



**London Borough of Waltham Forest**  
**5–16 Home to School**  
**Assistance with Travel Policy**  
**September 2016**

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## PART 1: INTRODUCTION AND CONTEXT

### WHAT DOES THIS POLICY COVER?

This policy relates to home to school travel arrangements for all children and young people resident in Waltham Forest, from the age of 5 to 16.

### CONTEXT

The Education Act 1996 requires Local Authorities to make suitable travel arrangements to help children and young people who are eligible for assistance to attend school.

This document sets out the London Borough of Waltham Forest's policy in respect of its statutory duties in relation to the provision of Home to School assistance with travel for children and young people attending schools and colleges.

There are two key principles which underpin the Council's approach to providing assistance with travel:

- promoting independence
- maintaining quality of life.

By working in partnership with parents, children and young people, schools and the voluntary sector, the Council hopes to secure the right option for each family and child so they are better prepared to enter adulthood confidently as active participants in society.

In formulating this policy the Council has considered the statutory legal framework and the Home to School Travel and Transport statutory guidance (July 2014).

### POLICY IN GREATER LONDON.

Since September 2006 all pupils up to the age of 16, or 18 if they remain in full-time education, have been entitled to free transport on buses within London. In light of this, the Council considers that this is sufficient to meet the transport needs of most children and young people under the age of 18.

This policy therefore, sets out the arrangements for meeting the Authority's statutory duty to provide assistance with travel for those eligible within this context.

## LEGAL BACKGROUND

Parents/carers are responsible for ensuring that their children attend school regularly. However, under the Education Act 1996 and the Education and Inspections Act 2006, Local Authorities have a duty to provide assistance with travel to and from qualifying schools/colleges for children and young people aged 5–16 in certain circumstances.

In addition, Local Authorities also have a duty to facilitate access to full-time education for young people aged 16–19 and this may include assistance with travel in certain circumstances. Other post 16 learners with learning difficulties and disabilities aged 16–25 attending colleges and other places of learning may be eligible for assistance.

There is no mandatory entitlement to travel assistance for children under 5.

Under s508B of the Education Act 1996, Local Authorities must provide such assistance with travel arrangements as they consider necessary to get every “eligible child” to his/her “relevant educational establishment”. Travel arrangements for an eligible child must under s508B be free of charge and may not require participants to incur extra costs.

Any entitlement to free travel for eligible children under this policy does not mean that the transport must be arranged by the Council if “suitable” transport has already been arranged by others. For example, the suitability and accessibility of free transport available on Transport for London buses will be taken into consideration in determining whether the Council provides transport or assistance with travel.

The provision of assistance with travel by the Council will be based on individual needs and circumstances and with due regard to the efficient use of resources.

## GENERAL PRINCIPLES

This policy is based on the following principles:

- **Parental and Council responsibilities**

Parents and carers are responsible for ensuring that their children attend school. However, to support this, the Council will provide assistance with travel in certain circumstances. If assistance is provided, it remains the responsibility of parents and carers to ensure their child’s safety during the journey to and from school.

- **Promoting Independence and maintaining a good quality of life**

The Council will promote independence, social inclusion and physical well-being for all children and young people. This will be achieved through identifying modes of travel which best support this aim.

- **Sustainability**

The Council will favour environmentally sustainable forms of travel, including walking, cycling and the use of public transport. The Council will also promote those options which make the most effective use of public resources.

## PART 2: ELIGIBILITY

### WHO IS ELIGIBLE FOR ASSISTANCE WITH TRAVEL?

In all cases, the Council will assess the eligibility of all children for assistance with travel in line with Part 1.3 of the Department for Education ‘Home to School travel and transport guidance’, published July 2014.

The eligibility of children and young people for assistance with travel will be based on the following questions:

1. Does the child attend their nearest ‘Qualifying School’?
2. What is the distance from the child’s home to school?
3. Does the child come from a ‘low-income background’?
4. Does the child have any special educational needs or disabilities, which limit their mobility or ability to use public transport?
5. Are there any other exceptional circumstances?

#### Each application will be considered against asking these 5 questions.

1. Does the child attend their nearest ‘Qualifying School’?

Summary:

- If a child or young person does not attend their nearest qualifying school, the Council will not be obliged to offer any form of travel assistance.

### QUALIFYING SCHOOLS

Qualifying schools are:

- community, foundation or voluntary schools;
- community or foundation special schools;
- independent and 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, including free schools and University Technical Colleges (UTC)

References to the ‘nearest qualifying school’ mean the nearest school with places available that provides education appropriate to the age and ability of the child, and any special educational needs that the child may have.

A qualifying school includes places other than a school at which a pupil might receive education under Section 19 (1) of the Education Act 1996.

## CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

The nearest qualifying school for children with special educational needs and disabilities may well be different than for other children. Most often, a 'qualifying school' will be named on a child's Education, Health and Care Plan (EHCP).

For children with special educational needs an independent school will also be a qualifying school if it is the only school named in the child's EHC Plan or SEN statement, or it is the nearest of two or more schools named.

The Council will not be obliged to provide assistance with travel if parent(s)/ carer(s) have decided to send their child to a school that is farther away than the school that the Council has identified as suitable to meet the needs of the child. The Council will decide whether a school is suitable based on the age, ability, needs and any religion or belief of the child.

## RELIGION AND BELIEF

Where a child or young person attends a particular school on the grounds of religion or belief, this school will be taken to be the 'nearest qualifying school' if all of the following apply:

- the child is between 11 and 16 years of age
- it is the nearest school for the relevant belief, up to a distance of 15 miles from the child's home
- it has places available and provides education appropriate to the age and ability of the child, and any special educational needs that the child may have; and
- the child is from a low income background

### 2. What is the distance from the child's home to school?

Summary:

- Children who live within the 'statutory walking distance' will not receive assistance with travel from the Council, except where they have a special educational need or disability which significantly affects their mobility, or there are exceptional circumstances
- In almost all cases, assistance with travel for those who live outside the 'statutory walking distance' but who do not have a special educational need or disability will be in the form of a Transport for London Zip Oyster Card (See Forms of Assistance with Travel below)
- For children with a special educational need or disability, assistance with travel will be offered based on an assessment of the individual's mobility, but the distance from home to school may influence the type of assistance with travel offered

The 'statutory walking distance' is defined by the Education Act 1996 as:

- 2 miles if the child is under 8 years old, or
- 3 miles if the child is 8 years old or older



The distance is measured by the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. This is not necessarily the same as the shortest distance by road.

Where a child lives further from school than the statutory walking distance, the Council is obliged to offer assistance with travel. In almost all cases, it is expected that this obligation will be met in the form of a Transport for London Zip Oyster Card (See Forms of Assistance with Travel below).

## CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Where a child or young person has a special educational need or disability which would make walking to school unreasonable, assistance with travel will be offered based on an assessment of the individual's need. The distance between the home and school, and the transport routes available, may however influence what kind of assistance with travel is offered.

### 3. Does the child come from a low-income background?

Summary:

- Children from a low-income background are granted 'extended rights' to assistance with travel
- In almost all cases, it is anticipated that these 'extended rights' will be met through the Transport for London Zip Oyster Card scheme (see Forms of Assistance with Travel below)

A child from a low-income family is defined as either:

- A family where pupils are entitled to free school meals, or
- The parents are in receipt of maximum Working Tax Credit

If this is the case, there are a number of 'extended rights', which mean that the child is eligible for assistance with travel if:

- The nearest suitable school is beyond 2 miles (for children over 8 and under 11 years of age);
- The school is between 2 and 6 miles (if aged 11–16 and there are not three or more suitable nearer schools);
- The school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11–16)

### 4. Does the child have any special educational needs or disabilities, which limit their mobility or ability to use public transport?

See Part 2 'Home-to-school assistance with travel for children and young people with special educational needs and disabilities'

### 5. Are there any other exceptional circumstances?

See Part 4 'Exceptional Circumstances'

## PART 2: HOME TO SCHOOL TRAVEL ASSISTANCE FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

This section explains:

- the Council's general approach to assistance with travel for children with special educational needs and disabilities
- how eligibility is assessed and how the right form of assistance with travel is chosen
- other considerations

### GENERAL APPROACH

Parents and carers have a legal responsibility to ensure that their children attend school regularly, regardless of the child's special educational needs or disabilities. Parents and carers will be expected to take at least the same level of responsibility for their child's travel as any parent of a child without special educational needs or disabilities. This means that parents and carers will be expected to accompany younger children to school and to support older children with independent travel where possible.

Assistance with travel for children with an Education, Health and Care Plan (EHCP) or Statement of Special Educational Need (SEN) will be offered based on the particular needs of the child. Most Waltham Forest children and young people with an EHCP or SEN statement do not need specialised travel assistance. As such, the issuing of an EHCP or SEN statement does not necessarily mean that the Council will provide any form of assistance with travel. Equally, assistance with travel is not limited only to children with an EHCP or SEN statement.

The application for assistance with travel is therefore separate to the EHCP planning process.

Wherever possible, the Council expects parents and carers to make arrangements for their child to attend school in the same way as parents and carers of pupils without an EHCP or SEN statement, as this is an important factor in developing the child's independence, social and life skills.

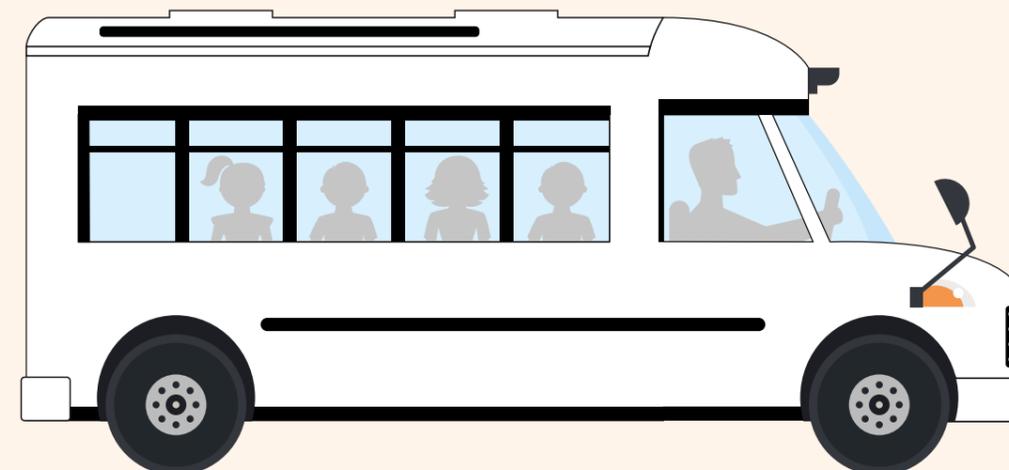
## HOW IS ELIGIBILITY ASSESSED AND HOW ARE FORMS OF ASSISTANCE WITH TRAVEL CHOSEN?

The Council's SEND assistance with travel staff will assess whether a child or young person is eligible for assistance in accordance with this policy as a whole. If a child or young person is assessed as eligible for some form of assistance with travel, the Council will decide which form is most suitable. The decision will be based on careful consideration of the following:

- whether the child or young person would have considerable difficulty in walking or using public transport due to their special educational needs or disability
- whether the child or young person has a physical or medical disability that rules out the use of free public transport, or suitable public transport is not conveniently available – for example wheelchair users, children or young people who require specialist seating, harnesses, head restraints or other specialist facilities
- the distance and complexity of the journey to and from school, and the public transport routes available
- whether the child or young person would be vulnerable and at risk of danger if they use public or other transport
- whether the child or young person would be able to travel independently to school if suitably travel trained

The final decision about which form of assistance with travel to offer will be made by the Council according to the circumstances of each individual case. This will be determined by applying the eligibility criteria. Applicants will be informed of the decision in writing and at the same time will receive full information about how to make representation about the decision and their ability to appeal.

For more information please see the 'Decision-Making Flowcharts' in Part 5: Forms of Travel Assistance.



## OTHER CONSIDERATIONS

### Residential schools

For children and young people aged 5–16 with special educational needs and disabilities who attend residential schools on a termly basis, the Council will support:

- one journey at the start of each half term; and
- one journey at the end of each half term

It is expected that the majority of these young people will travel either by public transport (accompanied by a parent or carer as necessary), or be transported in a parent or carer's vehicle. The Council will offer reimbursement of mileage costs or public transport expenses in these cases. There may however be exceptional cases where specialist transport could be considered.

### Pre-School Children (under 5s)

Legally the Council is not obliged to offer assistance with travel to children under the age of 5. Parents are reminded that children under 5 are able to travel free of charge on London buses, trams, tubes, DLR, TfL rail and some National Rail services if accompanied by an adult.

However, in exceptional circumstances, children under 5 placed in a special educational setting may be considered for assistance with travel.

### Motability vehicles

The parents of some children and young people may be in receipt of the higher mobility component (HRMC) of the Disability Living Allowance (DLA). This is the gateway to the Motability Scheme that supplies vehicles, adapted or not, in return for the DLA, usually on contract hire terms. If a child is the HRMC recipient and the family obtains a vehicle through the Motability scheme, then the vehicle is expected to be used for the benefit of the disabled child and the Council will offer reimbursement of 40p per mile to allow the family to utilise that vehicle to take their child to and from school.

## PART 4: EXCEPTIONAL CIRCUMSTANCES

### TEMPORARY MEDICAL CONDITIONS

The Council will consider applications for assistance with travel for children and young people on the basis of temporary medical need, even if they live within the statutory walking distance. Assistance may be offered if there is written evidence from an appropriate medical practitioner and the child has specialist transport requirements which are not met by the use of public transport (accompanied or unaccompanied) or short-term transport in a parent or carer's vehicle.

Any assistance offered will be reviewed at regular intervals and when the medical need ceases, support will be discontinued. Inconvenience to the parent or carer is not considered to be sufficient reason to provide assistance with travel.

### CHILDREN WITH DISABLED PARENTS

Where a parent's disability prevents them from accompanying their child or young person along a walking route to school, the Council may provide assistance with travel in support of the child even within the statutory walking distance. Assessment for support in these circumstances will consider parents in receipt of transport assistance as part of their disability living allowance (DLA). Each case will be considered on its merits.

### CHILDREN IN TEMPORARY ACCOMMODATION

Where the Council has housed a family in temporary accommodation pending a move to a permanent address, assistance with travel to and from school may be available to enable a child or young person to remain at their current school. This support should take the form of a TfL travel card, mileage allowance for parents/carers or a reimbursement of public transport expenses. The Council aims to avoid the need for a child to have two changes of school in a short period of time.

Support may be available up to a maximum of 12 weeks, by which time either the family will have been re-housed and/or the child or young person will be attending a nearer school. If parents choose to keep the child at the original school for longer than 12 weeks, then they will take on the responsibility for arranging and financing travel to and from school.

## CHILDREN IN CARE

Assistance with travel may be available for children in care, to ensure their care arrangements are supported by appropriate home to school travel arrangements. The child's Care Plan sets out how a child will be cared for and how their needs will be met, this includes home to school travel arrangements. The Care Plan is agreed at the child's statutory Child in Care Review, which is chaired by an independent reviewing manager.

## CHILDREN IN RECEIPT OF SHORT BREAKS SUPPORT

Assistance with travel to school is to be used for journeys to and from school. Assistance may be considered for journeys at the end of the school day to a short breaks venue, but it will be the responsibility of the parent/carer to organise the journey from the short breaks venue to home after the short break activities have finished.



## PART 5: FORMS OF ASSISTANCE WITH TRAVEL

Where assistance with travel is offered, it may take one of the following forms:

- Free and discounted travel with Transport for London (provided directly by TfL)
- Reimbursement of the cost of travel fares/passes for parents and carers to escort their children to and from school on public transport
- Reimbursement of mileage costs for parents and carers who are able to transport their children to and from school
- Personal travel budgets for parents and carers to arrange transport themselves, or use a combination of options. More information about personal budgets including examples of worked budgets will be available on the Local Offer website here.
- Independent travel training to give children and young people the essential skills required to travel independently either on foot or by public transport
- Travel assistants to support children and young people undertaking travel training
- A place on a shared minibus or taxi route, using collection points where possible

For more information on these assistance with travel options, please see the 'Travel Assistance Options for children and young people with special educational needs and disabilities' guide.

### FOR CHILDREN AND YOUNG PEOPLE WITHOUT SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

For children and young people without special educational needs and disabilities, or any exceptional circumstances, assistance with travel will be in the form of a Zip Oyster photo-card, which should be applied for directly to Transport for London (TfL).

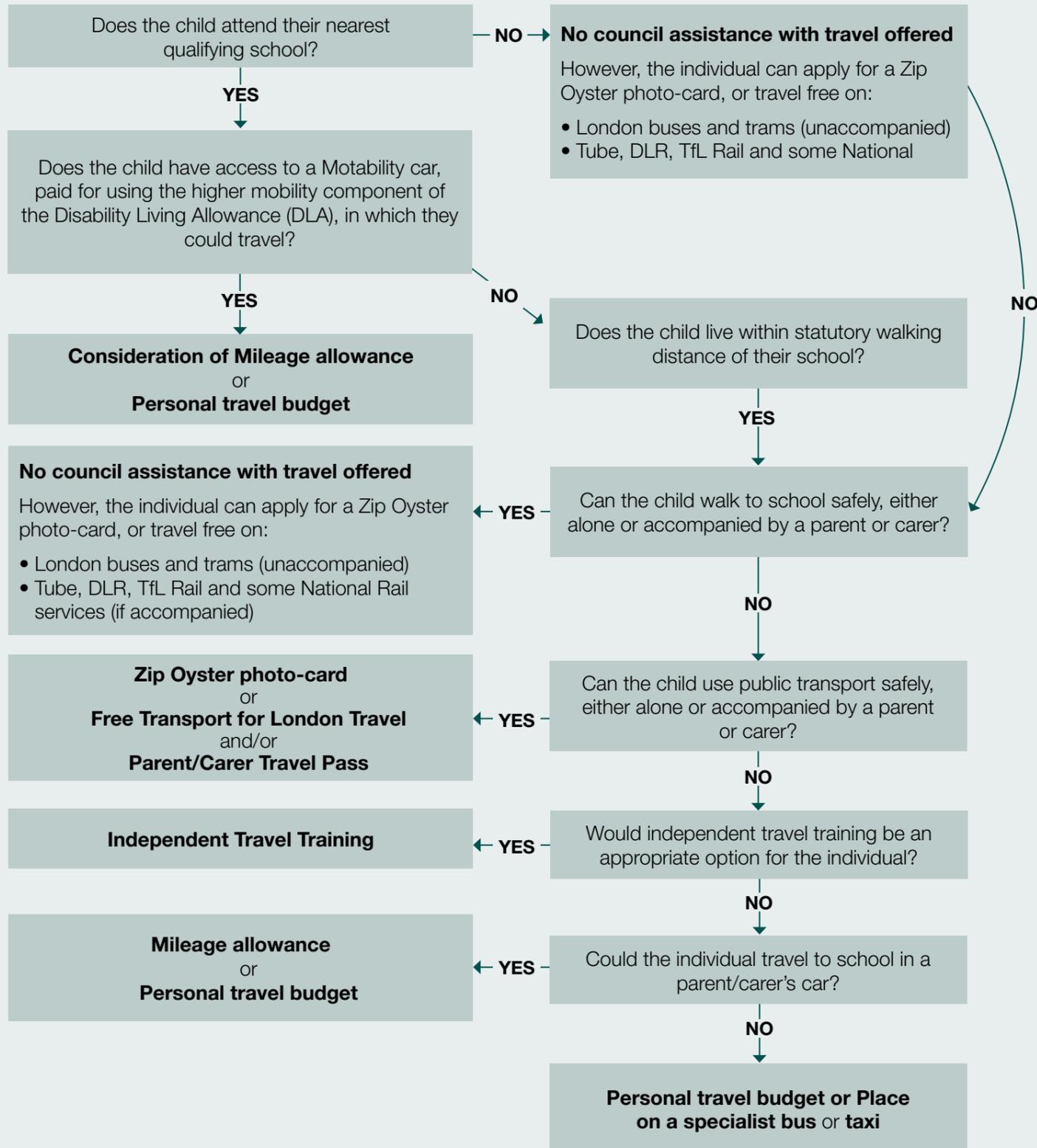
### FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

The Council's SEND assistance with travel staff will allocate assistance with travel in the most cost-effective manner and will always prioritise those options which lead to the least dependency and lowest cost. Children and young people will be expected to travel as other children attending the same, or a nearby school, unless there are compelling reasons for individual transport.

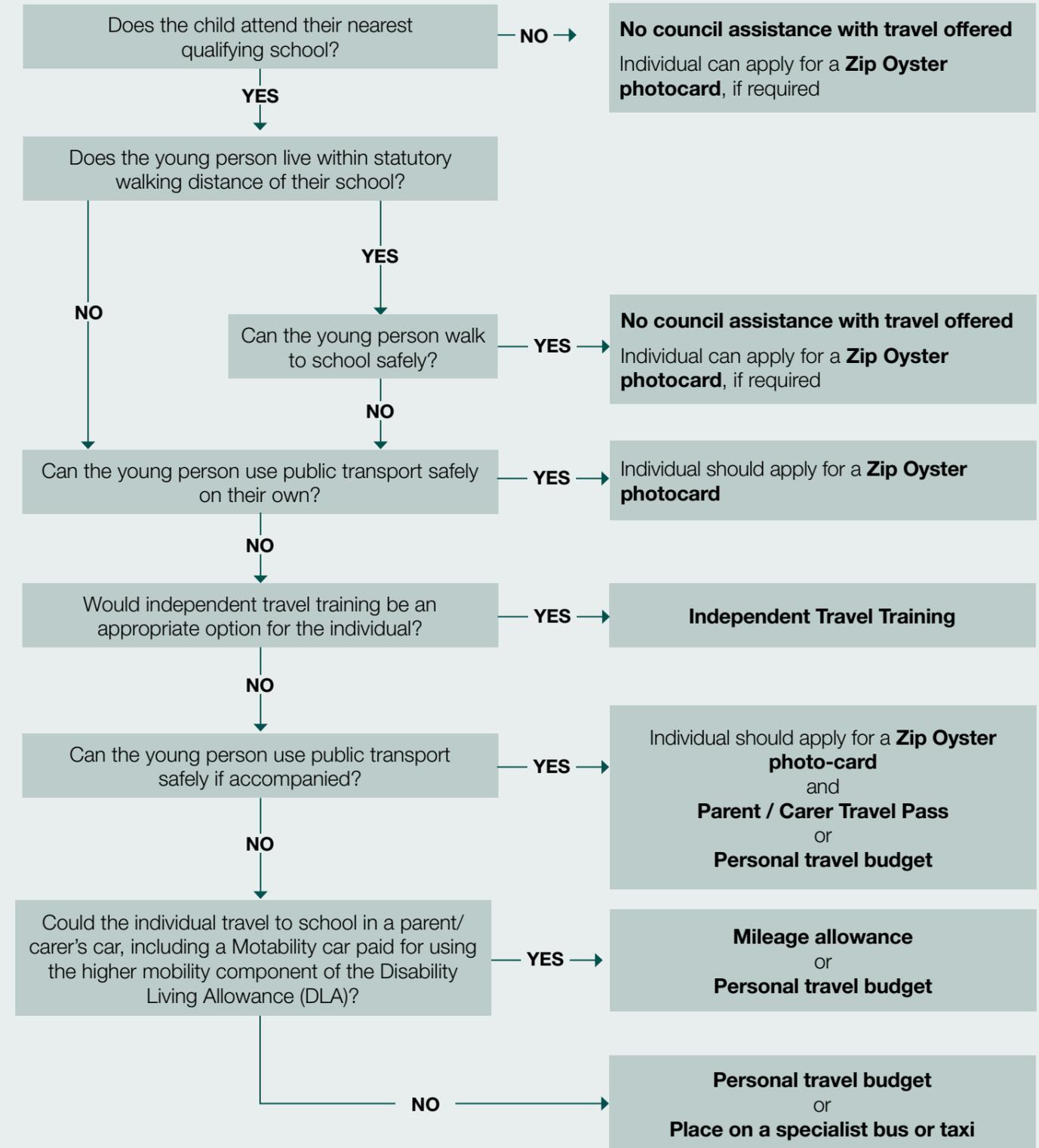
Please see the decision making flowcharts below, which show a general process for deciding which option is most appropriate for each individual.

Assistance with travel will be limited to journeys at the start and end of the school day only. There will be no assistance with journeys to and from pre- and after-school activities. Equally, there will be no assistance with journeys between establishments during the school day.

**Decision-making Flowchart 1: Assistance with Travel for Children of Primary School Age with Special Educational Needs and Disabilities**



**Decision-making Flowchart 2: Assistance with Travel for Young People of Secondary School Age with Special Educational Needs and Disabilities**



## PART 6: APPLICATION PROCESS, APPEALS AND COMPLAINTS

### HOW DO I APPLY FOR TRAVEL ASSISTANCE?

Parents and carers who believe that their child may be entitled to assistance with travel should obtain and complete a 'School Assistance with Travel' application form.

For an application form contact:

Transport Officer, SEN Team  
Wood Street Health Centre  
6 Linford Road, Walthamstow  
London, E17 3LA

Tel: 020 8496 6500

Email: [assistancewithtravel@walthamforest.gov.uk](mailto:assistancewithtravel@walthamforest.gov.uk)

### NOTIFICATION OF DECISION

All applications will receive careful consideration. Parents and carers will be informed of the local authority's decision in writing within ten working days of receipt of the completed application.

### WHAT IF I DISAGREE WITH A DECISION?

Where an application for school travel support has been refused, or parents and carers wish for further consideration of their child's circumstances, the following process will apply.

#### • Stage 1 – Review

You should complete a review/appeal form within 20 working days of the original notification of decision.

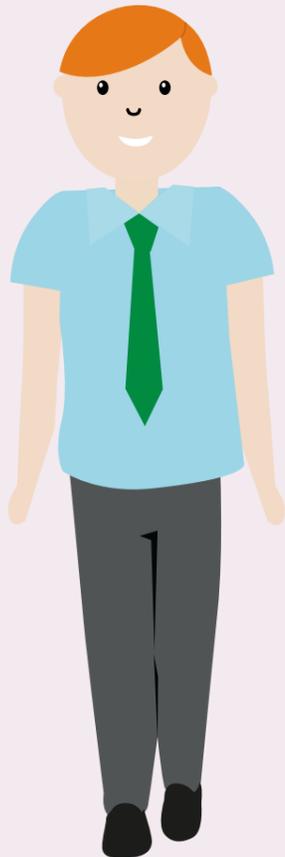
Application forms for an appeal can be obtained from and should be returned to:

Transport Officer, SEN Team  
Wood Street Health Centre  
6 Linford Road, Walthamstow  
London, E17 3LA

Tel: 020 8496 6500

Email: [assistancewithtravel@walthamforest.gov.uk](mailto:assistancewithtravel@walthamforest.gov.uk)

The decision will then be reviewed by the SEN Manager. You will receive a decision within 2 weeks with notification of the option to appeal to the next stage.



#### • Stage 2 – Appeal

You have 20 working days to challenge the review decision. This appeal will be passed to the Independent Travel Assistance Appeals Panel which will comprise Council officers and SEN practitioners who have been independent of the decision (this must not include the SEN Officer who made the initial decision or the SEN Manager). The panel will consider all of the evidence and make a final decision. This decision will be sent by letter within one week. You will make your appeal on a form and will present in person to the independent panel.

When requesting a review it is important for parents and carers to supply as much evidence as possible in support of their request. For example, it may be helpful for the appeal panel to have information about family circumstances, details of how the child currently travels to school and any concerns arising from that, whether a responsible adult is able to accompany the child to and from school etc. All evidence supplied will be taken into account by the review panel.

### COMPLAINTS

All complaints will be dealt with using Waltham Forest's staged approach. You can complain directly to the SEN Team at the above address or using the Council's website.

### OTHER INFORMATION

#### Duration

Once a pupil has been assessed as eligible for travel assistance, they will remain eligible for the entirety of the school year for which the assessment is made, unless the child's place of residence changes, in which case eligibility would be subject to reassessment.

Equally, if a child is assessed as not requiring travel assistance, the Council will not be obliged to re-assess the child for that school year, unless the child's place of residence changes or an appeal is lodged in line with the Appeals procedure.

All travel assistance offered is subject to annual review.

#### Multiple home addresses

The Council will provide assistance with travel from one home address only. Parents/carers of a pupil with more than one residence should nominate one address to be the pupil's 'main residence', from which travel assistance eligibility will be assessed. If no single address is nominated, the 'main residence' will be taken to be the address nearest to the school.

#### Children accessing split school place arrangements.

Arrangements for children to share a placement at a special school for part of the week and a mainstream or other special school for the remainder of the week will be made between the 2 schools concerned. Assistance with travel to and from the school bases at the beginning and end of the school day will be considered and arranged to support such arrangements. Any implications for travel between the 2 schools concerned will be the responsibility of the schools and will not be considered for assistance with travel within the terms of this policy.