

# MAINSTREAM HOME TO SCHOOL/COLLEGE TRANSPORT POLICY FOR THE 2019-20 ACADEMIC YEAR

## POLICY & PROCEDURES

This document applies to children living in Leicestershire and describes free and assisted transport entitlement to mainstream schools, academies and colleges, including entitlement for children with Special Educational Needs who have no special transport requirements and who attend such establishments. Please note that some children with Special Educational Needs require specific transport for which a supplementary policy is available.

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## **Preface**

The Council has produced a complementary document to this policy to help explain changes that have been made to its Home to School Transport Policy – this is Appendix 4 of the policy and entitled “Frequently Asked Questions (FAQs) for parents regarding the Home to School Transport policy and eligibility changes”.

## Background

The Government has encouraged schools to become academies and these national changes have altered the education landscape significantly and there are now a number of academies across Leicestershire.

Academies and free schools can choose to change their age ranges and their admission catchment areas, and many have already chosen to do this or are planning changes. This means that many admission catchment and transport eligibility areas overlap. The Council’s transport policy needed to reflect these changes where they have occurred and be clear on the transport arrangements which will apply if schools change in the future. This policy is the culmination of 2 public consultations that gathered views in reaction to the changes occurring in Leicestershire. The policy was formally adopted by the Council’s Cabinet on 15<sup>th</sup> July 2014.

## Policy application

This policy applies to Leicestershire pupils and students starting education, moving schools or where other changes of circumstances occur on or after the start of the 2019/20 academic year.

If a child is already part way through their education that commenced during or before the 2014/15 academic year and they were eligible to transport assistance under normal eligibility rules according to the policy in force at that time, their eligibility will continue until either a new policy overrules this or they have to leave, move to a new school because of their age or become Post 16. Eligibility for transport assistance will be reassessed at this point under this policy. Similarly if any of the child’s personal circumstances change e.g. they move address; they will be reassessed under this policy. Children who previously qualified for transport assistance under other criteria will continue to be assessed annually against the policy in force at the time e.g. those in receipt of transport on medical, exceptional or low income grounds.

## Appeals

Appendix 1 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.

Website address: <http://www.leicestershire.gov.uk/school-transport-appeals>

## Definitions supporting this document

**“Schools”**: this is a generic term used to refer to qualifying schools and colleges under this policy which are:

- community, foundation or voluntary schools;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units;
- maintained nursery schools;
- City Technology Colleges (CTC), City Colleges for the Technology of the Arts (CCTA), University Technical Colleges (UTC);
- academies (including free schools and studio schools)

When considering eligibility for transport, for a qualifying school to be considered suitable it must have places available at the point when the parent states a preference for a school and that school must provide education appropriate to the age, ability and aptitude of the child, and any special educational needs that the child may have. This policy does not apply to pupils attending independent/private schools and colleges.

A **“frozen area school”** is a Leicestershire school where there have been no changes to the admissions catchment area or age range of that school (or another school in the area, such that this affects local education provision) since May 2012. Note that if a school (or another school in the area) changes its age range or admissions catchment area then the policy will revert to the nearest/nearest Leicestershire situation. Transition arrangements for existing students would also apply at that time for this phase of education. See Appendix 4 for a list of schools currently in this category.

**“Further Education (FE) College/Sixth Form College/free-standing Sixth Form College”**: refers to any establishment that provides either mainstream, Special Educational Needs or specialist education provision for Post 16 students only i.e. do not admit students under the age of 16.

**“Catchment area(s)”**: any reference to catchment area refers only to a school’s admission catchment area as it was defined and frozen at 31st May 2012.

**“Home”**: a child’s home is the place where he or she is habitually and normally resident.

**“Low income families”**: those families qualifying for free school meals (or one of the qualifying benefits) or receiving their maximum level of Working Tax Credit. Documentation for Working Tax Credit must be recent at the time of application in order to be exempt from charges.

**“Full-time course”**: a full-time course is defined as one of at least 540 guided learning hours during the academic year.

**“Parent(s)”**: Reference to parent in this document should be equated to mean parent/carer/legal guardian.

**“Religion”**: includes those religions widely recognised in this country such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha’ism, Zoroastrianism and Jainism. Equally, denominations or sects within a religion can be considered as a

religion or religious belief, such as Catholicism or Protestantism within Christianity. The government believes that the main limitation on what constitutes a “religion” is that it must have a clear structure and belief system.

“**Belief**”: to be worthy of protection under legislation, a belief must attain a certain level of cogency, seriousness, cohesion and importance; be worthy of respect in a democratic society; and not be incompatible with human dignity or the fundamental rights of the child. Examples of beliefs are Humanism and Atheism.

## **1. Introduction**

- 1.1 The Local Authority has a duty to make arrangements to facilitate attendance at schools and colleges by providing free transport in certain circumstances. This document outlines Leicestershire County Council's home to school/college transport policy. This does NOT mean free transport will be provided for all pupils.
- 1.2 The guide notes that are associated with the discretionary transport schemes for Post 16 students, farepayers and for denominational school transport should be considered as part of this policy.
- 1.3 Transport assistance is only arranged for the normal start and finish times of schools/colleges i.e. is not tailored for evening activities, individual courses, work experience, examination timetables or any other similar situations.

## **2. Compulsory school age and statutory walking distances**

- 2.1 Compulsory school age is the age when a child must be in school i.e. the term immediately following their 5<sup>th</sup> birthday up to 16 years old i.e. the last Friday in June of the year the child turns 16. [Education Act 1997 Sec 52]. In Leicestershire "primary" aged children range from 4+ to 10+ and "secondary" aged children range from 11+ to 16.
- 2.2 "Statutory walking distance" is measured using the method shown in Section 9 and by the shortest route (from home address to the nearest school gate) along which a child, accompanied as necessary, can walk with reasonable safety. If there is no such route, the local authority is required to provide free transport no matter what distance the child lives from the school.
- 2.3 The legal minimum for free transport to be provided is for pupils aged between 5 and 16 who live over the statutory walking distances, 2 miles for those up to age 8, and 3 miles for those over 8, from home to the nearest school (or educational placement) with places available (note: for addresses around the borders of Leicestershire the nearest school may be in another local authority area). Free transport is provided, more generously, under this policy as follows:
  - for pupils aged between 4 and 16, 2 miles for primary age (up to age 11) and 3 miles for secondary age (11 -16) from home to the nearest school (or educational placement) with places available (note: for addresses around the borders of Leicestershire the nearest school may be in another local authority area)

**and in addition to provide one of the following:**

**either**

- free transport over the qualifying distances (listed above) to the nearest Leicestershire school, with places available

**or**

- where the child lives in the catchment area of a frozen area school, **only** to that school.

**Note:** where a child lives in a frozen area they will only be provided transport to the frozen area school or their nearest school. Where the nearest school is not the frozen school and is in another local authority area e.g. Leicester City, there will be no additional entitlement to any other Leicestershire school.

- 2.4 When the nearest or nearest Leicestershire school is a Voluntary Aided (faith) school, then the parent's religious views will be taken into consideration when assessing transport eligibility. If parents do not wish to send their child to a Voluntary Aided school because they object to the religious status of the school, then that school will not be counted when assessing their "nearest" school. However, for those parents who want their child to attend a faith school and that school admits them, they will only qualify for free transport (under 16) if the school is their nearest school and is over relevant walking distances.
- 2.5 The eligibility test for transport purposes is undertaken at the same time as the normal school admissions round when places are allocated: which for transfers to secondary schools is during September and October with school place offers being sent to parents in early March. Where parents apply late i.e. after the published closing date for applications for admission, eligibility to free transport is assessed for the school(s) applied for taking into account available places in the nearest schools at that point of allocation (also see paragraph 2.9).
- 2.6 For the normal school admissions round, unless there are exceptional circumstances, it is generally assumed that each of your nearest, nearest Leicestershire and/or frozen Leicestershire schools will have space to accommodate your child.
- 2.7 During the normal school admissions round, if parents choose to apply for a place for their child at a school that is not the nearest or nearest Leicestershire/frozen school as their first preference and instead apply for another preferred school then the child will have no transport entitlement to that preferred school (on the basis that space would have been available at the nearest or nearest Leicestershire/frozen school at the time of allocation and there would have been a reasonable opportunity to secure a place had parents made this their first preference).
- 2.8 During the normal admissions round if an application for a place at the nearest or nearest Leicestershire/frozen school is refused, transport may then be provided to the next nearest school with space. However, in order to qualify for transport to the next nearest school with space, parents must have listed the nearest or nearest Leicestershire/frozen school as one of their preferences and been refused a place at that school.

NOTE: During the normal admissions round, where parents express a preference for more than one school and in order to be eligible for transport to a Leicestershire school over the qualifying distance; the preferences must include all the nearest Leicestershire schools to the home, listed in order of distance.

If no school place has been secured on National Offer Day and parents then do not apply for a place at the next nearest school with space and apply instead for another (more distant) school no transport will be provided to that other school

- 2.9 For late and in-year applications (also known as 'mid-term' applications), it is understood that the nearest or nearest Leicestershire/frozen school may not have spaces available at the time of application and if this is the case (and this has been confirmed by the relevant school's admitting authority) transport will be provided to the next nearest school with space (over the qualifying walking distances of 2 or 3 miles). Note that for in-year applications the school assessed for transport purposes does not have to have a compatible transfer entry point to the current or previous school attended.

### **3. Transport assistance for Post 16 Students**

- 3.1 Transport assistance is available for those pupils above statutory school age if they live more than 3 miles from the school/college attended, if the student is aged 16, 17 or 18 when the course is started, is attending full time **and**:

- the school is the nearest school sixth form or nearest freestanding Post 16 Further Education/Sixth Form college.

**and in addition to provide transport assistance, over the qualifying distances and ages listed above, to one of the following:**

**either**

- the nearest freestanding Leicestershire Further Education/Sixth Form college

**or**

- the nearest Leicestershire school sixth form but to continue providing transport **only** to the catchment school with a sixth form in areas where there have been no changes to catchments or age range since May 2012 (frozen areas) **Note:** Where a student lives in a frozen area they will only be provided transport to the frozen area school sixth form or their nearest school sixth form. Where the nearest school sixth form is not the frozen school sixth form and is in another local authority area e.g. Leicester City, there will be no additional entitlement to any other Leicestershire school.

- 3.2 Transport assistance will only be provided in the form of a grant (see Appendix 3 for current value) for those students eligible as in paragraph 3.1 above **and**:

**either:**

- are from a qualifying low income family (students entitled to free school meals or whose parents are in receipt of one of the qualifying benefits or their maximum level Working Tax Credit)

**or**

- live more than a total of 75 minutes away (one way, measured in the morning) from your qualifying school, measured door to door using public transport (to include bus, train and commercial 'school special services' using published timetables, but not LCC contracted school buses). The journey time includes any walking time (assessed at 4mph) from home to first vehicle collection point, waiting time for connecting services and walking time from last vehicle drop off point to school/college gates. Any assessed journey must allow arrival time for

the normal start time of the school/college and return journeys must be within a reasonable period of time after the normal school/college close time.

3.3 Transport assistance is assessed to the nearest campus of schools/colleges with multiple campuses.

3.4 Transport assistance is not available to students studying Higher Education courses.

#### **4. Transport assistance where preference(s) are based on religion**

4.1 Leicestershire County Council no longer supports transport assistance for children or Post 16 students based on a religious preference other than for:

- those under 16 year old pupils that qualify under extended rights legislation (paragraph 5 below)
- those under 16 year old pupils who qualify under the "nearest" school rule (see paragraph 2.4)
- pupils and students already in receipt of transport assistance who continue to qualify under transitional arrangements until the end of their existing phase of education as outlined in the preface for the published charge.

#### **5. Extended rights for low income families (children of statutory school age)**

5.1 Variations to the above for low income families i.e. for children entitled to free school meals or whose parents are in receipt of one of the qualifying benefits that would entitle a child to free school meals or receiving their maximum level of Working Tax Credit. Free transport will be provided for:

- children aged between 8 and 11 the walking distance is reduced from 3 to 2 miles (Leicestershire County Council currently provides this for all 8 – 11 year olds);
- secondary age children (11 – 16) can receive free transport to any of their three nearest schools but only where the distance between home and school is more than 2 miles but less than 6 (**Note:** schools below 2 miles are included when assessing which are the 3 nearest);
- secondary age children (11 – 16): in accordance with Schedule 35B to the 1996 Act (inserted by the Education and Inspections Act) the Council will provide free school transport to the nearest school preferred by reason of a parent's religion or belief, that is over 2 miles and under 15 miles from the home address. The Council will normally seek documentary evidence of faith or belief e.g. a minister's letter.

5.2 Parents are required to apply for transport in secondary education under the extended rights rules on an annual basis. This should be done at least 3 months in advance of children starting school and in writing with appropriate documentation to the address at the bottom of this policy. Free transport may be withdrawn in subsequent years if a child ceases to qualify under low income extended rights.

## 6. Farepaying places

6.1 Parents of pupils who are not entitled to transport assistance can apply for a farepaying place on a Council provided school bus where there are spare seats available. Parents are charged at a flat rate as shown in Appendix 3.

6.2 Places for farepaying students:

- are entirely discretionary
- are offered on a “first come, first served” basis subject to availability
- are offered for only one year at a time
- must be applied for each year
- offer no guarantee that transport will be granted to continuing farepayers or that places will be available in any subsequent year

## 7. Pupils who move address permanently during their final year at school

7.1 To allow continued attendance at the same school free or assisted transport will be considered (at the Council’s discretion) if a child of compulsory school age has moved home address for reasons beyond the control of the parent; **and**

- the pupil has moved address in their final academic year at the school; and
- they have attended that school for more than one year; **and**
- the distance from the new address to the school is more than 2 miles for primary aged children or more than 3 miles for secondary aged children; **and**
- the new address is in Leicestershire; **and**
- the journey is a reasonable one within the view of the authority

7.2 Examples of what is considered beyond the control of the parent/carer are below (this list is not exhaustive):

- a move from Council tenancy enforced by the landlord authority
- destruction of the normal home address of the child e.g. house fire

7.3 Examples of what is **not** considered beyond the control of the parent are below (this list is not exhaustive):

- a move of place of family employment whether voluntary or otherwise
- redundancy of a family member

- a voluntary move of house as owner or tenant

7.4 No assistance is provided for students who move address in their Post 16 years, unless the student still meets the eligibility criteria for Post 16 transport in paragraph 3 above.

7.5 Where charges apply they will be made pro-rata from the date transport is provided.

7.6 Transport requests for pupil moves should be made in writing and supported with appropriate documentation to the general enquiry address detailed at the bottom of this policy.

## **8. Available routes and withdrawal of transport**

8.1 The local authority's definition of an available walking route:

*“A route is available if it is a route along which a child, accompanied as necessary, can walk with reasonable safety to school.”*

8.2 A route will be “available” even if the child would need to be accompanied along it by his or her parent, as long as such accompaniment is reasonably practicable. The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so. See Appendix 2 for further details.

8.3 Route availability, including that to and from transport pick-up/set down points, is assessed using a rigorous and robust assessment process as detailed in Appendix 2. Where a route is assessed as not being available, officers will initially explore using mapping software to investigate whether an alternative exists and is less than 2 miles (primary) and 3 miles (secondary) before allowing transport.

8.4 If a walking route is assessed as not available, assisted transport will be provided for the period the route remains unavailable.

8.5 Where a route was previously unavailable and becomes available, reasonable notice of the transport provision to be withdrawn will be issued in writing to the parent. In all cases at least 4 calendar weeks' notice will be given before transport is withdrawn.

8.6 Where a parent disputes the assessment of an available route there is an appeal process - see Appendix 1.

## **9. Measurement of distances**

9.1 In order to determine which school is the nearest to a home address distances beyond the statutory walking distance (or where there is no available walking route) are measured by the shortest road route. Reference to road route should be taken to mean a route passable by a suitable motor vehicle, and could include distance covered on additional transport, e.g. via ferry. Road routes are measured from the centre line of the public highway immediately outside the home address to the nearest school or college pedestrian entrance. For measurement purposes the centre line of the public highway will be used for the whole route.

9.2 Once the nearest school has been identified, to establish a child's transport eligibility, statutory walking distances (2 miles for primary aged children and 3 miles for secondary aged children) will be measured by the shortest available walking route from the centre line of the public highway immediately outside the home address to the nearest school or college pedestrian entrance. The route measured may include footpaths, bridleways, and other pathways, as well as recognised roads where these are assessed to be available.

9.3 Distances are measured in a consistent fashion using computerised measuring systems:

- for in-county measurements and for an address in Leicester City and Rutland, the County Council's MapInfo software is used.
- for some distances that cross the county boundary (except for Leicester City and Rutland), Google Maps is used. This is because the County Council's MapInfo system currently only covers addresses that fall in Leicestershire, Rutland and Leicester City and a certain distance into other counties. Please note that these methods may change as new software becomes available.
- on request, we will provide a map of the available walking or road route and/or a list of the street/roads measured in determining the distance between home and school.

## **10. Split families and transport to alternative addresses**

10.1 Home to school transport is provided from/to the main home address of the child only i.e. the address where the child lives permanently or most often. Transport will not be provided to alternative addresses e.g. childminders.

10.2 In the case of split families where a child spends more than 50% of their time during the school week at one or other of their parent's addresses then that is the only address which will be used to determine eligibility for and provision of school transport irrespective if they would qualify from the address where they spend the lesser amount of time.

10.3 For children whose parents live at separate addresses where the child spends an equal amount of time during the school week at both addresses and the child would qualify for free or assisted transport to school from both addresses, the local authority will provide transport from one address only. We will ask the parents to decide which address is to be used for the provision of school transport.

10.4 For children whose parents live at separate addresses where the child spends an equal amount of time during the school week at both addresses and the child would qualify for free or assisted transport to school from only one address, the local authority will provide transport from that one address only.

10.5 The Council may ask parents to provide documentary proof of residency.

## **11. Exceptional circumstances**

11.1 In exceptional circumstances and for a short period, consideration may be given to individual exceptional requests for transport assistance. Each case is considered on its merits. Examples (this list is not exhaustive) of past exceptions have been:

- where a pupil is subject to a child protection plan
- a recent bereavement in the immediate family

11.2 The following circumstances are not on their own likely to be regarded as exceptional (this list is not exhaustive):

- single parent families
- child in temporary care
- temporary fragmentation of the family
- families in receipt of state benefit or re-housed families
- bullying (as all schools are required to have effective anti-bullying policies)

11.3 Exceptional transport requests should be made in writing and supported with appropriate professional documentation to the address shown at the bottom of this policy.

## **12. Transport assistance on grounds of medical condition**

12.1 Transport on grounds of medical condition will usually only be considered for children who are attending their nearest, nearest Leicestershire or frozen area school. Where transport assistance is requested because of a medical condition parents must complete a form with proof of the diagnosed medical condition by a medical professional. Once the documentation is assessed transport assistance will only be agreed for a period assessed as appropriate based on advice from the lead medical professional. Where the period of time has not been specified, the local authority will review the situation on a termly basis.

12.2 Children with long-term or permanent medical conditions that necessitate transport assistance are assessed as above with an annual review of the transport assistance.

12.3 Medical transport requests should be made in writing (using the form available from our website) and supported with appropriate professional documentation to the address shown at the bottom of this policy.

## **13. Equality considerations and disabled parents/carers**

13.1 The Equality Act 2010 places a duty on Local Authorities to promote equality of opportunity for disabled people and to eliminate discrimination and this applies to the exercise of its policies, practices and procedures and provision of services so that they do not discriminate against disabled people or those associated with them.

- 13.2 Reasonable adjustments under the Equality Act as applicable will be considered in relation to the application of transport assistance in this policy.
- 13.3 When parents' disability prevents them from accompanying their child along a walking route then a reasonable adjustment could be for the LA to consider travel assistance for the child depending on the circumstances of the case. The LA might consider this if the effects of the parents' disability on their ability to escort their child to school cannot otherwise be eliminated, for example, the parent making arrangements for a suitable other adult to accompany their child to school if necessary.
- 13.4 If travel assistance is provided then this will normally be provided on a temporary basis with dates set for review of the arrangements as appropriate.
- 13.5 Applications for assistance for children whose parents are unable to meet their duty to ensure that their child attends school by reason of disability, should be made in writing to the address at the end of this policy. Please note that this may require referral to Adult Social Care for assessment and/or for information to be provided by the parent.

#### **14. Poor behaviour and withdrawal of transport**

- 14.1 The government expects each school to promote appropriate standards of behaviour by pupils on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The Education and Inspections Act 2006 empowers headteachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school, but when it is reasonable to do so. In the government's view, this would include behaviour on school buses, or otherwise on the route to and from school, whether or not the pupils are in school uniform.
- 14.2 The Council has a duty to ensure all children travel in reasonable safety and comfort. Any behaviour affecting other passengers, the public or the driver that endangers (whether intentionally or unintentionally) themselves or others may lead to transport being withdrawn from a child, either temporarily or permanently. In these circumstances, the arrangement and cost of transport will fall to the parent and it will remain the duty of the parent to ensure their children continue to attend school.

#### **15. Errors and eligibility changes**

- 15.1 Where a pupil or student has been assessed as eligible for assisted or free transport in error or is otherwise subsequently assessed as no longer entitled to transport assistance, reasonable notice of the provision to be withdrawn will be issued in writing to the parent. In all cases at least 4 calendar weeks' notice will be given before transport is withdrawn.
- 15.2 Where a pupil or student is currently in receipt of transport assistance and moves address and/or school/college they will be reassessed for eligibility under this

policy. If at that point the pupil/student is assessed as ineligible transport assistance will be withdrawn on the date that the move or change of school takes place.

## **16. Retrospective claims and other payments to parents**

16.1 The County Council reserves the right to refuse retrospective claims for transport costs undertaken by parents: eligibility is described in this policy and transport provided accordingly. In exceptional circumstances, the County Council can make direct payment to parents or students who make their own arrangements for journeys to and from school or college. However, this will only be done by agreement and where it is more cost effective to the Council.

## **17. Payment from parents**

17.1 We offer parents a variety of ways to pay for transport assistance, details of which can be found in the guidance notes for each transport scheme. You can view the guidance notes on our website. Alternatively you may call our Customer Service Centre for a copy on 0116 305 0002.

17.2 Transport assistance debts will be pursued by legal action and no transport will be provided for any forthcoming year nor for any child in the family if any debt remains outstanding. Even if a debt is settled the Council may require full payment in advance for any future assisted transport.

17.3 Where a failure of transport arises as a result of poor weather, road conditions or due to any other short-term failure, refunds will not be made nor alternative transport arranged. Bus and taxi operators are empowered to make the decision whether routes/parts of routes are safe to operate in severe weather conditions.

## **18. Transport assistance for pupils on a Managed Move**

18.1 Transport assistance will only be provided under the Authority's discretion outside the normal eligibility rules stated in this policy, according to the Fair Access Protocol, **and**

- is only at the start and end of each school day: **and**
- is subject to the distance from home to the new school exceeding statutory walking distances; **and**
- is for a maximum of 10 weeks

## **19. Transport for permanently excluded pupils**

19.1 Transport will be provided as follows:

- transport during the first term of admission to a new school is to be provided by the Behaviour Partnerships;
- transport following re-admission to a school is to be made available via mainstream provision from the start of the term following admission, providing the home to school distance exceeds statutory distances;

- mainstream transport will not be funded to a more distant school when a nearer appropriate school place is available under the Fair Access Protocol;
- transport will only be provided to the new school until transfer to the next phase of education or until the end of the year 11, except for exceptional circumstances e.g. if there are reasons, connected to the exclusion, why the young person cannot attend their nearest, nearest Leicestershire or frozen area school at point of transfer;

## **20. Seatbelts / 3-for-2 seating / use of double-deck vehicles**

- 20.1 For children aged 14 and over, it is a legal requirement that seat belts, where fitted in a bus or coach, must be used but it is not the driver's legal responsibility to ensure that seat belts are used. For pupils between the ages of 3 and 13 inclusive there is no legal requirement that seat belts, where fitted in a bus or coach, are used. The wearing of seatbelts cannot legally be enforced by drivers or others. Schools may wish to include a section on seatbelt wearing on parental consent forms. Forcing a seatbelt on to a child is not appropriate. If a member of staff or other adult is assisting a child to put on a seatbelt, in accordance with the parent's and child's wish, physical contact with the child must be minimal and only such as is necessary to put on the seatbelt. Staff are advised to undertake such actions in the presence of other adults.
- 20.2 Our contracts with school bus providers exceed minimum government regulations in relation to transporting children (to and from school) in respect of the vehicles that we are responsible for. We do this by:
- only allocating one child per seat on dedicated school buses, coaches or taxis (the "3 for 2" seating rule is not used in Leicestershire)
  - seatbelts are provided on all dedicated single deck school buses, coaches or taxis
  - only single deck vehicles are used for primary school transport
  - no single journey in a double deck vehicle will exceed 12 miles

## **21. Disclosure and Barring Service (DBS) checks**

- 21.1 Bus drivers: it is mandatory for all of our contracted home to school bus drivers to display their "approved school bus driver status" badge, which indicates that they have had an enhanced DBS check. Repeat DBS checks are carried out at regular intervals.
- 21.2 Taxi drivers: taxi drivers are checked by the relevant District Council as part of the licensing process. All Leicestershire District Councils check taxi drivers and repeat checks are carried out at regular intervals (depending on the individual council's processes).

## **General Enquiries:**

General enquiries and specific requests should initially be addressed to:

Email: [transportassessments@leics.gov.uk](mailto:transportassessments@leics.gov.uk)

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

Telephone: 0116 305 0255

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## **APPENDIX 1: 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 by road in relation to nearest school
  - The safety of the walking route

### **3. Appeals process and timescale**

- 3.1 The County Council has a 2 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.
- 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 5 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.

## **4 Variations to the above process for the review of PTBs for SEN students (non-statutory 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 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: <http://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:

<http://www.leicestershire.gov.uk/school-transport-appeals>

or by contacting:

Transport Assessments Team  
Transport Operations  
Environment & Transport Department  
Leicestershire County Council  
County Hall  
Glenfield  
Leicester  
LE3 8RJ

Tel: 0116 305 0255

Email: [TransportAssessments@leics.gov.uk](mailto: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.

## **APPENDIX 2: Process for assessing whether or not walking routes to schools are unavailable**

### **1. Context**

This process is based on the statutory guidance applicable as issued by the Department for Education (DfE)<sup>1</sup> and the Assessment of Walked Routes to School guidelines produced by Road Safety GB in 2011 which provides guidance on the interpretation of both case law and what is generally accepted by many Local Authorities as good practice in assessing various elements of the walking route between home and school.

Specifically, the DfE guidance states: “Local authorities are required to make transport arrangements for all children who cannot reasonably be expected to walk to the nearest suitable school because the nature of the route is deemed unsafe to walk”.

Leicestershire County Council takes account of the safety aspect of routes to school and to transport pick up points by following the process and assessment criteria stated below.

### **2. Process**

- (a) A request to assess a route for availability is made to the Transport Operations Service (normally from a parent or school, but also where the County Council is providing free transport outside of the Home to School Transport Policy and the route may have become available).
- (b) Request from the Transport Operations Service for an initial assessment of the route using available mapping media, if the route is initially assessed as an available walking route a full assessment will be undertaken including a site visit with photographic records. Routes that fail an initial assessment may be subject to a full assessment if the decision is considered marginal by the Assessing Officer and transport will be provided if under the statutory walking distances for primary and secondary aged children until the full assessment has been completed.
- (c) Evidence will be considered from the Traffic and Signals Team, when undertaking full assessments using the assessment criteria below, which may (but will not always) include a site visit, information on traffic volumes (where required and where available) and accident history records.
- (d) A written report of site visit (using the standard format below) and other information (such as accident data) will be considered.
- (e) The findings of the process above will be considered by officers within the Accident and Investigation Team who will review the assessment and provide a written report on whether the route is available.
- (f) The Assessment report will be sent to the Transport Operations Service.

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<sup>1</sup> footnote: at time of publication of this policy the guidance in effect was the Home to School Transport and Travel Guidance July 2014

(g) Any appeal to review the route assessment will be considered as outlined in the Appeals Process in Appendix 1.

(h) If a route is assessed not to be available, then free transport will be arranged as soon as practically possible. If a route is assessed to be available, but free transport has been provided (because previously the route was assessed as not being available and remedial works have been undertaken to make the route available), the County Council will give at least 4 calendar weeks' notice to affected parents/pupils of the withdrawal the free provision.

### 3. Assessment Criteria

Whilst the following criteria are specific, professional judgement will be exercised to take account of any local circumstances and the merits of any individual case, as required.

<b>Factor Assessed</b>	<b>What is Assessed</b>	<b>Assumptions</b>
The age of the child	<p>The age of the children using the walking route will be assessed.</p> <p>The age of the child is assessed to distinguish between the 2 maximum walking distances from home to school i.e. 2 or 3 miles.</p>	The existence of public transport (bus or rail) or farepaying places on contracted Home to School Transport is not taken into account when assessing a walking route.
Whether any potential risks might be mitigated if the child were accompanied by an adult	<p>The route is assessed on the basis that a responsible adult will accompany the child as necessary.</p> <p>There may be circumstances where this may not be possible i.e. because of disability. Such circumstances would be considered by means of an appeal.</p>	<p>Existing guidance and case law about adults accompanying children remains unchanged</p> <p>It is recognised that parents may decide that accompaniment is not required as the child matures; however the legal precedent suggests that parents accompany as necessary.</p>
The width of any roads travelled along and the existence of footways.	<p>The width of roads is taken into account when no footway is present to assess the suitability of walking at the side of the road</p> <p>The detail of the assessment will indicate the nature of the route and where crossing of main roads and walking at the side of the road is required.</p>	<p>The availability of suitable footways, rights of way, bridleways etc., which do not necessarily follow roads, may be taken into consideration.</p> <p>If there is no suitable public footpath or footway a walking route is available if it is acceptable in two respects: walking at the side of the road and</p>

Factor Assessed	What is Assessed	Assumptions
		<p>crossing the road where necessary.</p> <p>Where there is no footway and there is a requirement to walk on the road it is assumed that pedestrians will face on-coming traffic, but it is acceptable for them to cross and walk on the other side of the road if it is considered safer to do so.</p>
<p>The volume and speed of traffic travelling along any roads</p>	<p>Both crossing the road (visibility sighting times and waiting time to cross) and walking at the side of the road criteria take into account traffic volume and speed:</p> <p>Crossing a road is acceptable if:</p> <ul style="list-style-type: none"> <li>• There is at least 4 seconds' sighting time for vehicle drivers to see pedestrians,</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• A pedestrian has to wait no more than 40 seconds to cross the road.</li> </ul> <p><b><i>A series of timings will be taken to arrive at an average timing for purposes of assessment.</i></b></p> <p>Walking alongside a road is acceptable if there is a footway with a reasonably even surface of suitable width.</p> <p>Walking at the side of a road is acceptable if:</p> <ul style="list-style-type: none"> <li>• in the absence of a footway the road is</li> </ul>	<p>LCC Criteria on sighting times and waiting times to cross have been adopted from Road Safety GB detailed guidance regarding traffic flow and gap times.</p>

Factor Assessed	What is Assessed	Assumptions
	<p>greater than 6.5 metres wide and there are less than 240 vehicles per hour, two-way, of which no more than 24 are HGVs,</p> <p>OR</p> <ul style="list-style-type: none"> <li>• for roads up to 6.5 metres in width, there are less than 240 vehicles per hour, two-way, of which no more than 24 are HGVs,</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• there is at least 4 seconds' sighting time for vehicle drivers and pedestrians and there is a reasonably even and firm verge to step on to off the road.</li> </ul> <p><b><i>A series of timings will be taken when assessing the route.</i></b></p>	
The existence or otherwise of street lighting	Where crossing roads or where there is no available footway the existence or otherwise of street lighting will be considered (where visibility of pedestrians at the side of the road could be compromised).	<p>The existence or otherwise of street lighting is taken into account where this will assist drivers in seeing pedestrians walking in the road or at identified crossing points where no light controlled (Pelican or Toucan) or Zebra crossings exist.</p> <p>If a continuous suitable footway exists then street lighting is desirable but may not be required for a route to be assessed as available.</p>
The condition of the route at different times of the year, at the times of day that a child would be expected to travel to and from school	Site visits will cover the whole route but focus on parts of the route with potential hazards, and will take place at the time in the	The route will be kept well maintained by landowners and the Highway Authority. Where problems are identified, such as

Factor Assessed	What is Assessed	Assumptions
	<p data-bbox="579 197 919 300">morning (or afternoon) when children would be travelling to school.</p> <p data-bbox="579 340 930 483">Assessments when undertaken will consider seasonal variations in conditions along a route.</p> <p data-bbox="579 524 970 772">Assessments may identify improvements to routes which if undertaken would make the route available, even if the route is deemed not to be available in the interim</p>	<p data-bbox="1013 197 1406 412">overgrown foliage and damage to footways we will ask landowners to repair this or the Council will repair this and recharge landowners as appropriate.</p> <p data-bbox="1013 452 1406 629">Assessments will consider the condition of the route at different times of the year and in particular the effects of vegetation growth.</p>

#### 4. Assessment Report Format

##### General

- The start and end points of the assessment and the details of the route taken will be provided along with a map of the route assessed. The route will be split up into sections for the purpose of reporting.
- The time of day the assessment is undertaken will be stated
- The weather and light conditions will be noted.
- Photographs will be taken to exemplify areas likely to be of concern

##### Section characteristics

The Assessment will:

- record if there is a footway and if so, the general availability and condition of it. An assessment of the suitability of the footway will be made with photographs of any narrow sections. An assessment will be made as to whether it is available for walking and of sufficient width and quality. The condition and maintenance of the footway maintained and other pedestrian use will be noted.
- define length/names of the roads on the route and any relevant characteristics, for example, whether the route is rural/urban, single/dual carriageway, A/B class, one-way, speed limit, estimated vehicle speeds and whether traffic calmed.
- define road widths and any variations where there is no footway, (noting locations where the road narrows at “pinch points”). In the absence of footways a note of the forward visibility for sighting times will be made.
- highlight any feature along the route that may need re-assessment in the future (e.g. likely change in traffic patterns or vegetation that may compromise available footway width)
- consider whether there are any alternative walking routes.

## **Crossing – assessment**

The Assessment will:

- consider whether there is a need to cross a main road or significant side road or entrance on the section of route being assessed.
- make reference to the fact that there are side roads and entrances and specifically note any that are likely to have significant traffic movements and which need to be crossed.
- where roads need to be crossed, consider if there is at least 4 seconds' sighting time for drivers to see pedestrians and whether waiting time to cross is less than 40 seconds (keeping a record of the average timings).
- note any crossing facilities on the assessed section (central refuges, zebras, pelicans, etc.)
- note if crossing is recommended to take place at a specific location.

## **Walking at the side of the road assessment**

The assessment will:

- consider whether there is a footway on the section and if there is an available walking route on both sides of the road
- consider which side of the road the footway is situated on and whether it has a reasonably even surface and is of sufficient width
- consider whether “availability” is likely to remain the same throughout the year and in all conditions
- in cases where there is no footway available, consider whether traffic flow is estimated to be over 240 vehicles per hour and if HGV flow is estimated to be over 24 vehicles per hour.
- consider the characteristics (length, width and “condition”) of the verge

## **5. Frequently Asked Questions** (These do not form part of the assessment process)

**What time are the assessments undertaken?** - Assessments usually take place in the morning during the times that children will be travelling to school but assessments may also be undertaken when returning home in the afternoon. Visits are timed, where possible, so that crossing assessments of main roads take place at the times when the number of children travelling to school is highest. Detailed timings and measurements are undertaken.

**What happens if I can't walk with my child?** Any adult can walk with a group of children. We will work with schools to identify other ways of travelling to school through School Travel Plans. Where the walking route is less than 2 miles for children who attend primary

school and less than 3 miles for secondary age children the responsibility for ensuring children attend school remains with the parent - this is not a Leicestershire County Council responsibility.

**What happens if the footway is really narrow?** There is no minimum width for a footway to be acceptable for walking. Officers will use their professional judgement on the available width including hedgerows and verges next to the footway to determine its availability as suitable for walking.

**What if my child has to walk in the dark?** Generally school start and finish times are such that children can walk to school in daylight. There will be a limited number of times when this is before sunrise and after the sun sets i.e. in twilight hours. In these cases it is the parents' responsibility to accompany their child if they feel it is appropriate. You may decide that your child can walk unaccompanied but the legal responsibility remains with parents to make appropriate arrangements to ensure that their child attends school.

**What accident data will be included?** The report will include a general reference to all accidents on the route, additional reference to accidents involving pedestrians, and a detailed reference to pedestrian accidents at designated crossing points.

**What if there isn't a footway?** Even if there isn't a footway the walking route might still be assessed as available. The assessment will take account of traffic flows and whether pedestrians and car drivers have enough time to slow down or pedestrians have time to step off the road onto a verge.

**What do I do if I think the walking route is unsafe?** No walking route can be absolutely safe; the term used in our policy is "reasonable safety" which would make the walking route available. If you think the route isn't available you have the right to appeal but you must demonstrate why or if there has been a change to the route that would render it not reasonably safe to walk along.

### **APPENDIX 3: Summary of school transport charges and grants 2016 onwards**

The following is a summary of charges agreed by the Cabinet of the County Council in July 2013. Please note that these may be subject to review.

#### **Voluntary Aided (faith) transport**

- September 2016 – contribution rises to £750 per annum per child (full cost recovery) for existing transport.
- September 2017 – contribution rises to £800 per annum per child (full cost recovery) for existing transport.
- September 2018 – contribution remains at £800 per annum per child (full cost recovery) for existing transport.
- September 2019 – contribution remains at £800 per annum per child (full cost recovery) for existing transport.

#### **16+ transport**

- September 2016 – £600 per student per annum (full cost recovery) for transport with low income exemption (students entitled to Free School Meals or families who are on their maximum level of Working Tax Credit)
- September 2017– £660 per student per annum (full cost recovery) for transport with low income exemption (students entitled to Free School Meals or families who are on their maximum level of Working Tax Credit).
- September 2018– £660 per student per annum (full cost recovery) for transport with low income exemption (students entitled to Free School Meals or families who are on their maximum level of Working Tax Credit).
- September 2019 – Mainstream charging system removed and replaced with new grant system for eligible students. For those eligible under the SEN policy: £660 charge per student per annum with low income discount of 50% (students entitled to Free School Meals or families who are on their maximum level of Working Tax Credit).

#### **Farepayers**

The charges for farepayers (pupils who are not entitled to free/assisted home to school transport but apply for and are granted spare seats on school buses) will increase to reflect the costs of other discretionary provision:

- September 2016 - £750 per child per annum
- September 2017 - £800 per child per annum
- September 2018 - £800 per child per annum
- September 2019 - £800 per child per annum

<b>Provision of Mainstream/SEN 16+ home to school transport</b>		
<b>Year</b>	<b>Charge</b>	<b>Comments</b>
2016-17	£600 - full cost recovery	Low income exception (Free school meals or max working tax credit)
2017-18	£660 – full cost recovery	Low income exception (Free school meals or max working tax credit)
2018-19	£660 – full cost recovery	Low income exception (Free school meals or max working tax credit)
2019-20	£660 for SEN	Mainstream transport changed to a grant scheme for eligible students - £150 grant per annum. SEN students £660 charge with 50% discount for low income families (Free School Meals or Maximum Working Tax Credit)

<b>Provision of home to school transport to Voluntary Aided (faith) schools (other than under Extended Rights legislation)</b>		
<b>Year</b>	<b>Charge</b>	<b>Comments</b>
2016-17	£750 - full cost recovery	No new transport agreed & existing transport phased out over next 3 years (Secondary) / 5 Years (Primary)
2017-18	£800 - full cost recovery	No new transport agreed & existing transport phased out over next 2 years (Secondary) / 4 Years (Primary)
2018-19	£800 - full cost recovery	No new transport agreed & existing transport phased out over next year (Secondary) / 3 Years (Primary)
2019-20	£800 - full cost recovery	No new transport agreed & existing primary transport phased out over next 2 years
2020-21	Reassess full cost recovery	No new transport agreed & existing primary transport phased out over next year
2021-22	No VA transport provided	

<b>Farepayers (pupils who are not eligible to free transport but apply and pay to use spare seats)</b>		
<b>Year</b>	<b>Charge</b>	<b>Comments</b>
2016-17	£750 any age	In line with highest charge for either 16+ or VA transport
2017-18	£800 any age	In line with highest charge for either 16+ or VA transport
2018-19	£800 any age	In line with highest charge for either 16+ or VA transport
2019-20	£800 any age	In line with charge for VA transport

## **APPENDIX 4: Frequently asked questions (FAQs) for parents regarding the home to school transport policy & eligibility changes**

Leicestershire County Council changed its mainstream home to school transport policy from the start of the 2015/16 academic year and again from the start of the 2019/20 academic year for Post 16 Students. The following questions and answers are to help parents understand the changes.

### **Why has the Council needed to change its school transport policy?**

The Government has encouraged schools to become academies and these national changes have altered the education landscape significantly and there are now many academies across Leicestershire, including all secondary schools.

Academies and free schools can choose to change their age ranges and their admission catchment areas, and many have already done this or are planning changes. This means that for many schools their catchment areas (for both admissions and transport) overlap with those of neighbouring schools; the main cause of this is where schools extend their age range causing their catchment area to overlap with schools that they have traditionally fed into e.g. an 11-14 high school converts to an 11-16 secondary school meaning the catchment area then overlaps with that of the 14-19 school it previously fed into. The Council's transport policy needs to reflect these changes where they have occurred and be clear on the transport arrangements which will apply if other schools change in the future.

### **What are the key points of the policy?**

The first thing to note is that the new policy means that the traditional pattern of school transport around Leicestershire has significantly changed. Therefore, please **do not assume** that just because school transport has previously gone from your area to your child's school that this will still be the case in future.

The recognition of traditional '**catchment areas**' (or 'feeder' arrangements) for transport is **generally no longer the case**. In brief, free home to school transport for under 16s in mainstream education will be provided as follows:

- for pupils aged between 4 and 16, who live over 2 miles for primary age (up to age 11) and 3 miles for secondary age (11 -16) from home to the nearest school (or educational placement) with places available (note: for addresses around the borders of Leicestershire the nearest school may be in another local authority area)

#### **and in addition to provide one of the following:**

##### **either**

- free transport over the qualifying distances (listed above) to the nearest Leicestershire school, with places available

##### **or**

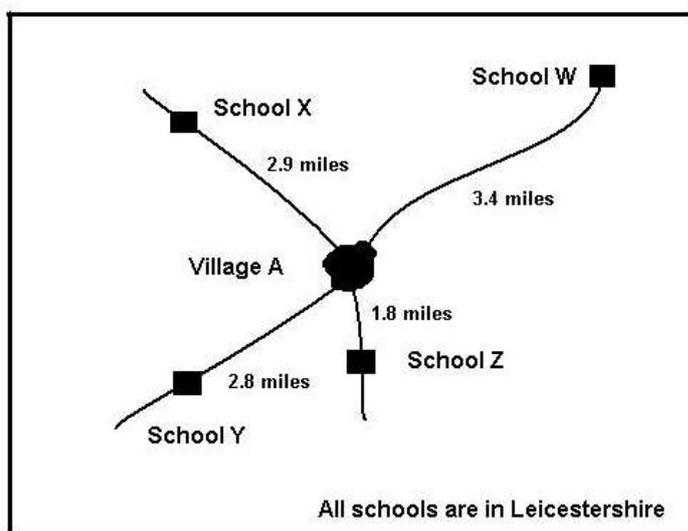
- where the child lives in the catchment area of a frozen area school, **only** to that school

**Note:** where a child lives in a frozen area they will only be provided transport to the frozen area school or their nearest school. Where the nearest school is not the frozen school and is in another local authority area e.g. Leicester City, there will be no additional entitlement to any other Leicestershire school.

A “**frozen area school**” is a Leicestershire school where there have been no changes to the admissions catchment area or age range of that school (or another school in the area, such that this affects local education provision) since May 2012. Note that if a school (or another school in the area) changes its age range or admissions catchment area then the policy will revert to the nearest/nearest Leicestershire situation. Transition arrangements for existing students would also apply at that time for this phase of education. A list of frozen area schools is shown below.

If a child attends a high school and has to leave at the end of year 9 (because the school only takes students up to the end of year 9, age 14) and go to a 14+ upper school we will provide free transport to the nearest Leicestershire 14+ upper school, with an appropriate transfer entry point or where there is another nearer school with a year 10 and it is the nearest school with a year 10, with available space where the distance is more than 3 miles

Please also note that if **any** Leicestershire school with available space is within walking distance (2 miles primary, 3 miles secondary) transport will **not** be provided **irrespective of the school you send your child to**. An example follows:



If we assume there are no other schools in the area, none of the schools are in frozen areas and all of the routes are available to walk: children from village A will receive no free transport to any of the 4 schools shown. Schools X, Y and Z are all under the 3 mile walking distance and school W is over 3 miles away, but there are 3 nearer schools where places would be available. Please note that this will apply irrespective of which school is the admissions catchment school for village A.

If School W is the admissions catchment area school and is not in a frozen area, transport would not be provided to that school, as there are 3 nearer schools with an available walking route at under 3 miles.

If School W is a frozen area school, transport would be provided **only** to that school, as it is the admissions catchment area school for village A.

### **Which are the schools that have not changed catchment or age ranges since May 2012 (frozen area schools)?**

The following is a list (**correct as known at August 2018**) of secondary schools/academies that have **not** changed either their age range or admissions catchment area. This means that transport will **only** be provided for pupils who live in the traditional catchment area (where pupils

live over the qualifying distance of 3 miles) to these schools (unless the school also happens to be your nearest); or to your nearest school if it is over the statutory distances of 3 miles.

<b>Frozen high and 11-16 schools from 2019</b>
Brookvale High School, Groby (* see below)
The Priory Belvoir Academy, Bottesford
Castle Rock High School, Coalville
Ibstock Community College
Ivanhoe College, Ashby
John Ferneley College, Melton
Longfield College, Melton
Newbridge High School, Coalville

<b>Frozen upper schools (14+) from 2019</b>
King Edward VII College, Coalville

\* - please note that Brookvale High School and Groby Community College announced their merger in February 2019 – therefore, as Brookvale High School ceases to exist the new school (“Brookvale Groby Learning Campus”) cannot retain the frozen status that Brookvale High School previously held.

For primary schools - the majority have **NOT** changed either their admissions catchment area or age range, therefore free transport will **only** be provided over 2 miles to the traditional ‘frozen’ area school or to another nearest school if there is one. The following list shows primary schools **where changes have been made**, therefore transport will only be provided to these schools if it is your nearest or nearest Leicestershire primary school and over 2 miles away:

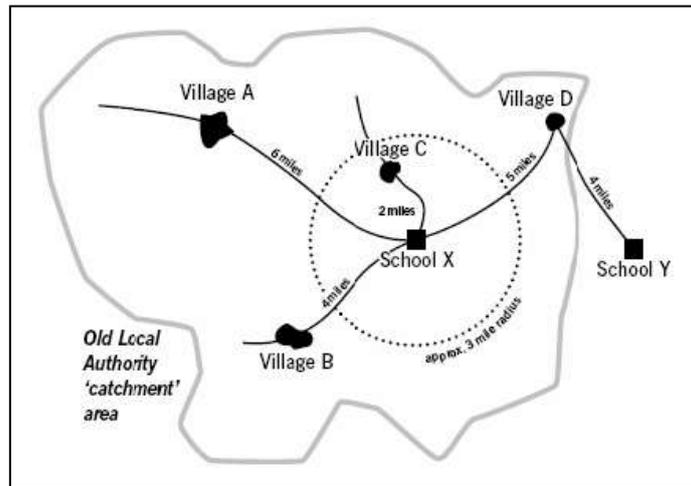
<b>NOT frozen primary schools from 2018</b>
Albert Village Primary
All Saints Primary, Coalville
All Saints C of E Primary, Wigston
Belton CE Primary
Belvoirdale Primary, Coalville
Blackfordby Primary
Breedon on the Hill CE Primary
Castle Donington St. Edward’s CE Primary
Castle Donington Orchard Primary
Diseworth CE Primary
Fairfield Primary, Wigston
Fossebrook Primary, Leicester Forest East
Glen Hills Primary, Wigston
Glenmere Community Primary, Wigston
Hallam Fields Primary School, Birstall
Hemington Primary
Highcliffe Primary, Birstall
Houghton on the Hill Primary
Hugglestone Primary
Kegworth Primary
Kingsway Primary, Braunstone
Little Hill Primary, Wigston
Long Whatton Primary
Manorfield C of E Primary, Stoney Stanton

Mercenfeld Primary, Markfield
Millfield L.E.A.D. Academy, Braunstone
Oadby Brocks Hill Primary
Oadby Brookside Primary
Oadby Langmoor Primary
Oadby Launde Primary
Oadby Woodland Grange Primary
Parkland Primary, South Wigston
Parks Primary, Hinckley
Ravenhurst Primary, Braunstone
Riverside Primary, Birstall
Sapcote Primary
Shepshed Newcroft Primary
Shepshed Oxley Primary
Shepshed St. Botolph's Primary
Sketchley Hill Primary, Hinckley
Stafford Leys Primary, LFE
Stanton Under Bardon Primary
St Mary's C of E Primary, Hinckley
The Meadow Primary, Wigston
Thornton Primary
Thurnby Fernvale Primary
Thurnby St Luke's CE Primary
Thythorn Field Primary, Wigston
Water Leys Primary, Wigston
Westfield Infants, Hinckley
Westfield Juniors, Hinckley
Woodstone Primary, Ravenstone

You should note that if a school/academy changes its age range or admissions catchment area (or another school/academy in the area does, such that this affects local education provision) then the policy will revert to the nearest/nearest Leicestershire situation. Transition arrangements for existing students would also apply at that time for this phase of education. The admissions catchment areas for frozen schools can be found on the school's websites.

### **Can you give me an example of how the policy works?**

The previous transport policy (used up until July 2015) assumed school admission catchment areas and age ranges did not overlap. Therefore, there was no ambiguity about which school a pupil would have entitlement to free transport to (if any). In practice, there were instances where the catchment area school was further from the child's home than another school. The previous policy allowed for this as it entitled the pupil to free transport to either their catchment or nearer school. In certain instances, the nearer school was outside Leicestershire e.g. in a neighbouring county or Leicester City.



The diagram above gives a simple example of secondary transport entitlement under the previous policy and how this has changed under the new 'nearest Leicestershire school' policy. Under the previous policy children living in villages A, B and D were eligible to free transport to School X, as this is the catchment area school and over three miles away. Children living in village C did not qualify for free transport as they are under three miles from the school and a walking route is available.

If we assume there are no other schools in the area and Schools X and Y are not frozen, then the new policy will only recognise the nearest and/or nearest Leicestershire school. Therefore, children living in villages A and B would be entitled to free transport to School X as it is their nearest Leicestershire school and over three miles away. Children living in village C would still not qualify for free transport as they are under three miles to their nearest Leicestershire school (no change). Children living in village D would no longer qualify for free transport to School X even though this is their traditional catchment area school and may be within School X's academy admissions area. This is because School X is not the nearest Leicestershire school to these pupils' home addresses. These pupils would be eligible for free transport to School Y as it is the nearest Leicestershire school and is more than three miles from the home address.

Note - if School Y was in a different local authority area e.g. Leicester City or another county; then pupils in Village D would get free transport to either School X as their nearest Leicestershire School or School Y as the absolute nearest school.

### How does the council measure distance?

The Council uses a highly accurate software programme for measuring distances (MapInfo). In order to determine which school is the nearest to a home address, distances beyond the statutory walking distance are measured by the shortest road route. Once the nearest school has been identified, to establish a child's transport eligibility, statutory walking distances (2 miles for primary aged children and 3 miles for secondary aged children) will be measured by the shortest available walking route from the centre line of the public highway immediately outside the home address to the nearest school or college pedestrian entrance.

The Mapinfo system is a professional mapping tool that is not available for free, but families who want to assess what might be their nearest school can use an online mapping tool to give **an approximate indication** of distances e.g. Google maps, AA maps. It is advisable, however, that parents contact the Transport Assessments Team in order to clarify their nearest/nearest Leicestershire school and contact details are provided at the end of the document.

## What if there is no space in my nearest school?

Government guidance says that we should do the eligibility test for transport purposes at the same time as the normal school admissions round. This means we will check eligibility around March and April 2019 when school place offers are being sent to parents. Unless there are exceptional circumstances it is assumed that your nearest and/or frozen Leicestershire school will have space to accommodate your child.

During the normal school admissions round, if parents choose to apply for a place for their child at a school that is not the nearest or nearest Leicestershire/frozen school as their first preference and instead apply for another preferred school and secure a place at that preferred school then the child will have no transport entitlement to that preferred school (on the basis that space would have been available at the nearest or nearest Leicestershire/frozen school at the time of allocation and there would have been a reasonable opportunity to secure a place had parents made this their first preference).

During the normal admissions round if an application for a place at the nearest or nearest Leicestershire/frozen school is refused, transport may then be provided to the next nearest school with space. However, in order to qualify for transport to the next nearest school with space, parents must have listed the nearest or nearest Leicestershire/frozen school as one of their preferences and been refused a place at that school. If parents then do not apply for a place at the next nearest school and apply instead for another (more distant) school no transport will be provided to that other school.

NOTE: if parents apply for a school which is not their nearest or nearest Leicestershire/frozen school and rank that preference higher than their nearest or nearest Leicestershire/frozen school and secure a place at that preferred school, then transport will not be provided to that preferred school as a place could potentially have been secured at the nearest or nearest Leicestershire/frozen school.

## What about 16+ transport?

Government guidance has raised the age to which young people have a duty to stay in education, employment or training i.e. this is **not** about raising school leaving age, as there are other opportunities than just staying at school, such as apprenticeships. There has been no change in the legislation governing transport for those aged 16+ so this remains a discretionary service that the Council doesn't have to provide. However, the new policy below will still provide a limited choice of transport options for 16+ students.

Transport assistance is available for those pupils above statutory school age if they live more than three miles from the school/college attended, if the student is aged 16, 17 or 18 when the course is started **and**:

- the school is the nearest school sixth form or nearest freestanding Post 16 Further Education/Sixth Form college.

**and in addition to provide transport assistance, over the qualifying distances and ages listed above, to one of the following:**

**either**

- the nearest freestanding Leicestershire Further Education/Sixth Form college

**or**

- the nearest Leicestershire school sixth form but to continue providing transport **only** to the catchment school with a sixth form in areas where there have been no changes to catchments or age range since May 2012 (frozen areas) **Note:** Where a student lives in a frozen area they will only be provided transport to the frozen area school sixth form school or their nearest school sixth form. Where the nearest school sixth form is not the frozen school sixth form and is in another local authority area e.g. Leicester City, there will be no additional entitlement to any other Leicestershire school.

Assisted transport for 16+ students does not take account of the availability of courses or subjects and won't allow for students to attend a school or college which is further away if it offers their chosen course.

Transport assistance will only be provided in the form of a grant for those students eligible according to the criteria above **AND:**

**EITHER**

- are from a qualifying low income family (students entitled to free school meals or whose parents are in receipt of one of the qualifying benefits or their maximum level Working Tax Credit)

**OR**

- live more than a total of 75 minutes away (one way, measured in the morning) from your qualifying school, measured door to door using public transport (to include bus, train and commercial 'school special services' using published timetables, but not LCC contracted school buses). The journey time includes any walking time (assessed at 4mph) from home to first vehicle collection point, waiting time for connecting services and walking time from last vehicle drop off point to school/college gates. Any assessed journey must allow arrival time for the normal start time of the school/college and return journeys must be within a reasonable period of time after the normal school/college close time.

You can use your grant to help pay for a farepaying place on a school contract if your application for a spare seat is successful.

Further information of travel options for Post 16 students is available in the Council's Post 16 Transport Policy Statement available [here](#).

**Are there any transitional arrangements?**

The new eligibility policy came into effect from the start of the 2015/16 academic year and affects anyone changing schools, moving to a new stage of education (including Post 16) or moving house. Providing no other circumstances change (e.g. change of address or a walking route becomes available at under three miles), if a child was already part way through their education in the previous academic year and they received assisted transport, this will continue until they have to leave or move to a new school because of their age or if they move to Post 16 education. Eligibility for free transport would be reassessed at this point, as it always has been.

As noted above, if you are receiving transport assistance under the transitional arrangements and you move address or change school, you may lose your entitlement, as transitional protection will cease and transport eligibility from the new address will be assessed under the new policy.

The new policy on providing grants only to Post 16 students affects all students concerned as of September 2019 (no transition rules for those who have previously had other means of assistance such as bus passes, train passes or taxis etc.).

### **Is transport to denominational (faith) schools affected?**

The County Council previously (July 2013) decided to phase out assisted transport to denominational schools – so no new transport will be provided (other than for low income families who qualify under extended rights legislation). More information about this and charges for remaining students is available in appendix 3 of the policy.

There are special rules for families on low income and these can be found in paragraph 5 of our policy document.

If your nearest Leicestershire school is a Voluntary Aided Church of England or Roman Catholic school and over the qualifying 2 (primary) or 3 (secondary) miles distance then you will be entitled to free transport to that school. However, if you object to sending your child to a faith school and secure a place at your nearest non-faith Leicestershire school, then transport will be provided to that non-faith school.

### **When will I know if my child is being offered transport assistance?**

For students starting a new school in August/September 2019 decisions on transport eligibility will be sent to parents directly during April/May 2019 (you do not need to apply for free transport if your child is under 16). Decisions on Post 16 will be much later in the summer, please note that families have to apply every year by the end of May for a Post 16 transport grant.

### **Are there any other alternatives if my child is not eligible to transport assistance from the Council?**

Yes. The Council operates a farepaying system where spare seats on school buses it provides can be applied and paid for – but note that farepaying places are extremely limited and the Council cannot guarantee that your application will be successful so you are advised to consider alternative transport arrangements in case we cannot meet your request. Further information is on our website at the link below.

Many academies now operate their own buses. Similarly a number of bus companies are providing commercial 'school special' bus services – the school can provide information on these options.

There may also be local bus services that match the journeys that school pupils and students need – Traveline can provide information:



### **If I am refused transport assistance, can I appeal against the decision?**

Yes, an appeals procedure is available if you think the policy has been applied **incorrectly** and details are in Appendix 1 of the policy.

You cannot, however, appeal against a decision solely because you disagree with the policy. If you feel that you have not received the standard of service you expect or that the Council may not be providing an adequate service in a particular area, you can use the Corporate Complaints Procedure which you can find [here](#)

### **Any other queries?**

If you have any further queries please contact us, preferably by email, to:

**Email:** [TransportAssessments@leics.gov.uk](mailto:TransportAssessments@leics.gov.uk)

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

**Phone:** 0116 305 0002

**Web:** [www.leicestershire.gov.uk/school-transport-for-5-to-16-year-olds](http://www.leicestershire.gov.uk/school-transport-for-5-to-16-year-olds)

[www.leicestershire.gov.uk/school-transport-16-to-19-year-olds](http://www.leicestershire.gov.uk/school-transport-16-to-19-year-olds)

[www.leicestershire.gov.uk/school-transport-appeals](http://www.leicestershire.gov.uk/school-transport-appeals)

# Safe travel on school transport

## Guidelines for parents and students on mainstream transport

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**Around 6500 young people use school transport to travel safely to schools and colleges without incident every day.**

These guidelines have been produced in consultation with parents, schools and bus operators to describe in more detail what to expect from Home to School Transport and to help provide safe and reliable school transport for all young people. Parents should ensure that their children are aware of these guidelines.

### **Advice for all Parents**

- Remember that your child remains under your care until he or she is accepted for travel on the school bus and immediately they get off the school bus at the end of the school day.
- If you are concerned about your child's sense of road safety, you should accompany him or her to the stop and wait with him or her until the bus arrives. Similarly, you should ensure that young children are met when the bus returns from school.
- If your child is unaccompanied, make sure that he or she knows and follows the safest route, uses the safest crossing places and knows how to behave responsibly whilst waiting for their bus.
- Please make sure that you have discussed with your child what to do if the bus does not arrive or if he or she fails to catch the bus for any reason.
- Parents should notify the Council if their child has a statement of Special Educational Needs that means they may have problems in using mainstream school transport.
- In poor weather conditions, you are advised to take your child to a bus pick up point on a main (treated) road as some points with poor access may not be served. Local radio stations are a good source of information to find out if your child's school is open and/or the roads to it are passable.
- In the case of secondary school and Post 16 students, Parent must ensure that their child has a valid bus pass to show the driver otherwise they may be refused travel
- Please do not 'Block in' school buses if dropping your child(ren) off at the bus pick up point.
- If you have any concerns regarding school transport please contact the Customer Service Centre on **(0116) 305 0002**.

### **Specific Information for parents of pupils travelling to Primary Schools**

#### **In the morning**

- Please make sure that your child is at the pick-up point in good time and is supervised as necessary.

- Encourage your child to wear the seatbelt if provided. Please note that the driver is not permitted to fasten your child's belt.
- Parents are discouraged from boarding the bus other than to fasten their own child's seat belt and it is expected that parents will show their children how to fasten the belt for themselves to help promote the child's involvement in this aspect of safety.
- At school, drivers will get as close as possible to the school (sometimes within the school grounds) and observe as children walk into the school grounds.
- Routes are designed so that the requirement for any public roads to be crossed, by pupils going into or coming out of schools is minimised.

### **At the end of the day**

- Most parents will want to meet their child or make arrangements for their child to be met, particularly while they are very young, others will be happy for their child to make his or her own way home as they get older. Parents will make their own decision based on local circumstances and knowledge of their own child.
- To assist those parents who want to meet their child, we have shown on the timetable for your child's bus, the earliest time at which the bus will be at each drop-off point in the afternoon.
- Please make sure you are there to meet your child by this time but be aware that this is the earliest time the bus will arrive. It may arrive slightly later depending on a variety of circumstances that may affect the operation on any day.
- If the bus arrives at any drop-off point before the time stated it will wait and not depart until that time. However, the bus will not wait after the time stated as this would unnecessarily delay children still on the bus and parents waiting further along the route.
- Please discuss with your child what to do if your child is expecting to be met and you are delayed for any reason. Encourage your child to let the driver know if he or she is expecting to be met and you are not there.
- Remember that the driver will not necessarily know whether your child is being met or not. If there are a number of children getting off and adults waiting to meet children, the driver may reasonably assume that your child is being met by one of these adults.
- If there is no one to meet your child at the stop or no responsible person he or she can go with, the driver will not leave a child who is expecting to be met. In these circumstances the driver will continue his journey but keep the child on the bus and inform his company that the child is still on the bus.
- If the driver thinks that there is another responsible person, e.g. another parent or neighbour collecting other children, he may permit your child to go with that person, but will take their name and address and inform his company.
- If normal collection arrangements fail, please telephone the school, who may have some information. If there is no reply at the School contact the Council's Customer Service Centre on **(0116) 305 0002**.

- The arrangements to collect your child, if normal arrangements fail, will vary with local circumstances. For example, the bus may return to school at the end of its run, or you may be able to arrange to meet the bus at an appropriate point. As a last resort, if your child cannot be returned to School or other arrangements made for you to collect your child, the driver may take him or her to the nearest police station. Please remember that the bus may have other work to do after the school run and may not therefore be able to return to school or wait until you are able to collect your child.

### **Advice for Older Pupils and Students Using School Buses**

- **DO** make sure that you arrive at your stop 5 minutes before the scheduled departure time. Only get on or off the bus at the pick-up/drop-off points listed on your timetable. If you have to cross the road after getting off, allow the bus to move off before doing so (use a pedestrian crossing where possible).
- **DO** stay alert while waiting for your bus, face the direction from which your bus approaches and be ready to board and show your bus pass.
- **DO** show your bus pass to the driver every time you travel. All secondary school students are issued with bus passes.

If you have been issued with a pass and you cannot show it, the driver may refuse to carry you. You should discuss with your parents what to do if this happens. The bus pass is not valid if defaced or damaged and its misuse may lead to the holder being excluded from the transport.

**Photocopied or scanned copies of passes are not acceptable in any circumstances and if detected are likely to lead to the holder being excluded from the transport.**

You have a responsibility to get a replacement pass as soon as possible.

- **DO** behave responsibly at all times when waiting for, getting on, travelling on or getting off a school bus. If you misbehave you may be excluded from the transport.
- **DO** travel only on the bus you have been allocated to (the number is shown on your timetable or bus pass) - if you travel on any other bus you might be taking the place of another entitled student. Students attempting to travel without authority from the Council may be excluded from the transport.
- **DO** sit down when you board your bus and remain seated until you arrive at your drop-off point.
- **DO** wear a seat-belt if one is fitted to the vehicle. It is a requirement for all pupils to wear a seat belt if they are fitted to the bus. It is not the bus driver's responsibility to ensure that pupils wear a seat belt.
- **DO** discuss with your parents what your plans will be if the bus fails to turn up or if you fail to catch it for any reason. Very occasionally the bus may fail to arrive on time. If it is late you should wait for 20 minutes after the bus was due to arrive at the pick-up point.

If the bus fails to turn up after this time, options include travelling to school using public transport, travelling to school with a responsible adult e.g. your parent or friend's parent or ringing the Transport Helpline on **(0116) 305 0002** who will investigate and may arrange alternative transport. Please inform your school of the reasons for your late arrival.

- **DO** return to your school and tell the school secretary or a member of the teaching staff if you fail to catch your afternoon bus home.
- **DO** report any concerns regarding your transport to any member of staff at your school, the Customer Service Centre **(0116) 305 0002** or report incidents by email at [Safer.Travel@leics.gov.uk](mailto:Safer.Travel@leics.gov.uk)
- **DO NOT** play about near the road while waiting for the bus.
- **DO NOT** get on or off the bus until it has stopped moving.
- **DO NOT** push or rush for the door when the bus has stopped.
- **DO NOT** take up more than one seat.
- **DO NOT** block gangways and exits, or take up seats, with bags.
- **DO NOT** distract the driver's attention as this could cause an accident. Only speak to the driver when he or she is not driving, or in an emergency.
- **DO NOT** smoke on school buses. If you do, you will be excluded from using the bus. This includes e-cigarettes or similar devices.

### **Advice for All Parents and All Students**

#### **In the event of a breakdown or accident**

- **DO** follow the advice of the driver. He/she will normally seek help by telephone and arrange alternative transport if necessary.
- **DO** stay on the bus unless it is unsafe to do so.
- **DO NOT** make your own arrangements to get to school or home. Experience has shown that if pupils make their own arrangements it may lead to confusion and possible distress.

#### **Use of CCTV on School Buses**

Parents and pupils should be aware that CCTV or other recording methods are used on many school contract buses to support initiatives against anti-social behaviour and vandalism.

Vehicles using CCTV or other means of recording will have notices displayed to this effect. Recorded images may be shown to school staff to identify individual pupils.

#### **Damage to vehicles**

Where a vehicle is damaged as a result of vandalism, the bus operator may seek to recover the cost of repairs from the parents of the pupil or the student responsible for the damage.

The County Council will release the name and address of the parent or guardian of a pupil or student to an operator, if it receives a reasonable request to do so, in order to allow the operator to seek to recover the cost of damage caused to a vehicle.

#### **Exclusions**

- Regrettably, from time to time it is necessary to exclude pupils from the school bus if they are unable to behave responsibly and follow the reasonable instructions of drivers. Suspensions from transport are notified in writing from the County Council.

- If a pupil is found to be travelling without entitlement, parents should expect that they will not be carried.
- Pupils may also be excluded if payments for school transport are outstanding.
- Pupils may also be excluded if there are payments pending for any damage caused to vehicles.

### **Lost, stolen or damaged School Bus passes (Secondary Schools and Colleges)**

If your pass is lost, stolen or damaged you may be able to obtain a temporary pass from your school or college which will allow you to travel home and give you time to obtain a permanent replacement pass.

To obtain a replacement pass contact your school or college office who will instruct you about what to do. If your child travels on a commercial school bus service you may be required to purchase a replacement pass direct from the bus operator.

An administration of usually £10\* is applicable. Please note that we are not able to issue any replacement passes to applicants directly, either by post or in person at County Hall.

\*Replacement fees may vary at some schools and colleges.

Please note that temporary passes are not available for public transport services or for some commercial school bus services season – if you lose this type of pass you must pay your fare on the vehicle until you have obtained a replacement pass.

### **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:

- Anti-social behaviour on school transport
- School Bus Passes: Frequently asked questions
- Guidelines for drivers
- Guidelines for taxi escorts
- Guidelines for school staff
- Guidelines for parents – Special Educational Needs 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

If you have any comments about this leaflet or the services it relates to or if you require information contained in this leaflet in an alternative version, e.g. large print, Braille, tape or an alternative language please telephone:

**These Guidelines are produced to help provide**

**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](mailto:customerservices@leics.gov.uk)

**or visit our website:** [www.leicestershire.gov.uk](http://www.leicestershire.gov.uk)



Published April 2016  
This information was correct at date of publication

# Safe travel on school buses

## School Bus Passes: Frequently asked questions

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### **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](http://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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- Anti-social behaviour on school transport
- Guidelines for school staff
- Guidance for Leicestershire contractors on operation of primary school contracts
- Guidelines for drivers
- 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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**or visit our website:** [www.leicestershire.gov.uk](http://www.leicestershire.gov.uk)



# Safe travel on school transport

## Anti-social behaviour on school transport

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### 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](http://www.beyondbullying.com)**

### **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
- Guidelines for school staff
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**0116 305 0002**

#### **or write to:**

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# Safe travel on school transport

## Guidelines for school staff

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**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](mailto: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

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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 Transport Operations helpline) 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 School Transport Helpline on (0116) 305 0002 for more information and advice. The Helpline is open between 8.00 am and 5.00 pm Monday to Friday.

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# Safe travel on school transport

## Guidelines for drivers

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### 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**

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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

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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.

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# Safe travel on school transport

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

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**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.

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
- Guidelines for school staff
- Guidance for Leicestershire contractors on operation of primary school contracts

- Guidelines for drivers
- Guidelines for taxi escorts
- Guidelines for parents and students on mainstream transport
- Guidelines for severe weather conditions - Operators
- Guidelines for severe weather conditions - Schools

If you have any comments about this leaflet or the services it relates to or if you require information contained in this leaflet in an alternative version, e.g. large print, Braille, tape or an alternative language please telephone:

**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](mailto:customerservices@leics.gov.uk)

**or visit our website:** [www.leicestershire.gov.uk](http://www.leicestershire.gov.uk)



# Safe travel on school transport

## Guidelines for severe weather conditions - Operators

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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:**

- a. 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>

- b. 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.

- c. 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.

- d. 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.

- e. 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**.

- f. 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

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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](mailto: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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