



# Home to School Transport Policy

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Trafford CYPS brings together council and health services to improve outcomes for children, young people, their families and schools.

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## **1. Introduction**

This Policy is based on a joint approach to delivering transport by the 10 Greater Manchester Local Authorities in partnership with Transport for Greater Manchester (TfGM), and the Greater Manchester Local Transport Plan Partnership.

The Education Act 1996, Section 444 places a legal duty and a responsibility on parents to ensure that their <sup>1</sup>compulsory school aged children registered at a school, attend regularly.

In certain circumstances the Council has a statutory duty to provide suitable travel arrangements to facilitate a child's attendance at school. This document sets out Trafford Council's Home to School Transport Policy for 5-16 year olds. It describes how the Council fulfils its duties and exercises its discretionary powers as required under the Education Act 1996.

Young people who are not of compulsory school age, but continuing in education are dealt with separately in the '16-19 Transport Policy Statement'. This can be found in [Annex A](#).

Contact details of those involved in home to school transport applications can be found in [section 15](#) of this Policy. A Glossary of terms used throughout this document can be found in [Appendix B](#).

## **2. Principles**

The Home to School Transport Policy is based on the following principles:

- Working in partnership with parents/carers to support them with their legal responsibility to make sure that their children attend school;
- Promoting healthy, sustainable, safe and appropriate travel solutions;
- Actively engaging and promoting good outcomes for all children and young people;
- Promoting inclusive opportunities to enable children and young people to travel to and from school or college independently;
- A commitment to equality of opportunity and the celebration of diversity and an opposition to all forms of discrimination.

## **3. Legislation and responsibilities**

An explanation of the legal framework as it applies to parents and the Local Authority is provided in [Appendix A](#).

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<sup>1</sup>A child becomes of compulsory school age when he or she reaches the age of five and must start school in the term following his or her fifth birthday. A child ceases to be of compulsory school age on the last Friday in June of the School Year in which s/he reaches 16

The Education Act 1996 sets out the statutory requirements all councils must comply with. Where a child is considered 'eligible' the Council is legally required to provide or pay for school transport. An 'eligible child' must live in Trafford and be of compulsory school age.

Under section 508B of the Education Act 1996, a Local Authority has a duty to ensure that suitable travel arrangements are made for an eligible child. This will be carried out where necessary to facilitate the child's attendance at a relevant qualifying school. See [section 3.4](#) for more information on 'qualifying schools'.

The Act applies to all pupils who permanently live in Trafford and attend a 'qualifying school'.

### **3.1 Parental responsibilities**

Under Section 444 of the Education Act 1996 parents have a legal duty and a responsibility to ensure that their children of compulsory school age, registered at a school attend regularly. However, in certain circumstances a Local Authority has a duty to provide transport to facilitate this attendance.

Parents are responsible for their child's safety whilst travelling to school, or before and after being escorted to and from school by arrangements made by the Council under this Policy.

Please note, parental working commitments will not be considered as part of the decision to award transport support.

### **3.2 Authority responsibilities**

Section 508B of the Act places a duty on Local Authorities to make such travel arrangements as they consider necessary to facilitate attendance at a qualifying school for 'eligible children'. This duty applies to 'home to school' travel arrangements at the start of the day and 'school to home' travel arrangements at the end of the day. It does not relate to travel between educational institutions during the school day.

### **3.3 Who are 'eligible children'?**

Eligible children as defined in Schedule 35B of the Education Act 1996 may be taken to belong to one of the following groups:

- Children with Special Educational Needs (SEN), a disability or mobility problem. Please note children with complex needs are dealt with separately in the 'Complex Physical or Medical Needs Transport Policy'.
- Children who cannot reasonably be expected to walk to school because of the nature of the route (accompanied as necessary)

- Children living outside the statutory walking distance, where no suitable alternative arrangements have been made by the Local Authority for them to attend either boarding accommodation or a qualifying school nearer to the child's home.
- Children entitled to free school meals, and/ or whose family is in receipt of the maximum level of Working Tax Credit.

### **3.4 What is a qualifying school?**

Schedule 35B defines a 'qualifying school' as:

- community, foundation or voluntary schools;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units;
- maintained nursery schools; or
- city technology colleges (CTC), city colleges for the technology of the arts (CCTA); or Academies.

For a child with SEN, the school named on their statement will be their qualifying school. This includes an independent school (other than a CTC, CCTA or Academy).

References to the 'nearest qualifying school' are taken to mean the nearest qualifying school with places available.

### **3.5 What is the statutory walking distance?**

Section 444 (5) of the Education Act 1996 defines the "Statutory walking distance" as:

- More than 2 miles from home for children aged under 8; or
- More than 3 miles from home for children aged 8 and over.

### **3.6 How is walking distance measured?**

Walking distance is measured from the pupil's home to the main entrance of the qualifying school, by way of the shortest walking route. In order to ensure consistency and fairness the measurement is calculated through the use of various GIS systems, as appropriate and is strictly applied.

The distance may include footpaths, bridleways, and other pathways as well as recognised roads.

### **3.7 Journey times**

Every effort will be made to keep journey times to a minimum while also fulfilling the Council's responsibility to secure cost-effective provision. There may be times when it is not possible to meet these journey times due to circumstances outside the Council's control such as traffic congestion, accidents, or adverse weather conditions for example.

### **Primary age children**

In normal circumstances primary school age children should not spend more than 45 minutes each way being transported between home and school.

### **Secondary age children**

A child of secondary school age should not have a journey time that exceeds 75 minutes each way.

### **3.8 Sustainable travel**

The Education and Inspections Act 2006 requires Local Authorities to publish a Sustainable Modes of Travel Strategy. This explains the Council's plan for developing the sustainable travel and transport infrastructure for children travelling to and from school. The strategy promotes sustainable travel and includes walking, cycling and public transport initiatives. The recognised benefits of such schemes include less pollution, healthier children and increased awareness of road safety issues.

Trafford Council's Sustainable Modes of Travel Strategy is available online at:

[http://www.trafford.gov.uk/cme/live/dynamic/DocMan2Document.asp?document\\_id=12B3E53A-B435-4873-8EDA-CE456973726D](http://www.trafford.gov.uk/cme/live/dynamic/DocMan2Document.asp?document_id=12B3E53A-B435-4873-8EDA-CE456973726D)

## **4. Children who have been assessed as having Special Educational Needs (SEN).**

### **4.1 Parental responsibilities**

Parental responsibilities are stated in section 3.1

Parent's of children who receive the higher rate of the mobility component of Disability Living Allowance (DLA), will be expected to use this allowance to transport their child to school. If a Parent uses their own car in these circumstances they may apply for a mileage allowance at the Council approved rate. For more information on the mileage allowance, see section 13 for further details.

Transport support for children with a statement of SEN is not an automatic entitlement. Where transport has been agreed, the arrangements in place will be reviewed on a continuing basis and at least once a year.

### **4.2 Who will receive transport support?**

Schedule 35B of the Education Act 1996, states that a child of compulsory school age with SEN, a disability or mobility problem who cannot reasonably be expected to walk to school will be eligible for the provision of transport.

An initial assessment of a child's eligibility for transport will be made by an officer in the Council. It is very important that parents/carers participate in this assessment to ensure that the full details of their child's circumstances are clear so that the right level of support can be determined.

Travel assistance will not be provided where a parent has requested that a school is named within their child's statement, that is not the nearest available school able to meet their child's needs as deemed by the Council. Secondary age children from a low income family have an additional entitlement as mentioned in [section 6.1](#).

#### **4.3 Children attending dual placements**

As mentioned in [section 3.2](#) the Council does not provide transport support during the school day. Children attending a dual placement (where a child attends more than one school) may require additional transport (such as at lunchtimes etc). Such arrangements should be made between the schools concerned.

Similarly, pupils based full-time at one school may visit another school for integration purposes. Where this happens, transport arrangements should be made between the schools.

#### **4.4 Children below compulsory school age**

A child is of compulsory school age on the 1<sup>st</sup> January, 1<sup>st</sup> April or 1<sup>st</sup> September following their 5<sup>th</sup> birthday. The Council does not have a duty to provide transport to children below compulsory school age.

From September 2012, children attending a resourced nursery placement will no longer receive transport support from the Council, unless there are exceptional circumstances. Transport will only be provided at the start and end of the day (or session if the child attends part time) and will not be provided to transfer between schools during the day.

#### **4.5 Post 16 Students**

Post 16 students are dealt with separately in the 'Post 16 Transport Policy Statement'. This can be found in [Annex A](#).

#### **4.6 Transport for pupils to independent special day or residential schools**

If a child attends an independent special day or residential school that is named on their statement this will be taken to be their 'qualifying school'.

Eligible children will receive transport support for residential placements as follows:

Weekly residential placement - Travel arrangements will be made to school on Monday and from school on Friday each week.

Termly residential placement - Transport will be provided at the beginning and end of each term and mid-term holiday.

Pupils requiring a 52 week placement - The Local Authority will make travel arrangements up to a maximum of three return journeys per year.

#### **4.7 Travel Solutions**

If a child is eligible for transport support there are a number of ways in which this may be provided. Where support has been agreed it will be provided in a safe and cost effective manner taking account of the child's specific needs and with regard to the best use of the Council's resources. Where a child is receiving transport through a contracted vehicle, parental preference for travel arrangements (e.g. timings of collection) cannot be considered, as the timing will be based on the most efficient route available.

#### **Concessionary Pass**

Disabled young people may be eligible for free travel at all times on local buses, local trains and Metrolink Trams in Greater Manchester, and on local buses elsewhere in England between 9.30 a.m. and 11.00 p.m. Monday to Friday and all day at weekends and on public holidays if they:

- are registered blind;
- are profoundly deaf or cannot speak or have limited speech that is difficult to understand; or
- have learning difficulties
- have severe walking difficulties;
- are registered partially sighted;
- are profoundly or severely deaf; and
- have been refused a driving licence for medical reasons.

For more information on the National Concessionary travel pass for disabled people please contact:

Travel Concessions, Customer Services, TfGM, P O Bo x 429, Manchester M60 1HX

Telephone: 0161 244 1050

Visit: [www.tfgm.com](http://www.tfgm.com)

To receive an application form for the National Concessionary travel pass, contact the SEN Assessment Team, details provided in [section 15](#).

**Independent Travel Training** - Independent Travel Training focuses on enabling students to travel independently to and from school and other social activities. It is available to pupils who are eligible for transport support, living in Trafford in year 8 and up. Training may be considered for younger pupils, dependent upon their individual needs.

Where a pupil is offered independent travel training the process will begin with an initial assessment of their skills and abilities. The training provided will be targeted to individual need and development. It is expected that where independent travel training is offered, a pupil will take up this training.

**Escorted public transport** - It may be possible for a pupil to use their National Concessionary pass to travel on public transport if they have some assistance. The Council may provide a Travel Assistant to accompany the pupil and help build a level of independence over time.

**Reimbursement of mileage costs** - Providing the child is eligible for transport support, parents/carers may be paid a mileage allowance in lieu of the Council making arrangements for a taxi to transport their child. See [section 13](#) for further details.

**Provision of Passenger Assistants** - A Passenger Assistant may be provided to accompany a pupil to school whether using public transport or on transport commissioned by the Council. Passenger Assistant's will only be provided where they are necessary for the safe operation of vehicles and/or the care of children. Please see [Appendix C](#) for more information on Passenger Assistants.

**Pick up point** - Children and young people may be expected to access a pick up point to meet their transport provision. The decision to allocate a pick up point will be dependent upon the individual needs of the child. For older pupils, pick up points may be used as an introduction to independent travel.

**Home pick up** – Not all children will be expected to access a pick up point. Those who have significant or complex needs will be provided with a home pick up and drop off.

**Transport vehicles** - In exceptional circumstances the Council may provide a vehicle to transport a child to and from school. Whenever possible, pupils will travel together in mini-buses. Pupils will be picked up and dropped off at a convenient location (pick up point) within a reasonable distance from their home. Responsibility for a child accessing the pick up point will rest with their parent/carer.

**Taxis and private hire vehicles** - Under very exceptional circumstances the authority may transport pupils in separate taxis or private hire vehicles based on the assessed needs of the child.

## **5. Transport support for children under 11 years of age (non-SEN pupils)**

### **5.1 Who will be supported?**

Local Authorities are required to provide support to children under the age of 11 where the distance from home to their nearest qualifying school is over the statutory walking distance. This applies to compulsory school aged children who live in Trafford and:

- are aged under 8 and live more than 2 miles away from their nearest qualifying school;
- are aged between 8 and 11, and live more than 3 miles away from their nearest qualifying school; or
- are aged between 8 and 11, and live more than 2 miles but less than 6 miles away from their nearest qualifying school **and are from a low income family** (as defined in [section 7](#)).

## **6. Transport support for children between 11 and 16 years of age (non SEN pupils)**

### **6.1 Who will be supported?**

Local Authorities are required to provide support to children between the age of 11 and 16 who live a specified distance from their nearest qualifying school. This applies to children who live in Trafford and:

- live more than 3 miles from their nearest school; or
- live more than 2 miles but less than 6 miles from one of their 3 nearest qualifying schools **and are from a low income family** (as defined in [section 7](#)).

## **7. Transport for pupils from low income families**

### **7.1 What is meant by low income?**

Children from low income families are those who are entitled to free school meals, and/or those whose families are in receipt of their maximum level of Working Tax Credit (WTC).

Where a parent is applying for transport on the grounds of being in receipt of Working Tax Credit, a copy of the awards notice, showing the maximum level will need to be provided.

**Primary age children** please see [section 5.1](#)

Secondary age children please see [section 6.1](#)

## **8. Transport for pupils on the grounds of religion and belief**

A definition of 'religion and belief' has been provided in the glossary, please see [Appendix B](#)

A Local Authority has a duty to have regard to, any wish of a parent for their child to be provided with education or training at a school or institution on grounds of their parent's religion or belief. However, free transport support to denominational schools where attendance is through parental choice is discretionary for Local Authorities.

From September 2012 transport assistance will no longer be provided to pupils who attend a denominational school rather than their nearest qualifying school as defined in [section 3.4](#), except in the circumstances outlined below.

### **8.1 Pupils who will receive support**

In line with legislation, children aged 11 to 16 from a low income family, who attend a denominational school on the grounds of their parent's religion or belief, will be entitled to free transport where they live between 2 and 15 miles from that school. Although there is not a statutory duty to support primary school aged children to attend a denominational school, the Council will provide support where the child is from a low income family.

## **9. Transport for pupils attending a grammar school**

Trafford Council does not have a duty to provide free transport to grammar school pupils. However, we recognise that as a Local Authority that operates a selective system, all pupils are within the selective system whether they choose to be or not. Therefore we believe it is appropriate for transport support to be provided to a pupil attending the nearest grammar school for which they are eligible. A Grammar School will not be classed as eligible if the child is unable to gain a place due to the entrance requirements of the school or lack of availability of places.

Pupils who attend a grammar school that is not the nearest for which they are eligible will not receive transport support from the Council. In exceptional circumstances transport support will be provided to grammar school pupils not attending their nearest grammar school. Please see below.

### **9. 1 Pupils who will receive support**

Support will be provided in the same way as transport for secondary aged children from a low income family attending a denominational school. Please see [section 8.1](#).

## **10. Transport for pupils attending a single sex school**

Transport support to single sex schools will not be provided unless the school concerned is the pupil's nearest qualifying school.

Similarly, if a child's nearest qualifying school is a single sex school, free transport will not be provided to facilitate the child's attendance at a mixed school.

### **10.1 Pupils who will receive support**

Children from low income families have an additional entitlement to transport support and therefore may choose to attend a school that is not the nearest available to them. Please see [section 6.1](#).

## **11. Exceptional Circumstances**

There are some exceptional circumstances in which support with home to school transport may be given. These include:

- Children with a temporary disability or illness;
- Walking routes;
- Further special circumstances.

### **11.1 Children with a temporary disability or illness**

There may be occasions when a pupil is unable to journey to school by their normal means because of a medical condition. The duration of the condition may be short, long or intermittent and where the parent/carer is unable to transport the pupil themselves, in some circumstances, the Council may make alternative arrangements to facilitate the child's attendance at school.

Requests for transport assistance on medical grounds must include confirmation from a Senior Medical Practitioner/Consultant that the pupil is fit to attend school but unable to journey by their normal means:

- In the case of a child who lives below the walking distance the Medical Practitioner should indicate whether the pupil is able to walk the distance between home and school and whether the pupil could use public transport.
- A child who is entitled to transport support from the Council, normally does so in the form of a travel pass. In this case the Medical Practitioner should indicate whether the pupil can travel by bus/train/tram, or whether in view of their medical condition, an alternative arrangement should be made.

In all circumstances, an indication of the estimated length of time for which transport assistance is sought should be included. The provision of transport

on medical grounds is subject to regular review and confirmation of the need for alternative transport arrangements will be regularly sought from the Senior Medical Professional/Consultant.

### **11.2 Walking routes**

Where the nature of the walking route is such that a child could not be expected to walk in reasonable safety, parents should accompany or make suitable arrangements for their child to be accompanied on that route. Where the route is unsafe for an adult to walk in safety, transport support will be provided to enable the child to attend school.

An assessment of the route will be made by the Council to determine the risks and whether any potential risks might be mitigated.

### **11.3 Special Circumstances**

Free transport for other reasons may be exceptionally agreed particularly in cases of pupils whose education may be severely disrupted because of the effect of being taken into the care of the Local Authority, or if their home life has been severely disrupted. Each case will be considered on an individual basis.

Pupils in year 11 moving address may receive transport to their current/new school providing that it is within Trafford. However, where parents are making a choice to move to a new area, outside of Trafford, transport support will not be provided.

## **12. Looked After Children placed with foster carers**

Local Authorities are not required to provide supported travel for pupils placed with foster carers. Carers are expected to fund home to school transport for the children they look after from their carer's allowance.

## **13. Travel solutions**

Where support for transport has been agreed, this will be provided in a safe and cost effective manner taking account of the child's specific needs and with regard to the best use of the Council's resources.

**Travel Pass** – This can be used on the home to school and return journey. If travel is required outside of these times, to allow travel to/from extra curricula activities a 'Journey Variance Voucher' may be obtained from the child's school.

**Mini bus** – Where appropriate a seat will be paid for on a hired vehicle to transport to school

**Taxi** – In exceptional circumstances the Council may consider reimbursement of taxi fares where the pupil has a short term medical need to be transported to

school. This will only be considered where the pupil cannot be included on existing local authority provision and the family are unable to transport the child to school themselves.

**Car mileage allowance** - Where the Council has a duty to provide free or assisted transport and there are difficulties in negotiating a suitable transport contract, parents, who are willing to use their own transport may have reasonable and agreed expenses reimbursed. Where a parent consents to driving his/her child to school in lieu of the Council making arrangements to transport the child a mileage allowance of 20p per mile may be claimed or the equivalent cost of a free travel pass, whichever is the lesser. Costs will be reimbursed termly in arrears based on the pupil's attendance at school.

**Cycle allowance** - A cycle allowance of £90 per academic year is payable to those pupils eligible to receive a free travel pass. The child must have successfully completed an accredited programme of cycle training and parents must be satisfied that the home to school route is within the capabilities of their child and that the cycle is properly maintained. The cycle should have appropriate lighting and the child should wear suitable reflective/ protective clothing e.g. helmet.

An application form for this allowance is available on request from the Travel Assistance Team, 4<sup>th</sup> Floor Waterside House, Sale Telephone No. 0161 912 5080.

## **14. Health and Safety**

The Local Authority aims to maintain the highest standards of safety and security for all pupils travelling to and from school. However, parents also have a responsibility to help maintain safe and secure travelling arrangements for the benefit of all transport users.

### **14.1 Transport Standards**

The Council will ensure all transport providers and their vehicles comply with appropriate health and safety legislation.

All service users can expect:

- Transport provision in accordance with contractual standards and national legislation;
- Drivers and Passenger Assistants to greet passengers and parents politely and ensure that all passengers travel in comfort and safety;
- Drivers and Passenger Assistants to have undertaken enhanced Criminal Record Bureau checks;
- The competency of the Driver and Passenger Assistants to be prescribed in contracts;

- The conduct on the vehicle and at collection and drop off points to be of an acceptable standard;
- Any vehicle used to transport children to be properly licensed and roadworthy, and will offer standards of comfort and safety as prescribed by relevant Statutory Law. Regular checks will be carried out on all vehicles and recorded.

#### **14.2 Pick up and Drop off Timings**

An allotted time will be allocated for pick up and drop off. The Council will do everything reasonably possible to arrive within 5 minutes of the allocated time (although traffic, road and weather conditions may affect these timings). The transport provider is responsible for communicating any major delays to the parents/carer as soon as possible.

Where a pupil has been allocated a pick up point, it is expected that their parent will escort them to it. Similarly parents are expected to meet their child at the drop off point on the return journey. Where this is not possible the parent should make alternative arrangements for a suitable adult to accompany their child to the pick up point. Parents should inform the transport provider of this in writing as soon as possible.

#### **14.3 Behaviour standards**

Pupil behaviour whilst accessing supported transport is the responsibility of the parent/carers and the Council. The comfort and safety of all passengers is the main concern and demonstrations of inappropriate behaviour by pupils will not be tolerated.

Pupils being transported will be expected to follow the same behaviour codes as they do when in school. Unacceptable behaviour will be monitored and may result in exclusion from transport. Parents and carers will become responsible for transporting their own children during any period of exclusion from transport.

#### **14.4 Withdrawal and exclusion from transport**

The Council shall withdraw the provision of free home to school transport where it is considered that a pupil has demonstrated such poor behaviour whilst using transport as to put at risk:

- (a) the driver of the vehicle and/or;
- (b) themselves;
- (c) other passengers; or
- (d) used threatening or violent language; and/or
- (e) caused damage to the vehicle.

The withdrawal of free home to school transport will be:

- (a) temporary; or
- (b) permanent at the discretion of the Council having regard to the circumstances of the pupil's behaviour where this has been serious or in persistent cases of misbehaviour.

Each case will be considered on its own merits. Where free travel is withdrawn it will be the responsibility of the parent(s) to pay for travel costs between home and school.

'Temporary' shall be for a specified number of weeks and 'permanent' shall be for the remainder of the school year or longer, if justified by the circumstances. The withdrawal of home to school transport (either temporary or permanent) for a particular child shall not imply that travel arrangements were not necessary and should not be provided. The withdrawal would be because the child's behaviour was such that they could no longer take advantage of it.

## **15. How to apply for support with home to school transport**

### **Pupils with SEN**

Parents of children with SEN who believe that they are eligible for free or assisted home to school transport should contact the SEN Assessment Team for an application form. To discuss whether transport support might be available, parents may contact the SEN Service Manager.

SEN Assessment Team  
Stretford Public Hall  
Chester Road  
Stretford  
Manchester  
M32 0LG

Telephone: 0161 912 5126

### **Non SEN pupils**

Parents who think that their child is eligible for a travel pass, need to complete an application form. These are available from the School Admissions Team.

School Admissions Team, Travel Assistance,  
4<sup>th</sup> floor,  
Waterside House,  
Sale  
M33 7ZF

Telephone: 0161 912 5080

## **16. Appeals against decisions for providing supported transport**

In the case of a dispute over the eligibility of a pupil for free transport or transport assistance a parent may bring a written appeal against the Council's decision. Appeals need to be made in writing setting out why s/he thinks that this Policy requires that his/her child should be given free home to school transport by the Council. The parent must send the written appeal to the person identified in the 3<sup>rd</sup> column of the table below.

STAGE	GROUNDS FOR APPEAL	OFFICER RESPONSIBLE/ ADDRESS	WHEN (IN WRITING)
1	SEN	<b>SEN Assessment Team Manager</b> Children and Young People's Service SEN Assessment, Stretford Public Hall Chester Road, STRETFORD M32 0LG	Within 14 days of notification by the Council that the application does not qualify for free travel appellants must set out why they think the Home to School Transport Policy has not been properly applied.
	OTHER FREE BUS PASS APPEALS	<b>Admissions Service Manager</b> Children and Young People's Service 4 <sup>th</sup> Floor Waterside House, Sale Waterside SALE M33 7ZF	
2	STAGE 2 APPEALS  Free Travel Pass and SEN Transport	<b>Director of Commissioning, Performance and Strategy</b> Children and Young People's Service 2 <sup>nd</sup> Floor, Quay West, Trafford Wharf Road, Manchester, M17 1PL	Within 14 days of receipt of a response to the appeal, if the appellant believes that there is evidence of maladministration, they can submit a written appeal setting out the grounds for that belief. Appeals will also be considered on the grounds of exceptional circumstances under this Stage.

## **Appendix A**

### **Legal Framework**

Section 508A, 508B, 508C, 509AD and Schedule 35B of the Education Act 1996 (the Act), as inserted by Part 6 of the Education and Inspections Act 2006, relate to the Local Authority's duties with regard to school travel.

### **Section 508A**

Section 508A of the Act places a general duty on Local Authorities to promote sustainable modes of school travel and to produce, annually, a Sustainable Modes of School Travel Strategy.

### **Section 508B**

Section 508B of the Education Act 1996 as inserted by Part 6 of the Education and Inspections Act 2006, places a duty on the local authorities to:

*'make, in the case of an eligible child in the Authority's area such travel arrangements as they consider necessary in order to secure that suitable school travel arrangements, for the purposes of facilitating the child's attendance at the 'relevant educational establishment' in relation to him, are made and provided free of charge in relation to the child.'*

This duty only applies where suitable travel arrangements are not already provided free of charge to the child by any person who is not the authority.

This duty applies to travel in both directions between the child's home and the relevant educational establishment at the start and end of the school day. It does not relate to travel between educational institutions during the school day.

### **Section 508C**

Section 508C of the Act gives Local Authorities the discretionary powers to provide free school transport to pupils who are not eligible.

### **Section 509AD**

Section 509AD of the Act places a duty on Local Authorities to have regard to religion or belief in exercise of travel functions.

### **Schedule 35B**

Schedule 35B of the Act defines the meaning of an 'eligible child' and 'qualifying school' for the purposes of Section 508B.

### **Section 444**

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly, his/her parent is guilty of an offence.

However, the child shall not be taken to have failed to attend regularly if the parent proves that:

1. The child's school is outside of statutory walking distance.
2. That the Local Authority has not made suitable arrangements for:
  - a. The child's transport to and from school.
  - b. Boarding accommodation at or near the school (where appropriate).
  - c. The child to become a registered pupil at a school nearer to his/her home.

## **Appendix B.**

### **Glossary of terms used in the policy**

Child/children	This policy uses child or children to refer to those of compulsory school age or below.
Parent	In this policy 'parent' is taken to mean the adult responsible for the child and can refer to the adult who has guardianship or care of the child.
Compulsory school age	<p>A child becomes of compulsory school age when he/she reaches the age of five and must start school in the term following his/her fifth birthday.</p> <p>A child ceases to be of compulsory school age on the last Friday in June of the school year in which s/he reached 16.</p>
Definition of age 8 or over	<p>A child will be considered to be aged 8 or over in the academic year following that in which they have their 8<sup>th</sup> birthday.</p> <p>For example, if a child turns 8 in the school year 2009/10, the criteria for children who are aged 8 will be applied at the beginning of the school year 2010/11</p>
Low income	A family is considered 'low income' where the family receives the maximum level of Working Tax Credit and/or they receive free school meals.
Nearest qualifying school	<p>The nearest qualifying school is taken to mean the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have.</p> <p>The nearest qualifying school for a child with special educational needs may well be different than for other</p>

	children.
Religion or Belief	<p>The definition of "religion" includes those religions widely recognised in this country such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha'is, Zoroastrians and Jains.</p> <p>Denominations or sects within a religion can be considered as a religion or religious belief, such as Catholicism or Protestantism within Christianity.</p> <p>For a "belief" to be worthy of protection, it must attain a certain level of cogency, seriousness, cohesion and importance; be worthy of respect in a democratic society; and not be incompatible with human dignity or the fundamental rights of the child.</p>

## **Appendix C**

### **Provision of Passenger Assistants**

#### **What are Passenger Assistants and what do they do?**

Passenger Assistants are responsible for the care, supervision and reasonable behaviour of children whilst being transported to and from school in line with the school behaviour policy. They should oversee the children's conduct and safety in such a way that the driver is unhindered in his or her duties.

All Passenger Assistants must have an 'enhanced' Criminal Records Bureau disclosure and will carry an identification badge at all times.

They are not expected to leave a vehicle to collect a child from the child's home as this may leave a child/children unsupervised in the vehicle.

In some instances Passenger Assistants may support a child on public transport or through a walking bus. In this situation they will be responsible for the care, supervision and reasonable behaviour of the child and may be expected to go to the child's home to collect them.

#### **When will Passenger Assistants be provided?**

There is no automatic entitlement to Passenger Assistants. Consideration will be given to providing these, either for groups of children or an individual child, where this level of supervision and support is required. Below are some examples of circumstances in which a Passenger Assistant will be provided.

- On vehicles where pupils are below the age of 8 years old;
- Where the combination of special needs and numbers of pupils on a vehicle indicates close supervision;
- Pupils with very challenging behaviour;
- Pupils who have severe learning difficulties, sensory difficulties or physical difficulties;
- Journeys of long duration that may necessitate a stop. These will generally be journeys to out-of-borough placements;
- Where child protection and safeguarding issues are evidenced.

#### **Will arrangements for provision of Passenger Assistants be reviewed?**

The provision and allocation of Passenger Assistants will be reviewed annually and at other times throughout the year when the need arises. In all cases the decision to allocate a Passenger Assistant rests with the Local Authority.



## Annex A



# Transport guidance for young people aged 16-18 in Further Education and continuing students aged 19.

Version 1.1  
May 2011



Trafford Healthcare   
NHS Trust

Trafford   
Primary Care Trust

Trafford CYPS brings together council and health services to improve outcomes for children, young people, their families and schools.

# Transport Policy Statement for young people aged 16-18 in further education and continuing learners aged 19 and over

Trafford Children and Young People's Service  
May 2011

## 1. Summary of Policy Statement

Following consultation in 2008 the Authority decided to uphold its 2001 decision not to provide transport assistance for post-16 pupils/ students attending schools and colleges. Students leaving school to enter further education may be able to take advantage of a range of discounted passes, see [section 2](#) for more information.

### 1.1 Post 16 students with a statement of Special Educational Needs

From September 2012 transport support will only be provided to students with a statement who attend a special day or residential school outside of Trafford, providing that they continue to be eligible under the terms of the 'Home to School Transport Policy'.

Eligible young people will receive transport support for residential placements as follows:

Weekly residential placement - Travel arrangements will be made to school on Monday and from school on Friday each week.

Termly residential placement - Transport will be provided at the beginning and end of each term and mid-term holiday.

Pupils requiring a 52 week placement - The Authority will make travel arrangements up to a maximum of three return journeys per year.

### 1.2 Exceptional Circumstances

Post 16 students are expected to travel to school/college independently. However, in exceptional circumstances transport support may be provided if the student's statement continues and they have mobility difficulties of such severity that it is impossible to travel independently between home and school/college.

### 1.3 How do I apply for post 16 transport?

If you want to apply for transport or you are unsure about your entitlement, you should contact the SEN Assessment Team.

**Telephone:**

0161 912 5126 or  
0161 912 5122

**Or write to them at:**

SEN Assessment Team  
Stretford Public Hall  
Chester Road  
Stretford  
M32 9BH

**2. Concessionary fares discounts, subsidies, passes and travel cards available for learners aged 16-18.****2.1 Bus and Tram Travel**

If you are a student attending a full time course at a day school or college and live in Greater Manchester you may be able to apply for a 'Scholar's Concessionary Permit' from Transport for Greater Manchester (TfGM, formerly GMPTE).

- This permit is available to all students aged 16-18 (the permit may be extended to the end of the school year in which you reach 19 as long as you are continuing on your course).
- The pass costs £5 and lasts for the entire academic year. Presentation of a valid TfGM Scholar's Concessionary Permit will entitle you to travel for half the adult fare on buses and Metrolink trams. This permit can also be used on the Ring & Ride service to gain half price fares.

System One Travel Cards have a Bus Saver 7 ticket for students in full time education aged 16-26. The ticket currently costs £14.25 and can be used on any local bus company, any time to 4am. You must be able to show proof that you are in full time education.

**2.2 Rail Travel**

National Rail provide a '16-25 Railcard' this entitles you to a third off the cost of rail travel. If you're aged 16-25 and buying your Railcard online, you'll need a valid UK driving licence or passport number to prove you're eligible. You'll also need to be able to upload a digital passport style photo. The cost is £26 for a year or £65 for 3 years.

**2.3 Concessionary Travel for Disabled Learners**

The 'National Concessionary Travel Pass' is available to eligible disabled people (of all ages). With this pass you can travel for free on local buses anywhere in England. If you live in Greater Manchester you can also use your

pass to travel for free or for half the current standard fare before 9.30am, on trains and Metrolink trams. You could qualify for this permit if you:

- Have severe walking difficulties
- Are partially sighted.
- Are profoundly or severely deaf.
- Have been or would be refused a driving licence for medical reasons.

The 'Concession Plus Pass' allows disabled people (of all ages) free travel at all times on buses, local trains and Metrolink trams in Greater Manchester. You can also use this pass to gain free travel on local buses (after 9.30am) outside of Greater Manchester. You may be entitled to the Concession Plus pass if you are:

- Registered blind
- Profoundly deaf and cannot speak or have limited speech that is difficult to understand

You may also be entitled to a Concession Plus pass if you:

- Cannot use both arms
- Cannot talk
- Have been or would be refused a driving licence on the grounds of severe and long term mental health problems

If you would like more information on these passes & permits and to find out if you are eligible you should contact TfGM's passes and permits department (details can be found in section 11).

### Rail Travel

The Disabled Persons Railcard may be available to you if you have a disability that makes travelling by train difficult. The Railcard allows you and an adult or friend travelling with you a third off most fares. A one year card costs £18, you must provide proof that you qualify for the pass. The Railcard can be used at any time.

### **3. What times during the day can learners use their travel pass or obtain concessionary fares?**

**The Scholar's Concessionary Permit** entitles the holder to travel to and from school/college Monday to Friday until 9pm and for other journeys if supported by a valid journey variance voucher. This permit is valid only until the expiry date shown or the date that you leave school or college (whichever is first).

**The National Concessionary Pass** can be used for free travel after 9.30am Monday –Friday and all day at weekends and Public Holidays

**The Concession Plus Pass** can be used for free travel in Greater Manchester at all times.

**The 16-25 Railcard** has minimum fare/time restrictions for all journeys made at or before 10am Monday to Friday. If you regularly travel before 10am a weekly or monthly season ticket may be more appropriate. However, there is no minimum fare at weekends, on Public Holidays and during July and August. For full details of minimum fares please ask at your local station.

**The Disabled Persons Railcard** can be used at any time

#### **4. Support for learners who reach 19 whilst continuing on a course**

- Transport support from the authority will continue to be provided where a student continues to satisfy the eligibility criteria.
- The Scholar's Concessionary Permit is valid until the expiry date shown or the date that you leave school or college (whichever is first). The pass is valid until the end of the academic year in which the 19<sup>th</sup> birthday is reached (the academic year starts on the 1<sup>st</sup> August).
- The National Concessionary Pass and Concession Plus Pass are available to eligible people of all ages.

#### **5. Eligibility assessments for support**

Discretionary Support Funds may be available in colleges and schools to help students who are most in need to help with the costs of learning. To be eligible you must:

- be 16 or over
- have been accepted onto and be studying a programme of learning funded by the Young People's Learning Agency

Colleges determine priority groups and maximum amounts they award.

Common priority groups are:

- students who are economically disadvantaged (such as those on a low income or receiving benefits)
- those aged over 19 who don't have a Level 2 qualification
- students who have been in care or on probation, young parents and others considered 'at risk'

#### **6. Help for learners with learning difficulties and or disabilities (including those over 19) or learners facing other difficulties in following their courses**

A door to door service is provided by Greater Manchester Accessible Transport Limited (GMATL) for people of all ages who find it difficult to use ordinary public transport. 'Ring & Ride' can take you to school/college if you have difficulties getting on and off public transport or difficulties getting to and from main public transport routes and services.

Ring & Ride can also be used as a temporary measure, if you have broken an arm or leg or have a short term illness that is making it difficult for you to use public transport. For a local trip the fare is currently £1. If you have the national travel pass you will pay 50p per journey and if you have the concession plus pass, you can use this to travel for free.

If you need help with your personal care or if you have difficulty walking, you might be entitled to the Disability Living Allowance (DLA). The DLA has two parts:

**Care** – if you need help looking after yourself or someone to help keep you safe

**Mobility** – if you can't walk or need help getting around

There are two rates of the mobility component depending on how your disability affects you:

**Lower rate**, if you need guidance or supervision out of doors

**Higher rate**, if you have any of the other, more severe, walking difficulties

If you are eligible to receive the 'higher rate' you or your parent/carer could get help from the Motability scheme to lease or buy a car. Even if you don't drive, you can nominate two people who could drive the car for you. For more information on the Disability Living Allowance, and the Motability scheme go to the 'Useful Contacts' section.

### Learner Support

Trafford College provide a learner support service and specialist disability support for learners with learning disabilities or difficulties. Help is available to assist learners to access equipment and resources to enable them to study.

For more information visit: <http://www.trafford.ac.uk/section/1237>

**Telephone:** 0161 886 7070

## **7. When should learners start to apply for transport support?**

The Scholar's Concessionary Permit can be applied for from the 1<sup>st</sup> August in the academic year in which you will be studying.

## **9. Help for learners with learning difficulties and or disabilities (including those over 19) or learners facing other difficulties in following their courses**

Some specialist residential centre's offer extra support for students wanting to study particular courses (usually in agriculture, horticulture and art and design) in the form of a 'residential bursary'. This is only applicable if there isn't a similar course available locally. If you want to study a residential course you should check what support is available with the college/further education provider. You can find more information about residential bursaries at <http://moneytolearn.direct.gov.uk> (click on extra help with your learning costs)

The following concessionary permits can be used in any part of the country:

- National Concessionary Pass
- Concessionary Plus Pass
- 16-25 Railcard and Disabled Person's Railcard

## **10. Help available for learners who attend a Further Education institution which is beyond daily travelling distance and need to stay away.**

In some cases the Young People's Learning Agency (YPLA) may pay for you to study away from home if the course you need (or a similar course) is not available within a daily travelling distance. The college you wish to attend should be able to give you information about this, or you can find more information on the Residential Support Scheme at <http://moneytolearn.direct.gov.uk> (click on extra help with your learning costs)

## **11. Useful information and contacts**

### **To apply for transport support from the authority:**

Contact the SEN Assessment Team,

Stretford Public Hall  
Chester Road,  
Stretford,  
Manchester  
M32 0LG

**Telephone:** 0161 912 5126 or 0161 912 5122

### **Concessionary Permits and reduced cost travel passes**

TfGM passes and permits  
Travel Concessions, Customer Services  
PO BOX 429  
Manchester  
M60 1HX

**Telephone:** 0161 244 1050

[www.tfgm.gov.uk](http://www.tfgm.gov.uk) and click on 'tickets, fares and passes'

### **System One Travel Cards**

For more information follow this link

<http://www.systemonetravelcards.co.uk/>

**Telephone** Traveline on 0871 200 22 33

### **Ring & Ride**

To find out if you are eligible and for information on areas covered visit

[www.ringandride.info](http://www.ringandride.info) or

**Telephone** your local depot:

Trafford 0161 877 5424

### **Railcards**

For more information on terms and conditions and to apply for a 16-25 Railcard please visit

<http://www.16-25railcard.co.uk/>

For more information on terms and conditions and to apply for a Disabled Person's railcard please visit

<http://www.disabledpersons-railcard.co.uk/>

### **Financial Support**

#### **Learner Support Funds**

If you're at a college, speak to your student support or welfare officer. If you're in a sixth form, get in touch with your tutor or the student awards or student support officer. You may be expected to provide proof of income or expenditure when you apply.

#### **Disability Living Allowance (DLA)**

For information call the Benefit Enquiry Line and ask them to send you a pack. This is a confidential freephone service for disabled people and carers. Alternatively you can visit the website for more information.

**Telephone:** 0800 88 22 00

**Textphone:** 0800 24 33 55

[www.direct.gov.uk/en/DisabledPeople/FinancialSupport/DisabilityLivingAllowance](http://www.direct.gov.uk/en/DisabledPeople/FinancialSupport/DisabilityLivingAllowance)

#### **Connexions**

Connexions offer advice and support for all young people aged 13-19 and up to age 25 for young people with a learning difficulty or disability. They provide information and guidance on a wide range of issues. Below are some of the ways Connexions can support you:

- Attendance at Transition and Annual Reviews.
- Help with accessing college training or employment.
- Arranging visits for you and your parents/carers to post school provision.
- Advice, guidance and access to personal development opportunities.

It is not up to the Connexions service to arrange, authorise or pay for transport for you.

If you would like to talk to someone about your options after year 11, speak to your Connexions PA in school or college.

Alternatively you can contact Connexions in a number of ways:

**Address** Unit 122 Stretford Mall, Chester Road, Stretford, M32 9BH

**Telephone** 0161 911 8600

**Email** [contactus@trafford.gov.uk](mailto:contactus@trafford.gov.uk)

**Website** [www.connexions-trafford.co.uk](http://www.connexions-trafford.co.uk)



# TRANSPORT POLICY FOR CHILDREN WITH COMPLEX PHYSICAL OR MEDICAL NEEDS

## ANNEX B



Trafford Children and Young People's Service brings together council and health services to improve outcomes for children, young people, their families and schools.

## **Introduction:**

The Education Act 1996 (Schedule 35b) defines an eligible child for the purposes of transport. Under section 508B of the Education Act 1996 the council has to make such travel arrangements as they consider necessary in order to secure stable home to school travel arrangements for a child with special educational needs, a disability or mobility problems where that child cannot reasonably be expected to walk to school.

Transport support for children with a statement of SEN is not an automatic entitlement. Where transport has been agreed, the arrangements in place will be reviewed on a continuing basis and at least once a year.

Parents of children who receive the higher rate of the mobility component of Disability Living Allowance (DLA), will be expected to use this allowance to transport their child to school. If a Parent uses their own car in these circumstances they may apply for a mileage allowance at the Council approved rate. For more information on the mileage allowance, see section 13 of the main policy for further details.

When assessing entitlement the Council will amongst other considerations have regard to supporting medical or other evidence that the child needs medical assistance on route from home to school.

Transport will be arranged by the most economical means available consistent with the safety and needs of the child. The Local Authority will take into account the wishes of parents, needs of the children as well as the requirement to use our resources efficiently and effectively whilst maintaining the safety of all children accessing transport.

Where required specialist transport arrangements will be made in conjunction with parents, Trafford Transport Provision (TTP), Children's Community Nursing Team and other involved practitioners.

## **Children with complex physical or medical needs:**

For the purpose of this policy children with complex physical or medical needs are those children where the council has received individual professional medical advice that the period of time that the child is on transport to school is longer than they can safely spend without receiving medical assistance for a diagnosed condition. This includes children where the council has received individual professional medical advice that they are likely to require immediate rescue medication or intervention during the journey to school.

## **Provision of Home to School Transport**

Due to the individual nature of complex physical or medical needs the parents of the child may be best placed to provide transport and will be encouraged to take the child to school themselves and will be eligible to receive travel expenses.

If the parents are unable or unwilling to provide transport suitable transport will be arranged by the council which enables a parent (or parents' representative) to accompany the child in order to provide any medical assistance required. A parents' representative can be a carer over the age of 18 nominated by the child's parent.

Full TTP Passenger Assistant training will be provided by TTP for parents or their representatives who accompany children on TTP provided transport which includes use of wheelchair restraints and protocols in the event of an emergency.

TTP arrange home to school transport utilising licensed taxi companies who provide the vehicles and drivers. TTP will ensure that the taxi companies are issued with protocols for their driver to follow in routine and emergency situations. Parents will be informed of these protocols.

## **Travel Expenses**

Where the parent provides the means of transport the council will pay travel expenses in accordance with its Casual Car User policy. The mileage being two round trips per school day attended the most direct road route from the child's home to school.

Where the parent pays a carer to accompany the child, in order to provide any medical assistance required, the council will reimburse the cost incurred to the parent. This payment will be limited to the payment that the council would make to one of its employees providing the same service.

## **Provision of Council Passenger Assistants**

If it is not possible for the parent (or parents' representative) to travel with the child or the parent is unwilling to do so, arrangements will be made for the child to be accompanied by a suitable Passenger Assistant provided by the council. The Passenger Assistant will receive training in the administration of the agreed medicines or medical procedures or treatment for the child: the "Specified Procedures".

No council provided Passenger Assistant will administer treatment or medication without the consent of the parent, which will be obtained in writing together with a protocol for administering treatment/medication to the child before transport is provided.

Only Passenger Assistants trained in the Specified Procedures relevant to the child will be allowed to accompany the child. If, for whatever reason, such a Passenger Assistant is unavailable the parent or their representative may travel with the child. Alternatively the parent may wish to make alternative arrangements for transport or to keep the child at home until a suitably trained Passenger Assistant is available. The council will inform the parent as soon as possible when a trained Passenger Assistant is not available, however this may be at short notice

If the needs of the child change and new procedures are required which require the Passenger Assistant to be retrained. The provision of a Passenger Assistant will be withdrawn during the period between the council being notified of a new procedure and the Passenger Assistant completing their training.

Protocols to carry medical equipment such as oxygen/medication will be provided and training given by the practitioner involved with the child before transport is provided.

Drivers and Passenger Assistants will notify the TTP, Headteacher, parents or nominated person at the school of any treatment or medication given on the journey to and from school.

In the event of an ambulance being called the Passenger Assistant will give a verbal report to the paramedic and hand over protocols/treatment regimes and medication. TTP, the parent and Headteacher will be informed.

### **Procedure for arranging Transport for children with complex physical or medical needs:**

When a request is submitted for transport on the Council TTP Passenger Request Form (PRF) and details in the medical section indicate that the child may have Complex Physical or Medical Needs, further contact will be made with the family or guardian. More detailed information will be gathered from family/ guardian including medical advice from the consultant and involved practitioners and health professionals. Each case will be reviewed on its own merits.

The request will be brought to a Decision Making Group (DMG) who will then decide on the supporting evidence:

- Which method is most appropriate to transport the child e.g. provision of travel allowance, provision of transport only or provision of council transport with trained Passenger Assistant
- If a Passenger Assistant is required and who will provide this service
- What training is required depending on who is accompanying the child for example

- a) If a parent chooses to be a Passenger Assistant with their own child when using a TTP provided vehicle full TTP Passenger Assistant training will be provided by TTP which includes use of wheelchair restraints and protocols in the event of an emergency.
  - b) If training to extend the role of family support worker already trained to support the child's needs in the home/school setting a risk assessment and protocols for using these skills on transport will be carried out.
  - c) If appointing a new medical Passenger Assistant candidates will be invited to apply and following successful appointment, training will be provided. Due to the individual needs of each case additional training will be required following an individual needs assessment of the child to be transported.
- If the requirements for safe Home to School Transport cannot be met by the above methods the DMG may decide not to support or provide Home to school Transport.

Where Home to School Transport is approved by the DMG the details of the provision authorised will be recorded on the TTP PRF, including the cost centre to be charged, and the form signed by the DMG Chairperson. When transport for a child with complex physical or medical needs is first authorised protocols will be written to ensure the safety of the child on transport. Where a council provided Passenger assistant is approved the DMG will provide TTP with a minimum notice period of 12 weeks for the recruitment and training of a Passenger Assistant. TTP will aim to complete recruitment and training, on behalf of CYPS, within this period. Until such time as safe transport arrangements have been made and training provided parents will be asked to provide travel arrangements, in the short term. Parents will be kept informed of the process.

Guidelines will be issued and training given to vehicle operators, drivers and Passenger Assistants (including parents or their representatives where travelling on council arranged transport) when providing travel arrangements for children with complex physical or medical needs. All emergency protocols will be provided by the DMG and explained fully to ensure the safety of the child, Passenger Assistant, driver and other motorists.