

**Home to School Travel Assistance Policy
for children resident in Wokingham aged
5 to 16, including children and young
people with Special Educational Needs
and/or Disabilities**

Academic year 2022/23

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1. Principles

It is the responsibility of parents to ensure that their children regularly attend school. This includes making any necessary travel arrangements, except where there is a duty on the local authority to do so.

This policy sets out Wokingham Borough Council's responsibilities and commitment to meeting the home to school Travel Assistance needs of eligible children and young people (including those with special educational needs and disabilities) who are resident in Wokingham Borough and of compulsory school age (5-16).

Arrangements for young people of sixth form age and above are set out in a separate policy. Parents are referred to the Post 16 travel assistance policy which can be found at:

[Link will be included in published version]

The Council is committed to promoting children and young people's independence, social, and life skills essential for their preparation for adulthood. These goals underpin our Home to School Travel Assistance Policy because, where possible, children and young people, including those with special educational needs and/or disability, will be encouraged and supported to travel independently.

This approach helps to deliver our Community Vision and Strategic Priorities:

- Enriching Lives
- Safe, Strong Communities
- A Clean and Green Borough
- Right Homes, Right Places
- Keeping the Borough Moving
- Changing the Way We Work For You.

Parents are legally responsible to ensure their child's regular attendance at school. However, for a small number of children who are classed as eligible children, as defined in Schedule 35B Education Act 1996, Wokingham Borough Council has a duty to ensure that suitable Travel Assistance is provided, where necessary, to facilitate their attendance at school.

A parent will have a defense in law against a prosecution by a local authority for their child's non-attendance at school in cases where the local authority has failed to meet its duty to provide Travel Assistance for children classed as eligible for support.

THIS POLICY SUPERCEDES ALL PREVIOUS POLICIES, and will be regularly reviewed to take account of statutory duties and any changes to legislation.

2. The Council's Statutory Responsibilities

The Council has the responsibility to:

- Promote the use of sustainable travel and transport.
- Provide suitable travel assistance for eligible children.

The Council also has **discretion** to make transport arrangements, to subsidise travel costs, and to make appropriate charges, for young people who do not meet the criteria set out in the Act.

2.1 The duty to promote the use of sustainable travel and transport

The Council has a general duty to promote the use of sustainable travel and transport. This duty applies to children of compulsory school age who travel to receive education or training within the area - journeys to and from institutions where education or training is delivered¹.

The Education Act 1996 defines sustainable modes of travel as those that the local authority considers may improve the physical well-being of those who use them, environmental well-being, or a combination of the two.

This may include walking and cycling, as well as other modes of travel.

2.2 The duty to provide suitable travel assistance for eligible children

The Council has a duty under the Education Act 1996 (section 508B) to ensure that suitable Travel Assistance is provided, for eligible children, to facilitate their attendance at school².

'Eligible children' are defined in schedule 35 B of the Education Act 1996 as those children of compulsory school age (5 -16) for whom free travel assistance will be required.

The criteria specified within the Act is set out in sections below.

2.2.1 Statutory Walking Distances

The Council has a duty to provide free Travel Assistance for pupils whose homes are outside the statutory walking distance to the nearest suitable school:

- More than 2 miles (if the child is below the age of 8); or
- More than 3 miles (if the child or young person is aged 8 to 16)

2.2.2 Extended Rights

A child is **also** eligible for free home to school Travel Assistance if they are eligible for free school meals or if a parent with whom they live receives maximum Working Tax Credit and:

- they are aged 8 to 10 years, attend their nearest suitable school and it is more than 2 miles from their home; or
- they are aged 11 to 16 years, and attend one of their three nearest suitable schools which is between 2 and 6 miles from their home; or
- they are aged 11 to 16 years, attend a school that is between 2 and 15 miles from their home that their parents have chosen on the grounds of their religion or belief and, having regard to that religion or belief, there is no suitable school nearer to their home.

¹ Section 508A of the 1996 Education Act

² Sections 508B and 508C of the 1996 Education Act.

The introduction of Universal Credit has not changed the way eligibility for extended rights to home to school transport is determined. It will remain the case that children will be eligible for extended rights if they meet the criteria set out above.

2.2.3 Definitions

- a) “**Home**” is defined as the place where the child is usually resident. Where parents are separated or divorced, entitlement is assessed in terms of the home where the child spends the majority of their time. Where a child spends equal amounts of school days with each parent, travelling from two addresses to school, entitlement will be assessed from both addresses. Evidence may be required to support this assessment.
- b) “**Distances**” will be measured from where the home meets the public street, for example from the front gate to the nearest gate or point of access to the school premises, and by the shortest route along which a child, accompanied as necessary, may walk safely. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads. Distances for Extended Rights are measured in the same way. The upper limits for Extended Rights transport are measured via the shortest road route.
- c) “A **suitable school**” is defined in the Act as 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 and/or Disability that the child may have.
- d) “**Nearest qualifying school**” means the nearest available and suitable school;
- e) “**Nearest**” is determined by straight line distance;
- f) “**Available**” means a place is available to be allocated to the child or young person at the time an application is made.

The local authority is entitled to determine which schools are “suitable” under the definitions described above. This will normally include all Community, Voluntary Controlled and Voluntary Aided Schools, and Academies, unless a child has an Education Health and Care Plan (EHCP) which specifies a requirement for a specialist setting. This includes schools in other local authority areas but does not include independent (fee-paying) schools, except in the case of approved independent special schools for children with Special Educational Needs or Disabilities, **where this is named in the child or young person’s EHCP.**

2.2.4 Qualifying Schools and Parental Preference

Qualifying schools are:

- community, foundation or voluntary schools;
- community or foundation special schools;
- non-maintained special schools including residential (where deemed appropriate);
- pupil referral units; and
- Academies, including free schools and University Technical Colleges (UTC).

For pupils with Special Educational Needs and/or Disabilities an independent school can also be a qualifying school where this is named on the child’s Education, Health and Care Plan (EHC Plan), or where it is the nearest of two or more schools named.

Where a child is enrolled at more than one school their eligibility for Travel Assistance will be assessed on a case-by-case basis.

Parental Preference

In most cases parents are responsible for making arrangements for their child to get to school. When choosing which schools to apply for, parents should consider how their child will access that school, as **there is no guarantee that your child will be eligible for home to school travel assistance**. If there is a school with places available which could meet the needs of your child, and is closer to your home than the school or schools listed in your application and/or which offer your child a place, the placement will be classed as Parental Preference, and you are unlikely to qualify for travel assistance.

The Local Authority will provide transport where it is necessary to do so in order for a child to attend a local school, as set out in law and explained in this policy. Whilst it is a requirement that parental preference is respected wherever possible in allocating school places, this requirement does not extend to guaranteed provision of transport. Where parents select alternative schools to their designated or nearest schools, they accept responsibility for making their own transport arrangements for their children. Information about transport is published in the School Admissions Guides for parents. If transport costs are a significant factor in choosing schools, and it is not clear whether they would qualify for transport assistance to a particular school, further advice can be provided.

Additional points on Parental Preference and Eligibility

In Wokingham parents are entitled to express a preference for a place in **up to 4 schools**. Places are allocated after consultation with the various schools.

Where parents have made an application for a place at their preferred school but the local authority has been unable to meet this or any of their preferences, the local authority will allocate a place with the most accessible school with available places. In such cases the school will be treated as a qualifying school for transport assistance, unless this is unnecessary because the school is within safe walking distance.

If a parent/carer does not name the nearest suitable school in their original application this may affect their eligibility for travel assistance.

The relevant educational setting in relation to an eligible child will be either a qualifying school or the place, other than a school, where they are receiving education.

2.2.5 Safe Walking Routes

Safe walking route means a route which is safe for the child to walk accompanied if necessary (appropriate to their age and nature of the route).

The Council has a duty to provide travel assistance for children who cannot be expected to walk to the nearest suitable school where there is no safe walking route under the relevant statutory walking distance, even if accompanied by an adult.

Routes are assessed to be safe using nationally recognized road safety guidelines. The Council must consider a range of risks, including rivers, ditches, traffic speed, fields of vision for the pedestrian and motorist, and whether the route would be considered safe if the child were accompanied by their parent/carer/guardian.

Please note that working arrangements and childcare issues will not normally be considered for the purposes of assessment to be reasons why a child cannot be accompanied.

2.2.6 Travel Assistance during the school day and accompaniment

a) Travel Assistance only for the compulsory part of the school day

The duty to provide Travel Assistance to eligible children does not extend beyond the compulsory part (i.e. the start and finish) of the school day.

The Council is not required to provide Travel Assistance to facilitate a child's part-time attendance; a child's trial placement; the child's attendance at extra-curricular activities, including breakfast clubs and after school activities or to attend medical appointments.

There is no duty to provide free transport if suitable alternative arrangements are provided by another body or organization, e.g. the school.

b) Accompaniment

In deciding whether a child is eligible for Travel Assistance for reasons of Special Educational Needs, Disabilities or mobility, or unsafe route eligibility, the Council has a responsibility to consider whether the child could reasonably be expected to walk if accompanied by an adult.

The general expectation is that a child will be accompanied by a responsible adult, usually a parent, carer or guardian, where necessary, unless it is not reasonable to expect the parent/carer/guardian to do so. **Working arrangements and childcare issues will not normally be considered to be reasons why a child cannot be accompanied.**

The Council promotes equality of opportunity for parents with Disabilities. Where a parent's Disability prevents them from accompanying their child along a walking route that would otherwise be considered unsafe without adult supervision, a reasonable adjustment might be to provide free home to school Travel Assistance for the child in question.

2.2.7 Timing of assessment of eligibility

At the point when eligibility to home to school Travel Assistance is considered, the prospect of being able to secure a place in an alternative (usually nearer) school must be a real one. This will usually be at the point the Admissions application was made, and not necessarily at the time that the Travel Assistance application was made.

A smaller number of cases will need to be considered during the school year (e.g. as a result of families moving to a new area within the borough).

Where granted, travel assistance will normally apply for the whole of the school year of entry, unless there are significant changes, such as the family moving house or the child changing school.

Any entitlement to Travel Assistance is subject to review on an annual basis.

If a pupil ceases to be eligible any change to provision made by the Council will be considered in the context of the potential impact on the child, in order to avoid disruption as far as possible.

Any future changes to Travel Assistance or school Admissions policies that affect entitlement to free travel for future entry years will not be applied retrospectively to pupils deemed to be eligible for and entitled to travel assistance under the terms of this Travel Assistance policy.

3. Arrangements and eligibility for those with Special Educational Needs (SEN) and/or a Disability or mobility problems (including temporary medical conditions)

3.1 Provision for pupils aged 5-16 with Special Educational Needs and/or Disabilities

The Council has a duty to provide Travel Assistance for pupils with Special Educational Needs and/or Disabilities who are registered at their nearest suitable school which is **within** the statutory walking distance from their home, where the child cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their Special Educational Needs and/or Disability.

In order to be able to assess whether a child with Special Educational Needs, a Disability or mobility problems can reasonably be expected to walk to school, we will ask a parent (or other person requesting free travel for the child) to provide information about the child.

Eligibility is needs based - there is no automatic entitlement to Travel Assistance just because a young person has a Special Educational Need or Disability, even where an Education and Health Care Plan (EHCP) has been issued. Applications will be considered on a case-by-case basis, and regularly reviewed, taking into account the child's Special Educational Needs and/or Disability, mobility or medical needs, as well as any exceptional circumstances.

Professionals supporting an application for Travel Assistance for a child or young person with SEND should provide evidence in support of why, in their professional opinion, it is not reasonable to expect the child to be able to walk to school, even if accompanied. Arrangements for Travel Assistance will be kept under review (annually at a minimum), in order to ensure any arrangements for Travel Assistance are still appropriate; fresh relevant supporting professional evidence may be required at each review.

Please note the Council has responsibility to ensure children's needs are addressed, and this includes providing travel assistance which facilitates the best opportunity for developing independence. Further details on this can be found in Section 4.4, "Supporting independence and the development of self-reliant travelers".

3.2 Short Term medical conditions

Consideration will be given by the Council to provide home to school Travel Assistance for pupils with temporary medical conditions.

If a child suffers from a temporary physical or medical condition that means they are unable to walk to school or travel in their usual manner, then Travel Assistance may be provided. Applications for transport on this basis must be supported by appropriate evidence from the medical profession. This may include, but is not restricted to, a letter from the child's consultant or other medical professional involved in the child's medical welfare.

If the child attends a school outside their designated area, parents will normally be required to pay a contribution towards the Council's costs. Travel Assistance provided on this basis will be reviewed every half term and may require submission of further evidence on completion of a review.

4. Types of Travel Assistance provided

The type of travel assistance offered will be for the Council to decide, taking into account the needs of the young person and the nature of the journey to be undertaken.

The assistance offered might include, but is not limited to:

- A parent consenting to use their car in return for payment of a mileage allowance;
- A parent consenting to a walking escort or responsible adult to escort the young person on public transport;
- Training and support to travel independently (see Independent Travel Training section [XX] below for more details);
- Free passes for children on public transport;
- Provision of a seat on a dedicated school bus or minibus, or
- A seat in a taxi, usually shared with one or more other pupils, where a pupil's needs require more personalised arrangements.

Applications received during the academic year will be dealt with as quickly as possible with transport arrangements being confirmed within ten working days wherever possible.

The Council will determine the means of travel assistance to be provided, to ensure the appropriate Travel Assistance is provided to meet the needs of the child and young person, through the most efficient use of resources.

4.1 'Suitable' Travel Assistance arrangements

For Travel Assistance to be suitable, it must be safe and reasonably stress free, to enable the child to arrive at school ready for a day of study. It would not normally require that a child makes several changes on public transport resulting in unreasonably long journey times.

Government Guidance advises that 'best practice' is that a child of primary school age should not travel for more than 45 minutes each way, and secondary school age - a maximum of 75 minutes - including any walking time.

It is desirable that journeys to special/specialist settings for children with complex needs should be shorter, but it is recognised that this may not be possible, especially where a child's special educational needs can only be addressed in an out-of-borough placement.

4.2 Mileage Allowance

A mileage allowance may be offered to parents/carers/guardians who are entitled to free home to school Travel Assistance, where this offers best value for money and the parents/carers/guardians agree to this.

This option may be of particular interest to you if:

- the child/young person has complex needs and you wanted to make your own travel arrangements;
- you wanted to combine the council's contribution with your personal finances, and other benefits or bursaries to provide the young person with bespoke travel assistance to meet their needs and fit in with your family circumstances;

- The child/young person is attending a course, all or part of which is outside the normal school day

If you were offered this form of Travel Assistance, it would be your responsibility to ensure that your travel arrangements enable the young person:

- to travel safely;
- to attend college regularly and on time;
- to be effectively educated once they arrive at school/college.

Attendance levels will be monitored and money will be reclaimed for non-attendance at school/college.

4.3 Pick-up Points

Eligibility for Travel Assistance is assessed based on the pupil's registered home address, but any transport provided may not necessarily be door to school gate. Local Authorities are able to use reasonable pick-up and drop-off points in appropriate individual cases. This may be a bus stop or other place where young people can safely wait for their vehicle. The Council aims to ensure there are safe and appropriate pick-up points within reasonable distance from schools and centres of population. Pupils can be required to walk to and from a central pick up and/or drop off point. This will usually be within one mile walking distance from the child's home, and total walking distance will be within the relevant statutory mile walking distances according to age and ability, and in the light of any identified Special Educational Needs and/or Disabilities.

4.4 Supporting independence and the development of self-reliant travelers

The Council is committed to supporting all children and young people to achieve their maximum potential, and become as independent as they are able to be. The Council has responsibility to ensure that children's needs are addressed, and this includes providing Travel Assistance which facilitates the best opportunity for developing independence.

Where it is safe, appropriate and reasonable to do so, pupils with Special Educational Needs and/or Disabilities will be expected to walk, accompanied as necessary by a responsible adult, to and from a common pickup point near their home.

In order to better support young people to travel independently, the Council may offer Independent Travel Training in their Travel Assistance offer. The training will support the child/young person to learn the necessary skills to allow them to effectively deal with and resolve a range of scenarios that they might encounter when travelling on public transport. Under these circumstances, a trainer will travel and work with the young person on a 1:1 basis to ensure that the skills taught are understood and put in to practice independently. Training may include:

- Timetables (including time management).
- Orientation.
- Road Safety.
- Accessibility (access to transport, exits and purchasing tickets).
- Communication.
- Personal Safety (including what-if scenarios).
- Travel planning and preparation.

Where the Corporate Transport Unit identify that a child/young person may have the potential to be supported to travel independently through a travel training programme, a formal assessment will be undertaken to help create a personalised travel plan and identify what

training would be required. Training programmes last on average 12 weeks, and the young person will only complete the training once the trainer and the young person, together with their family/carer agree that they have gained the necessary skills to travel on public transport on their own.

Once a child/young person is deemed capable of independent travel no further Travel Assistance will be offered except in exceptional circumstances.

5. Residential Schools

Where children with Education Health and Care Plans (EHCPs) require a residential placement following assessment, Travel Assistance may be offered as follows:

- Weekly borders: Travel Assistance between home and school once each direction each week
- Termly boarders: Travel Assistance between home and school at the beginning and end of each term and half term
- 52-week placements: Travel Assistance between home and school for eight visits throughout the year

Travel Assistance will not normally be provided to and from respite placements.

6. Travel Assistance for those not eligible for Free Home to School Transport under this policy

6.1 Children below statutory school age

There is no statutory duty to provide Travel Assistance for those under the age of 5. The Council may exercise its discretionary power and provide home to school Travel Assistance for children under the age of five on a case-by-case basis.

6.2 Fare-paying options for non-eligible children

If a pupil does not qualify for free Travel Assistance under this policy, a surplus seat may be purchased on an existing contract vehicle where a seat is available, subject to certain conditions. If the seat is required at any time in the future by a pupil entitled to free Travel Assistance, then the parents of the fare-paying child (i.e. who have purchased discretionary Travel Assistance) may need to make alternative arrangements. In these circumstances a refund of fare for the unused portion of the year will be payable. Fare-paying seats are not normally made available if there is public transport operating over the same or very similar route.

7. Exceptional circumstances, change of circumstances and other assistance

The following are examples of exceptional circumstances and changes of circumstances. The Council will always consider a request to exercise its discretion in a particular case to provide free home to school travel assistance.

a) Change of address

Parents/carers/guardians must inform the Council in writing of any change of address as soon as possible, as eligibility for Travel Assistance will need to be reviewed.

In exceptional cases, pupils may remain at their current school with Travel Assistance provided, for example if a school move is at a crucial time in their studies and it is not in their interests to change schools. Each case will be considered on an individual basis.

b) Pupils living in temporary accommodation

If a pupil is of statutory school age and the family are placed in Temporary Accommodation by the Council, consideration will be given to the provision of education Travel Assistance for a limited period. This period will be determined by taking the individual circumstances into account (e.g. reasons for the displacement, age of the child(ren), likely timescales, parent/carer/guardian's circumstances etc).

c) Change of child's needs

From time to time a child's needs can change during the year. If the current Travel Assistance is no longer meeting the child's needs, parents should in the first place contact the Community Transport Unit to discuss the change in needs, and any reasonable adjustments that may be required. In some cases, further evidence or advice from professionals involved with the child may be required.

d) Changing Schools

Where a parent decides to change their child's school after they have started, the child's eligibility for Travel Assistance will have to be reconsidered. This may include the need to make a completely new application.

e) Transport to a Pupil Referral Unit or other education provider

Although the Council offers Travel Assistance in cases where eligibility criteria are met, it is still the responsibility of parent/carers/guardians in all circumstances to ensure their children get to school. This includes attendance at a Pupil Referral Unit and any other places where education may be provided.

Parents/carers/guardians should be aware that there is no automatic transport entitlement to and from the Pupil Referral Unit or similar education provider at any other time. This also applies to pupil exclusions.

Even where Travel Assistance is provided, parent/carers/guardians still have a responsibility for the behaviour of the child and will need to play a part in the process.

Transport to a Pupil Referral Unit and to other places where education may be provided will only be provided in accordance with the child's general entitlement. If a child has been placed temporarily in a Pupil Referral Unit, they may be eligible for Travel Assistance if eligibility criteria are met.

Any requests for exceptional assistance will need to be supported by documentary evidence from the Pupil Referral Unit e.g. Medical Certificate or a Court Order.

Travel Assistance may be withdrawn from pupils who regularly fail to attend the PRU – responsibility for transportation to ensure regular attendance will then pass to parent/carers/guardians.

f) Pupils Excluded From School

A pupil permanently excluded from a school will be provided with Travel Assistance to his or her new school provided it is both the nearest suitable school, as agreed by the Council and is outside the statutory walking distance from home.

g) Temporary Attendance at Alternative Provision

Where a pupil is registered at a school but is attending a place other than that school as a result of temporary exclusion, eligibility for Travel Assistance will apply to the other place for the temporary period.

h) Elective Home Education (EHE) and Education Other Than At School (EOTAS)

Where parents have made the choice to educate their child at home no assistance will be available from the Council in connection with any transport need(s) arising.

Where the Council arranges for a pupil to have education other than at school, the Council will provide Travel Assistance subject to normal eligibility rules on home to school Travel Assistance.

i) Travel Assistance provided in error

Where free Travel Assistance has been provided in error, or, where there have been material changes to the route to school, provision will be withdrawn. However, Travel Assistance will continue until the end of the term in which the error was notified, in order to allow parents/carers/guardians time to make alternative arrangements.

8. Behaviour on School Transport

Parents, schools, pupils, transport contractors and the Council, working in partnership, all share responsibility for ensuring that acceptable behaviour is maintained to ensure safe and stress-free school transport for all.

In particular we expect all young people to:

- Be ready for their transport in good time,
- Behave in a safe and responsible way whilst travelling,
- Follow all instructions from the driver (or Passenger Assistant where one is provided) especially in an emergency,
- Wear seatbelts or appropriate safety harnesses at all times whilst on the vehicle, where these are provided.

Bullying, including the use of hate speech, will not be tolerated, and will be reported to parents and school/college. We will not tolerate abuse of any sort, whether from a young person or from their parents and carers.

Children and young people with SEND are expected to behave in a safe and appropriate manner whilst on transport. The Council will work with schools, parents, and the child to help

manage behaviours to ensure the ongoing safety and comfort of all passengers including drivers and any passenger assistants.

Should a pupil misbehave whilst being transported to or from school, the provision of transport may be withdrawn either for a period of time or permanently. Normally a warning letter will be sent to parents/carers/guardians prior to transport being withdrawn. However, in the event that any incident is considered serious enough, following an investigation by the Transport team, the withdrawal of transport may be immediate. In this instance the responsibility for ensuring attendance at school will remain with the parent/carer/guardian of the child.

As part of its responsibilities to ensure that children and young people in Wokingham are safe, the Council will engage with transport operators and providers in the local area to ensure that drivers are aware of and carry out their safeguarding responsibilities appropriately. If parents and carers have any issues or concerns around the safeguarding of their or other children whilst being transported to or from a place of education or learning, they should contact the Travel Assistance team without delay.

9. How To Apply

Starting school and transferring to secondary school

Pupils without an Education Health and Care Plan (EHCP)

Application Forms are available online at:

<https://www.wokingham.gov.uk/schools-and-education/school-information-and-services/school-and-college-transport/>

When to Apply

Parents and carers who wish to apply for Travel Assistance should do so as soon as the offer of a school place has been accepted. For parents and carers who file an appeal against a placement, the application should be made as soon as possible after the appeal outcome is known.

Those wishing to be considered for Travel Assistance under the extended rights criteria should include evidence of income and/or entitlement to free school meals with their application.

If Applications for Travel Assistance are made as soon as the offer of a school place has been accepted, applicants will be notified of outcomes from their application as soon as appropriate Travel Assistance has been secured, and at least 21 days before the start of the Academic Year.

Travel Assistance arrangements will be reviewed on an annual basis, to ensure that any Assistance provided during the Academic year remains appropriate and that eligibility criteria for the forthcoming Academic year are met. Reviews will be carried out in the Spring of each academic year. One possible outcome of these reviews is that Parents/Carers may be asked to re-apply for Travel Assistance support. Applications will need to be submitted and assessed before the end of the Summer term in the Academic Year.

In year transfers or newcomers to the area

Applications for Wokingham Borough schools are considered half-a-term in advance of the school place being required. Parents and carers should apply for travel assistance as soon as they have a school place confirmed.

Pupils with an Education Health and Care Plan (EHCP)

Parents will still have to complete an application form, but they should include evidence of additional needs, including why they believe it is unreasonable for them to accompany their child to school, where this is appropriate.

Completed application forms should be sent to the SEND Team [*appropriate contact email address to be included in published version*]

If Applications for Travel Assistance are made as soon as the offer of a school place has been accepted, applicants will be notified of outcomes from their application as soon as appropriate Travel Assistance has been secured, and at least 21 days before the start of the Academic Year.

Travel Assistance arrangements will be reviewed on an annual basis, to ensure that any Assistance provided during the Academic year remains appropriate and that eligibility criteria for the forthcoming Academic year are met. Reviews will be carried out in the Spring of each academic year. One possible outcome of these reviews is that Parents/Carers may be asked to re-apply for Travel Assistance support. Applications will need to be submitted and assessed before the end of the Summer term in the Academic Year.

10. Complaints and Appeals

What is the difference between an appeal and a complaint?

Complaints arise when you are unhappy about something, for example, you may feel you have not been dealt with properly or in a professional manner, that information given to you was incorrect or that there has been an unacceptable delay.

In the first instance please contact the Corporate Transport Unit (CTU) via email to **Schooltransport@wokingham.gov.uk**. If further to this your issue has not been resolved, please follow the Complaints Procedure.

With an appeal, you may be perfectly happy with the way that you have been treated but feel that the wrong decision has been made and would like it re-examined. For these issues, please follow the Appeals Procedure.

10.1 Complaints Procedure

Complaints about the provision of Travel Assistance will be investigated in accordance with the Council's Complaints Policy.

The complaints policy can be found at:

<https://www.wokingham.gov.uk/contact-us/complaints-and-compliments/>.

This does not apply to complaints about a refusal to grant transport, which will be dealt with through the Transport Appeals procedure (see below).

10.2 Appeals procedure

Parents/guardians/carers or a young person are entitled to challenge the decision of the Council to refuse to provide assistance with transport as set out in this policy or when the parents/guardians/carers or young person consider that the Travel Assistance, offered by the Council, is unsuitable.

A decision may be challenged on the following grounds:

- eligibility
- distance measurement; and/or
- safety of the route
- suitability of transport arrangements offered

Stage 1 – Review of decision

You have 20 working days from the receipt of the transport decision to make a request for a review of the original decision.

The request should detail why the decision should be reviewed and give personal and/or family circumstances, which you believe should be considered during the appeal process.

How to make a Stage 1 appeal

You should make your appeal in writing, either by letter or email. Please provide us with the following information:

- Confirmation that you are the legal parent or guardian of the child
- the date you received our transport notification
- Child's first name and family name
- Child's date of birth
- Your full name and address
- Your email address
- Your phone/mobile number
- Reasons for the appeal (i.e. eligibility, distance, route safety or transport assistance) and your reasons for challenging the Council's decision
- Any additional evidence you wish to present to support your request for travel assistance.

and then email your appeal request to:

Corporate Transport Unit, Wokingham Borough Council, Shute End, Wokingham, RG40 1BN or email to Schooltransport@wokingham.gov.uk

A Senior Officer from the Council will review the original decision and will send you a letter, detailing the outcome of the review within 20 working days of the receipt of the written request.

This will set out the following information:

- the nature of the decision reached
- how the review was concluded
- information about other departments and/or agencies consulted as part of the process
- what factors were considered

- the rationale for the decision reached
- Information about escalation to Stage 2, if appropriate.

Stage 2 Appeal

If you are unhappy with the decision made at Stage 1, you will have 20 working days from the receipt of the Council's decision to make a request to escalate the matter to Stage 2 appeal.

How to make a Stage 2 Appeal

Please send your written request to:

Corporate Transport Unit, Wokingham Borough Council, Shute End, Wokingham, RG40 1BN or email to Schooltransport@wokingham.gov.uk

Your stage 2 appeal will be heard by an independent appeal panel which will be convened to consider the appeal within 40 working days.

No member of the appeal panel will have been involved in the original decision to decline Travel Assistance. This panel will consider verbal and written representations from the parent/guardian/young person involved in the request.

You may request to attend the hearing to present your case in person if you wish.

The Senior Officer involved in the review of the decision at Stage 1 may also be invited to attend.

You will receive a letter, detailing the outcome of the appeal hearing, which will set out the following information:

- the nature of the decision reached
- how the review was concluded
- information about other departments and/or agencies consulted as part of the process
- what factors were considered
- the rationale for the decision reached
- information about escalation to the Local Government Ombudsman (LGO) if appropriate

Local Government Ombudsman (LGO)

You have a right of complaint to the LGO if you feel that there was a failure on the part of the Authority to comply with procedural rules or there was an irregularity in the way the appeal was handled.

The LGO can be contacted at:

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Helpline: 0300 061 0614.
www.lgo.org.uk

11. Key Contacts

CORPORATE TRANSPORT UNIT (CTU):

[Appropriate email and contact numbers will be added in published version]

SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) TEAM:

[Appropriate email and contact numbers will be added in published version]