they will be eligible for free travel when they reach **compulsory school age**. Some use it to enable children who are not eligible for free travel to take spare seats on vehicles providing free travel for eligible children. Local authorities will usually charge for this service.

79. They may also offer discretionary travel to support school choice, for example, by having a policy of providing travel to enable children to attend a school with a **designated religious character** or a **selective school**. The Department for Education supports this wherever it is possible but acknowledges that budget pressures often mean authorities have to make difficult decisions to balance the benefits of discretionary travel with their other priorities. Where local authorities routinely offer discretionary travel in this way, they should make this clear in their home-to-school travel policy. Part 4 provides guidance on local school travel policies.

80. There is an expectation that local authorities will act reasonably in the performance of their functions. They should not have a blanket policy of never providing discretionary travel and should be prepared to consider cases where the **parent** says there are reasons why their child needs free travel to school and make decisions on a case-by-case basis. The Department acknowledges that local authorities will not usually be able to consider matters such as the **parent's** working pattern, the cost to the **parent** of public transport, or the fact the **parent** has children attending more than one school, on their own, to be exceptional circumstances in which they will arrange travel on a discretionary basis.

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<sup>19</sup> This is set out in [section 508C of the Education Act 1996](#).



## Part 3: suitability of travel arrangements

### Taking account of children's needs

81. Local authorities must ensure that the travel arrangements they make take account of the needs of the child concerned. For example, it would not be appropriate to provide a pass for free travel on a service bus to a child whose **special educational needs** meant they would be unable to travel on a service bus.

82. The arrangements should enable the child to travel in reasonable safety and comfort, and without undue stress, strain or difficulty, so that wherever possible they arrive at school ready to learn.

83. It may not always be necessary to provide children with 'door to door' transport in order to meet their needs. Many will be able to **walk** to a suitable pick-up point to be collected, provided they would be able to do so in reasonable safety, accompanied by their **parent** if necessary. Some children's needs will mean they need to be collected from their **home**. Local authorities should not have a policy that they never provide door to door transport and should make decisions on a case-by-case basis.

84. Some children may need particular arrangements to be made to meet their needs. For example, some children might require the support of a passenger assistant on their journey, or a child may use a wheelchair or walking frame that needs to travel with them.

85. A child's needs may need to be reassessed from time to time, for example if their level of need changes or if they move to a new school. Some children with **special educational needs** can find change distressing. Local authorities should provide **parents** with as much notice as possible of any changes to a child's travel arrangements.

### Risk assessment

86. Health and safety law requires local authorities to put in place reasonably practicable control measures to protect their employees and others (including the children for whom they arrange travel) from harm. Under the Management of Health and Safety at Work Regulations 1999, they must:

- identify hazards – things that could cause injury or illness;
- assess the risk – how likely it is that someone could be harmed and how seriously;
- put in place proportionate measures to eliminate the hazard or control the risk;
- record their findings; and
- regularly review and update their risk assessments.

87. The Health and Safety Executive provides advice on managing risk, including a template and example risk assessments. Further information is available in [Managing risks and risk assessment at work](#).

88. It is for local authorities to decide what is reasonably practicable in each circumstance. They may consider that an individual risk assessment is required for some children, for example those with complex **medical needs**, but it is unlikely that all children will require an individual risk assessment.

89. Matters local authorities may need to consider could include, but are not limited to:

- the **medical needs** of the children and the likelihood of them requiring emergency medical assistance while travelling to and from school;
- their behaviour – including where this is related to their **special educational needs or disability** – and the likelihood of this causing harm to them or others while travelling;
- the safety of children while travelling on the vehicle and while boarding and alighting;
- the safe loading and tethering of wheelchairs.

## Children with medical needs

90. When a local authority makes travel arrangements for a child with **medical needs**, they should consider whether and how those needs might affect the child during their journey to and from school and, where necessary, put in place proportionate arrangements to manage those needs.

91. Not every child with the same condition will need the same arrangements, so assessments should be undertaken on a case-by-case basis. The matters that should be considered are likely to include:

- the medical condition, its triggers and symptoms;
- the likelihood and consequences of the condition affecting the child on the journey to and from school; and
- the action that may need to be taken to manage the condition, for example whether the child may require medication and, if so, what dose is required, how it should be administered, and by whom.

92. Local education, health and social care services should work together to ensure children get the right support. Local authority school travel teams may need to work with local partners to make suitable travel arrangements for children with **medical needs**. They should be able to expect the support of their local authority's **special educational needs** team, local health partners, and the schools to which they arrange travel.

93. In the first instance, local authorities should consult **parents** about their child's **medical needs**. It is likely that the child's school will have arrangements in place to manage their **medical needs** during the day. They may be able to help the local authority identify whether those needs will affect them on the journey to and from school and decide what arrangements to put in place.

94. If the child has an **EHC plan** or **individual healthcare plan**, these may contain information that is relevant to the local authority's assessment. The school should share information from the **individual healthcare plan** with the local authority where it is relevant to the journey to and from school.

95. Local authorities may sometimes need to seek specialist advice about a child and their condition. A range of different health professionals may be involved in a child's care, for example a community nurse, specialist nurse or doctor. The **parent** should be able to help the local authority identify the appropriate health professional in relation to their child. The child's school and the local authority's **special educational needs** team may also be able to help with this.

96. The local authority should ensure the driver of a vehicle providing **dedicated** school transport, and any passenger assistant involved in providing the child's travel, are aware of their needs and how to respond to them and have received any training necessary to enable them to do so. See also paragraphs 102 to 107 on training.

## Administering medication and performing medical procedures

97. There is no expectation that a child's routine medication will be administered on the journey to and from school, or that routine medical procedures will be carried out. It may sometimes be necessary to administer a child's emergency medication. Emergency medication should be administered in accordance with instructions from a health care professional. The driver or passenger assistant responsible for administering the medication should receive training from a health care professional.

## Journey times

98. As a general guide, the maximum journey time for a child of primary school age should be 45 minutes each way, and 75 minutes each way for a child of secondary school age, including any time taken to **walk** to a pick-up point, but there will be circumstances in which this is not possible, for example in rural areas where children live in remote locations, where a child needs to travel a long way to the school named in their **EHC plan**, or when journey times are extended by traffic delays. Wherever possible, a child should not be expected to make several changes on public transport.

99. Travel arrangements for children with **special educational needs, disability** or **mobility problems** can be particularly complex to make. Shorter journeys may be

particularly desirable, perhaps because a child's **special educational needs or disability** mean they become distressed while travelling, but a child may need to travel a long way to the school that is able to meet their needs and one vehicle may need to collect several children. Travel arrangements may be relevant to the decision about the school that should be named in the plan.

100. Where long journeys are unavoidable, local authorities should consider whether there are measures they can take to minimise negative impacts for the child, for example if the child becomes distressed on long journeys the **parent** or school may be able to offer advice on effective ways of keeping them calm.

**Child S** is seven years old and has an **EHC plan** which names their nearest suitable school. This school is 20 miles from their **home**. The route is often very busy meaning the journey from Child S's home typically takes 45 minutes. The taxi collects one other child on the way, which adds 10 minutes to Child S's journey, meaning a total journey time of 55 minutes. Given the additional expense that would be involved in providing Child S and the other child with separate vehicles, the local authority decides it is reasonable to exceed the recommended journey time in Child S's case.

**Child T** is fourteen years old and has an **EHC plan** which names a school that is 10 miles from their **home**. Previously they travelled in a taxi with one other child and the journey took 30 minutes. The local authority then combined several routes into one. Child T now travels in a minibus with 11 other children. Due to the extra stops, the journey time is now 90 minutes. Child's T's school makes the local authority aware that, due to their **special educational needs**, they often become very distressed at being in the minibus for that length of time. On arrival at school, it takes them a long time to calm down. As a result, they miss some of the activities other children participate in. The local authority decides it is not reasonable to exceed the recommended journey time in Child T's case and reinstates their original travel arrangements.

## Safeguarding

101. The **safeguarding** of children is of paramount importance. Local authorities should ensure that:

- an enhanced Disclosure and Barring Service (DBS) check, with a check of the children's barred list, has been carried out for drivers and passenger assistants involved in providing **dedicated** school transport;
- drivers and passenger assistants have received any training they need to perform their role in relation to **safeguarding**;
- drivers and passenger assistants know how to report any concerns they have about the children in their care;

- they share any concerns they have about the driver of a **taxi** or **private hire vehicle** with the authority that licenses them<sup>20</sup> – the Local Government Association and Institute of Licensing have produced a [short guidance note](#) to assist with this;
- they consider whether concerns they have about a driver should be referred to the DBS – further information is available at [Making barring referrals to the DBS](#).

## Training

102. Local authorities should ensure that drivers and passenger assistants working on **dedicated** school transport have undertaken appropriate training and that this is kept up to date. It is for the local authority to decide what training is required, how it will be delivered and how often it should be refreshed. These decisions should be informed by their risk assessments. The training that a driver or passenger assistant requires may be dependent on the needs of the children who are travelling. Not all drivers and passenger assistants will need the same training.

103. It is for the local authority to decide how training should be delivered, for example by the local authority, the travel operator, or an external provider. It need not always be delivered through a formal course, for example the **parents** of a child with **special educational needs** may be experts in strategies to calm the child when they become distressed while travelling.

104. School staff will receive training to enable them to manage a child's **medical needs** in school. Arrangements for delivering this training are made locally. Wherever possible, we would expect the transport staff that will be working with the child to be able to participate in this training.

105. As a minimum, training should include:

- **safeguarding**;
- the handling of emergency situations, for example what to do in a medical emergency or if there is a road accident;
- equality, for example recognising, supporting and communicating with children with disabilities;
- any training required to meet the specific needs of the children travelling – for example, administering their emergency medication or managing their behaviour.

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<sup>20</sup> Local authorities will also need to consider their duties under the [Data Protection Act 2018](#) and the [General Data Protection Regulations](#). In doing so, they may find the advice on page 21 of [Working Together to Safeguard Children](#) helpful.

106. It is recommended that training in the handling of emergency situations includes training in basic life support skills. Some bus and coach drivers may have undertaken such training as part of the ongoing training they are required to do to retain their [Driver Certificate of Professional Competence](#).

107. Local authorities should also consider the training that their officers responsible for making travel arrangements need in order to do their job effectively. It is recommended that this includes equality training.

## Behaviour on school travel

108. Local authorities should collaborate with schools to promote good behaviour on school travel. Schools have the power to sanction pupils for misbehaviour outside the school premises to such an extent as is reasonable, including for misbehaviour which takes place on school travel (see the guidance on [Behaviour in Schools](#)).

109. Unacceptable behaviour may include, but is not limited to, being rude, pushing and kicking, bullying, distracting the driver, refusing to wear a seatbelt, or refusing to remain seated. It may endanger the safety and wellbeing of other people.

110. Schools' behaviour policies should set out what the school will do in response to poor behaviour and bullying which occurs off the school premises and is witnessed by a staff member or reported to the school, including the sanctions that will be imposed on pupils.

111. Local authorities and schools should work together to:

- set clear expectations on seatbelt use;
- set high expectations for children's behaviour on school travel and ensure they are communicated clearly to **parents** and children;
- ensure arrangements are in place to report and manage incidents of unacceptable behaviour;
- work with operators to put in place measures to manage unacceptable behaviour where it occurs. Some local authorities have reported that interventions that have been successful include seating plans and 'bus prefects'.

112. Local authorities should ensure drivers and passenger assistants have received any training they need to manage children's behaviour while travelling.

113. An eligible child's travel arrangements should only be withdrawn as a last resort and, in these circumstances, the local authority should meet their duty in respect of the eligible child in an alternative way.

## Managing behaviour that is part of a child's special educational needs or disability

114. A child's challenging behaviour may be part of their **special educational needs** or **disability** and they may use it as a way to communicate their needs, for example a child who exhibits challenging behaviour may be trying to communicate discomfort or distress. Local authorities should work with travel operators, schools and **parents** to find positive ways to manage this behaviour wherever possible.

115. **Parents** and schools may be able to help local authorities and travel operators understand the reasons for a child's challenging behaviour and the strategies that might be helpful in managing it. For example, a **parent** may be able to let the operator know that their child may shout and pull their hair because they find being stuck in traffic distressing, but that having a familiar toy can help to calm them. The Association of Transport Co-ordinating Officers (ATCO), in conjunction with the Department for Education and the Department for Transport, has published guidance which shares good practice in managing behaviour that is linked to child's **special educational needs** or **disability**<sup>21</sup>.

**Child U** is twelve years old, has **special educational needs** and is eligible for free travel. They have recently moved to a new school. Having travelled quite happily in a taxi to their original school, they become distressed when travelling in a minibus to their new school. Their **special educational needs** mean they are unable to explain why they are distressed. The driver works with Child U's **parent** to resolve the issue. They identify that Child U's distress is caused by having the radio on during journeys. The driver agrees to keep the radio switched off whilst Child U is travelling.

116. Some children may find change distressing and benefit from having consistency in their travel arrangements wherever possible. Where a change to travel arrangements is planned, time to get used to the idea of a new route or vehicle, or an opportunity to meet a new driver or passenger assistant, may be helpful.

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<sup>21</sup> [Alternatives to Seatbelt Buckle Guards Good Practice Guide for Local Authorities](#)

**Child V** is 4 years old and has ***special educational needs***. They are about to begin school for the first time and will be eligible for free travel. They can become very distressed in unfamiliar situations. The local authority arranges for their driver and passenger assistant to visit Child V's ***home*** to meet them before the start of term. This gives Child V the opportunity to familiarise themselves with the vehicle and sit in the seat they will use on the journey to school.

It also gives the driver the opportunity to let the ***parent*** know that two children will already be on the vehicle when it comes to collect Child V and that it will collect one further child after Child V. This enables the ***parent*** to talk to Child V to prepare them for what will happen on the journey to school. The ***parent*** is also able to let the passenger assistant know about some strategies they have found useful when Child V has become distressed when travelling.



## Part 4: local school travel policies

117. Local authorities must:

- publish their school travel policy for children of **compulsory school age**<sup>22</sup> on their website;
- make paper copies available on request;
- include information about their school travel policy in their composite prospectus for school admissions (which must be published by **12 September** each year);
- include information about travel to school for children with **special educational needs** and **disabilities** in their **SEND Local Offer**.

118. Local authorities should keep their school travel policy under regular review to ensure it continues to meet local needs and comply with statutory requirements. An up-to-date policy must be available by **19 September** each year so that **parents** may take it into account when deciding which schools to apply for during the **normal admissions round**.

119. An effective school travel policy will:

- be easy for **parents** to find on the local authority's website;
- be clearly written so that **parents** may easily understand it – local authorities should pay careful attention to the wording, layout and length of their school travel policies;
- enable **parents** to understand the circumstances in which a child is eligible for free travel to school, or any help the local authority provides using its discretionary power;
- tell **parents** how and when they should apply for free travel to school (or apply for help the local authority provides using its discretionary power);
- tell **parents** how they may appeal against the local authority's decision in relation to travel to school for their child.

120. A checklist of the necessary components of a school travel policy can be found in annex 5. Local authorities may find this helpful in ensuring their policies are lawful.

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<sup>22</sup> This is required by regulation 8 and 9 of the [School Information \(England\) Regulations 2008](#), and paragraphs 10 and 11 of schedule 3 to those regulations. In addition, regulation 5 and paragraphs 5 and 6 of schedule 2 to these regulations require local authorities to include information about their school travel policy in their composite prospectus for school admissions.

121. Local authorities may, if they wish, set their school travel policy out in more than one document but they should ensure that a reader of any of the documents is able to easily understand the basic provisions of the whole policy.

122. School travel policies may signpost **parents** of children who are not eligible for home-to-school travel to other sources of information about travel to school – for example, the websites of local travel providers.

## School travel and school admissions

123. **Parents** should consider how their children will get to school at the time they are choosing which schools to apply for. For some, the availability of free travel to school may be an important factor in their decision making. Information about travel to school should, therefore, be easily available to **parents** during the **normal admissions round**.

124. **Parents** will need to easily understand:

- how they can find out which school is their nearest suitable school for school travel purposes, including where this may not be the same as the nearest school for admissions purposes; and
- whether the local authority expects **parents** to include their nearest suitable school in their application for a school place if they intend to apply for free travel (see paragraphs 42 to 46 for more information on this).

## Policy changes

125. Where they propose changes to their school travel policy which may affect children's eligibility for transport, local authorities should consult locally. As a minimum, this should include consulting:

- schools whose pupils will be affected by the proposed changes, including those located in other local authority areas;
- **parents** 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; and
- the local **Parent Carer Forum**.

126. Consultation should last for at least 28 working days during term time. Local authorities may not consider it necessary to consult on minor amendments or corrections.

127. Local authorities should give careful consideration to:

- the impact proposed changes to their policy will have on **parents'** choice of school, particularly where travel arrangements have been made to support **parents'** preference for their children to attend a school with a **designated religious character** (some such arrangements are associated with long-standing local agreements about the siting of schools);
- the financial impact the changes will have on affected families, paying particular attention to the potential impact of any changes on children from low-income families;
- the impact the changes will have on people with protected characteristics – see annex 2 for further information about protected characteristics and the public sector equality duty.

128. Wherever possible, local authorities should phase in changes so that children who begin attending a school under one set of travel arrangements continue to benefit from those arrangements until they leave that school.

## Part 5: appeals

129. All local authorities have a procedure for handling complaints about the services they provide. **Parents** should be able to complain about the service they have received in relation to travel to school. They should also be able to appeal a decision taken by the local authority about their child's travel to school.

130. It is for local authorities to determine which matters should be handled as complaints and which should be handled as appeals. Typically, matters such as whether a child is eligible for free travel, or whether the travel the local authority has arranged is suitable for the child's needs will be handled as appeals. Matters such as the punctuality of a school bus, or a delay in replying to correspondence from a **parent** will be handled as complaints. The guidance in this part relates to appeals.

131. An effective appeals policy will:

- be easy for **parents** to find on the local authority's website;
- be clearly written so that **parents** may easily understand it;
- tell **parents** the circumstances in which they may appeal the local authority's decision;
- tell **parents** how and when they may appeal.

132. It is for local authorities to determine how their appeals process will operate. We recommend they adopt the two-stage process set out below. It will be similar to many local authority complaints procedures. The timings are recommended, not mandatory. Some appeals may be dealt with more quickly. Some complex cases may take longer but should still be completed as soon as possible. A flow chart setting out the suggested appeals process is included in annex 6.

### Stage one: review by a senior officer

133. Stage one provides an opportunity for the local authority's school travel team to review their decision. The process should allow a **parent** 20 working days from the day they received the local authority's school travel decision to submit a written appeal. This should explain why the **parent** believes the local authority should review its decision and include any information they would like to be considered as part of the review.

134. A senior officer in the local authority's school travel team (or in the team's line management chain), should review the decision in light of the information provided by the **parent**. Some local authorities arrange for the review to be conducted by a panel of senior officers, rather than an individual, but this is not mandatory.

135. Within 20 working days of receiving a **parent's** appeal, the senior officer(s) should notify the **parent** in writing of the outcome of the appeal. They should clearly explain:

- whether they have upheld the local authority's original decision;
- why they reached that decision;
- how the review was conducted;
- the factors considered in reaching their decision;
- any other agencies or departments that were consulted as part of the review.

136. Where they have upheld the original decision, they should also explain how the **parent** may escalate their appeal to stage two of the process.

## Stage two: review by an independent appeal panel

137. Stage two provides for impartial re-consideration of the case. The process should allow a **parent** 20 working days from the day they received the outcome of stage one to notify the local authority in writing that they wish to escalate the matter to stage two, and to provide any additional information that they wish to be considered in light of the stage one decision.

138. The local authority should make arrangements for an independent panel to review the case. The panel members should be independent of the original decision-making process but need not be independent of the local authority. They should have the knowledge, skills and experience to ensure that the local authority complies with its statutory duties, that a balance is achieved between meeting the needs of **parents** and of the local authority, and that children are not placed at unnecessary risk.

139. The local authority should enable any **parent** that wishes to, to attend an appeal hearing, virtually or in person, to present their case. Where a **parent** does not wish or is unable to attend a hearing, the panel should make its decision based on the **parent's** written representations.

140. The review should take place within 40 working days of the **parent** notifying the local authority that they wish to escalate their appeal to stage 2. The panel should consider information provided at stage one of the appeal as well as any additional information provided and any oral representations made at stage two.

141. Within 5 working days of completing its considerations, the appeal panel should notify the **parent** in writing of the outcome of their review. They should clearly explain:

- whether they have upheld the local authority's original decision;
- why they reached that decision;
- how the review was conducted;
- the factors considered in reaching their decision;
- which other agencies or departments were consulted as part of the review, if any.

142. The local authority should make the **parent** aware that they may complain to the [Local Government and Social Care Ombudsman](#) if they believe the local authority has made a mistake in the way it has handled their case. If a **parent** considers the decision of the independent appeals panel to be flawed on public law grounds, they may apply for a judicial review.

## Part 6: sustainable school travel

Local authorities have a duty to promote the use of sustainable travel on journeys to and from places of education in their area<sup>23</sup>. Sustainable travel in this context is that which may improve:

- the physical wellbeing of users, and/or
- the environmental wellbeing of all or part of the local authority's area.<sup>24</sup>

Sustainable travel benefits children and everyone around them by helping people keep healthy, improving mental wellbeing, easing congestion and reducing toxins in the air.

In this guidance, 'sustainable travel' includes:

- public transport and shared transport'
- active travel – **walking**, **wheeling**, cycling and scooting.

Support is available to local authorities through organisations and initiatives such as:

- Modeshift STARS;
- Bikeability;
- Living Streets; and
- School Streets.

These are supported by the Department for Transport and Active Travel England. Further information can be found in annex 2.

143. The duty to promote the use of sustainable travel applies in relation to travel to and from:

- schools;
- further education institutions;
- 16 to 19 Academies;

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<sup>23</sup> This duty is set out in section [508A \(1\) \(c\) of the Education Act 1996](#).

<sup>24</sup> This definition is set out in section [508A \(3\) of the Education Act 1996](#).

- any place where children and young people receive education by virtue of arrangements made in accordance with [section 19 \(1\) of the Education Act 1996](#)<sup>25</sup>.

144. This duty applies to young people of sixth form age as well as children of **compulsory school age** and is also covered in the [statutory guidance for local authorities on travel for post-16 students](#).

145. Local authorities must:

- **assess** the school travel needs of children of **compulsory school age** and persons of sixth form age resident in their areas (paragraphs 146 to 147);
- **assess** the facilities and services for sustainable modes of travel to, from and within their area (paragraphs 148 to 150);
- **promote** the use of sustainable travel to places of education in their area; and
- **publish** a document which sets out their strategy to promote the use of sustainable travel to places of education in their area (paragraphs 151 to 155).

## Assessing school travel needs

146. The school travel needs of a local authority's area relate to journeys to and from places of education undertaken by children and young people who are:

- resident in the local authority's area, or
- live outside the local authority's area but travel to a place of education in the area.

147. Local authorities should consider any information provided by schools and colleges when assessing school travel needs. Where schools have travel plans, these will include information that will be useful to the local authority.

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<sup>25</sup> Section 19 (1) of the Education Act 1996 requires local authorities to make arrangements for the provision of suitable education for children of **compulsory school age** who would otherwise not receive suitable education for reasons such as illness or exclusion.



The Modeshift STARS Education system gathers much of the data that local authorities need to fulfil the sustainable school travel duty. Each participating school:

- provides data on how their pupils travel to school;
- conducts an audit of their sustainable travel and travel infrastructure; and
- provides details on the number and type of sustainable travel initiatives that they deliver.

School A is a Modeshift STARS Primary School of the Year. This recognises their excellence in growing the amount of sustainable travel to their school. The school is situated in an area of high deprivation; they knew some of their pupils may not have access to cycles and chose to concentrate on promoting the benefits of **walking** through **walking** programmes and Park and Stride points. The school also worked with other local schools to purchase a fleet of cycles to share amongst pupils and secured funding to run a community cycling hub.

## Assessing facilities and services to support sustainable school travel

148. The assessment should show how places of education are served by:

- bus and other public transport routes;
- school travel arranged by the local authority, and any that may be provided by education settings;
- safe and accessible **walking** and cycling routes including footways, footpaths, off-road cycle tracks and bridleways;
- road safety and accessibility features such as crossing points and patrols, dropped kerbs, traffic calming measures and speed limits;
- arrangements such as:
  - cycle training;
  - road safety training;
  - independent travel training;
  - **walking** promotion schemes;
  - car sharing schemes;
  - park and stride/ride schemes;
  - cycle and scooter parking.

149. It should also take account of other factors that may influence travel choices, such as:

- the quality of the facilities and services and their suitability for the age and ability of the children they serve;
- perceptions of personal safety which may be influenced by factors such as:
  - volume of traffic, speed limits and parking around school gates;
  - behaviour on school travel, public transport and the **walked** route to school;
- the travel needs of children with **special educational needs, disabilities or mobility problems** and whether they would benefit from independent travel training (see paragraphs 55 to 60 for more information about independent travel training).

150. Where schools have travel plans, they may help local authorities understand any specific local issues, the views of schools and the perceptions of pupils and **parents**.

Local authorities may wonder what they can do to promote active travel for children who live a long way from their school. Schemes such as 'Park and Stride' support all children to take part in active travel. Families park away from the school gates and **walk, wheel, cycle** or scoot the rest of the way. Advice on Park and Stride and other active travel initiatives for schools is available from Living Streets. Further information on Living Streets can be found in annex 3.

## Sustainable modes of travel strategy

151. Local authorities must publish a sustainable modes of travel strategy for each **academic year**. The strategy should:

- set out the local authority's vision, objectives and work programme for:
  - improving the infrastructure for sustainable travel;
  - promoting sustainable travel to places of education;
- aim to provide:
  - health benefits for children and their families through active journeys, and
  - environmental improvements through reduced congestion and improved air quality.

152. Local authorities must:

- publish their strategy on their website;
- make paper copies available on request;
- include information about their strategy in their composite prospectus for school admissions.

153. Local authorities are not required to annually conduct a formal review of their sustainable modes of travel strategy, but they should keep it under regular review to

ensure it continues to meet local needs and comply with statutory requirements. The most up to date policy must be published by the **19 September** each year.

154. Local authorities may find it helpful to make links between their strategy and other local strategies such as the Local Transport Plan, and the Local Cycling and Walking Infrastructure Plan.

155. Modeshift can provide guidance and support to help local authorities produce their strategy. Further information on Modeshift and links to other sources of information can be found in annex 3.

## Annex 1: explanation of terms used in this guidance

<b>academic year</b>	Defined in the <a href="#">School Information (England) Regulations 2008</a> as a period commencing with 1st August and ending with the next 31st July.
<b>belief</b>	Defined by section <a href="#">509AD (3) of the Education Act 1996</a> as any religious or philosophical belief. A reference to belief includes a reference to lack of belief.
<b>compulsory school age</b>	<p>Set out in <a href="#">section 8 of the Education Act 1996</a> and The <a href="#">Education (Start of Compulsory School Age) Order 1998</a>.</p> <p>A child reaches compulsory school age on the prescribed day following their fifth birthday, or on their fifth birthday if it falls on a prescribed day. The prescribed days are 31 December, 31 March and 31 August.</p> <p>A child ceases to be of compulsory school age on the last Friday in June in the academic year in which they reach age 16.</p>
<b>dedicated</b> transport	Transport which exclusively carries children and young people to and from their place of education and cannot be boarded by members of the public.
<b>designated religious character</b>	Schools with a designated religious character are schools which are designated as such under <a href="#">section 69(3) of the School Standards and Framework Act 1998</a> . They may deliver religious education and collective worship in accordance with the tenets of their faith. They may also prioritise admissions for pupils of their faith and recruit staff on the basis of their faith.
<b>disability</b>	Defined in <a href="#">section 6 of the Equality Act 2010</a> . A person has a disability if they have (a) a physical or mental impairment, and (b) that impairment has a substantial and long-term effect on their ability to carry out normal day-to-day activities. A chronic physical or mental health condition may constitute a disability. Not all disabilities are visible.

<p><b><i>Education Health and Care (EHC) plan</i></b></p>	<p>An Education, Health and Care (EHC) plan details the education, health and social care support that is to be provided to a child or young person who has special educational needs or a disability. It is drawn up by the local authority after an EHC needs assessment of the child or young person has determined that an EHC plan is necessary, and after consultation with relevant partner agencies.</p> <p>Home-to-school travel arrangements are not normally considered to be special educational provision. In exceptional cases travel arrangements may be deemed to constitute special educational provision because they fulfil an education or training function. In these circumstances the travel arrangements should be recorded in section F of the EHC plan.</p> <p>Travel costs can also be provided as part of a Personal Budget, where one is agreed and included in the EHC plan as part of the special educational provision. This should be recorded in section J of the plan.</p>
<p><b><i>home</i></b></p>	<p>The place where a child is habitually and normally resident. Local authorities should make clear in their school travel policies how they will determine a child's home address for the purposes of assessing their eligibility for travel, including in circumstances where their parents do not live together and the child spends part of the week with each parent. In these circumstances, there is no expectation that local authorities should provide travel to and from two separate addresses.</p>
<p><b><i>individual healthcare plans</i></b></p>	<p>Drawn up by schools in consultation with parents and relevant health professionals. They capture the key information and actions that are required to effectively support a child with medical needs in school. For more information about supporting children with medical needs in schools see <a href="#">Supporting pupils with medical conditions at school</a>. This guidance suggests that schools may wish their policies on supporting pupils with medical conditions to refer to home-to-school travel.</p>
<p><b><i>licensing authority</i></b></p>	<p>Taxi and private hire operators and drivers must be licensed by a local licensing authority – usually a unitary authority or district council in a local area, but Transport for London is the licensing authority for all London boroughs.</p>

<b>medical need</b>	A health need that has the potential to put a child's safety or wellbeing at risk while travelling to and from school.
<b>mobility problem</b>	A physical impairment that impacts a child's ability to walk to school.
<b>normal admissions round</b>	The period during which parents apply for school places. The deadlines for applications are 31 October for secondary school places and 15 January for primary places. Places are offered to parents on National Offer Day. Secondary National Offer Day is 1 March, or the next working day. Primary National Offer Day is 16 April, or the next working day.
<b>parent</b>	References to parent in this document include birth parents, adoptive parents, foster parents, carers or legal guardians with parental responsibility.
<b>parent carer forum</b>	Voluntary organisations made up of parents and carers from a local area who have children with SEND. They work with local authorities, schools and other professionals to support the strategic participation of parents, carers and their families in local SEND policy service and delivery.
<b>private hire vehicles (PHVs)</b>	May carry up to 8 passengers and can only be pre-booked via a licensed private hire vehicle operator. See also the definition of <b>taxi</b> below.
<b>religion</b>	<a href="#">Section 509AD (3) of the Education Act 1996</a> defines religion as any religion. A reference to religion includes a reference to lack of religion. See also definition of <b>belief</b> above.
<b>road route</b>	A route passable by a motor vehicle.
<b>safeguarding</b>	Defined in <a href="#">Keeping Children Safe in Education</a> as: <ul style="list-style-type: none"> <li>• protecting children from maltreatment</li> <li>• preventing the impairment of their mental and physical health and development</li> <li>• ensuring they grow up in circumstances consistent with the provision of safe and effective care</li> <li>• taking action to enable all children to have the best outcomes.</li> </ul>
<b>school day</b>	Schools are responsible for deciding when their school day will start and end. The expectation is that local authorities will arrange

	<p>travel for eligible children to enable them to attend for the ‘normal’ school day.</p> <p>Schools should organise the school day and school week in the best interest of their pupil cohort. They are expected to act reasonably when making changes to their school day or week. It is unacceptable for them to shorten their day or week unless it is a direct action to enhance pupils’ education.</p>
<b><i>selective school</i></b>	A school that can select all or some of the children it admits by testing for aptitude or ability, for example a grammar school.
<b><i>SEND Local Offer</i></b>	Sets out, in one place, information about the provision local authorities expect to be available across education, health and social care for children and young people in their area who have SEN or are disabled, including those who do not have an EHC plan. Further information can be found in the <a href="#">Special education needs and disability code of practice: 0 – 25 Years</a> .
<b><i>special educational needs (SEN)</i></b>	Defined in <a href="#">section 20 of the Children and Families Act 2014</a> . A child or young person has special educational needs if he or she has a learning difficulty or <b><i>disability</i></b> which calls for special educational provision to be made for him or her.
<b><i>taxis</i></b>	Also known as hackney carriages, black cabs and cabs. May carry up to 8 passengers. May be pre-booked or can be hired immediately by hailing on the street or at a rank. See also definition of <b><i>private hire vehicle</i></b> above.
<b><i>walk</i></b>	In this guidance walk has its literal meaning. A child could not be considered to be able to walk to school if they would need to travel in a wheelchair, but a local authority may decide, for example, that suitable travel arrangements for a child would be an assistant to push them in a wheelchair.
<b><i>wheel</i></b>	Refers to people who use wheelchairs and mobility scooters and may not identify with walking.

## Annex 2: further information

### Equalities legislation and home-to-school travel

Local authorities must comply with the [Equality Act 2010](#) and the [European Convention on Human Rights](#) (which is incorporated into UK law by the [Human Rights Act 1998](#)) when exercising their school travel functions.

#### The Equality Act 2010

The Equality Act (the Act) prohibits a local authority from discriminating against someone on the grounds of a 'protected characteristic'. The protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Through an exemption in Part 2 of Schedule 3 of the Act, the discrimination provisions on age and **religion** or **belief** do not extend to a local authority's school travel arrangements. So, for example, a local authority would not be unlawfully discriminating on **religion** or **belief** grounds if it arranged a school bus to a school with a **designated religious character** but not to another school in the area.

The Act also places a legal obligation on local authorities to comply with the public sector equality duty. This means they must consider how their school travel decisions and policies affect people with protected characteristics, and must have due regard to the need to:

- eliminate discrimination against people with protected characteristics;
- promote equality of opportunity between people who have a protected characteristic and those who do not;
- foster good relations between people who have a protected characteristic and those who do not.

#### The European Convention on Human Rights (ECHR)

Article 2 of Protocol 1 of the ECHR gives **parents** the right to have their children educated in accordance with their religious and other views.



In addition, section 509AD of the Education Act 1996 requires local authorities to have regard to any wish of a **parent** to have their child educated at a school based on their **religion** or **belief** when exercising their school travel duties.

This does not mean that **parents** have a specific right to have their children educated at such a school, or to have travel arrangements made by their local authority to and from any such school.

Local authorities should, nonetheless, have regard to the provisions of the ECHR and section 509AD when considering any request made by a **parent** for travel assistance to a school they have selected on the grounds of their **religion** or **belief**.

They should not, for example, have a blanket policy that they never provide travel assistance to schools with a **designated religious character**. Should they receive a request from a **parent** for travel to such a school, they should consider whether it would be appropriate to exercise their discretionary power.

## Parent's responsibility to ensure their child receives education

[Section 7 of the Education Act 1996](#) requires **parents** to ensure their children of **compulsory school age** receive a suitable full-time education. If a child of **compulsory school age** is registered at school but fails to attend school regularly, their **parents** may be guilty of an offence and can be prosecuted by the local authority. Under [section 444 \(3B\) of the same act](#), **parents** will have a defence in law against such prosecution if the child is eligible for free travel to school and the local authority has failed to make home-to-school travel arrangements for them.

## Children registered at more than one qualifying school

Some children may be registered at more than one qualifying school, for example if they attend a hospital school or a special school on temporary basis. Children of no fixed abode may be registered at more than one qualifying school because their **parent's** trade or business requires them to travel from place to place. This is known as dual registration. Children with **EHC plans** may have a 'dual placement' and attend more than one school<sup>26</sup>.

The School Travel (Pupils with Dual Registration) (England) Regulations 2007 clarify a child's eligibility for free travel to school in these circumstances. Where a child is registered at two qualifying schools which are not pupil referral units, the local authority's duty to provide free travel to school applies to whichever of the schools the child is attending on any **school day** on which travel is required.

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<sup>26</sup> See paragraph 9.85 of the [Special Educational Needs and Disability Code of Practice: 0-25 Years](#).

## Disclosure and Barring Service checks

A Disclosure and Barring Service (DBS) check is a check of a person's criminal record. There are 4 types of DBS check:

- a basic check which shows unspent convictions and unspent conditional cautions;
- a standard check which shows spent and unspent convictions, cautions, reprimands and final warnings;
- an enhanced check which shows the same as a standard check plus any information held by local police that is considered relevant;
- an enhanced check with a check of the relevant barred list, which shows the same as an enhanced check plus whether the applicant is on the barred list.

The DBS keeps two barred lists – one of people who have been barred from working in regulated activity with children, and one for people barred from working in regulated activity with adults.

People who carry out regulated activity are eligible for an enhanced check with a check of the relevant barred list. It is a criminal offence for a barred person to work in regulated activity and for an employer to knowingly employ a barred person to work in regulated activity.

'Driving a vehicle which is being used only for the purpose of conveying children and any person supervising or caring for the children'<sup>27</sup> is regulated activity if:

- the driver is doing it as part of their job – paid or otherwise<sup>28</sup>, and
- it is carried out by the same person once a week or more often, or on more than 3 days in a 30-day period.

**Dedicated** school transport will almost always be regulated activity.

## Taxis, private hire vehicles and public service vehicles

**Taxi** and **private hire vehicle** drivers must be licensed. **Licensing authorities** must not issue a licence to an applicant unless they are satisfied that they are a fit and proper person to hold such a licence, and they should revoke a licence if they consider a driver is no longer a fit and proper person. Each **licensing authority** decides on the requirements that applicants must meet for them to issue a licence.

All **licensing authorities** require an enhanced DBS check and most include a check of the children's and adults' barred lists. They may also require a medical check, a knowledge test and a driving test. Vehicles used as **taxis** and **private hire vehicles** are

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<sup>27</sup> [Paragraph 2\(1\)\(f\) of Schedule 4 of the Safeguarding Vulnerable Groups Act 2006.](#)

<sup>28</sup> [Regulation 3 of The Safeguarding Vulnerable Groups Act 2006 \(Miscellaneous Provisions\) Regulations 2009.](#)

usually required to pass an annual MOT test<sup>29</sup>. They must also be inspected and licensed by a **licensing authority**. The **licensing authority** may set additional requirements, for example around roadworthiness, comfort and cleanliness, and safety and security.

Operators of buses and coaches must have a public service vehicles operator's licence issued by the [Traffic Commissioners](#). Vehicles must have an annual MOT test and operators are required to keep them in a roadworthy condition. They may be inspected by the Driver and Vehicle Standards Agency (DVSA). If local authorities have any concerns about a bus or coach operator, they can [report it directly to DVSA](#).

Professional bus and coach drivers are required to hold a Driver's Certificate of Professional Competence. This requires them to undertake 35 hours of approved training every five years. Training providers offer a range of courses from a set syllabus. No specific part of the syllabus is mandatory. The [syllabus](#) includes, amongst other things:

- ability to assess emergency situations;
- ability to anticipate, assess and adapt to risks in traffic;
- ability to ensure passenger comfort and safety.

Organisations that provide transport on a 'not-for-profit' basis can apply for permits under section 19 or section 22 of the Transport Act 1985. These permits allow the holder to operate transport services for hire or reward without the need for a full public service vehicle operator's (PSV 'O') licence. Further information is available from the [Department for Transport](#).

## Seatbelts and standing passengers

All minibuses, coaches and buses – except for buses designed for urban use with standing passengers – must be fitted with seatbelts. This means that many vehicles used for travel to school will have seatbelts fitted.

Buses designed for urban use with standing passengers (the types of bus typically used as public service buses) do not have seatbelts fitted and may also be used for travel to school.

Local authorities and schools that choose to arrange home-to-school travel for their pupils may, if they wish, specify in their contracts with school travel providers that they will only accept vehicles fitted with seat belts. In deciding whether to do so, they will need to consider factors such as:

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<sup>29</sup> Legislation that exempts new vehicles from the MOT test applies to PHVs but not taxis.

- the speed at which the vehicle will be travelling, and at which other vehicles on the same route may be travelling;
- the likelihood of an accident happening on the route the vehicle will be travelling (local authorities may find road accident statistics helpful);
- the cost and availability of suitable vehicles fitted with seat belts.

It is also important to note that:

- although primarily designed for use on urban routes, public service buses are also widely used to provide public bus services in rural areas;
- public service buses are generally a very safe mode of travel with a very low casualty rate.

[The Public Service Vehicles \(Carrying Capacity\) Regulations 1984](#) provide that three children under the age of 14 may count as two passengers when travelling on a service bus and occupying seats which do not have seatbelts fitted (for example, on a service bus they may occupy a bench seat designed for two adults). Few of this type of vehicle are now in service. Local authorities should only make use of this concession on an exceptional basis.

## **Public Service Vehicles Accessibility Regulations (PSVAR)**

The Government's vision is for disabled people to have the same access to transport as everyone else<sup>30</sup>. The [Public Service Vehicles Accessibility Regulations 2000](#) (PSVAR) require buses and coaches with more than 22 seats, used on local or scheduled services (including home-to-school journeys) that carry at least one fare-paying passenger to have features which enable disabled people to board, alight and travel in comfort and safety.

When commissioning home-to-school services that are in scope of PSVAR, local authorities should procure compliant vehicles where possible, but may procure non-compliant vehicles where necessary if they are covered by medium-term exemptions.

Medium-term exemptions are valid from 1 July 2022 until 31 July 2026. These are qualified exemptions that require operators to take specific steps to make their fleet progressively more compliant. Further information is available at [Apply for an exemption from PSVAR accessibility regulations for home to school or rail replacement services](#).

The Government has committed to review PSVAR by the end of 2023.

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<sup>30</sup> More information is available in the [2018 Inclusive Transport Strategy](#).

## Annex 3: additional resources

<b>Assessment of Walked Routes to Schools Guidelines</b>	Produced by <a href="#">Road Safety GB</a> (a road safety organisation made up of representatives from groups across the UK, including local authority road safety teams) to provide advice to local authorities on assessing the risk posed to pedestrians by traffic.
<b>DBS checks</b>	<a href="#">DBS checks: detailed guidance</a>
<b>Behaviour in Schools</b>	<a href="#">Behaviour in schools</a>
<b>Statutory taxi and private hire vehicle standards</b>	<a href="#">Statutory taxi and private hire vehicle standards</a> <a href="#">Taxi and private hire vehicle licensing: best practice</a>
<b>LGA safeguarding guidance</b>	<a href="#">School transport guidance note   Local Government Association</a> Provides guidance on the role of local authorities and licensing authorities with regard to safeguarding and taxi and private hire vehicles used for travel to school.
<b>Climate change: a strategy for education and children's services</b>	<a href="#">Sustainability and climate change strategy</a> Includes the Department for Education's commitment to support the Department for Transport in increasing active travel to school.
<b>Active Travel England</b>	<a href="#">Active Travel England</a> The Government's executive agency responsible for making walking, wheeling and cycling the preferred choice for everyone to get around in England.
<b>The second Cycling and Walking Investment Strategy</b>	<a href="#">The second cycling and walking investment strategy</a> Sets out the Government's ambition for walking and cycling until 2025. Includes an objective to increase the percentage of children aged 5 to 10 who usually walk to school from 49% to 55% in 2025.
<b>Planning local cycling and walking networks</b>	<a href="#">Planning local cycling and walking networks</a> Guidance and tools to help local authorities plan cycling and walking infrastructure.

<b>The Healthy Schools Rating Scheme</b>	<p><a href="#">Healthy schools rating scheme</a></p> <p>A voluntary scheme for schools that recognises and encourages their contribution to supporting pupils' health and wellbeing. Includes active travel to school.</p>
<b>Bikeability</b>	<p><a href="#">Cycle Training for Everyone – Deliver Safer Training   Bikeability</a></p> <p>Department for Transport's flagship national cycle training programme aimed at children, young people and families in England.</p>
<b>British Cycling</b>	<p><a href="#">Home – British Cycling</a></p> <p>National governing body for cycling. Can provide advice on cycling to school and cycle training.</p>
<b>Cycling UK</b>	<p><a href="#">Cycling UK   The UK's cycling charity</a></p> <p>Enabling and inspiring more people to cycle more often, including to school.</p>
<b>Modeshift</b>	<p><a href="#">Modeshift – Sustainable Travel – UK's leading sustainable travel organisation</a></p> <p>Membership organisation that shares best practice in the delivery of sustainable travel. Over 100 local authorities are members.</p> <p><a href="#">Modeshift STARS – Travel Plan in Education, Business &amp; Communities</a></p> <p>The Modeshift STARS Education scheme supports schools and local authorities to develop and monitor school travel plans and provides a tool for local authorities to assess the sustainable travel and transport infrastructure in their areas and the school travel needs of pupils.</p>
<b>Sustrans</b>	<p><a href="#">Home – Sustrans.org.uk</a></p> <p>Sustainable transport charity that provides a range of advice and support to enable children to walk, wheel and cycle to school safely.</p>
<b>Living Streets</b>	<p><a href="#">Living Streets</a></p>

	Charity for everyday walking. Runs the annual WOW Walk to School challenge and offers resources and support to schools and local authorities.
<b>Armed Forces Covenant Duty</b>	<a href="#">Armed Forces Covenant Duty</a> Places a legal obligation on local authorities to have due regard to the Covenant principles when exercising certain functions, including their home-to-school travel functions.
<b>Driving school minibuses</b>	<a href="#">Driving school minibuses advice</a> Advice on when a school employee with a car driving licence may drive a minibus.
<b>Length of the school week: minimum expectation</b>	<a href="#">Length of the school week: minimum expectation</a> The Government has set the expectation that all state-funded mainstream schools will deliver a school week of at least 32.5 hours by September 2023.
<b>REAL disability equality training</b>	<a href="#">REAL training: bus and coach modules</a> Training to improve confidence and skills in delivering inclusive journeys for disabled passengers.
<b>Special Educational Needs and Disability Code of Practice: 0 to 25 years</b>	<a href="#">SEND code of practice: 0 to 25 years</a>
<b>SEND and alternative provision improvement plan</b>	<a href="#">SEND and alternative provision improvement plan</a>
<b>THINK! - the government's road safety campaign</b>	<a href="#">Education resources – THINK!</a> <a href="#">Advice for road users – THINK!</a>
<b>Travel to education and training for</b>	<a href="#">Transport to education and training for people aged 16 and over</a>

young people aged 16 and over	
Trust quality descriptions	<a href="#">Commissioning high-quality trusts</a>
Alternatives to Seatbelt Buckle Guards: Good Practice Guide for Local Authorities	<a href="#">Alternatives to Seatbelt Buckle Guards Good Practice Guide for Local Authorities</a> Guidance from the Association of Transport Co-ordinating Officers (ATCO) on minimising the use of buckle guards. Includes good practice in managing behaviour that is linked to child's special educational needs or disability.

<b>Education Act 1996</b>	
<a href="#">Section 7</a>	Duty of parents to secure education of children of compulsory school age
<a href="#">Section 19 (1)</a>	Provision of education in pupil referral units
<a href="#">Section 444 (3)</a>	Offence: failure to secure regular attendance at school of registered pupil
<a href="#">Section 508A</a>	Duty to promote sustainable modes of travel
<a href="#">Section 508B</a>	Travel arrangements for eligible children
<a href="#">Section 508C</a>	Travel arrangements for other children
<a href="#">Section 508D</a>	Secretary of State's duty to issue guidance in relation to sections 508B and 508C
<a href="#">Section 509AD</a>	Duty to have regard to religion or belief in exercise of travel functions
<a href="#">Schedule 35B</a>	Meaning of eligible child
<b>Other relevant legislation</b>	



[The Public Service Vehicles Accessibility Regulations 2000](#)

[The School Travel \(Pupils with Dual Registration\) \(England\) Regulations 2007](#)

[School Information \(England\) Regulations 2008](#)

## **Annex 4: questions local authorities may find helpful when reviewing their policies and procedures**

### **Transparency**

- Is the school travel policy easy for parents to find and understand?
- Is it available to parents at the point they are choosing which schools to apply for?
- Is it easy for parents to find out which is their nearest suitable school?
- Is it easy for parents to find out how and when to apply for travel, and when they can expect to receive a response?
- Is it easy for parents to find out how to appeal the local authority's decision, or complain about their service?
- If a parent's application is refused, or their appeal is unsuccessful, are the reasons communicated to them clearly?
- If the local authority is unable to comply with expected timescales, does it let parents know and explain why?

### **Fairness**

- Does the local authority always follow its published procedures when handling applications, appeals and complaints?
- Does the authority consider all relevant information when making decisions in response to applications, appeals and complaints? Are irrelevant considerations ignored and assumptions avoided?
- Does the authority keep an open mind when considering applications, appeals and complaints?
- At appeal, are parents given sufficient opportunity to make their case? Are they able to attend an appeal hearing, virtually or in person, at stage 2 if they wish to?
- Does the local authority keep a clear and accurate record of the information it considered during an appeal, the decision that it reached and the reasons for that decision?

## Annex 5: home-to-school travel policy checklist

A local authority school travel policy needs to contain a number of elements to be considered lawful. There are other elements a school travel policy should include to ensure it is clear and easy for parents to understand. The main elements are listed below, but this is not an exhaustive list. Authorities may add elements they consider necessary, provided they are lawful.

- The policy includes a clear introduction explaining what the reader can expect to learn from the document.
- The policy clearly explains all four categories of eligible children (statutory walking distances; special educational needs, disability and mobility problems; unsafe walking routes; and extended rights).
- Where a local authority has a separate policy document for a category of eligibility (for example, special educational needs) they should refer to this in the main policy so parents reading one document may easily understand all the categories of eligibility.
- The policy includes information on how a parent can apply for travel to school.
- The policy clearly explains terms such as 'home address' and 'nearest suitable school'. It explains how, in instances of dual living arrangements such as equal shared custody for separated parents, the local authority determines the child's home.
- Where appropriate, the policy explains that a child's nearest school for school travel purposes may not be their nearest suitable school for admissions purposes.
- The policy clearly explains how a child's eligibility will be assessed. This includes how distances will be measured and how route safety is assessed.
- The policy clearly explains that the eligibility of children with special educational needs, a disability or mobility problems will be assessed on an individual basis.
- The policy clearly explains the ways in which travel is provided, for example, passes for public service buses, dedicated school buses, taxis.
- The policy clearly explains any other arrangements that are in place for children who are not eligible for free home-to-school travel, such as spare seat schemes, and any charges that may be made for these.

The policy clearly explains how a parent may appeal the local authority's decision in response to their application for travel to school.

## Annex 6: flowchart of the suggested appeals process

Officer A declines a parent's school travel application or offers travel arrangements that a parent considers unsuitable.



Within 20 working days of receiving Officer A's decision, the parent submits their written appeal.



### **Stage one: review by a senior officer**

Within 20 working days of receiving the parent's request, Officer B (a senior officer) reviews Officer A's decision and notifies the parent in writing of the outcome.



Within 20 working days of receiving Officer B's decision, the parent submits written notification that they wish to escalate the matter to stage 2.



### **Stage two: review by an independent appeal panel**

Within 40 days of receiving the parent's notification, an independent appeal panel considers written/oral representations from the parent, Officer A and Officer B, and reaches a decision.



Within 5 working days of reaching their decision, the independent appeal panel notifies the parent in writing.



A parent may make a complaint to the LGSCO if they feel the local authority has made a mistake in the way it has handled their case; or may request a judicial review if they believe the decision to refuse travel is flawed on public law grounds.



Department  
for Education

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# Eligibility for SEN, disability, or mobility problems

## **Current policy:**

In the current policy we state that we will assess individual eligibility and make transport arrangements for children who can't be expected to walk to school, (either due to their mobility problems or health and safety issues that relate to their SEN or disability) and whose parents are unable to transport them to school.

## **Proposed SEND Home to School Travel Policy:**

- . We will assess each child on an individual basis to identify the most appropriate travel option
- . We will provide more clarity and information regarding circumstances where a child may be eligible:
  - attending nearest school
  - cannot walk even when accompanied
  - medical condition affects travel
- . We will provide more information and clarification regarding medical professional evidence which will be considered

# Personal Travel Budgets (PTB)

## **Current policy:**

PTBs are only referenced in relation to the promotion or presentation of alternate travel options, or as an option for lone travellers.

## **Proposed SEND Home to School Travel Policy:**

We will provide clear information about PTBs, including information on how they could benefit service users. We'll also include specific examples of how much you could get based on the number of miles you travel.

We will outline how PTBs can be used, including:

- . shared travel arrangements with other parents or carers
- . helping overcome barriers that may prevent parents or carers from accompanying their children to school
- . covering the cost of parents or carers driving or cycling with their child to school
- . paying for a Guide Escort for the child to walk to school or travel by public transport



# Independent Travel Training

## **Current policy:**

There is currently no specific information provided on Independent Travel Training.

## **Proposed SEND Home to School Travel Policy:**

We will include information to highlight the benefits of Independent Travel Training.

# Applying for SEND HTST

## **Current policy:**

There is currently no specific information provided on how to apply for SEND Home to School Travel assistance.

## **Proposed SEND Home to School Travel Policy:**

We will include clear instructions including anticipated timescales and deadlines. This will break the application process down, making it easier for people to understand and apply for.

# Explanation of terms

## Current policy:

We currently use the following terms without clear definitions:

- . Home address
- . Guide Escorts
- . Exceptional circumstances
- . Nearest school

## Proposed SEND Home to School Travel Policy:

We will clarify the terms we use within the policy to make it easier for everyone to understand.

For example:

- . **Home address:** where the child resides and spends the majority of their time, it is also the address registered with their GP surgery.
- . **Guide Escorts:** A Guide Escort may be allocated in exceptional circumstances through an SEN or medical assessment, tailored to the student's travel needs.

- . **Exceptional circumstances:** Exceptional circumstances will be recognised for the most vulnerable children when there is a strong need for help but the required transportation criteria are not met.
- . **Nearest school:** When parents or carers apply to the nearest suitable school and the school is unable to offer a place, we may be able to offer travel support for the next nearest school with a place, providing the child meets the eligibility criteria.

# Review of eligibility

## **Current policy:**

Reviews of eligibility are currently only referenced in the 'Guiding principles for SEND travel provision'. We regularly assess transport throughout a child's school life to ensure the right level of travel provision is in place.

## **Proposed SEND Home to School Travel Policy:**

We will provide more clarity and information on how the eligibility review process works and detail the milestones that typically trigger the reviews. Going forward, we may also consider amending the named school on an EHCP if there is a closer, more suitable school that would make more efficient use of our resources regarding school travel support. (Please note that this links to the changes made to mentions of parental preference in the policy, detailed below.)

We will maintain the right to amend the terms of the travel support.

# Behaviour on school transport

## **Current policy:**

Information on behaviour on school transport is currently not included in the policy. Instead, we provide information separately by referencing it in our offer letters.

## **Proposed SEND Home to School Travel Policy:**

We will provide clarity on expected behaviour (in line with the Behaviour Policy) within the new SEND Travel Policy. We will still reference expected behaviour on school transport in our offer letters.

# Exclusions

Exclusions refer to situations where we do not provide travel support.

## **Current policy:**

Exclusions are referenced throughout the policy, but are not laid out clearly in their own section.

## **Proposed SEND Home to School Travel Policy:**

We have created a standalone section of the new policy to clearly explain and define the different exclusions.

# Parental preference

## **Current policy:**

There is no guidance on parental preference in the current policy.

## **Proposed SEND Home to School Travel Policy:**

The proposed policy clearly states that if a parent or carer has requested a school to be named in the EHCP but there is an available place at a nearer, suitable school, the parent or carer will be responsible for transporting their child to and from school.



# Car seats

## **Current policy:**

There is no guidance on car seats in the current policy.

## **Proposed SEND Home to School Travel Policy:**

The proposed policy provides guidance for parents and carers on what they are responsible for providing until a child reaches a height of at least 135cm (4'5") or turns 12 years old, whichever happens first.

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**Bath & North East Somerset Council**

MEETING:	<b>Children, Adults, Health and Wellbeing Policy Development &amp; Scrutiny Panel</b>		
MEETING DATE:	<b>13<sup>th</sup> May 2024</b>	EXECUTIVE FORWARD PLAN REFERENCE:	
TITLE:	<b>SEND Collaboration for BaNES (Safety Valve)</b>		
WARD:	All		

**AN OPEN PUBLIC ITEM**

**List of attachments to this report:**

None.

Please note that we can't provide the draft plans at this stage, as they remain in draft while we work closely with our partners and DfE advisers to finalise them. We have a deadline of the 24<sup>th</sup> May to submit these to the Department for Education (DfE).

**1 THE ISSUE**

- 1.1 The Dedicated Schools Grant (DSG) is a ring-fenced budget distributed across four blocks: schools, early years, high needs, and central school services. Since 2019/20, the Council has exceeded the allocated funding, resulting in a deficit primarily within the high needs block, which supports services for individuals with special educational needs and disabilities (SEND). To address this, the Department for Education (DfE) has introduced two programs: the Safety Valve (SV) and Delivering Better Value. These programs collaborate with local authorities to create recovery plans for financial sustainability. The SV program, specifically, provides financial support from the DfE.
- 1.2 In 2022/23, the Council successfully joined the SV program, with an agreed recovery plan and ministerial approval. B&NES secured £19.22m, receiving £7.68m in March 2023.
- 1.3 However, due to slippage, the agreement with the DfE is under review, and grant payments have been suspended pending a revised agreement. In the 2023-24 financial year, the total paid under the agreement was £0.55m. The Council now has until May 24<sup>th</sup> to submit updated plans to the DfE, working closely with three DfE-appointed SV advisers.

## **2 RECOMMENDATION**

- 2.1 The Panel is briefed on the progress to date on the direction of our safety valve work.
- 2.2 The Panel is assured that the Local Authority and its partners is working to deliver a programme of work that improves services, delivers more school places for children with SEND and reduces financial pressures.
- 2.3 In consultation with parents/carers, and stakeholders we have renamed our programme the SEND Collaboration for BaNES, as this reflects the overarching aims of the work.
- 2.4 Note that the financial issues facing the Council are a national issue affecting all Local Authorities. The council's position is that SEND remains an area of Education policy in urgent need of reform, and that the current system is dramatically underfunded.

## **3 THE REPORT**

### **The issues**

- 3.1 The most recent Strategic Evidence Base in B&NES indicates that the area has a higher than national average percentage of pupils with SEND in all age groups except KS4.
- 3.2 B&NES has seen a considerable rise in the number of requests for EHCPs since 2015. While this is consistent with a rise nationally, the increase in EHCPs issued in B&NES has been more pronounced.
- 3.3 The increased demand for specialist placements and support in school has also meant that our local provision (there are three special schools and six resource bases in B&NES) is either full or oversubscribed, apart from one.
- 3.4 The combination of these factors has meant that a previously high performing SEND Service in B&NES has struggled to meet its statutory duties, additionally our ability to find local school places for children with SEND has meant that the LA has had to rely on expensive out of area placements to ensure children's needs are met.
- 3.5 The impact of the issues above is that the overspend in the High Needs Block is continuing and the LA has been asked to address this through the Safety Valve programme.

### **What are we proposing to do?**

- 3.6 The plans we have made fall into three categories:

#### **3.7 System of SEND support:**

- (1) Providing significant investment in school facing support to provide better early intervention and preventative support so that all settings can deliver the inclusion agenda, and parents and carers are confident that their children will be supported well in an inclusive environment.

- (2) A SEND and AP advice service will be launched in September 2024. This will be a support and advice service for professionals working with children and young people from B&NES with SEND and those who may require alternative provision. The service has been developed in response to stakeholder feedback about the current system of support available to Education, Health and Care professionals working with children and young people with SEND and those requiring AP. Continued consultation with stakeholders will be vital to develop and shape the service in line with local need and priorities.
- (3) The aims of this project are:
  - a) Improve the confidence of parent carers in the system of SEND support in BaNES, and the lived experience of children and young people with SEND who need support.
  - b) Early identification.
  - c) Culture of inclusion.
  - d) Aspiration.
  - e) Reduced EHCPs.
  - f) Joined up working.
  - g) Focus on data.

### **3.8 SEND statutory system:**

- (1) Making sure our SEND team is appropriately staffed and supported in order to provide the best possible support to children and young people with SEND and their families in B&NES.
- (2) The council is looking to support the project by funding additional staff, including Safety Valve officers and statutory SEND officers, to ensure the successful initiation and early implementation of our plans. Alongside this, a full business change review of the service has been completed to improve internal processes and external communication.
- (3) The aims of this project are:
  - a) Improve adherence to statutory timeframes.
  - b) Provide high quality professional advice.
  - c) Provide high quality plan writing.
  - d) Provide transparent decision making.
  - e) Ensure appropriate funding.
  - f) Support local first, maintained provision at all key stages.

### **3.9 Capital and sufficiency planning:**

- (1) Making sure we have enough high-quality local placements, of the right specialism and level to meet need now and in the future, and ensuring that we continue to focus on sufficiency as the needs of children and young people with SEND in the area change.

(2) We are bold and ambitious for our capital plans, we have successfully bid for two Free Schools and attracted additional funding to deliver a small residential school. Alongside this we plan to develop an additional seven SEND resource bases to ensure our local area has a good offer for our children, young people and families.

(3) The aims of this project are:

- a) Sufficiency.
- b) Right local support.
- c) Future proofing.

3.10 Each of these business cases is in development at the moment while we work towards the DfE submission date of 24th May.

### **How do we think it will make a difference?**

3.11 Taken together, and assuming our plans are successful and DfE commit to releasing the final tranches of funding, the mitigations are anticipated to deliver the following benefits by 2031-32:

- (1) Children with SEND and those accessing Alternative Provision receive high-quality early, appropriate support within B&NES.
- (2) Children and young people with SEND will be able to remain in B&NES wherever possible to study and live, and not need to attend a school outside of B&NES for their education.
- (3) Sufficiency of places in B&NES increased to a level that meet needs and prevents placements wherever possible in out of area special schools and the independent special school sector.
- (4) Movement from B&NES special schools to mainstream Resource Bases with subsequent movement from Independent Special schools to B&NES special schools.
- (5) Reduction in the numbers of CYP without a designated school place.
- (6) Improve the working lives of staff and colleagues working in the SEND system in B&NES.
- (7) Reduce over time the overspends in the High Needs Block.

### **How is our work being governed?**

3.12 The SEND Collaboration for BaNES is being managed via an Executive Group, which reports in to the Executive Leadership Team of the Council, as well as the Local Area Inclusion Partnership (LAIP), Children's Transformation Steering Group and the ICB, School Standards Board and Schools Forum.

3.13 Working groups for each of the projects report in to the SEND Collaboration for BaNES Executive Group.

3.14 Regular reporting will need to be sent to DfE, to monitor and track our progress against targets. These are anticipated to be required every three months, pending approval from DfE that our resubmission is acceptable.

## 4 STATUTORY CONSIDERATIONS

4.1 The Local Authority has a broad set of statutory responsibilities to ensure that it can deliver education support and school places for all children with SEND in BaNES. These duties are specifically laid out in the 2014 SEND Code of Practice: The Code explains the duties of local authorities, health bodies, schools, and colleges to provide for those with special educational needs under part 3 of the Children and Families Act 2014.

## 5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The Dedicated Schools Grant (DSG) is provided to the Local Authority to support the educational services. The grant is split into 4 blocks and the High Needs Block provides the funding to support the pupils with additional needs. In 2024-25 the total DSG provided to the local authority was as set out in the following table.

<b>DSG</b>	<b>Funding 2024-25</b>
Schools Block	£13,716,954
Central School Services Block	£1,075,500
High Needs Block	£28,938,302
Early Years Block	£18,009,287
<b>Total</b>	<b>£61,740,045</b>

5.2 The total spending on services and support in the High Needs Block have exceeded the budget allocation by £9.3m in 2023-24 and the LA has failed to hit the targets of the safety valve agreement made with the DFE in February 2023. The DFE have therefore requested that we resubmit a revised plan to address the overspend.

5.3 As part of this resubmission the DFE have paused the safety valve payments to the LA in the 23-24 financial year payments of £1.1m were paused and further £0.55m in 24-25 has been delayed until a new plan is agreed with the DFE

5.4 Officers have been working with the DFE financial and SEN advisors to develop the plans with the intention of submitting them by the end of May 2024. Once the new plan is agreed the DFE will continue to make the payments agreed in the original plan.

5.5 The plans include investment in services to schools in delivering to support pupils with SEN and capital investment to create additional local school places for pupils with additional needs. The LA is also investing in the statutory assessment processes to ensure more timely and appropriate EHCPs are created to support the pupils with the additional needs.

## 6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## 7 EQUALITIES

7.1 The plans are intended to improve early support, more timely assessments and increase access to specialist local education placements wherever possible, and as such should improve equality for all children with SEND.

7.2 An Equalities Impact Assessment has been completed and has identified intended positive impacts for children and young people- with SEND in the following areas:

- (1) **Age:** Improve the support to prepare young people with SEND for adulthood, to support them to remain within the local area.
- (2) **Race:** Children from ethnic minority groups in B&NES can have lower educational attainments. The development of the SEND and AP advice service will provide more support and challenge to schools around exclusions, and will work closely with our race equality task force to tackle areas of disproportionality in outcomes in schools in B&NES.
- (3) **Socio-economically disadvantaged:** Children on free school meals are more likely to have SEND, and the improvement of support to children with SEND through these plans should improve the life chances of these children in the long term.

7.3 There are not anticipated to be any adverse or negative impacts on the remaining protected characteristics, or on rural communities or the armed forces community.

## 8 CLIMATE CHANGE

8.1 The plans are likely to have a net positive impact on the climate, as they are intended to reduce the number of children and young people who have to travel outside of our local area for their education. This will reduce our home to school transport emissions, as well as the costs associated with transport.

8.2 The new Resource Bases will be designed and built to our current planning policy and guidance, which includes stringent energy efficiency requirements and sustainable construction.

## 9 OTHER OPTIONS CONSIDERED

9.1 None.



## 10 CONSULTATION

- 10.1 Throughout the development of the resubmission of our plans we have worked with the B&NES Parent Carer Forum, as well as statutory partners and colleagues.
- 10.2 The report has been submitted to the S151 officer and Monitoring Officer for review ahead of submission to Scrutiny.

<b>Contact person</b>	Chris Wilford
<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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<b>Bath &amp; North East Somerset Council</b>	
MEETING	<b>Children, Adults, Health &amp; Wellbeing Panel</b>
MEETING	<b>Monday 13<sup>th</sup> May 2024 at 9.30am, Council Chamber – Guildhall, Bath.</b>
TITLE:	<b>Standing Advisory Council for Religious Education (SACRE) Annual report</b>
WARD:	<b>All</b>
<b>AN OPEN PUBLIC ITEM</b>	
<b>List of attachments to this report:</b>	
<b>Appendix 1: Bath and North East Somerset SACRE -Annual Report - September 2022-August 2023</b>	

## **1 THE ISSUE**

- 1.1 A Standing Advisory Council on Religious Education (SACRE) is legally constituted by the Local Authority with the responsibility for overseeing religious education and collective worship in the community, voluntary controlled foundation schools without a religious character and trust schools.

The annual report (appendix 1) contains key actions and findings throughout the year.

## **2 RECOMMENDATION**

**The Panel is asked to review the SACRE Annual Report for information.**

## **3 THE REPORT**

The full SACRE Annual Report is attached, and the SACRE Clerk has provided the following summary:

Each year SACRE monitors school websites to examine the RE curriculum and to ensure schools are meeting their legal obligations. Due to the number of schools this is done over a 3-year cycle. In 2022-23 SACRE members reviewed a total of 19 websites. SACRE continued to develop its links nationally (NASACRE), regionally (South West) and locally (including 'Learn, Teach, Lead RE'). Alongside this, SACRE continued to have membership and links with various local faith groups and the inter-faith network as well as seeking to appoint members where there are vacancies.

Aiming to improve the working of SACRE, time for discussion was instituted within the SACRE meetings, considering questions such as the characteristics of a successful SACRE. Three schools in the area, which did extremely well in GCSE exams, were congratulated. It was noted that B&NES is fifth from bottom in terms of numbers of students entered nationally (only 17.5% entered, compared to 34% nationally). Three schools were also awarded the WIRE (Widening Inclusivity in Religious Education) Award.

#### **4 STATUTORY CONSIDERATIONS**

The law says that religious education (RE) must be taught in all schools and academies and a SACRE's role is to advise its LA on what needs to be done to improve RE and collective worship for schools in its area. This is because RE is not part of the National Curriculum; it is a local responsibility. Through the SACRE, local communities and teachers have the opportunity to influence and support what pupils learn in RE.

#### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

None

#### **6 RISK MANAGEMENT**

A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

#### **7 EQUALITIES**

An EIA has been carried out and submitted to the Equalities Team

#### **8 CLIMATE CHANGE**

Approving the online Syllabus minimises climate implications by minimising the need to use paper resources. SACRE meetings are only held face to face once a year to reduce travel.

#### **9 OTHER OPTIONS CONSIDERED**

None

#### **10 CONSULTATION**

Members of the SACRE Committees were consulted on the Annual Report (these included Cllrs Jackson as a nominated LA representative)

<b>Contact person</b>	Olwyn Donnelly Head of Education Commissioning Olwyn_donnelly@bathnes.gov.uk
<b>Background papers</b>	
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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The Standing Advisory Council on Religious Education for Bath and North East Somerset

## Bath and North East Somerset SACRE Annual Report September 2022- August 2023

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# 1. Introduction

## 1.1 Welcome from the Chair

I am delighted to introduce the Annual Report for Bath and North East Somerset SACRE, for the period September 2022 to August 2023.

We have had another successful year of SACRE, working with meetings on-line and now able to visit schools in person. Towards the end of this period, as life was returning to normal following the pandemic, some of the online activities adopted during the COVID restrictions were continued, e.g. the monitoring of school's RE activities via surveying their websites, and also for some of our SACRE meetings.

Adam Robertson continued as our RE Advisor and Clerk, however he moved to a new opportunity towards the end of the period, and is replaced by Rebekah Guy. We have made sure that our meetings are available to the public by reinstating the presence of SACRE on the LA website (<https://thehub.bathnes.gov.uk/Services/6414>) and also the Bath & Wells Diocese website. As we have a representative of the diocese on SACRE, we can also access information about Diocesan CPD information which is put on our own B&NES SACRE website (<http://www.banes-sacre.com>) and so is available for teachers.

The SACRE continued to meet during the year, with good attendance at all three meetings, and we agreed to hold one of these 'in person' each year. We continue to have a diverse membership, particularly in respect of representatives of different local faith communities, and actively seek to recruit when vacancies arise. There is a good link with the local Bath Interfaith Group which has been active in the area for over 30 years, and is represented on the SACRE by myself. There is thus a valuable link for local RE teachers who are kept informed of local interfaith events, and can access visitors for their schools. We currently have more teachers on the SACRE.

SACRE continued to offer the Widening Inclusivity in Religious Education (WIRE) Award for schools (publicised via our regular newsletter to schools and also the local Learn Teach Lead RE (LTLRE) Hub, and was delighted to report that St Julian's Church school had become the first in B&NES to achieve the Wire Award, with two others following later in the year (Chew Stoke Church School, and St John's CE Midsomer Norton). We continued to look into ways we can proactively support schools, especially in relation to reports from Ofsted, SIAMS and our own website reviews. In support of this we decided to bid for extra money from the LA earmarked for 'school improvement' activities, and I am delighted to say we were successful. We are hoping also the local MAT RE Leads will join us in our SACRE work.

Aiming to improve the working of SACRE, we instituted time for discussion within the SACRE meetings, considering questions such as the characteristics of a successful SACRE. On another occasion we studied the Religion and Belief Census Data 2021 to better understand the situation in our area: it seems that B&NES has one of the highest numbers of people identifying as non-religious in the country (47.9%), and has relatively



lower numbers of Christians (42%), which must have an impact on the delivery of RE in schools. While we congratulated 3 schools in the area which did extremely well in GCSE exams, it was noted that B&NES is fifth from bottom in terms of numbers of students entered nationally (only 17.5% entered, compared to 34% nationally). This further justified the need for additional resources noted above. We had a discussion on the 'Nones' (those identifying as no religion in the census), recognising this does not mean no belief in God, and may have more to do with changing ideas on spirituality, which we need to learn from as we approach the next agreed syllabus review in 5 years.

We have started looking at our guidance on Collective Worship to see if it needs updating, and formed a working group to address this. In addition SACRE started a review of its Constitution.

We look forward to further work with the local schools, developing our SACRE membership and continuing to maintain the high profile and importance of RE and CW.



Jane O'Hara

Chair of Bath and North East Somerset SACRE

January 2024

## **1.2 Overview – SACRE**

A Standing Advisory Council on Religious Education (SACRE) is legally constituted by the Local Authority with the responsibility for overseeing Religious Education and Collective Worship in the community, Voluntary Controlled foundation schools without a religious character and trust schools.

Academies, Free schools & Voluntary Aided schools lie outside the SACRE remit, but a good SACRE will try to establish links with any of these schools in its area. In Bath & NE Somerset (B&NES), we actively seek a working relationship with these schools as nearly all schools are academies and most lie within Multi-Academy Trusts (MATs) – some of which spread across boundaries for other SACREs. We are endeavouring to work with the RE Leads of the MATs and hopefully bring them onto B&NES SACRE.

SACRE has met three times in the last academic year. Two meetings were held online and one was held 'in person' at Bath Spa University. All meetings were quorate and well attended.

In meetings the following aspects were discussed:

- SACRE membership
- the characteristics of a successful SACRE
- Religion and Belief Census Data 2021
- The 'Nones'
- Developing the 'WIRE' Award
- Religion and Worldviews (and its potential impact on teaching of RE)
- Revision of Collective Worship Guidance

## **1.3 Overview – Agreed Syllabus Conference (ASC)**

Bath and North East Somerset SACRE has developed and shares a locally Agreed Syllabus with partner SACREs in Bristol, North Somerset, and the London Borough of Haringey. The current syllabus (Awareness Mystery and Value) had been reviewed and updated in the previous report period, and was launched in March 2022.

There was therefore no ASC in this report period.

## 2. Religious Education

### 2.1 Locally Agreed Syllabus

The locally agreed syllabus in schools is Awareness Mystery Value (<https://www.awarenessmysteryvalue.org/>). This is shared by Bristol, North Somerset and the London Borough of Haringey. It is used by many schools across the authority, including some Academies.

### 2.2 Agreed Syllabus Review

The next review of the agreed syllabus will be held in 2026. Meanwhile, SACRE agreed that we should plan ahead for key dates / points to review, especially as we feel the syllabus is likely to be revised in the light of Worldviews, pilot 'national' syllabi' and new units of work developed through the 'Westhill Award' on 'Big Ideas'. To this end the Agreed Syllabus often appears on the SACRE Agenda.

### 2.3 Standards and monitoring of Religious Education: Ofsted and SIAMS reports

SACRE accesses Ofsted reports on local schools throughout the year. During the period of this report (2022-23), 14 schools received inspections. Two schools were graded as 'Outstanding' all others were graded as 'Good'. The following table highlights where RE or Collective Worship was noted.

School	Date of inspection	Grade	Mention of RE or Collective Worship
St Gregory's Catholic College	8 and 9 November 2022	Good	VA school so RE not inspected.
Hayesfield Girls School	15 and 16 November 2022	Good	Mentions pupils have positive attitude and tolerance towards others.
Bathwick St Mary Primary School	22 and 23 November 2022	Good	Essential knowledge not sequenced in some areas of curriculum – however RE not identified explicitly.
Mulberry Park Educate Together	30 November and 1 December 2022	Good	Strong ethical curriculum. Areas of wider curriculum knowledge not identified. RE not a deep dive.
Twerton Infant School	13 and 14 March 2023	Good	No specific mention of RE.
East Harptree CE Primary	8 February 2023	Good	No specific mention of RE
Fosse Way School	15 – 17 March 2023	Outstanding	Mentions personal and spiritual development of pupils.

School	Date of inspection	Grade	Mention of RE or Collective Worship
Longvernal Primary School	2 and 3 February 2023	Good	Curriculum in RE was discussed. 'Planned trips and visits support pupils' understanding of cultures and religions beyond their own community.'
Moorlands Junior School	28 February and 1 March 2023	Good	Deep dive in RE. Report mentions some areas of the curriculum not as well planned as others.
Norton Hill Academy	21 and 22 March 2023	Good	No specific mention of RE. Praise for pupils preparation for modern Britain.
Saltford CE Primary	28 Feb and 1 March 2023	Outstanding	Praise explore beliefs and cultures different to their own.
St John's CE Primary, Midsomer Norton	28 and 29 March 2023	Good	Mentions pupil's knowledge of other faiths and beliefs.
St Julian's Church School	19 April 2023	Good	Mentions that pupils value difference and learn about different religions.
Westfield Primary	24 and 25 January 2023	Good	No specific mention of RE

In addition to Ofsted inspections, all Church of England schools are inspected as a designated church school through the Statutory Inspection of Anglican and Methodist Schools (SIAMS). The schools inspected during the timescale of the annual report are detailed below: we have been informed that 4 Church of England schools have had SIAMS so far this year. Three have had the top 'Excellent' grade (two of which were an improvement on their previous outcomes). The other was rated 'Good'.

Date of inspection	School	Previous outcome	Outcome
8 March 2023	Swainswick Primary	Good	Excellent
17 March 2023	Combe Down Primary	Outstanding	Excellent
12 May 2023	Widcombe Juniors	Good	Excellent
5 July 2023	Batheaston Primary	Outstanding	Good

## 2.4 Standards and monitoring of Religious Education: Analysis of school websites

Each year SACRE monitors school websites to examine the RE curriculum and to ensure schools are meeting their legal obligations. Due to the number of schools, this is done over a 3-year cycle. In 2022-23 SACRE members reviewed a total of 19 websites. A simple 'traffic-light' system is being used to indicate whether each website contains information about the legal requirements for RE and collective worship, and to credit them where further information had been uploaded regarding aspects of programmes of study and contributions to pupils' understanding of British Values and to pupils' spiritual, moral, social and cultural development.

Results of the surveys showed that 8 of the schools were rated 'green' for evidence that RE is being taught and offered and 7 were rated 'amber'. 4 schools were rated 'red' and letters were sent to them setting out how essential this information is and recommending they make changes. 10 of the 19 schools also did not set out their Religious Education policy or information on the right to withdrawal. SACRE would like to congratulate those schools who have improved their websites this year, and monitoring will continue annually. In addition, guidance on 'good practice' is being shared with the schools as needed, and also via the CEOs of local MATs.

## 2.5 Standards and monitoring of Religious Education: Public Examination results in Religious Studies

The GCSE results for 2023 are detailed below:

School Name	Number on Role	Number of Entries	Pass 9-5 %Pass	Pass 9-4 %Pass
Broadlands Academy	n/a	0	n/a	n/a
Mendip Studio School	n/a	0	n/a	n/a
Isambard Kingdom Brunel Studio School	n/a	0	n/a	n/a
Beechen Cliff School	179	57	49	67
Hayesfield Girls' School & Mixed Sixth Form	224	25	84	88
Norton Hill School	276	52	65	73
Chew Valley School	189	12	83	83
Ralph Allen School	211	48	63	91
Somervale School	109	13	38	46
Writhlington	178	19	47	52
Wellsway School	218	15	93	93
St Mark's Church of England School	80	47	77	85
Saint Gregory's Catholic College	171	162	57	69

Oldfield School	222	23	87	91
Aspire Academy	n/a	0	n/a	n/a
Fosse Way School	n/a	0	n/a	n/a
Three Ways School	n/a	0	n/a	n/a
<b>LA Total</b>	n/a	<b>473</b>	<b>65</b>	<b>79</b>

SACRE notes the following from the results:

- The national pass rate was 62% for Grades 9-5 and 76% for Grades 9-4.
- St Mark's attained pass rates of 77% 9-5 and 85% 9-4.
- Wellsway obtained a pass rate of 93% 9-5 from a 6% cohort entry, Oldfield obtained 87% from a 10% cohort entry Hayesfield obtained 84% from a 11% cohort entry, Chew Valley obtained 82% from a 6% cohort entry. All these are significantly higher than the national average.
- 6 schools did not enter any students for GCSE RS

As part of its monitoring role, SACRE will be congratulating those schools who have achieved excellent results, whilst working with other schools to ensure that – even if they are not offering all students the chance to study for GCSE – they are meeting the legal requirements to teach RE in Key Stage 4.

We also looked at Workforce Data for 2022. This has been abstracted from the Department of Education yearly workforce census which now includes a curriculum census. It offers a way of analysing the percentage of time offered for Religious Studies in Secondary schools, relative to the cohort size. The results we looked at show the results submitted to the DfE by schools for years 7 to 11. We noted a possible correlation between time spent on RE teaching and GCSE results in 2022, and also that there was great variation between the schools, with some submitting no data.

It will be worth looking in some detail at similar data in the current period, so that we can develop questioning around RE provision and school support,

## **2.6 Support for Teachers and schools: Syllabus teaching materials**

The Agreed Syllabus website <http://awarenessmysteryvalue.org/> contains a wealth of resources for teachers as well as the statutory programmes of study. There are plans to update and add more resources for teachers and school, including support for progression.

## **2.7 Support for Teachers and schools: RE Resources**

SACRE continues to maintain a collection of artefacts for all of the major religions at Saltford Primary School. A member of staff there receives a small stipend for managing the resources and arranging free loans to Bath & North East Somerset schools. During the period of this report there was some discussion at SACRE meetings about whether to

continue with this, as the artefacts are in need of refreshment and also there are not many loans taking place. During this year, the resources have been borrowed by four different schools.

## **2.8 Support for Teachers and schools: SACRE website**

The SACRE website <http://banes-sacre.com/> was maintained and updated during the year. A co-opted member of SACRE receives a small stipend for managing the site and ensuring it is kept up to date. As well as information about SACRE, the site contains ideas for RE specifically for Bath and North-East Somerset schools, including lists of resources available to borrow, and reports on the use of local visits and visitors to support the agreed syllabus for RE.

In addition, we have a presence on the Bath and North-East Somerset local authority website – which enables members of the public to have access to SACRE information via the link to our website. [Standing Advisory Council on RE \(SACRE\) | The HUB \(bathnes.gov.uk\)](http://Standing Advisory Council on RE (SACRE) | The HUB (bathnes.gov.uk)).

## **2.9 Support for Teachers and schools: Communication and Complaints**

Termly newsletters have continued, with all schools receiving a SACRE newsletter three times per year. The newsletter contains contact details for various communities and resources, as well as ideas for the classroom and information on upcoming events and CPD.

The Local Authority / SACRE received no formal complaints concerning RE nor was it notified of any disputes relating to withdrawal for RE. However, it should be noted from our earlier report on school websites (see 2.4 and also below), that information about the Right for Withdrawal is rarely obvious.

# **3. Collective Worship**

## **3.1 Analysis of school websites**

As for religious education (see 2.4), SACRE analysed the websites of 19 schools using a simple ‘traffic-light’ system. It was found that 6 schools included a substantial reference to Collective Worship on their websites, which is considerably less than the previous year. Six of the sites included a partial mention. Despite the legal requirement to let parents know of the right to withdraw their children from the daily act of worship, however, 10 of the sites failed to mention this. As for RE, SACRE has provided feedback for schools about its findings on Collective Worship on school websites.

## 3.2 Training and support

No training on Collective Worship was organised by SACRE during the year but information from other local providers, such as the Diocese of Bath & Wells was circulated to all schools through the newsletter.

## 3.3 Complaints and Determinations

As noted earlier (see 2.9), The Local Authority/SACRE received no formal complaints, and there were no requests from schools to vary the legal requirement for Collective Worship. Information for schools on how to do this can be found at: <http://www.banes-sacre.com/collective-worship>

# 4. Links with other organisations

## 4.1 National

The SACRE retains an annual membership of the National Association of Standing Advisory Councils on RE (NASACRE), which provides access to important updates on national issues, a variety of training and the use of recommended templates for policies and guidance documents.

The annual NASACRE Conference took place on Monday 22nd May 2023 at Fishmongers Hall in London, with the theme *Celebrating 30 years: SACREs for the Future*. This was attended by one member of SACRE and a report was provided to SACRE members. Two Keynote Addresses were given:

- *An education in religion and worldviews - the next 30 years?* Dr Kathryn Wright (Chief Executive of Culham St Gabriel's Trust)
- *The role of SACREs in the emerging educational landscape*, by NASACRE Patron, Rt Hon Charles Clarke

## 4.2 Regional

The South-West Conference for SACREs was held online on 6th March 2023, with the theme *SACREs - working to develop high quality curricula for the study of Religion and*



*Worldviews.* The keynote address was given by Trevor Cooling, former Chair of the Religious Education Council. Five members of SACRE signed up to attend.

Five SACRE members attended the online meeting in February, which featured a full report on the conference that was shared with SACRE members and implications for future SACRE work and Agreed Syllabus review was noted.

Bath and North East Somerset SACRE continued to take part in the regional Learn Teach Lead RE (LTLRE) project, with funding from Diocesan and other charities, aiming to provide training in religious education, especially through the building of communities of RE teachers across the region. The annual conference in June 2023 featured keynote addresses by Lat Blaylock, from RE Today.

### **4.3 Local: Learn, Teach, Lead RE**

The Bath and North East Somerset local LTLRE Hub is led jointly by Mary Patterson (Hayesfield School) and Paul Marvin (Farrington Gurney Primary school). Hub leaders get access to high quality training and facilitate three Hubs per year aimed at both primary and secondary teachers, and teaching assistants.

Two out of three meetings have happened online and have been mostly well attended. Feedback has been incredibly positive and there is a real sense of a shared RE community in this group with some innovative exciting ideas shared.

On 6th March, a meeting was held at the Hindu Temple in Bath and it had over 30 attendees with very positive feedback. On 13th June an online session was held with Anna Silver from the Board of Deputies – 38 attendees from Bristol and Bath. It is really encouraging to see high levels of engagement.

### **4.4 Local: Faith Communities**

We are fortunate to have representatives from a diversity of local Faith communities sitting on SACRE: Baha'i, Roman Catholic, Salvation Army, Jewish, Hindu, Muslim and now Humanist. We are in the process of seeking to fill vacancies for Sikh and Buddhist representatives.

The current Secretary of Bath Inter Faith Group sits on SACRE and gives regular updates on local activities which are circulated. This is a useful resource for RE teachers, and has also been invaluable as a resource for review of materials in the revised Agreed Syllabus.

Another member of SACRE represents the C of E Diocese of Bath and Wells and ensures we are updated on current training available from this source, as well as news of the SIAMS inspections of local Church schools.

## 5. SACRE arrangements

### 5.1 Organisation and support

Bath and North East Somerset Council contract with RE Today Services for an Adviser who offers professional advice to SACRE, arranges and clerks the meetings, organises monitoring of RE and Collective Worship, and writes the Annual Report. Adam Robertson continued as adviser during the 2022 – 23 reporting period. It should be noted here that Rebekah Guy will replace Adam in this role from November 2023.

### 5.2 Membership and recruitment

Chair – Jane O’Hara

Vice-Chairs – Kevin Burnett and Cllr Dr Yuktेशwar Kumar

Local Authority link officer – Olwyn Donnelly, Head of Education Commissioning

Jane O’Hara and Kevin Burnett were both re-elected in October 2023.

SACRE recorded its grateful thanks to the following members who left its service this year, Chris Nuttall (Buddhist representative), Rob Hardy (Humanist) and also Tony Bradley, who had served on SACRE from 1997.

Further recruitment for representation is needed for Committee A, as there are a couple of faith communities locally that would benefit from representation on SACRE.

We recruited several new members: Mark Caney (Humanist), Rupert Kaye (Committee A, Chaplain at Ammerdown), Karen Miles (Committee C), Kate Pilkington (Committee B), Patrick Haviland (Committee B), and Andrew Fraser (Committee B). In addition YK Kumar moved from Committee D to Committee A (Hindu representative) when no longer a Councillor following local Election changes.

### 5.3 Financial report

#### SACRE Financial Statement 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023

There was a budget of £9,500 for SACRE to meet its responsibilities.

#### Expenditure

Agreed Syllabus Review & Development	800
Resource Centre	200

Members' training, expenses, fees & NASACRE subscription	280
Support for Primary and Secondary Schools	450
Monitoring of RE and collective worship and production of newsletters and annual report	1700
SACRE and Agreed Syllabus websites hosting and management	440
Professional fees	5,630
<b>TOTAL</b>	<b>9500</b>

The current Development Plan for 2022-2023 is in Appendix A.

Rebekah Guy

SACRE Adviser

December 2023

Appendix A

**Bath & North East Somerset SACRE Development Plan 2022-23**

Priorities	Targets	Payment	Cost £
A. To maintain and develop the Agreed Syllabus and began the review process	.Clerking tasks: attend and minute agenda-setting and full SACRE meetings; prepare agendas, financial statements and book venues; distribute minutes, agendas and papers to members; liaise with Chair, Senior advisers and Support assistant; correspond with schools, partner and representative organisations; respond to inquiries on SACRE matters. Arrange members' attendance at training events and make payments to schools and members	AR	5,630
	i. To work with the AMV family of SACREs in the development of materials and online resources for the Agreed Syllabus	AR	800
B. To improve teaching and learning of RE within the authority	.To provide support for Primary and Secondary schools, through a choice of activities	Venue, presenters, admin, schools	450
	i. To maintain, review and develop the RE Resource Centre	Robert Jenkins, Saltford Sch	150
	ii. To update and improve items in the RE Resource Centre	Resources	50
C To develop the capacity of SACRE to monitor RE, CW, the effectiveness of the Agreed Syllabus and standards of teaching and learning	.To fill the vacancies on the council	Members	0
	i. To develop the capacity of SACRE members to participate in the work of the council [Training, NASACRE subscription, travel expenses, room hire]	Members, venues	280
	ii. To continue the cycle of regular monitoring of RE teaching and collective worship across the authority using self-evaluation and website surveys and to follow-up with schools as required	AR	700
	iii. To Inform and update schools about local and national RE developments through the Annual Report and the SACRE website	AR	1000
	iv. To develop and maintain the SACRE & Agreed Syllabus websites [Sam Cavender £120; SACRE Domain £193; Management £127]	MP / AR / Sam Cavender / Domains	440
<b>TOTAL Development Plan</b>			<b>9,500.00</b>

<b>SACRE budget before deductions</b>	<b>10,000.00</b>
<b>Bath &amp; North East Somerset 'Matrix' fees &amp; charges @ 5%</b>	<b>- 500.00</b>
<b>Total:</b>	<b>9,500.00</b>
<b>Brought forward from 2021-22</b>	<b>0.00</b>
<b>TOTAL available for SACRE:</b>	<b>9,500.00</b>

Based on a budget of £10,000.

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## CHILDREN, ADULTS, HEALTH AND WELLBEING POLICY DEVELOPMENT AND SCRUTINY PANEL

This Forward Plan lists all the items coming to the Panel over the next few months.

Inevitably, some of the published information may change; Government guidance recognises that the plan is a best assessment, at the time of publication, of anticipated decision making. The online Forward Plan is updated regularly and can be seen on the Council's website at:

<http://democracy.bathnes.gov.uk/mgPlansHome.aspx?bcr=1>

The Forward Plan demonstrates the Council's commitment to openness and participation in decision making. It assists the Panel in planning their input to policy formulation and development, and in reviewing the work of the Cabinet.

*Should you wish to make representations, please contact the report author or, Democratic Services (). A formal agenda will be issued 5 clear working days before the meeting.*

*Agenda papers can be inspected on the Council's website.*

Ref Date	Decision Maker/s	Title	Report Author Contact	Director Lead
<b>13TH MAY 2024</b>				
Not before 15th Apr 2024 13 May 2024 <b>E3529</b>	<b>Cabinet Member for Children's Services</b>  <b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b>	<b>SEND Home to School Travel Policy Review</b>	Laura Donnelly	Director of Children and Education
13 May 2024 Page 168	<b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b>	<b>Safety Valve Update</b>	Christopher Wilford Tel: 01225 477109	Director of Education
13 May 2024	<b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b>	<b>SACRE Annual Report</b>	Rebekah Guy, SACRE Clerk Olwyn Donnelly	Director of Education
<b>10TH JUNE 2024</b>				



<b>Ref Date</b>	<b>Decision Maker/s</b>	<b>Title</b>	<b>Report Author Contact</b>	<b>Director Lead</b>
10 Jun 2024	<b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b>	<b>Adult Social Care Transfer - Evaluation Report</b>	Claire Thorogood, Ann Smith Tel: 01225 477272, Tel: 01225 396212	Director of Adult Social Care
10 Jun 2024	<b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b>	<b>3SG Panel Invite</b>		
<b>FORTHCOMING ITEMS</b>				
	<b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b>	<b>Covid 19 - Impact of Long Covid across our communities</b>		Director of Adult Social Care, Director of Public Health and Prevention, Director of Children & Young People
	<b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b>	<b>Community Services Transformation - Community Health Services offer from April 2025</b>	Laura Ambler, Natalia Lachkou	Director of Adult Social Care

Ref Date	Decision Maker/s	Title	Report Author Contact	Director Lead
	<p><b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b></p>	<p><b>Child Sexual Exploitation / Modern Slavery</b></p>	<p>Mary Kearney-Knowles Tel: 01225 394412</p>	<p>Director of Children and Education</p>
<p>Page 170</p>	<p><b>Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel</b></p>	<p><b>Attainment Gap Project Update - St John's Foundation</b></p>	<p>Christopher Wilford Tel: 01225 477109</p>	<p>Director of Education</p>
<p>The Forward Plan is administered by <b>DEMOCRATIC SERVICES:</b> <a href="mailto:Democratic_Services@bathnes.gov.uk">Democratic_Services@bathnes.gov.uk</a></p>				