

SPECIAL EDUCATION NEEDS HOME TO SCHOOL/COLLEGE TRANSPORT POLICY FOR THE 2024-25 ACADEMIC YEAR POLICY AND PROCEDURES

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Preface

This policy applies to children living in Leicestershire and describes free and assisted transport entitlement to schools, academies and colleges for children and young people with Special Educational Needs (SEN) and/or disabilities. This policy should be seen as supplementary to the [Mainstream Home to school Transport Policy](#) for the same academic year.

Families should read the Mainstream Policy to ensure that they are aware of the overarching principles that it contains. Please note in particular the sections relating to changes of address, split families, transport withdrawal, distance measurement, exceptional circumstances and charges.

Definitions/documents supporting this policy

Please refer to the Mainstream Policy for definitions that also apply to this document.

In addition, the following appendices shown in the Mainstream Policy also apply to this policy:

Appendix 1 - Appeals procedure

Appendix 2 - Walking route assessments

Appendix 3 - Charges

Appeals

Appendix 2 details the appeals procedure. Please note that this procedure exists for parents who feel that this policy has been applied incorrectly or if they have a complaint against the service provided. The appeals procedure is not available to parents solely because they disagree with the policy.

1.0 Introduction

- 1.1 This policy for pupils with SEN, disabilities and mobility needs is supplementary to the Mainstream Home to School/College Transport Policy, which applies to all pupils. It is specifically concerned with travel assistance between home and school at the start and end of the school day.
- 1.2 The Mainstream Home to School/College Transport Policy explains the underpinning legislation and policy, including sections on safety and walking to school and the Local Authority (LA) obligations for Extended Rights for Low Income Families.
- 1.3 This policy does not apply to pupils attending independent and/or fee-paying mainstream schools and colleges. However, some pupils with Education Health and Care Plans (EHCP) attending independent & non-maintained special schools, including academies may be eligible for travel assistance.
- 1.4 This policy explains how the LA assists with home to school travel arrangements for pupils with qualifying SEN/disabilities/other mobility needs whether the pupil's school place is in a mainstream school, unit attached to a mainstream school or a special school and whether it is within the statutory walking distance or further away from home.
- 1.5 Parents/carers should be aware that they will be required to complete an application form to be assessed for transport eligibility. An individual risk assessment of the pupil's transport needs may be required. Delays in the provision of information required for such an assessment may lead to a delay in transport being arranged.
- 1.6 The guidance notes that are associated with the discretionary transport schemes for students over compulsory school age (Post 16) and nursery children should be considered as part of this policy.

2.0 Legal framework

- 2.1 The legal responsibility for ensuring that a child attends school lies with the parent or carer and this includes accompanying a child to school where necessary. In the event that parents are working or otherwise unavailable at the time their child travels to and from school it remains the parents' responsibility to make arrangements to ensure that their child attends school.

3.0 Travel assistance and eligibility

- 3.1 Travel assistance will be assessed on an individual basis and will be provided by the LA in the most cost effective and appropriate way whilst meeting the child's assessed travel needs. It may be provided in a number of ways, including taxi, bus, public transport, PTB (Personal Transport Budget) and concessionary travel passes as appropriate. Independent travel training may also be provided. All eligibility and travel assistance arrangements will be reviewed annually and at times of transition e.g. moving from primary to secondary education; to ensure that the basis for entitlement continues and the method of travel assistance remains appropriate.
- 3.2 Travel assistance is provided for primary aged children with an EHCP who attend a school which has been designated by the LA as the appropriate school that meets the needs of the child or other nearer qualifying school **and** the distance between home

and school is more than 2 miles (see Mainstream Policy for details of distance measurement and qualifying schools information).

- 3.3 Travel assistance is provided for secondary aged children with an EHCP who attend a school which has been designated by the LA as the appropriate school that meets the needs of the child or other nearer qualifying school **and** the distance between home and school is more than 3 miles (see Mainstream Policy for details of distance measurement and qualifying schools information).
- 3.4 Where the distance to be travelled is less than those distances specified in 3.2 and 3.3 above and/or when a child has no EHCP, travel assistance to the nearest qualifying school will be considered taking into account the individual circumstances and the travel needs of children with significant sensory, physical, medical or behavioural difficulties that prevent them from getting to school even when accompanied by a parent/carer.
- 3.5 Travel assistance sought under paragraph 3.4, will be considered using supporting written evidence, within the preceding 12 months, from a range of sources, for example, Education or Health professionals, parents and school SENCO, that describes the child as having:
- long term severely restricted independent mobility, due to a physical disability;
 - long term severely restricted independent mobility due to a medical condition resulting in severe persistent pain and/or extreme fatigue;
 - a sensory impairment resulting in severely restricted mobility;
 - severe behavioural emotional and/or social difficulties in comparison with other children of their age. This may be linked with cognitive ability or be as a result of a specific development disorder.

This is not an exhaustive list and requests will be considered on a case by case basis.

Note: “Long term” describes something that is likely to last for at least a year and in many cases for the rest of the life of the person affected.

- 3.6 Travel assistance is only provided at the normal school/college start and finish time. However, exceptions will be considered based on the long term medical/health needs of a child where they can only attend school on a reduced hours basis.
- 3.7 Where a child is educated offsite or at another campus, the school or college is responsible for making travel arrangements.
- 3.8 When a child is making a transition between one school and another the LA will consider providing transport to manage that transition depending on the individual needs of the child. Any transition agreed would generally be for a maximum of 3 months and only during the school day (activities outside the normal school day are not included and transport will remain the responsibility of parents and schools).
- 3.9 Where travel assistance has been agreed, the following exceptions apply and therefore, transport will **not** be provided for:-

- offsite education, extracurricular activities or journeys between institutions within the school day (for journeys of this nature the organising school or institution will be responsible for transport arrangements)
- induction days, taster days, open days or interviews
- assessment days (except when required by the SEN Assessments Service)
- work experience
- school trips (for journeys of this nature the organising school or institution will be responsible for transport arrangements)
- dental, medical or hospital appointments, or other non-educational appointments
- children taken ill during the day
- children that are excluded during the day
- examination timetables – transport will not be tailored to examination timetables; it will only be provided at the standard school/college start and finish times
- before and after school activities – where a family wish a child to attend activities before or after school, then parents/carers, or the school are responsible for making travel arrangements
- where the child is staying in Short Break (respite) care - requests for transport to and from Short Break or residential care should be directed to Social Care within the LA's Children and Family Services Department
- in the event that there is a risk to health and safety of staff/pupils and others using the transport from the misbehaviour of a pupil, access to school transport may be suspended and in serious cases permanently withdrawn as set out in the Mainstream Policy. When considering suspension or withdrawal of provision regard will be given to the extent to which the child's disability has impacted upon their behaviour and what steps can be taken to eliminate the effect of that disability on their behaviour

4.0 Application process

- 4.1 Application forms for discretionary services provided under this policy must be completed annually and any payments required must be made in good time.
- 4.2 Requests for travel assistance in relation to paragraph 3.5 (disability grounds) and/or in exceptional circumstances must be made using the application form available on the Council's website or from the address at the end of this policy.
- 4.3 Requests must be supported by appropriate professional documentation and sent to the same address.
- 4.4 Applicants will normally be notified of the decision in writing/by email within 10 working days of receipt of the completed application; if further information is required it may not be possible to make a decision within this timescale.
- 4.5 At busy times of the year, especially over the summer, some applications are dealt with in batches and it may not be possible to comply with this guideline for processing

applications however the Assessments Team will endeavour to process applications quickly.

- 4.6 Applications that do not have appropriate evidence in support, for example, evidence from health or education professionals, study timetables, exemption from charges documentation or are otherwise incomplete will not be processed but returned to the applicant for the application to be completed and resubmitted.
- 4.7 If assistance is required in completing the application then please contact:
SEND Information Advice & Support Service (SENDIASS)
Telephone: 0116 3055614
Email: SENDIASS@leics.gov.uk
Website: www.leicestershire.gov.uk (Search for "SENDIASS")
- 4.8 Parents/carers are reminded that it is their legal duty to ensure their child's attendance at school. That duty is not affected pending the outcome of an application, review or appeal procedure.

5.0 Where pupils attend residential schools

- 5.1 Where a pupil attends a qualifying residential school, transport will be arranged by the LA in accordance with Section 3 and the funding placement terms agreed by the LA, or the parents will be given a Personal Transport Budget to make their own arrangements (at a rate agreed by the LA). For example, this will usually be in one of the following 2 ways, where the LA funds a:
- weekly placement only – a journey to and from school at the start and end of the school week
 - termly placement (including funded weekend stays) – this means a maximum of 12 individual journeys will be provided/supported in any one academic year i.e. one journey in at the start of each half-term and one journey back at the end of each half-term
- 5.2 Parents will be expected to arrange and fund any additional trips to and from home and the residential placement themselves.

6.0 Children accessing Specialist Maintained Nursery provision within Leicestershire

- 6.1 The LA has a discretionary power to provide transport assistance to those children attending Specialist Maintained Nurseries. Provision is made available to children at a subsidised level, with a contribution from the family (an annual charge – see the mainstream policy for a list of current charges).
- 6.2 The following children will be eligible for travel assistance:
- children aged 2, 3 and 4 who attend a Specialist Maintained Nursery which has been designated by the LA as the appropriate nursery that meets the needs of the child (as in the 2 bullet points below) and the distance between home and school is more than 2 miles

and

- for those who live to the west of the M1 motorway - Sketchley Menphys Nursery School or other nearer nursery by mutual agreement with the parents and LA

or

- for those who live to the east of the M1 motorway - Wigston Menphys Nursery School or other nearer nursery by mutual agreement with the parents and LA

6.3 Where the distance to be travelled is less than those distances specified in 6.2, travel assistance will be considered taking into account the individual circumstances and the travel needs of children with significant sensory, physical, medical or behavioural difficulties that prevent them from getting to school even when accompanied by a parent/carer.

6.4 Travel Assistance sought under paragraph 6.3 will be considered using supporting written evidence, within the preceding 12 months, from a range of sources, for example, education or health professionals, parents and school SENCO, that describes the child as having:

- long term severely restricted independent mobility, due to a physical disability;
- long term severely restricted independent mobility due to a medical condition resulting in severe persistent pain and/or extreme fatigue;
- a sensory impairment resulting in severely restricted mobility;
- severe behavioural emotional and /or social difficulties in comparison with other children of their age. This may be linked with cognitive ability or be as a result of a specific development disorder.

This is not an exhaustive list and requests will be considered on a case-by-case basis.

Note: “Long term” describes something that is likely to last for at least a year and in many cases for the rest of the life of the person affected.

6.5 Alternative provision to the nurseries listed in paragraph 6.2 may be made where it is in the interest of managing specialist maintained nursery vacancies/waiting lists.

6.6 Charges will be calculated annually and publicised accordingly.

6.7 Children from low income families (see mainstream policy for definition) will be assessed at the point of application and annually thereafter will be eligible to a 50% discount on the charge.

6.8 Written submissions can be made for consideration of individual exceptional circumstances.

6.9 Requests for travel assistance for those children living within 2 miles of a specialist nursery should be made in writing using the application form and supported by appropriate professional documentation to the address at the end of this policy.

7.0 Transport assistance for students over compulsory school age (aged 16-19*) attending a school

- 7.1 The LA has a discretionary power to provide transport assistance to those over compulsory school age. Provision may be made to students aged 16-19* at a subsidised level, with a contribution from the student (an annual charge). Eligibility will be determined as per paragraphs 3.3 – 3.9 of this policy and charges will be calculated annually, applied and publicised accordingly (see Mainstream Policy for charge rates).

* Those students who are aged 18 at the start of the academic year but may turn 19 during the academic year.

- 7.2 Students from low-income families (see mainstream policy for definition) will be assessed at the point of application and annually thereafter and will be eligible to a 50% discount on the charge.
- 7.3 Transport assistance for 16-19 year olds will **only** be provided via a Personal Transport Budget (PTB) direct payment i.e. not via taxis or Council fleet minibuses, although requests for traditional transport methods will be considered on a case by case basis – see Appendix 1.

8.0 Transport assistance for students over compulsory school age attending a Further Education (FE) College/free-standing Sixth Form College (aged 16-25)

- 8.1 Students aged 16-25 who are attending a full-time college course (a full-time course is defined as one of at least 648 guided learning hours during the academic year) and meet the following eligibility criteria are eligible for transport assistance not extending beyond the academic year in which they are or turn 25 if the student attends a FE/free-standing Sixth Form college more than 3 miles from their home address **and**:

- that is the nearest college offering the course identified by the LA (defined by the end qualification(s) in the case of mainstream study or by the course content in the case of SEN courses);

OR

- meets the same criteria for statutory age children detailed in paragraphs 3.3 – 3.9 of this policy.

- 8.2 Transport assistance for 16-19 year olds will **only** be provided via a Personal Transport Budget (PTB) direct payment i.e. not via taxis or Council fleet minibuses, although requests for traditional transport methods will be considered on a case by case basis – see Appendix 1. The rules for students aged 19*-25 years are different, so transport has to be free of charge when deemed necessary by the Council, but a PTB will remain the standard offer for those students.

* Those students that are already 19 at the start of the academic year.

- 8.3 There is a charge for SEN transport assistance for students over compulsory school age (see mainstream policy). Students from low-income families will be assessed at the point of application and annually thereafter and will be eligible to a 50% discount on the charge. For students over the age of 19 (for the full academic year), if the Council deems transport to be necessary to facilitate attendance at an FE/free-standing Sixth Form College to meet a specific educational outcome, then no charge will be made.
- 8.4 For the purposes of assessing eligibility to transport assistance, all FE/free-standing Sixth Form colleges should be considered as equally able to meet the special education and/or disability needs of SEN students unless parents or the student can demonstrate clearly that a particular college or education is unsuitable to meet their particular education and/or disability needs.
- 8.5 Transport assistance is not available to students studying Higher Education courses.

9.0 Process of review (appeal)

- 9.1 Should parents/carers wish to have a review of the LA's decision not to provide travel assistance, type of transport provision or policy application then they should use the appeals process outlined in Appendix 2.
- 9.2 The process for reviewing walking routes to school is shown in the Mainstream Policy.

General Enquiries:

General enquiries and specific requests should initially be addressed to:

Address: Transport Assessments
Highways and Transport Services
Environment & Transport Department
Leicestershire County Council
County Hall
Glenfield
Leicester
LE3 8RJ

Telephone: 0116 305 0255

Email: TransportAssessments@leics.gov.uk
(noting that standard email is not secure for personal information)

Website: www.leicestershire.gov.uk/send-school-transport

If you require this information in an alternative version such as large print, Braille, tape or help in understanding it in your language, please contact 0116 305 0001, or e-mail:

CustomerServices@leics.gov.uk

Further details available on our website: www.leicestershire.gov.uk

APPENDIX 1: Post 16 SEN Home to School/College Transport Assistance - Frequently Asked Questions (FAQs)

What is changing?

Like most local authorities, Leicestershire County Council is continuing to face significant financial challenges. This means difficult decisions about services in all areas of the council's work.

The Council does not have a statutory duty to provide home to school/college transport free of charge to students aged 16 to 19 in the same way it does for children aged 5-16 years. Some forms of transport provided are subject to a charge (including for low-income families) e.g. taxis and minibuses but these still cost the Council much more than the contribution made by families.

Following a full public consultation during the autumn term 2017, the Council's Cabinet agreed on 9 March 2018 to change the School Transport policy for pupils as listed below. The changes took effect **from September 2021**, irrespective of the transport and/or charges that may have applied to students up to that point i.e. there will be no transitional arrangements. The full changes to the SEN transport policy are:

- For all eligible SEN children **aged between 16 and 19 years**: stopping traditional transport methods (taxis or Council fleet minibuses) and replacing them with a Personal Transport Budget (PTB) direct payment (although there may be some exceptions to this that will be considered on a case by case basis). The rules for students aged 19-25 years are different so transport has to be free of charge when deemed necessary by the Council, but a PTB will remain the standard offer for those students.
- For low-income families using SEN transport for those **aged between 16 and 19 years**: there will be an annual contribution of £330 payable. This is 50% of the full charge payable by non-low-income families. As above there is no charge for eligible students aged 19-25 years.
- For low-income families using **nursery** transport: there will be an annual contribution of £330 payable. This is 50% of the full charge for non-low-income families and may change based on budget updates in future.

View [full details of the consultation and Cabinet decision](#) (including changes to the Mainstream Home to School Transport policy).

Will my child still be eligible for support?

The policy changes the type of support young people may receive. It does not change the eligibility criteria. When a young person enters Post 16 education they are assessed annually to determine their ongoing eligibility and the suitability of their transport arrangements.

Will this affect my child's education options/choice?

Young people will still be able to choose the school/college course that meets their needs and aspirations, as agreed with the Council's Special Educational Needs and Assessment Service (SENA); but note that the Council will only fund transport assistance to the nearest school/college that meets the student's needs subject to eligibility criteria in the transport

policy. Families should consider this now when evaluating options for their child's Post 16 education.

My child is currently in Post 16 education or is starting in September 2024. How will this affect him/her?

The Council's new policy on the provision of PTBs affected all Post 16 students at the same time i.e. **from September 2021**. This means that if your child is under 16 and currently has a place on a Council minibuss or a private taxi or is allocated one for the current 2023-24 academic year; this will end in July 2024 and will be replaced with a PTB in September 2024 and future years.

If eligible for transport assistance, your child will receive assistance under the new SEN transport policy. As part of a young person's EHCP review, we will usually discuss Post 16 choices between years 9-11. An SEN assessment officer will speak to you as part of this process – including the location of any schools/colleges you may be considering and how you will be able to access those using a PTB.

Where can I find out more information on how PTBs work and how much money will I be entitled to?

The Council revised its PTB Scheme for the 2020-21 Academic year. The new scheme is financially more generous than the previous scheme and is based on a simplified 'banding' arrangement depending on how far your child lives from school and whether they attend full time (5 days per week) or part-time (less than 5 days per week).

Find out [how PTBs work, how payments are calculated, indicative amounts and the range of options open](#). The application form for assistance will also give you an indicative figure for the PTB to help you make your own arrangements.

Please note that PTBs will remain **entirely optional** for all eligible SEN children **under the age of 16**.

When will I know what my PTB offer is?

Families will still have to make a formal application for transport assistance (whether that is for a PTB or traditional transport) at Post 16 and a fresh transport application is still required for every year that your child is in Post 16 education. For the 2024-25 academic year we aim to have application forms available online from early in February 2024, with a closing date of the end of March 2024. We will then check your child's eligibility and aim to inform you as soon as possible after that (but remember that the usual offer will be only for a PTB – not traditional transport such as a taxi or minibuss).

As not all parents will be aware of the future education plans for their child by the end of March the Council will accept later applications, but in all cases we would expect those parents to have applied by the end of May 2024. The Council will then give a decision as soon as possible after that.

What if I disagree with the provision of a PTB and still want to use a Council minibuss or have a taxi?

The offer and type of Post 16 transport remains at the discretion of the Council, but we will take into consideration individual circumstances and the needs of your child (including a consideration of your application form, the EHCP and any current transport risk assessment that the Council has undertaken). Bearing in mind that the Council is aware that all of the children that are affected by these changes have varying degrees of SEN and/or disability,

some examples that the Council would **not** ordinarily see as exceptional (in their own right) are:

- Single parent families
- Parent(s) that work – see below for further information on this
- Having other children to look after and/or at other schools
- Living in a rural area with or without access to public transport
- Parents/students unable to drive or having access to a car
- Students in wheelchairs

However, it is likely that a family with a number of those circumstances listed above could be classed as exceptional. By the very nature of 'exceptions', the Council recognises that there may be many reasons why a student could only access school/college using council-provided transport; so it naturally follows that it will be for parents to demonstrate that – the Council will consider any exceptional circumstances advised for individuals on a case by case basis.

You can't use your PTB to buy back transport services through the Council, as the Council plans to maximise the usage of seats on taxis and fleet buses to those students that it must provide those services to.

You can only query your transport offer once you have been officially notified of this (which won't be until after Easter **2024**). If you still believe that the Council has not applied its policy correctly, then there is a separate appeals procedure. You **cannot** appeal against the provision of a PTB just because you disagree with the policy.

What if I appealed during 2023 for the 2023/24 academic year? Do I need to appeal again for 2024/25?

No, the Council, will review your transport arrangements every year and would expect that any appeal decision will still be valid for future years unless there is a substantial change in your child's or your family's circumstances. The Council will reserve the right to request that you confirm that no substantial changes have occurred such that your child would no longer be eligible to traditional transport. The Council will also reserve the right to remove traditional transport and replace that with a PTB where new information comes to light that would suggest a PTB is now suitable – in those cases parents can still access the appeals procedure should they feel that the Council's decision is wrong.

What if I feel that my PTB does not cover the costs of getting my child to school/college?

We expect that in many cases the PTB will cover your costs and remember that it can be used in a number of other ways, not just to drive your child to school/college directly e.g. paying someone else to take your child, paying for childcare for other children while you take your child to school/college, 'pooling' of PTBs with other parents to car share. Some students may also be eligible for a government bursary to 'top-up' the PTB (see below).

The Council will consider requests for additional funding above the standard PTB rate. As with 'exceptional circumstances' here are some examples that the Council would **not** ordinarily see as exceptional:

- More money to pay for a taxi (including when shared)
- Money to purchase a vehicle

Some examples where additional funding **might** be considered are:

- A small one-off amount to purchase a piece of equipment e.g. specialist car seat
- Extra funds to provide travel training

It will be for parents to demonstrate the essential need for additional funding and provide evidence of purchase of those essential items (receipts). Any equipment purchased by parents for use on home to school transport will be retained by the Council once transport assistance has ceased. Ultimately, as Post 16 transport is discretionary it is recognised that a small number of parents may also need to 'top-up' the PTB themselves if they are not transporting their own child or sharing transport.

My child also has transport to short-breaks/respite to and from school provided by the Council – will this be replaced with a PTB?

No, children who have transport to/from these venues have been given this after a Social Care assessment so this transport can continue. Any PTB payment made for home to school transport will be reduced by the number of journeys that the council provides for this transport.

What if my child is at a residential placement?

The same rules above apply i.e. the standard provision for Post 16 students will be a PTB only.

What other support is available to me?

There are a number of other things that can support families with getting their child to and from school/college as follows:

- Bursary funds: Schools, colleges and training providers have funds to help students studying a full-time course and who think they might struggle with the costs for their studies (including for transport). For advice speak to your school/college's student support services or course tutors.

There are 2 types of 16 to 19 Bursaries:

1. Vulnerable student bursary: you could get a bursary worth up to £1,200, depending on your circumstances and benefits.
2. Discretionary bursary: you could get a discretionary bursary if you need financial help but don't qualify for a vulnerable student bursary. Your education or training provider decides how much you get and what it's used for.

Bursaries can also be used to pay the charge that will be made to some families who will remain on traditional transport (following assessment of their individual circumstances).

More information found at <https://www.gov.uk/1619-bursary-fund>

- In households where there is a child with higher needs there is an entitlement to mobility allowances, via the Higher Rate Mobility Component of Disability Living allowance or Enhanced Rate of the Mobility Component of Personal Independence Payment, which can be exchanged for a Motability vehicle. See <https://www.motability.co.uk/>

The Motability Scheme supports families with the purchase of vehicles, including:

- Liaising with dealers to arrange payments directly from DWP
- Provision of vehicles including all breakdown, servicing and insurance included in the price

- Assisting with securing adapted and wheelchair accessible vehicles
- The possibility of grants for adapting vehicles, driving lessons, etc., depending on family/individual circumstances.
- Concessionary travel passes for disabled people: through the English National Concessionary Travel Scheme. This offers free off-peak bus travel in Leicestershire, Leicester and throughout England. Details of the scheme and how to apply can be found at: [Apply for a disabled person's bus pass](#).
- Taxis: some parents are concerned that taxis and private hire vehicles may charge more to carry wheelchair users, which would be a barrier to independence. With effect from 6th April 2017, taxi and private hire vehicle drivers with accessible vehicles are obliged by law to:
 - Transport wheelchair users in their wheelchair
 - Provide passengers in wheelchairs with appropriate assistance
 - Charge wheelchair users the same as non-wheelchair users.
- Flexible working to allow parents time to transport their child to school/college or to facilitate this in other ways: the Work and Families Act 2006 gives employees the right to request hours of work that fit around their caring responsibilities and for their request to be taken seriously by their employer. You must have worked for your employer for at least 26 weeks to make a formal request. If you haven't worked for your employer for 26 weeks and you need to change your hours of work then you can still talk to your employer about this.

Once your child reaches the age of 18, you still have the right to request flexible working. More information about your rights to flexible working can be found at: [How do I ask to change my working hours?](#)

Contact details for further information

Email (our preferred method of contact, but please note that standard email is not secure): transportassessments@leics.gov.uk

Post: Transport Assessments
 Transport Operations Service
 Department of Environment & Transport
 Leicestershire County Council
 County Hall
 Glenfield
 LEICESTER LE3 8RJ

Phone: 0116 3050002

APPENDIX 2: School transport appeal procedure

1. Background

- 1.1 Leicestershire County Council has adopted a Mainstream Home to School Transport policy ("the Transport Policy") which applies to children and young people in Leicestershire. This appeal procedure also applies to the Special Educational Needs home to school transport policy which sits underneath the Transport Policy.
- 1.2 In accordance with the Transport Policy and the provisions of the Education Act 1996, free and assisted transport is provided for pupils and students as per the main body of this policy.

2. General basis for appeals

- 2.1 Parents/carers have the right of appeal should they be dissatisfied with the service or are in disagreement about the eligibility of their child for home to school transport assistance. Parents may challenge a decision about:
 - Their child's eligibility
 - The transport arrangements offered; but note the separate procedure for Personal Transport Budgets (PTBs) below
 - The distance measurement in relation to statutory walking distances
 - The distance measurement made to assess the nearest school
 - The availability of the walking route.

3. Appeals process and timescale

- 3.1 The County Council has a two-stage appeals process as below:

Stage one:

- 3.2 A parent has 20 working days from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision. Please note that parents may request appeals at any point in the year but we cannot guarantee to meet the timeline below when these are received beyond the 20 working day period mentioned above.
- 3.3 The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.
- 3.4 Within 20* working days of receipt of the parent's written request a senior officer (the Reviewing Officer) will review the original decision and send/email the parent a detailed written outcome setting out (as appropriate):
 - the nature of the decision reached;
 - how the review was conducted (including the standard followed);
 - information about other departments and/or agencies that were consulted as part of the process;
 - what factors were considered;
 - the rationale for the decision reached;
 - information about escalation to stage two (if appropriate).

Stage two:

- 3.5 The parent has 20 working days from receipt of the County Council's stage one decision to make a written request to escalate the matter to stage two, giving reasons why they feel that the decisions to date are not made in accordance with this policy. Please note that we cannot guarantee to meet the timeline below (3.6) when stage two requests are received beyond the 20 working day period mentioned above.
- 3.6 Within 40* working days of receipt of an escalation request an independent appeal panel will consider written and verbal representations from the parent and officers and gives a detailed written outcome within 10 working days setting out:
- the nature of the decision reached;
 - how the review was conducted (including the standard followed);
 - information about other departments and/or agencies that were consulted as part of the process;
 - what factors were considered;
 - the rationale for the decision reached;
 - information about escalation to the Local Government Ombudsman (see below).
- 3.7 The independent appeal panel members will be independent of the process to date (but are **not** required to be independent of the local authority) and suitably experienced (at the discretion of the local authority), to ensure a balance is achieved between meeting the needs of parents and the local authority, and that road safety requirements are complied with and no child is placed at unnecessary risk. Note: separate guidance is available to parents attending panel hearings.

4. Variations to the above process for the review of PTBs for SEN students (non-compulsory school aged students)

- 4.1 The timescales* for review will remain the same as in paragraph 3 above.
- 4.2 Parents who disagree with the provision of a PTB or the value of a PTB may ask for a review using a pro-forma (available from the Council) that will allow them to detail the reasons why they feel the PTB is not appropriate to meet the transport needs of their child and/or why the Council's policy has not been followed. This will constitute **Stage one** of the procedure. A written response will be made by a Reviewing Officer.
- 4.3 If the parent disagrees with the outcome of Stage one, they can make a further written submission to be considered at **Stage two**. Stage two will consist of an independent panel who will consider written submissions and, if requested, verbal submissions from both the family and Reviewing Officer. Families who need support with written submissions may wish to use the SENDIASS service.

5. Review of available walking route

- 5.1 Grounds for review request:

- (a) If there is a material change in relation to an existing available walking route which may affect the availability of that route; **or**
- (b) If there is a new available walking route assessment.

In either case referred to above, a parent/carer or a young person (or a group of parents/carers) may request that the available walking route be reviewed if they are dissatisfied with the assessment undertaken because it has not taken into account the published national guidance relating to route assessment in force at the time.

5.2 For the purposes of 5.1(a) above, “a material change” means works (other than temporary works) which have been undertaken since the route was last assessed where those works significantly affect:

- the use of the highway
- the road layout
- the footway
- the traffic volume
- the speed of traffic.

5.3 Any request for a review of the availability of a walking route must be made in writing setting out the material change in question (in the case of an existing route) and why the parents/carers or young person consider that the assessed route is not available. Any supporting evidence relied upon by parents/carers or the young person must be submitted with the review request.

6. General

6.1 The decision of the independent appeal panel is binding. There is no further right of appeal or review in relation to the processes set out in 3, 4 and 5 above. A parent/carer or young person may refer the matter to the Local Government Ombudsman, but only if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal was handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may apply for judicial review. Referrals to the Local Government Ombudsman should be submitted to:

The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH
Telephone: **0300 061 0614**
Web: www.lgo.org.uk/contact-us

7. Requesting a Review

7.1 Parents/carers or young persons wishing to request a review under this procedure should do so by completing the appeal form available at:

leicestershire.gov.uk/school-transport-appeals

or by contacting:

Transport Assessments Team
Highways and Transport Services
Environment & Transport Department
Leicestershire County Council
County Hall
Glenfield
Leicester
LE3 8RJ

Tel: 0116 305 0255

Email: TransportAssessments@leics.gov.uk

7.2 Parents/carers are reminded that it is their legal duty to ensure their child's attendance at school. That duty is not affected by any pending appeal procedure.

* The Council will endeavour to meet these timescales but parents should be aware that, on occasion, especially for more complex cases, that these may not be met.

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0116 305 0002

or write to:

Customer Service Centre (E&T),
Leicestershire County Council,
County Hall, Glenfield, Leicestershire LE3 8SR

Or visit us at www.leicestershire.gov.uk/send-school-transport

If you have any concerns or enquiries about your current transport service, contact us at:

Email: Safer.Travel@leics.gov.uk

(noting that normal email is not a secure method of communicating personal or sensitive information)

Phone: 0116 305 0002

Or write to the address above.

This information contained within this leaflet was correct at the time of publication (August 2021).



Safe travel on school buses

School Bus Passes: Frequently asked questions

Q. Why do students need bus passes to travel on contract buses?

A. The bus pass system ensures that loadings on the bus are regulated so that everybody has a seat. Without this management there is a risk that students, who are entitled to travel and who board at the last pick up point in the morning, would not have a seat on the bus.

The bus pass can also help the driver to identify any child whose behaviour is unacceptable. Experience shows that poor behaviour is encouraged if children feel that they cannot be identified.

Q. What guidelines do bus drivers have?

A. Drivers are instructed to check bus passes on every journey in order to get children into the habit of showing a bus pass. The same driver might not drive the bus every day or in the morning and afternoon. The driver will not necessarily therefore know whether a child is entitled to travel on the bus or not.

Q. Do drivers have to bring students to School in the morning?

A. We recognise that sometimes children will not have their pass with them. Drivers have discretion to allow travel in the morning on the first occasion that a child does not have a bus pass and to advise them to obtain a temporary pass from the school office.

Children and Parents should not expect the driver to allow the child to travel. If a child persistently tries to travel without a pass in the morning after being advised that they must get one, the driver will refuse them travel.

Drivers should not however suddenly refuse to carry children without a bus pass, if pass checks have not been carried out regularly. Parents are advised to discuss with their child what to do if he or she fails to catch the bus for any reason in the morning.

Q. Do drivers have to take students home in the afternoon?

A. In the afternoon, drivers are instructed not to allow students to travel without a bus pass or temporary pass. Students may have the opportunity to get a temporary bus pass from the school during the course of the day and there should therefore be no reason for anybody not to have a pass for the journey home.

If a student tries to board a bus without a pass, the driver is likely to advise them to go to the School Office and obtain a temporary pass. Bus companies operating commercial school bus services may offer a different system such as a 'one more day pass'.

In either case school buses will depart on time so pupils must ensure they have a valid bus pass or approved temporary pass prior to the bus departure time and present this to the driver.

The bus might therefore depart before a student has been able to get a temporary pass. This is more likely to happen where the School Office is some distance from the bus park.

Anyone, who is refused travel, can wait at school in a safe environment until alternative arrangements can be made by the parent or carer (this will not be at the contractor or Council's expense).

Continued use of a temporary pass will result in the pass being withdrawn and transport suspended until a valid bus pass is purchased for the pupil.

Q. Can School staff ask drivers to allow a student to travel without a bus pass?

A. Many drivers will respond positively to a reasonable request by a member of the school staff to allow a student without any pass to travel home in the afternoon. For example, this could be done if a student only becomes aware that he or she has lost the bus pass when boarding the bus and does not have time to go back and get a temporary pass.

However, in the case of commercial school bus services drivers may not be permitted to carry pupils unless a valid pass is produced.

Q. Why do some buses have a strict 'no pass, no travel' rule?

A. A strict 'no pass, no travel' rule has to be introduced on some buses, where buses would otherwise be overloaded and therefore unsafe because of the number of students travelling who should not be on the bus. This is more common on commercial school bus services where there is a mixture of entitled and fare paying pupils.

Q. What happens if a student loses a bus pass?

A. A permanent replacement pass should be obtained on application to the School Office, or download the form from

www.leicestershire.gov.uk/replace-school-bus-pass.

If your child travels on a commercial school bus service you should contact the bus operator to enquire how you replace your bus pass. The charge for a replacement pass is usually £10.00. Students must return all temporary passes to school when presented with their duplicate Bus Pass.

*Please note that temporary passes cannot be issued for public bus services, in these cases a fare will need to be paid on the bus until a replacement pass has been obtained.

Photocopied or scanned copies of passes are not acceptable in any circumstances and if detected are likely to result in suspension of transport.

Q. When can the School issue a temporary bus pass?

A. A temporary pass can be issued for contract bus services and for some commercial school bus services in the following circumstances:

- the permanent pass has been lost, damaged or stolen and the student has applied for a replacement or;
- if a student has temporarily mislaid or forgotten the permanent pass, a temporary pass may be issued to allow them to travel home in the afternoon or;
- the school has confirmed with the Council that a student is entitled to transport, but has not yet received a permanent pass.

- Temporary passes should only be issued to students who appear on the latest bus loading list and only for the bus they are currently allocated to.

Q. How long can a temporary pass be issued for?

A. The expiry date for a temporary pass should be no longer than 2 weeks after the issue date. Forging and fraudulent use of temporary passes has become commonplace. Schools should not, therefore, issue temporary passes repeatedly without first checking with the Council and should be vigilant regarding abuse of the system.

Q. Can any exceptions be made?

A. Sometimes children not normally entitled to transport may want to travel on the school bus to a friend's house.

The Council no longer allow the use of school bus services in this way unless there are exceptional circumstances and prior approval has been given by the Council.

Please note that the driver may still refuse to accept such a temporary travel arrangement if he or she believes it would cause the bus to be overloaded.

Q. Can students get a permanent transfer to another bus?

A. Students are normally allocated a place on the nearest available bus to their home address or one which is within reasonable walking distance. Once a permanent bus pass has been issued, it is not normally possible to transfer to another bus to accommodate personal preferences or to travel with friends.

However, if a student wishes to arrange a swap with another student, this can be done by returning both bus passes to the Council, with letters requesting changes from both students' parents / guardians. Students will need to obtain temporary passes for their current buses to continue to travel while waiting for new permanent passes.

Sometimes, transfer requests are received because of bullying. In these cases, the request must be made by the school.

A transfer may be considered but cannot be guaranteed.

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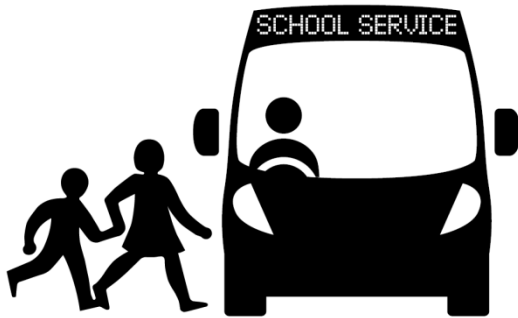
0116 305 0002

or write to:

Customer Service Centre (E&T),
Leicestershire County Council,
County Hall, Glenfield, Leicestershire LE3 8SR

Email: customerservices@leics.gov.uk

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Safe travel on school transport

Anti-social behaviour on school transport

Introduction

The vast majority of pupils travel to and from school every day in safety and without incident. However, antisocial behaviour on school buses by a small number of pupils is a growing problem. This is a national trend and not confined to Leicestershire.

Some of the implications of anti-social behaviour are:

- **For pupils and parents** - the safety of those directly involved and other pupils on the bus and the inconvenience when buses are delayed because of antisocial behaviour.
- **For bus operators** - the cost of repairing damage and the loss of income while a vehicle is out of service being repaired.
- **For the County Council** - the increased cost of providing school transport reflecting bus operators' increased costs.
- **For the School** - visible anti-social behaviour may diminish the reputation of the school in the community.

What is Anti-Social Behaviour?

Anti-Social behaviour includes a range of problems. Some examples of anti-social behaviour on school buses are:

- Fighting, bullying, intimidation of other pupils
- Verbal abuse of drivers and harassment of other pupils
- Vandalism, graffiti and criminal damage to vehicles
- Smoking, including the use of e-cigarettes
- Moving around the bus, distracting the driver
- Misuse of bus passes
- Opening emergency exits on the vehicle in a nonemergency situation
- Throwing objects from the vehicle.

What happens if anti-social behaviour is reported?

The school is in the best position to carry out an investigation into the incident, as they know the pupils involved. It is for the school to determine how to carry out the investigation but it would normally involve taking written statements from pupils who witnessed the incident and interviewing individually those pupils named or identified as involved.

Any information given is treated in confidence. The investigation will seek to establish, as far as possible, exactly what happened and who was responsible. CCTV is fitted on some vehicles. Where CCTV recordings are available, they will be shown to the school to identify those pupils taking part in anti-social behaviour.

In very serious cases, the bus operator may call the Police, particularly if there has been damage to the vehicle. The Police may carry out their own investigation and might also wish to interview those pupils involved.

What action is taken against pupils involved in anti-social behaviour?

Following an investigation, any sanctions against pupils are agreed between the school and the Local Authority. This is usually in the form of exclusion from transport for a defined period although disciplinary action within school, e.g. after school detentions, may sometimes be agreed as an alternative.

The action taken will depend on the severity of the incident and whether a pupil has previously been involved in anti-social behaviour.

However, the following can be used as a guideline:

- For a minor incident (e.g. misuse of bus passes, moving around the vehicle) - warning letter on the first occasion
 - on the second occasion, exclusion from school transport for 1 to 5 days
 - on subsequent occasions, exclusion from transport for 5 to 10 days
- For a serious incident (e.g. bullying, physical or verbal abuse of driver or pupils, smoking, any action threatening the safety of individuals or the vehicle, vandalism or damage to the vehicle)
 - Exclusion from transport for a minimum period of 5 days up to 1 term depending on circumstances and previous history.

These are guidelines and the action agreed in any particular case will take into account individual circumstances and the views of the school.

Repeated serious incidents will lead to permanent exclusion from transport.

Parents are urged to contact the Council if they feel that their child needs adjustment to be able to travel on school transport.

What happens if a pupil is excluded from transport?

When exclusion from transport has been agreed, parents will normally be notified in writing and given an appropriate period of notice before the exclusion period starts. This is to allow parents an opportunity to make alternative transport arrangements. During the exclusion period, it remains the parents' responsibility to ensure their child's continued attendance at school and any associated cost of transport.

In very serious cases, where it is considered that the safety of the vehicle and other pupils would be put at risk by allowing a pupil to continue to travel, exclusion from transport may start immediately and without written notice. In such cases, the school would attempt to contact the parents to make them aware of the situation and arrange for them to collect the pupil from school. If the parents could not be contacted, alternative transport would be arranged to get the pupil home.

What if there has been damage to the bus?

The operator may seek to recover the cost of repairs from the parents of the pupils responsible. The Council will release the name and address of the parent or carer of a pupil to an operator, if it receives a reasonable request to do so, in order to allow them to seek to

recover the cost of damage caused to a vehicle. The Council may insist that the cost of repairs are paid (or a payment plan agreed) before allowing the pupil back onto transport – even if the period of suspension has been served.

What happens when a pupil returns to transport?

After a period of exclusion has ended, a pupil will normally be allowed to travel on the school bus again. However, the operator may require certain conditions (e.g. that the pupil must use a specified seat at the front of the bus) or the pupil may be transferred to another school bus. The operator is likely to seek compensation for damage and / or cleaning. Sometimes, other transport arrangements may be made, (e.g. for travel on a public bus service, where available) rather than return to the school bus.

What other help is available if there is bullying on the bus?

If there is bullying on the bus, it may be happening in school as well. The school should always therefore be involved in dealing with any bullying incident. The Beyond Bullying website is also available for more information;

www.beyondbullying.com

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Safe travel on school transport

Guidelines for school staff

These guidelines are produced to help secure safe and reliable school transport for all pupils and students.

In School grounds

- It is useful if staff on bus duty have copies of the contract routes and the student bus lists for the school, so that they can detect any inaccuracies and variations. The Council can supply up-to-date bus lists. Please let us know about any students who join or leave school during the year who are entitled to transport and any students who change address so that the bus lists can be kept accurate.
- Staff on bus duty can direct drivers on to appropriate bays or spaces as necessary.
- Please contact the Council if afternoon buses fail to arrive within 15 minutes of their scheduled arrival time. This is so that alternative transport can be arranged if necessary, and information about any delays can be given to parents who contact the Customer Service Centre Helpline on 0116 305 0002.
- Council operated contract buses should not carry more children than the capacity of the vehicle. Please intervene if a council contract bus looks to be too full and then let the Council know. Please be aware that commercially operated buses may be permitted by law to carry standing passengers.
- Please report all shortcomings in service including late or non-operation, incorrect route and other concerns. Information from schools will help us maintain high standards of operation.
- Wherever possible, discourage car drivers from obstructing bus stops and lay-bys within and outside your school.

Bus Passes & Temporary Passes

- Passes are issued to all secondary school students to ensure that only students entitled to travel do so and to ensure that buses are not overloaded.
- Drivers are instructed to check passes each morning and afternoon. Any student without a valid bus pass should not expect to be allowed to travel.
- Photocopied or scanned copies of passes are not acceptable in any circumstances and if detected should be confiscated and reported to the Council.
- In the morning, if a student does not have a pass the driver may allow him/ her to travel on the first occasion and will advise him/her to obtain a temporary or replacement pass. The driver is likely to refuse the student to travel, if the student attempts to travel without a pass on more than one occasion.

- In the afternoon, the driver will refuse to carry any student without a pass. Please be prepared to issue a temporary pass, if justified.
- On occasion the Council may have to apply a strict “No pass - No travel” policy to specific buses e.g. usually following reported overloading. Staff should not issue temporary passes without checking passenger numbers using the bus lists.
- Council staff will periodically carry out random checks on school contract bus operations and on students’ passes. It may be necessary to stop non-entitled students from using bus services during these checks and your cooperation in this matter would be greatly appreciated.
- Occasionally Council staff will have to remove bus passes from students and stop them using the school bus. Our staff will try to do this away from the bus park, school staff co-operation with this is greatly appreciated.
- Please note that it is not always possible to grant a student’s request to transfer to a different bus. Any transfer requests should be referred to the Council.
- Please issue temporary bus passes strictly in accordance with the guidelines issued by the Council which can be found in the “Bus Passes – Frequently Asked Questions” leaflet.
- If your school / college wishes to issue combined student ID / Bus Passes, please contact customerservices@leics.gov.uk for advice.

Poor Student or Driver Behaviour

- Incidents of inappropriate or poor behaviour will not be tolerated. Staff are requested to record and report any occurrences to the Council. Working together, your school and the Council may decide to refuse individuals permission to travel on school bus services for a short period. Your assistance in investigating incidents of poor behaviour is appreciated. Please consult the Council regarding the length of any ban. Parents must be notified of any decisions. This ensures that a consistent approach is adopted in all schools.
- CCTV systems and other means of recording are used on a number of school contract buses to support initiatives against poor student behaviour and vandalism - notices to this effect will be displayed on these vehicles.
- Please report incidences of inappropriate behaviour by drivers to the Council for investigation. We operate a driver registration system and all drivers of school contract buses are required to have their photo ID badge displayed.

Smoking on School Buses

- There is a “No Smoking” policy on school buses. Please notify the Council of any students identified smoking - these students will be temporarily excluded from using the bus.
- Drivers are not allowed to smoke on the bus, in school grounds or during the scheduled hours of the contract.
- References to smoking includes use of e-cigarettes or similar devices.

Induction Days

- The Council will not arrange transport for pupils/ students to attend on induction days.

Early Finishes

- Operators are expected to provide services at the contracted times. Where schools seek to amend their start or finish times, even in an emergency, operators are not bound to meet these. Most operators may be able to meet requests for early transport but some may have conflicting needs and may not be able to meet the early finish requests.
- The Council may charge schools for additional transport costs that arise as a result of changes to established school session times or term dates. Schools will be advised to consider these potential costs prior to implementing any changes to their established session times or term dates.

General

- Please help to ensure students understand the rules for safety and the consequences of misbehaviour on buses and at bus stops.
- The “Guidelines for Parents and Students” leaflet requires students to wear seat belts where fitted. School staff and drivers are also asked to encourage students to wear seat belts but should not compel them. Do not assist students to fasten or adjust their belts unless parents have given their prior consent. In cars and some smaller minibuses it is the driver’s responsibility to ensure that younger pupils wear seat belts - if you are concerned contact us for advice.

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Safe travel on school transport

Guidance for Leicestershire contractors on operation of primary school contracts

Around 800 children use school transport to travel safely and without incident to primary school every day. There are already general Guidelines for Drivers on school transport. However, we recognise that an extra degree of care is required when dealing with very young children. The following additional guidance has therefore been produced in consultation with parents, primary schools and bus operators to highlight the special considerations which contractors should take into account when operating primary school contracts.

For the operation of contracts to primary schools, the following is considered to be good practice:

- Use a regular driver (or a small rota of regular drivers) on primary school contracts so that drivers know which children are normally met in the afternoon and by whom.
- Only use drivers who understand the extra care and responsibility required when dealing with children of primary school age. If necessary, additional training can be provided for drivers of primary school buses by the County Council.
- Ensure that there is a telephone number (or numbers), on which you can be immediately contacted between 3.00 pm and 4.30 pm to help resolve any problems which may occur as a result of either the bus or parents running late.

For Drivers

The Guidelines for Drivers already advise drivers to be wary of leaving very young children alone at afternoon drop-off points. The following additional guidance should also be followed:

Arrival at School in the morning

- Stop as close to the main school entrance as possible.
- If the transport arrives before the scheduled time, drivers should keep the children on the transport and wait until there is a member of the school staff to whom the children can be handed over. If vehicles can be safely left drivers may be required to escort very young children into a school's reception area (and collect them from there in the afternoon).
- If transport is scheduled to arrive earlier than 10 minutes before the start of school for operational reasons, appropriate arrangements for the supervision of children should be agreed in consultation with the school and Transport Operations.

Afternoon Journeys

- If you arrive at a drop off point in the afternoon before the time shown on the timetable, you should wait and not depart until the stated time. Parents are advised to be at the drop off point to meet their child by the time shown and that the bus will wait until this time.

For a child who is normally met or who has made known to you that he or she will be met and there is no one at a drop off point to meet them: do not allow the child to get off the bus and follow the advice in the points below. If you are not sure, speak to the child and ask whether he or she is expecting to be met.

- In the event of normal collection arrangements failing, it is reasonable to allow a child into the care of another responsible adult if there are other parents waiting to meet children at a stop. If you do this, get the name and address of the person who has taken responsibility for the child and inform your company.
- If there is no one to meet a child and no other responsible person to take responsibility for him or her, keep the child on the bus, inform your company (who will contact the school and/or the Council's Customer Services Centre) and take one of the options below.
- If the school agrees, return the child to school at the end of your run, if your schedule permits.
- Be wary of very young children getting off the bus with others (possibly before the stop where their parents are waiting for them). For the first few weeks of each new term it is advised that you allow parents and children to disperse before proceeding on the journey to ensure that all young children have been correctly 'claimed'.
- If you cannot return to school, attempts will be made, normally by the school provided they have been informed about the situation, to contact the parents and make arrangements for the parents to meet you and collect the child.
- If all attempts to contact the parents fail or the parents are unable to collect the child, then take the child to the nearest police station.

REMEMBER that the safety of the child is paramount and more important than any delay to the contract.

REMEMBER that it is vital to keep the school and your company informed about what actions you have taken so that correct information can be given. Good communication is essential to resolving any problems that occur.

REASSURE as necessary all of the children on the bus that they are safe and will be taken home.

Contact the Leicestershire Customer Services on (0116) 305 0002 for more information and advice. Customer Services are open between 8.00 am and 5.00 pm Monday to Friday.

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Safe travel on school transport

Guidelines for drivers

Before setting out

DO ensure you are displaying the correct contract number board and child warning signs and are fully familiar with the route. Ensure that the appropriate safety checks have been carried out on your vehicle and that you have checked the interior condition.

DO ensure that you clearly display your identity badge when driving any County Council school bus contract.

On the journey

DO approach each pick-up point slowly and with care. Keep the doors closed until you have brought the bus to a complete standstill.

DO make sure that doors are properly closed before moving off, checking that nothing is caught in the doors either inside or out; be wary of latecomers. Check the nearside mirror every time.

DO ensure that, when pupils are getting off your bus, they and their possessions are completely clear of the vehicle before closing the door and moving off.

DO discourage pupils from crossing in front of or behind your vehicle. If you need to reverse in the morning, do so after pupils waiting to board have been picked up. If you need to reverse in the afternoon do so before setting pupils down.

DO report misbehaviour to your employer or the school at the earliest opportunity. Unruly pupils must be allowed to travel and may only be banned from travelling by the school or the Council. You can ask to see the bus pass of a misbehaving pupil for identification but should not take away the pass.

DO stop the bus until order is restored for particularly bad behaviour. The Police may be contacted if necessary in extreme cases. Do not continue the journey if you feel it is unsafe to do so.

DO avoid any physical contact with students. Maintain a courteous and professionally detached relationship with pupils. Avoid inappropriate language and conversation topics at all times.

DO report inappropriate language used by pupils.

DO take extra care in severe weather conditions. If conditions are dangerous it is acceptable to avoid certain parts of route - inform your employer about any diversion as soon as practicably possible.

DO check your vehicle for damage at the end of each journey and to ensure that no pupils or property remain.

DO NOT move away from a pick up point until all pupils are seated.

DO NOT allow unauthorised persons to board or travel on your vehicle.

DO NOT allow anybody to ride on the platform at the front of the bus or sit on the front window ledge.

DO NOT carry more students than the seating capacity. Under no circumstances are pupils permitted to stand. If your bus is full and there are further pupils who wish to board you must not pick them up but please report this fact to the school on your arrival. If it is then practicable, return for the waiting pupils. **(May not apply to Commercial School Bus Services)**

DO NOT allow pupils to alight before arriving at the school in the morning (except in the event of a breakdown or accident - see overleaf).

DO NOT return pupils to school in the afternoon because of bad behaviour unless the school has been contacted and have agreed to accept the pupils back and the bus is closer to the school than the first drop-off point. Experience has shown that schools can usually investigate poor behaviour effectively the following day.

DO NOT play any pre-recorded material on the radio or television. You may have the radio or TV on at moderate volume.

DO NOT use mobile phones, including hands free kits, whilst you are driving. If it is essential to make a call in connection with the contract, stop at a safe place and turn the engine off before making the call.

DO NOT use centre doors other than for unloading on arrival at school.

On primary school buses

DO make sure that you are aware of the additional guidance for drivers of Primary School buses.

In the event of a breakdown or accident

DO try to keep pupils on the vehicle unless it is unsafe to do so.

DO notify your company - they will organise a replacement vehicle and notify relevant schools. If you cannot contact your company, notify the Customer Service Centre on **0116 305 0002**. Always remain with the passengers.

DO impress on pupils that they should wait with the vehicle until alternative arrangements are made. Experience has shown that if pupils make their own arrangements it may lead to confusion and possible distress. Drivers must stay with the students to ensure their safety.

DO report all accidents involving pupils to the school, no matter how slight. After any accident to the vehicle or a person, a full written report must be supplied to the Council as soon as possible, preferably by secure email (Egress) or by uploading the report to the secure AVCO system, otherwise the report should be posted by recorded delivery.

DO be alert to non-obvious injuries to pupils, including shock. Always call an ambulance if in doubt.

In school grounds

DO follow the instructions of duty school staff. Be particularly aware of pupils who move between vehicles and barriers. Remember that younger pupils are not as aware of traffic dangers as most adults.

DO report any concerns you have to the school staff who are on duty and then to your employer.

DO pick up and set down pupils only as specified in the contract.

Bus passes

DO check bus passes on every journey as students board the bus. Passes are issued to all secondary school pupils to ensure that only pupils entitled to travel on your bus do so and to prevent overloading.

If you have been issued with a loading list you may allow any student on the list to travel provided they have proof of identity. Drivers may apply their discretion in the morning to allow travel to students who have misplaced their pass should make a note of the student's name and give it to their manager.

Photocopied or scanned copies of passes are not acceptable in any circumstances and if detected should be reported to school staff and/or your manager.

DO check passes from the start of the academic year but allow pupils without passes to travel for the first week of term, advising them to get a pass. After the first full week do not permit travel without a pass.

DO NOT allow a pupil without a pass to travel on an afternoon journey. You may do so if requested by a member of the school staff, or a member of the Council.

DO NOT suddenly refuse to carry pupils who do not have a pass if pass checks have not been carried out regularly.

DO NOT allow any pupil without a pass to travel at any time if the Council has applied a strict "No pass - No travel" policy to specific buses - this will usually be following reported overloading.

Smoking on school buses

DO NOT smoke in any circumstances during the scheduled hours of the contract, in school grounds or on the bus – this includes the use of e-cigarettes or similar devices.

DO report pupils smoking to your employer and the school, with names of those involved, at the earliest opportunity. If you observe pupils smoking on your vehicle, ask them to stop and attempt to take their names from their bus passes.

Seat belts

DO inform pupils that seat belts must be worn, if you have been told by your employer to do so.

DO ensure that younger pupils are wearing seat belts in cars and some smaller minibuses where it is the driver's responsibility.

DO NOT fasten or adjust seat belts for pupils, you may, however, show them how belts work. If you are unsure of the regulations, check with your employer or the Council.

Code of conduct

Drivers and bus / taxi company staff should conduct themselves professionally at all times. Specifically, drivers will:

- wear appropriate clothing and be presentable at all times
- ensure that their actions do not expose any person to any Health and Safety risks.
- not engage in personal e-mail, telephone, text or social media contact with children.

Guideline leaflets in this series

This leaflet aims to give advice and information to students, parents, schools, colleges and bus operators who use and deliver transport services provided by Leicestershire County Council.

Other leaflets in this series, available on request, include:

- Guidelines for parents – Special Educational Needs transport
- School Bus Passes: Frequently asked questions
- Anti-social behaviour on school transport
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- Guidelines for taxi escorts
- Guidelines for parents and students on mainstream transport
- Guidelines of safe working practice for the protection of children and staff
- Guidelines for severe weather conditions - Operators
- Guidelines for severe weather conditions - Schools

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Commercial School Bus Services and Public Transport Services

Companies operating their own commercial school bus services or public transport services carrying school children will have their own set of guidelines for drivers. Those contained in this leaflet apply to contracted school bus services only.

Safe travel on school transport

Guidelines for taxi escorts

This guide has been produced to help taxi companies provide high quality escorted Special Educational Needs (SEN) and Adult Social Care (ASC) contracts for the Council (LCC).

Role of the escort

LCC considers that the role of a transport escort is important in reassuring and assisting passengers.

This is achieved through a professional and consistent approach to meeting passengers' needs – which is invariably easier to manage if the same escort accompanies the same passengers on each escorted journey.

Escort requirements

Escorts must have a good level of conversational English and be able to communicate with schools and parents.

Escorts must be fit enough to manage the physical aspects of the escort role.

Maintaining consistency

Many SEN and ASC service users have special needs which mean that they find it difficult to cope with change and unfamiliarity with an escort can result in distress at the start of the day, which in turn can lead to an unproductive day in school.

For these reasons, we cannot accept a situation where escorts are rotated around contracts at frequent intervals and the passenger does not know who to expect as escort.

We expect 2 or 3 escorts at most to be used on any contract and an opportunity should be provided for parents to 'meet and greet' all the escorts on SEN contracts.

Where a new escort has to be used e.g. if an existing escort leaves, it should not be before an introductory meeting with parents/carers.

2 or 3 escorts may be rotated on a consistent basis e.g. one escort in the morning, another in the afternoon or changed at regular pre-planned intervals such as every 2 weeks or month.

Where escorts are used on this basis, it is helpful if parents/carers know the regular pattern so that they can help to prepare their children in advance;

For unescorted SEN or ASC contracts, similar considerations to the above should apply to the use of regular drivers.

Timekeeping

Operators should note the importance of timekeeping (recognising that variations in traffic conditions can cause difficulty) and noted that earlier than expected pick-ups can cause as many problems as lateness.

Information on service user needs

We provide as much information to you about a passenger's special needs as we know but recognise that sometimes additional needs may only become clear after the contract has started.

Regular feedback from taxi staff and LCC is therefore vital.

Contact visits and Confidentiality

In respect of children who have contact visits, operators are reminded that these children must be handed over to a badged social worker or other recognised employee and not left alone with a parent/carer.

At no point should information about the child (especially address) be shared with anyone other than the driver's manager and Council representatives.

Code of conduct

Escorts should conduct themselves professionally at all times. Specifically escorts will:

- wear appropriate clothing and be presentable at all times
- ensure that their actions do not expose any person to any Health and Safety risks.
- not engage in personal e-mail, telephone, text or social media contact with children.

Guideline leaflets in this series

This leaflet aims to give advice and information to Taxi companies and their escorting staff who deliver transport services on behalf of Leicestershire County Council.

Other leaflets in this series, available on request, include:

- Guidelines for parents – Special Educational Needs transport
- School Bus Passes: Frequently asked questions
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Safe travel on school transport

Guidelines of safe working practice for the protection of children and staff

Staff - Includes drivers and escorts whether paid or working in a voluntary capacity

Children - Includes children and young people under the age of 18

Underpinning Principles

Staff should:

- Be aware that the welfare of the child is paramount (Children Act 1989)
- Understand their responsibilities to safeguard and protect children and young people
- Be responsible for their own actions and behaviour, and avoid any conduct which would lead any reasonable person to question their motivation and intentions
- Work and be seen to work in an open and transparent way
- Be aware that breaches of the law and guidelines could result in criminal, contractual or disciplinary action being taken against them
- Report concerns or take advice immediately from their line manager or other senior manager over any incident which may give rise to concern not just to themselves but also to others. Some incidents that staff consider either unimportant or that they have dealt with will still need to be reported – see the examples given later in this guidance
- For SEN passenger transport keep a written log of any such concerns that have been raised together with any decisions made and agreed actions (the log will also record any special procedures for that contract and must be kept away from public view) – For mainstream home to school transport complete an incident report form for your manager (sample reports are available from the Council).

Safe Working Practices:

- Staff must report concerns they have about other people's behaviour to their line manager
- Staff must avoid discussing any incidents with third parties – but must explain with sensitivity that they have to follow proper procedure
- Staff should be careful not to misuse their power and influence over children and young people
- Staff should be professional at all times including their dress, use of language and tone
- Staff should not give gifts to children and young people except where this is agreed with and administered through schools or parents

- Physical intervention should never be used inappropriately and should always be recorded and reported
- Physical contact should be minimal and appropriate to the health and safety of the child
- Intimate care and first aid should only be administered according to approved procedures
- Staff should not engage in personal e-mail, telephone, text or social media contact with children
- There should be no photography of children – any CCTV systems on vehicles are subject to strict monitoring arrangements
- Staff should guard against any child forming an infatuation with them and report any such concerns to their manager
- Communication with pupils should never be sexually suggestive. Staff should never engage in any sexual relationship with children in or out of a school transport environment.

Examples of incidents that should be reported:

- A child mentions as she gets off the bus that a boy has made suggestive remarks to her and made her feel uncomfortable. This should be reported to your manager with the name of the girl and the boy – if known. If the girl does not wish to give her name the incident should still be reported
- A child asks if the driver will drop her off last as the regular driver does – even though this means altering the route
- You overhear a conversation relating to sexual acts. You advise children that this is inappropriate and advise them to change the topic.

You are not on your own

There are a set of procedures that managers use for dealing with the reports you make. These are designed to deal appropriately with each report and may involve other agencies who will make decisions based on child protection principles. You must never feel that you have to solve issues on your own – and as you can see from the examples above a resolved concern still needs to be reported.

Guideline leaflets in this series

This leaflet aims to give advice and information to students, parents, schools, colleges and bus operators who use and deliver transport services provided by Leicestershire County Council.

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Safe travel on school transport

Guidelines for severe weather conditions - Operators

This guidance is designed to give information to bus and taxi operators who provide statutory home to school transport on behalf of the Council as to their position regarding such transport when either the transport provider or the school requires a 'one off' change to transport– most frequently as a result of poor weather conditions.

In the event of severe weather contractors are advised to follow the procedure below:

1. Check that the school or establishment that your contract(s) serve is going to be open wherever possible prior to setting off.

Radio Leicester turn their regular programs over to making repeated listings of school closures in severe weather conditions as well as keeping a web site listing closures.

Link to homepage: <http://news.bbc.co.uk/local/leicester/hi>

2. Allow extra time to prepare vehicles, particularly for their morning runs. Experience shows that vehicles with air brakes are very susceptible to frozen moisture in air pipes.

It is suggested that in sub-zero temperatures vehicles should be run continuously – rather than arrive in advance of time turn engines off and allow vehicles to cool with consequent problems.

Contractors may wish to give some thought to overnight parking arrangements to ensure that the vehicles best able to cope with severe conditions are not blocked in by those that are not.

3. Contractors continue to be expected to cover their own contracts and should make every reasonable effort to do so. This requires a balanced judgement to be made about which routes, or parts of routes, are safe to operate based on risk assessment principles.

Factors that should be taken into account are the prevailing conditions and whether they are improving or worsening, the nature of the route, the handling characteristics of the vehicle in the given weather conditions and the driver's level of experience and skill.

4. Drivers once underway are empowered to make decisions about whether to continue, to terminate the run or to revise the run in real time so as to avoid sections of route that would be unacceptably treacherous or have a high risk of the vehicle and passengers becoming stranded.

Where drivers deviate from published schedules they must notify their manager – who will pass the information to the Council as below.

5. Where contractors are clear that they have a problem they should telephone Leicestershire County Council's Customer Service Centre on **0116 305 0033** outlining the contract number and an indication of what the problem is and when and where the contract might operate.

For example, if the contractor has a failed vehicle but will cover by another vehicle albeit an hour later than normal this should be stated. Information you supply to Customer services will be automatically passed to the Contracts & Compliance Team.

Please note that this phone number is a dedicated helpline service for emergency contact from bus and taxi operators operating Leicestershire County Council passenger transport services only.

The service will operate Monday to Friday from 08:00 – 17:00 (term-time only) with a message facility outside those times.

Operators can contact the Council regarding usual contractual matters on the other phone numbers they have been provided with.

All other customers should contact the normal Customer Services number – **0116 305 0002**.

6. Contractors should also contact the schools/establishments they serve at the earliest opportunity as these will be getting calls from parents and carers about the no show of their transport.

Although following the above procedures does little to prevent the impact of severe weather it has the potential to help inform interested parties of major issues and thereby allow them to make informed decisions about whether to continue to wait for their transport or to make alternative arrangements.

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Safe travel on school transport

Guidelines for severe weather conditions - Schools

This guidance is designed to give information to schools whom have statutory home to school transport provided by the Council as to their position regarding such transport when either the transport provider or the school requires a 'one off' change to transport– most frequently as a result of poor weather conditions.

When a school decides to close early and it is not programmed in the term dates announced prior to the start of the academic year, it is the school's responsibility to contact the bus/taxi operators to request that their statutory school transport services operate early to fit with the earlier finish time.

Although there is no contractual onus on the bus contractor(s) to meet the earlier finish time most will wish to do so unless they have other commitments which would prevent them.

Whilst it might be both reasonable and sensible for schools to close early it is also reasonable that operators might not be able to alter the pattern of their operations to comply with the request although most will be inclined to provide the transport if it is logistically possible.

If an operator declines to operate at the requested time or seeks a supplementary payment it falls to the school to decide whether to pay the supplement, to seek an alternative contractor or to allow the contractor to operate at the normal school closing time.

If the school wishes to arrange alternative transport then the school must do so directly with operators and will be responsible for the cost of the alternative transport.

The Council may be able to make alternative transport arrangements on behalf of the school but the cost of these arrangements will still be the responsibility of the school.

The Council will, **in certain circumstances**, consider refunding the costs of additional transport if schools can demonstrate that contractors were given reasonable notice of an early finish, and that the area the school uses for passenger transport vehicles and loading was forecast to be unusable at the normal school finish time due to weather conditions.

If a school shares transport services with one or more other schools, then all schools must agree to manage their early closures to allow the shared transport to cater for all students, otherwise transport will have to operate at the normal time.

From time to time transport operators may wish to operate return journeys earlier due to poor weather conditions (for example on certain very exposed routes) and operators have been instructed to contact the Council if they wish to do this.

The Council will consider such requests very carefully and where it considers these to be justified request schools to release relevant students early.

If schools decide not to open due to adverse weather they should advise their school transport operators directly as soon as they are able – using, if they have it, SMS text messaging and also letting Council know.

In all cases schools must also make the Council aware of the decision to close early (or not open) as soon as possible preferably by e-mail to TO@leics.gov.uk .

Wherever it is safe the Council will try to ensure that statutory home to school transport is operated at all times during severe weather. The Council will, however, rely on the professionalism of bus companies to judge whether any route or part of route is unsafe to operate in inclement weather and parents should be advised of the need to have contingency arrangements for the care of children who cannot be transported by statutory home to school transport.

The absence of transport on its own should not determine whether a school should open or close.

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