



**Havering**  
LONDON BOROUGH

# **Home to school travel assistance policy for children and young people**

**Academic year  
2026-2027**

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## **Introduction**

This policy outlines the support and assistance available for children and young people travelling between home and school/college and describes how the Council fulfils its duties and exercises its discretionary powers as required by the Education Act 1996 and subsequent legislation and guidance.

The policy explains the criteria for eligibility for travel assistance for pupils to their school/college for children of statutory school age (5 to 16 years old). It describes how parents and carers can apply for travel assistance and how decisions are made. It sets out how parents and carers may appeal against decisions that they believe do not comply with this policy.

For updates relating to operational decisions and information regarding application timescales, please visit our main [Travel Assistance Webpage](#).

## **Policy statement**

Havering Council is committed to ensuring that all pupils have a great start to life, are safe and healthy, and have access to high quality education so that they can achieve their full potential. The Children and Families Act 2014 commits partners to work together to develop services which strengthen the abilities and resilience of children and their families to be independent.

The Council is also committed to meeting the educational needs of as many children and young people as possible within local schools/colleges. In many cases, this will mean that pupils can walk or cycle to school/college with their parents or guardians. This policy sets out how we will help the small number of pupils who find it difficult to travel to school/college without some assistance.

As a Council we want to make sure we continue to deliver our statutory responsibilities for home to school travel assistance to meet the travel needs of children and young people, enabling them to access their place of education. The Council acknowledges that without this service some children and young people would be unable to access their school/college, especially those who have significant additional needs, are isolated within the community, are deemed extremely vulnerable or have a combination of such factors.

Engagement with young people with special educational needs in Havering confirmed that young people value independence highly, and that they want their parents, schools and the services that support them to help them prepare for adulthood, including continued access to education, employment opportunities and access to essential services and activities in the community. The ability to travel independently is important to them now to attend school/college, participate in community life and socialise with friends; it is also fundamental to their future ambitions.

We want to support parents and guardians to fulfil their responsibility to ensure their children attend school or college regularly and to make any necessary arrangements to ensure that they attend. Those children and young people not in receipt of travel

assistance from the Council can use a wide range of forms of travel in Havering, accompanied as necessary, including bus, train, concessionary fares, walking and cycling. We also want to support schools and colleges to promote safe routes to school/college and safe travel skills through their regular curriculum.

Parents are responsible for ensuring their child attends school, and this means they must take all the action necessary to enable their child to attend school. For most parents, this includes making arrangements for their child to travel to and from school. Local authorities must make arrangements, free-of-charge, for eligible children and young people to travel to school/college.

This policy sets out travel assistance options which may be employed to assist eligible children and young people, please note that references to transport within this document are related to travel assistance.

Travel assistance may take one of the following forms:

- Provision of a bus or train pass
- Training to travel independently (walking and using public transport)
- Training to cycle independently (reimbursement of bicycle and safety equipment) subject to the agreement of parent/guardian
- Personal Transport Budget including reimbursing of mileage costs through a Prepaid card and account provided by the Local Authority
- Provision of Havering's Passenger Transport Service (bus)
- Provision of a private bus, coach, or minibus
- Provision of taxis or licensed private car hire (in exceptional circumstances)

## **Eligibility**

Parents and Guardians have a legal duty to ensure that their statutory school-aged children (age 5 to 16) attend school regularly and to make any necessary arrangements to ensure that they attend school.

A child becomes of compulsory school age at the start of term after their fifth birthday and ceases to be of compulsory school age on the last day of the academic year in which they are in year 11. This applies to both children with and without an Education Health and Care Plan (EHCP).

There are four core categories of eligible children set out in law:

- Children living beyond the statutory walking distance from school
- Children who cannot reasonably be expected to walk to school due to special educational needs, disability, and mobility problems, even if they were accompanied by their parent.
- Children who cannot reasonably be expected to walk to school safely, even if they were accompanied by their parent.

- Children from low-income households who have extended rights to travel assistance to a choice of schools.

Ordinarily and in accordance with the Council's statutory duty, children under the age of 5 will not be entitled to travel assistance between their home and school. Where circumstances exist where the Council determines that travel assistance is necessary it may exceptionally apply its discretionary powers on a case-by-case basis.

## **Statutory walking distances**

Havering Council, in accordance with its statutory duty, will provide free home to school transport for children of compulsory school age to the nearest suitable school from their home address who meet the 'qualifying distance' criteria which are:

- 2 miles or more for children below the age of eight, measured by the shortest walking distance between the home and the school.
- 3 miles or more for children aged eight and above, measured by the shortest walking distance between the home and the school.

Children who live between 2 and 3 miles from their school will cease to be entitled to travel assistance from the start of the term following their eighth birthday.

When a child cannot be offered a place at the nearest school to the home address, the Council will, subject to the criteria set within this policy and the qualifying distance being met, provide transport to the next nearest school with space to admit.

For transport to be provided in this instance the parent must provide evidence that they have applied for and been refused a place at the school which is the nearest school for their home address and any other schools closer than the school offering admission.

If the child/family qualify for free school meals or they are in receipt of maximum Working Tax Credit, then please refer to the section on extended rights.

## **Children with special educational needs or disabilities**

For children with special needs or a disability or mobility problems, if it is deemed unreasonable to expect them to walk to school (accompanied by an adult as necessary), then the distance criteria does not apply and they are entitled to free school travel assistance regardless of the distance they live from school.

## **Unsafe walking routes**

Where a child is not deemed eligible for transport to their nearest qualifying school because it is under the relevant distance threshold and the parent/guardian believes the child is unable to walk the assessed route safely (accompanied by an adult as necessary) due to the nature of the route, they should complete the online application form outlining the aspect of the route they believe to be unsafe.

The travel team will validate the claim of unsafe routes by inspecting the route against the [Road Safety GB Guidelines on the Assessment of walked routes to school](#). If the route is agreed to be unsafe an alternative safe route will be measured and if the child is then beyond the statutory walking distance, he/she will be eligible for free travel assistance.

Where a new route previously considered to be unavailable becomes available (for example through the provision of a new footpath), transport will no longer be provided to any new applicants for travel assistance. Those applicants who have been entitled to transport due to an unavailable route that has become available will be written to with an explanation of the change and provided with assistance for four weeks, or the end of the half-term whichever is longer, after a route is re-assessed before travel assistance will be withdrawn. A parent and or carer will be able to appeal against the decision to withdraw assistance in these circumstances.

## **Extended rights**

Statutory entitlement is extended for children from low-income groups. Children from low-income groups are defined as those who are entitled to free school meals, or those families who are in receipt of the maximum level of Working Tax Credit (WTC).

Children above the age of 8, but under the age of 11, from low-income families will be entitled to travel assistance to their nearest suitable school if the shortest walking distance between their home and the school is more than two miles.

Children aged 11 and over (years 7 to 11) from low-income families will be entitled to travel assistance if they attend a school which is more than two miles (measured by the shortest walking distance) and less than 6 miles (measured by the shortest road route) from their home and the school attended is one of the three nearest suitable schools to their home.

Children aged 11 and over (years 7 to 11) from low-income families who are attending their nearest designated faith school preferred on the grounds of religion or belief will also be entitled to travel assistance if their school is more than two miles (measured by the shortest walking distance) but not more than 15 miles (measured by the shortest road route) from their home.

When considering whether a faith school is preferred on the grounds of religion or belief, Havering Council will consider the nature of other schools that may have been named as higher preferences on the application form. For an application for travel assistance to be agreed under this section, the expectation will be that the school that

is preferred on the grounds of religion or belief will be named above any non-faith schools that have been named on the application form.

Parents must provide supporting evidence regarding their genuine adherence to their religion or belief, and this will normally be confirmed by asking their minister of religion to sign the application form.

## **Special educational needs, disability, and mobility problems**

Where a child with special education needs, a disability and/or mobility problems does not meet the other three eligibility criteria but has identified specific needs/circumstances that may mean it is unreasonable to expect the child to walk to school (accompanied by an adult as necessary), then an assessment based on their individual needs and circumstances will be undertaken.

In determining whether a child cannot reasonably be expected to walk between home and school, the Council will consider whether the child could reasonably be expected to walk if accompanied and, if so, whether the child's parent or carer can reasonably be expected to accompany their child. Ordinarily, the expectation is that a child will be accompanied by a parent or carer, work commitments and other care will not be considered.

When assessing entitlement for travel assistance for a child with SEND or mobility problems, the Council will consider the individual needs of each child. This may include taking professional advice from educational psychologists, medical officers and teachers and consulting with parents and carers before arriving at a final decision.

Consideration will also be given to the child's physical and medical requirements including any disabilities they may have. Assessments may include face to face contact with the child. The findings and decision will be recorded on a transport assessment form.

The following factors will be taken into consideration when assessing transport entitlement:

- the age of the child
- the distance of the child from school
- whether the child is physically able to walk the journey to school
- whether the walking route is appropriate for the pupil and their specific needs and allows them to arrive in a fit state to be educated
- whether a child's emotional and behavioural difficulties will create a clear health and safety hazard to themselves or others on the journey to school
- the SEND of the child
- any other individual circumstance.

This is not an exhaustive list. It is not presented in any order and is for guidance only. Meeting one or more of the criteria does not automatically entitle a child with SEND to transport assistance.

The fact that a child has an EHCP or attends a special school does not automatically entitle him or her to travel assistance.

Other family circumstances, such as parents and carers attending work or looking after other children, cannot be considered when determining eligibility

## **Children attending schools on grounds of religion or belief**

Ordinarily assistance with travel to a faith school will only be provided if it is the nearest suitable school. If parental preference results in children's attendance at a faith school when there are suitable schools nearer to home, then no travel assistance will normally be provided. However, if children meet the Extended Rights eligibility category criteria, then travel assistance to a faith school which is not the nearest suitable school may be considered.

Under Extended Rights, when considering whether a faith school is preferred on the grounds of religion or belief, Havering Council will consider the nature of other schools that may have been named as higher preferences on the application form. For an application for travel assistance to be agreed under this condition, the expectation will be that the school that is preferred on the grounds of religion or belief will be named above any non-faith schools that have been named on the application form.

When applying under Extended Rights for travel to a faith school, parents must provide supporting evidence regarding their genuine adherence to their religion or belief, and this will normally be confirmed by asking their minister of religion to sign the application form.

## **Extenuating circumstances**

Section 7 of the Education Act 1996 sets out parental duty to ensure their child(ren) receive a suitable and full time education, with the overriding expectation that parents should undertake their legal responsibility to get their child(ren) to and from school and as such the Council will need to be satisfied that the parent has demonstrated why they, for social, medical, financial, or personal reasons cannot undertake this duty.

Recognising that the Council's discretionary powers should not be unreasonably restricted by its general policy, the Council will consider and may agree requests for home to school transport where there are considered to be extenuating circumstances that prevent a child accessing their school unless travel assistance is put in place. If the parent believes extenuating circumstances exist and assistance with travel is demonstrated as necessary, then a transport application form must be completed and submitted with all relevant information and evidence for consideration.

The determination will be based on evidence received to support the case whether transport is necessary for the child to receive an education. Consideration will be given as to whether the circumstances could have reasonably been foreseen by the parent/carer. For example, moving to temporary accommodation owing to flood damage cannot be foreseen, whereas choosing a school other than a child's nearest

school and realising following this decision that transport is not available could be foreseen.

Where it is decided that a child does not qualify for assistance with travel based on the presented needs/circumstances then it remains solely the parent/ carer's responsibility to ensure school attendance or consider transferring the child to a more local school.

In all cases the decision whether to exercise discretion will be taken on a case-by-case basis.

## **Children below the Age of 5**

There is no legal requirement for the Council to make special arrangements for children under the age of 5 to travel between home and school. The Council expects that children under the age of 5 will be taken to their educational provision by a parent or guardian. However, Havering Council may use its discretionary powers to provide Travel Assistance for children who are aged four and entering the reception year at primary school if extenuating circumstances have been demonstrated.

## **Appeals**

Parents/carers of children who live in Havering and who wish to appeal a decision that did not grant Travel Assistance regarding one of the following, may apply for their case to be considered at a Stage 1 appeal in relation to any of the following:

- their child's eligibility
- the distance measurement in relation to statutory walking distances and
- the safety of the route.
- the travel arrangements offered including the use of personal transport budgets.

During an appeal about an application for travel assistance, travel assistance will not be provided to the child/young person unless the appeal concerns the travel arrangements offered, in which case the offered arrangements will be available pending the appeal decision. Where the appeal concerns a change to existing travel arrangements, then the previously agreed travel arrangements will continue until the review is complete.

When considering appeals, the following will also not normally be taken into account:

- Parent/carers' work or other commitments
- Attendance by siblings at other schools
- A work experience placement
- An address other than the home address, including a childminder's address
- Ad hoc visits to other establishments or locations
- Out of hours' clubs (for example breakfast club or after school activities).

## **Stage one: Case review by a senior officer**

The request for a review can be made either

- online at [www.havering.gov.uk/schooltravelassistance](http://www.havering.gov.uk/schooltravelassistance)
- or verbally via a telephone call on 01708 434785

All requests must be made within 20 working days of the original notification of a decision. The request must include the reasons for the review and any additional information that is felt not to have been considered when the decision was made.

Following the council's review, the outcome will be confirmed, in writing, within 20 working days of the receipt of the appeal. This will outline:

- The nature of the decision reached
- How the review was conducted
- What factors were considered
- Information about other departments and/or agencies consulted
- The rationale for the decision.

## **Stage two: Case review by an independent panel**

If the parent/carer remains unhappy with the decision at stage one of the appeal, they can complete a 'Stage 2 appeal form' to request that their case is escalated for consideration by an independent panel.

The independent appeal panel will be independent of the original and stage one decision-making process (but are not required to be independent of the local authority) and suitably experienced. Panel members may include officers of the local authority along with Havering Council councillors along with an Independent Lay Panel Member. Including officers on independent panels will strengthen the experience and knowledge of the panel and allow appeals to be heard more rapidly as there will be a larger number of panel members to draw on. Councillors will continue to be part of appeal hearings.

Requests for a stage two appeal must be made within 20 working days from receipt of the local authority's stage one written decision.

Stage two appeals will normally be considered within 40 working days of receipt of the parent/carers request for it to be escalated. Any additional supporting documents should be supplied by the parent at least 10 working days prior to the review hearing date. A copy of the paperwork that has been submitted to the stage two appeal panel will be sent to the parent at least seven working days prior to the review.

The stage 2 appeal panel will give equal consideration to all case reviews whether conducted in the presence of all parties or heard in the absence of one/both parties. If the panel considers that further information is required, the case will be adjourned so that the information can be made available.

The clerk at the stage two appeal will write to the parent/carer, normally within five working days of the review, setting out:

- the decision reached
- how the review was conducted
- 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 and
- information about the parent/carer's right to put the matter to the Local Government Ombudsman (see below).

## **Local Government Ombudsman**

There is a right of complaint to the Local Government Ombudsman, but only if the complainant considers that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the review has been handled. Further advice is available on the Local Government Ombudsman website or on the Local Government Ombudsman advice line on 0300 061 0614.

If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply for judicial review. However, it is recommended that independent legal advice is obtained before taking this step.

## **Travel assistance options**

### **Forms of travel assistance**

The Council will review the travel needs of all eligible children and decide the most appropriate form of assistance that will be provided. The form of travel offered will reflect the most appropriate use of public funds to ensure cost effective provision is in place, while also ensuring that any agreed specific requirements, such as medical/mobility or health needs are also taken into account where necessary.

### **Journey times**

The nature of transport congestion in Havering and the distances of many journeys means that travelling times can vary greatly. It is expected that children should arrive at school safely and fit to learn. Journey times should reflect this. Government guidance is that best practice suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes. In some journeys, the upper limit on planned journey times may be exceeded and in planning routes, the maximum time recommendations of 45 minutes for primary school children and 75 minutes for secondary school children will not be the overriding consideration. This would allow children and young people who could potentially share transport to do so.

However, if the Council departs from the national guidelines on journey times, it will ensure the planned route is not of such duration that the pupil is unable, because of stress or strain, to learn properly (whether at school or at home). The Council will take into consideration the pupil's age and stage of development. The 45-minute maximum planned journey time for primary-aged pupils contained in national guidance will be maintained and only exceeded in certain circumstances, such as journeys which

enable a child to attend the setting which best meets their needs. The Government guidance of best practice for journey times is typically not applied when a school/college is out of borough and not the nearest suitable school.

Where a child is eligible for travel assistance, the following types of assistance may be offered:

- Bus pass
- Train pass
- Training to cycle independently (reimbursement of bicycle and safety equipment), subject to agreement by parent/carer
- Independent travel training
- Personal Transport Budget including the reimbursing of mileage costs for parents or carers who are able and willing to take their child to school through a provision credited to a prepaid card and account
- Provision of a private bus, coach, or minibus
- Shared contract transport vehicle (coach, minibus, taxi) using collection point
- Shared contract transport vehicle (coach, minibus, taxi) using home collection
- Other bespoke travel options that enable travel and the development of travel skills and independence like a Travel Buddy
- Provision of taxis (single or shared) or licensed private hire car (in exceptional circumstances)

Where a bus or train pass is not appropriate, such as where a child is travelling to an out of Borough school, parents can receive a Personal Transport Budget and a Prepaid card to pay for the cost for their child to travel to school/college.

### **Personal Transport Budget (“PTB”)**

Where re-imbursement is the most cost-effective method of providing home to school travel assistance, for example where no public transport service or contracted vehicle is available, parents who take their child to school by car may receive a personal transport budget with a financial amount loaded to a prepaid card to use to take and collect their child to and from school. The amount loaded on the card in replacement of mileage claim will be mileage rates based on either Her Majesty's Revenue and Customs (HMRC) rates, or, agreed on an individual basis with parents where the alternative would be high-cost individual transport. Mileage will be calculated by the Council and will be costed based on two or four journeys per day (depending on circumstances) using the shortest road route from the home address to the school. For car users taking more than one child, only a single application will be considered per family.

Taxis will only be provided if there is no alternative mode of transport which provides a suitable journey to school or if a child's medical condition and/or disability means that he/she is unable to travel using the alternative modes of assistance that are available.

No bus/train tickets will be issued for part journeys of one mile or less unless that route has been deemed to be an unsafe walking route or unless a child cannot walk the distance due to special educational needs, disability, or mobility problems.

Provision will be reviewed periodically and if a more economical mode of transport becomes available then the parent will be given notice of a change to the mode of transport.

A parent or carer may choose to accept the personal transport budget instead of arranged travel assistance by the Council. This enables families to make their own arrangements to facilitate travel and access to education. A family can be supported to explore the various options available to establish the transport arrangements.

Any arrangements made by the parent using the personal transport budget are the responsibility of the parent. It is the parent/guardian's responsibility to ensure that the manner by which they choose to get their child/children to/from school is safe and their child/children are protected from harm.

Where there are two or more children living at the same address and attending the same school and the independent travel allowance has been agreed for one child, additional travel assistance will not be provided for the other children as all children would be expected to travel together.

If the parent transports siblings to different schools the allowance due would be based on the shortest road distance between home and school A, plus the shorter road distance between school A and school B for each journey.

The travel allowance is based on the child's attendance being over 80% for the full year. Attendance records will be requested from the school at regular monthly intervals. The PTB will be paid monthly in advance based on existing card balance and attendance. If the child's attendance shows poor attendance in the Autumn or Spring terms than the parent may be requested to review the current arrangements

If a parent is in receipt of the PTB but is temporarily unable to transport their child to school due to a short-term illness or medical condition, assistance may be provided. Any request will be considered on a case-by-case basis.

Mileage reimbursement may be offered to parents/carers of pupils who are entitled to free home to school transport, where this offers best value for money to the Council.

The number of Personal Transport Budgets has increased since 2023 as families are taking advantage of the flexibilities Personal Transport Budgets offer.

Personal Transport Budgets encourage children and young people to become more independent and resilient in their future lives.

Comments from families currently receiving and benefitting from use of a Personal Transport Budget are indicative of the assistance that this support can provide:

*"I can now leave home for work on time. I do not need to wait for Havering passenger bus to turn up anymore, as PTB allows me to pay my next door neighbour to drop my daughter at school, since she will be driving her own children to the same school"* - Parent of a student with special educational needs and disabilities in Havering.

*"As a result of my son's sensory needs, he struggles with sharing transport with other children, and this is causing stress in his daily routine. However, I also have to take his younger brother to a different school, but I cannot be expected to be at two different places at the same time. I now use PTB to pay for his sibling breakfast club, by dropping him earlier at school. Since then, my son now enjoys his trips to school, and it increases the quality time we spend together as a family"* - Parent of a student with special educational needs and disabilities in Havering.

There are many examples on how the personal transport budget can be used flexibly, including:

*A parent's vehicle did not meet the ULEZ compliance required in the borough and as a result the personal transport budget covered the ULEZ fees as well as the fuel reimbursement as a temporary solution until the parents could afford a compliant vehicle. Important to the parents was the ability to be able to have quality time with the children spend during travelling the journey.*

Another example:

*With work commitments it was difficult to drop their child off at school so this family used a personal transport budget to give their eldest child pocket money to escort his younger brother via public transport to school.*

Many parents have to work and start times conflict with their children starting school. A number of parents who felt it was their duty to take their children to school opted for a personal transport budget and through this were able to put their child into breakfast club and was still able to get to work in time.

## **PTB Declaration**

Parents or guardians are required to sign the Personal Transport Budget (PTB) Declaration, which is a written statement confirming that they understand and agree to the rules and responsibilities of receiving a PTB.

By signing the PTB Declaration, you agree to use the money only for your child's travel to and from school and to allow the Council to check attendance and monitor spending. If the money is misused or your circumstances change, the Council may change, stop, or recover the payments.

## **Independent Travel Training (ITT)**

Local authorities have a duty to encourage, enable and assist the participation of young people in education and training. This includes mainstream pupils, people with learning difficulties or disabilities up to the age of 25. Independent travel training aims to achieve this.

Independent travel is a valuable skill for preparing for adulthood, an essential employability skill, and provides greater opportunities for young people, not least increasing confidence in their abilities and reducing their sense of reliance on family members.

In line with the Council's aims and objectives to support independence and prepare young people for adulthood, and where appropriate employment, ITT will be expanded as an option from June 2024. The Council will identify young people who could benefit from ITT and contact their families with a view to undertaking a travel assessment.

The Council may also contact young people and their families who will be transitioning from compulsory education into Post 16 and a travel training assessment will be carried out, with the support of the family, to confirm the suitability of the young person for the travel training programme, taking into account the following criteria:

- Existing level of independent travel skills
- The likelihood of the pupil being eligible for SEN transport under the 16 to 19 policy
- The age of the pupil
- The distance between home and school
- The SEND of the pupil
- The route which the young person would need to undertake
- Journey times using public transport and the complexity of the journey
- The frequency of the journeys required.

This assessment would take place before the pupil undertakes the ITT programme, which would last for approximately four to six weeks. During the programme, the pupil will travel to and from their education or training provision each day with their dedicated one to one ITT trainer.

During the period when a pupil is taking part in the ITT, this will be their travel assistance offer. At the end of the ITT programme, the Council will review the pupil's progress with the family to decide if it is appropriate for the pupil to continue to travel independently. If it is not appropriate for the pupil to travel independently, their travel assistance offer will be reviewed. Although it is expected that most young people would benefit from ITT, it is however acknowledged that for some young people, due to the nature of their SEND, ITT will not be appropriate.

## **Collection points**

Collection points are similar to bus stops, where the Council identifies designated pick-up and drop-off locations for the pupil to meet the bus or taxi rather than offering a door-to-door service. This reduces the time needed for the route to pick up the pupils and supports children and young people to become more independent and better prepares them for adulthood.

The Council will assess individual needs to determine suitability of routes for collection points. In most cases, collection points will be considered for children attending mainstream settings. Where a route has been identified as suitable for collection points to be introduced, the Council will consult with the parents and carers of children already on those routes over a four-week period on the introduction of a collection point and to ensure that the proposed arrangements are appropriate; for example, the location of the collection point, which should be no more than a maximum of one mile from the home. The Council will also ensure that it is aware of any individual circumstances which may mean that a collection point is not appropriate for a pupil or pupils on that route due for example to their additional needs.

Achieving this level of independence will not be possible for some children and young people with the most complex SEND needs, and in some cases parents' own mobility or disability may impact on them being able to accompany their child to a collection point. Where this is the case, the ambition for the service is to improve the range of options available for families to take responsibility for their own children's transport where this is desired and appropriate. In such circumstances, the Council will carefully consider and assess the individual child's needs as well as the mobility and or disability of their parents.

Following a decision to introduce a collection point, the Council will provide not less than 6 weeks' notification to families (which includes any school holidays that fall in the 6-week period) before the collection point is established. If a collection point is implemented, parents and carers who disagree that the transport offer is suitable for their child will be able to appeal.

Where a collection point is allocated, it is the parent's or carer's responsibility to make sure that their child travels to and from the collection point and transfers to and from the vehicle safely.

For parents who are temporarily unable to take their child to a collection point, no temporary assistance will be provided in those circumstances. This is because the child's special educational need or disability has not changed and the transport service from the collection point is available.

All collection points will be assessed in advanced for their suitability.

- Wherever a bus stop can be legally used as a collection point, it will be
- Minibuses can stop to collect and drop off on yellow and double yellow lines; vehicles cannot stop on red routes, white zig zags (near a zebra crossing) or school keep-clear hatchings
- The driver always plans not to cause obstructions to other road users while making a drop off or collection and will try to stop in parking areas or bays
- Collections or drop-off are always made kerb side
- Each collection point is physically assessed before being used in service; a driver will go out and access to see if the location is safe (for example, a well-lit public location, not too close to a junction or on the brow of a hill)
- The drivers complete dynamic risk assessments at the time of collections or / drop offs in the eventuality of any changes (new road layouts, another road user in the stopping space) and will slightly adjust the collection point if it is unsafe to stop.

## **Concessionary seats**

The Council provides transport for children who have a statutory entitlement to free home to school transport, where it is best value to use this mode of transport. If there are any spare seats available on these routes, they are available for purchase by pupils who do not meet the statutory entitlement criteria. Spare seats will be allocated on an annual basis; however, a seat may be withdrawn at any time at short notice if it is required by a pupil with a statutory entitlement to transport. Places are offered according to published criteria.

## **Transport Standards**

This section sets out some of the operational standards that we will follow in delivering our statutory responsibilities for home to school transport. We want to make this transparent for all parents and carers so that they understand how the service operates.

## **Provision of contracted transport vehicles (coaches, buses, minibuses, and taxis)**

When a child is entitled to home to school transport under the Council's policy, the Council will provide suitable transport and seek to ensure this is as cost effective as possible. The transport provided may take the form of a bus pass, train pass, seat on a contract vehicle, for instance a hired coach, a minibus or shared taxi. A travel allowance through a personal transport budget can also be provided for children when requested by parents or carers and where it is more cost effective.

Provision of transport for part- time hours:

Home to school travel assistance will only be provided at the start and finish of the normal school/college day. The provision of transport for part-time hours does not fall within local authorities' statutory duties and will not be provided.

Schools/colleges and parents and carers should take this into account when bespoke hours are being set for a child. Where families wish to have more flexible travel arrangements, a personal transport budget can be requested.

## **Provision of transport for after school and non-educational activities**

In accordance with statutory guidance, home to school transport will only be provided at the start and finish of the normal school or college day. The provision of transport for non-statutory education or clubs does not fall within local authorities' statutory duties and will not be provided unless it provides flexibility through a Personal Transport Budget. Parents are expected to make travel arrangements for their children in these circumstances. Where families wish to have more flexible travel arrangements, a personal transport budget can be requested.

## **Home address and house moves**

In accordance with statutory guidance, home to school transport will only be provided from and to a single address at which the child or young person is habitually and normally resident. Where a child splits their time equally between addresses, transport will be assessed from the address which is registered with the school as the home address or, prior to admission, the address used on the relevant school admission application form. However, there can be some flexibility based upon individual circumstances and each case will be considered independently to achieve the best outcome for the child.

## **For children without an EHCP**

Assistance with travel will not normally be agreed to a child's existing school if a house-move results in the child living beyond the statutory walking distance from school but there are other nearer schools with an available place.

However, assistance may be agreed if the child is in years 6, 10 or 11 at the time of the move and if there are extenuating circumstances that the Council deem sufficient

to provide assistance on a discretionary basis. Where parents wish their case to be considered on this basis, they should provide details along with independent evidence of their case.

Assistance with travel may also be agreed even if the school attended is not the nearest suitable with places in certain circumstances. If the move is an enforced temporary council move within Havering that is anticipated to last less than 6 months or where a parent has moved to a refuge in Havering, and the distance from home to school meets the agreed criteria, assistance with travel may be considered. Evidence of an enforced temporary council move/move to a refuge must be provided. Travel assistance agreed under this provision may only be agreed for a fixed period and will be subject to periodic review.

### **For children with an EHCP**

If a child with an EHCP moves address, the SEND team will review the plan to consider if the school being attended is still the nearest suitable school that can meet the child's needs. If it is, and the child continues to meet the criteria to be eligible for travel assistance then assistance will be offered from the new address.

### **Pick up and drop off timing**

Routes to and from school and pick-up and drop-off times are planned by the transport provider to be as efficient as possible for all students travelling on the vehicle. Because of this, it is not possible to accommodate the individual circumstances of each family, such as work commitments or taking other children to and from school. Where families wish to have more flexible travel arrangements, a travel allowance through a PTB can be requested.

### **Dual and link placements, inclusion, and alternative provisions**

Dual placements are where a child or young person attends more than one school or where a school arranges a college link placement for a pupil. Dual placements may require additional transport assistance, such as transport at earlier or later times of the school day. Schools are responsible for arranging and paying for the cost of such transport. Where a pupil is on the roll at one school but visits another school for inclusion or link purposes, the school where the pupil is usually based will be responsible for arranging and paying for transport in which the Local Authority can provide guidance and support in this matter. These arrangements also apply to alternative provisions.

### **Children attending residential placements**

Children who attend a residential school that has been named in their EHCP as their nearest suitable school will be entitled to travel assistance to take them to and from school as follows:

- Weekly/Fortnightly boarding placements – travel assistance will be provided for children to travel to school on a Sunday evening/Monday morning, as directed

by the school, and to travel home at the end of each week/fortnight, or earlier as directed by the school for unplanned or planned earlier closures

- Termly residential placements – travel assistance will be provided for 12 single journeys to cover travel home at the start and end of each term and half term
- Permanent (52 week) residential placements – travel assistance will be provided for 12 single journeys each academic year. These are at the discretion of the parent and school but, where contracted transport is needed, this needs to be booked at least 10 days in advance through Havering's Transport Coordination Centre
- Any additional trips will be the responsibility of the parent.

## **Passenger assistants**

Passenger assistants (escorts) are not automatically provided. In considering whether a route needs a passenger assistant, the Council generally takes account of the following:

- A child's medical needs, particularly where rescue medication is required
- Where an individual child's needs create a clear danger or health and safety risk to themselves and other passengers on the vehicle
- Where the number of children travelling together necessitates the provision of a passenger assistant to help manage a group children and their specific support needs on the journey.

Passenger assistants for SEND purposes are assessed on a case-by-case basis. Provision of a passenger assistant at any one time does not guarantee that this will be an ongoing arrangement; the requirement can be reassessed at any time in the academic year, and in the event of any change in circumstances.

## **Shared travel**

Ordinarily children and young people travelling to and from school or college will be expected to share their transport with other children or young people. This promotes integration and independence, social skills as well as being more sustainable and cost effective. Conversely, travelling on their own may lead to social isolation of a young person and a delay in development of essential social behaviours and skills. It also impacts on an individual's ability to access other forms of travel and to travel with others.

In developing a travel assistance policy with a focus on enabling independence and preparing for adulthood such as employment or shared living away from home, individual transport will only be agreed in extenuating circumstances. This would normally be linked to other medical needs or where the child or young person is receiving funded one-to-one support at their educational placement.

## **Behaviour of children on transport**

Children, parents, carers, schools, transport operators and the Council all have a role to play in ensuring the appropriate behaviour of children on school transport.

While passenger assistants have a responsibility for safeguarding children and maintaining behavioural standards on the vehicle during the journey, schools will take whatever steps possible to ensure the appropriate behaviour of their students on home to school transport; and will take appropriate action should incidents of poor behaviour be reported. Appropriate action may include the use of sanctions, written warnings, and exclusion from transport. Parents are also expected to take responsibility for their child's behaviour while travelling.

Where a child's behaviour is directly as a result of a known and diagnosed medical condition or disability and it is agreed by medical advisors and teachers that the child is unable to control their behaviour, the Council will undertake a needs assessment and will consider making alternative arrangements, for example, providing the parent or carer with a personal transport budget to make their child's own travel arrangements.

The Council recognises that general poor behaviour, not directly attributable to a child's particular special educational needs and circumstances, cannot be taken into account when determining an appropriate safe travel plan. The Council will expect clear standards of acceptable behaviour in the interests of ensuring a safe journey for all pupils and staff as well as other road users.

Reasonable adjustments will be made in cases where behaviour problems persist, and it is judged that the safety of the other passengers is endangered. Where reasonable adjustments cannot be made to deal with behaviour, transport can be withdrawn in individual cases and the Council will provide resources for parents to make alternative travel arrangements.

Pupils exhibiting dangerous behaviour will be subject to two written warnings issued by the Council. If a third warning is given, the transport offer will be reviewed and may be withdrawn. This action shall only be taken as a last resort and is not considered punishment of the student but is for the safety of all concerned. In this instance the Council would provide a travel allowance through a PTB instead.

In consultation with schools, the Council may instigate permanent or fixed periods of exclusion from transport. Parents or carers will be responsible for transporting their children during any period of exclusion and ensuring their child's regular attendance at school.

## **Travel assistance agreed in error**

Travel assistance that has been agreed in error or as a result of incorrect, misleading, or fraudulent information, or as a result of an assessment error, will be withdrawn. Havering Council will seek reimbursement of any costs that have been obtained fraudulently and reserve the right to take legal action against any person who has made fraudulent application for free home to school transport.

## **How we use your data**

Havering County Council respects your rights and is committed to ensuring that it manages your data in accordance with the Data Protection Act 2019 and the General Data Protection Regulation (GDPR).

# **Travel Assistance Policy for learners aged 16 to 25**

## **Introduction**

The Council's annual Post-16 ensures greater consistency of practice and equity of provision of home to school travel assistance for pupils aged 16 to 25. It encourages the use of more environmentally sustainable forms of transport, supporting young people to walk, cycle and use public transport such as local buses and trains,

There are also national schemes that support young disabled adults who are in receipt of the higher rate mobility for the disability allowance/personal independence payment to [access funding for driving lessons](#).

Local authorities do not have to provide free or subsidised post-16 travel support but do have a duty to review, prepare and publish an annual transport policy by the 31st of May each year. This policy statement gives information about the schemes and support available within Havering for the provision of college travel assistance for learners aged 16 to 19 and 19 to 25. It outlines the transport schemes and assistance available for post-16 learners who live and study in Havering or those learners who live in Havering and attend an educational establishment outside of the county if it is the nearest provider offering the appropriate course.

In determining the Havering policy, we have taken into account all relevant matters including the Council's aims and objectives to support independence and prepare young people for adulthood, and where appropriate employment.

The full national Home to School Transport guidance is set out for reference on the link below:

[Post-16 transport and travel support to education and training](#)

## **16 to 19 travel assistance**

The Council will only provide travel assistance for learners of sixth form age where it considers that travel assistance has been demonstrated as necessary to enable the young person to reasonably access their education or training provision.

## Assessment of Eligibility

When assessing whether the need for travel assistance has been demonstrated, the Council will have regard to, amongst other things:

- whether the student is currently in receipt of any funding from the 16-19 Bursary Fund and to what value;
- whether the young person has received travel training, is able to travel independently and his/her ability to access public transport;
- the nature of the young person's special educational needs, disability and/or learning difficulty. This includes the physical ability of the young person to walk, accompanied as necessary by a responsible adult to the learning provision or a pickup point;
- distance and journey time from the young person's home to establishments of education and training;
- the cost of assistance and alternative means of transport;
- the nature of the route or alternative routes which the young person could reasonably be expected to take;
- the reasons why a young person wishes to attend one establishment rather than another;
- whether the establishment is named in the student's EHCP and whether there are alternative suitable schools or colleges that the student could attend;
- supporting evidence from professionals involved with the young person and their family;
- if there is a nearer education provision which is suitable and can provide the same or similar qualification(s) or course;
- the best use of the council's resources;
- transport links – the ease of access to public transport;
- the distance measurement between home and learning placement.

**This is not an exhaustive list, and requests will be considered on individual circumstances.**

When travel assistance is provided, it will normally only be provided at the start and end of the school/college day, for example in a Further Education college setting a shuttle bus service may be used, rather than individual taxi services. Pupils may have to wait for either the next shuttle bus or until the end of the school/college day to access homeward travel.

Only in exceptional circumstances connected to an individual's learning difficulties and/or disabilities and where no alternative mode of travel is available, will taxi travel be considered. This will normally be on a shared taxi basis. Solo transport provision will only be considered for those pupils in receipt of funded [Independent Personal Support Budget](#) (IPSB) funding or those that present with complex medical and/or health needs.

## Forms of travel assistance

Where travel assistance has been demonstrated as necessary, the Council will offer support to children and young people to travel to their educational placement. If

entitled, travel assistance may be in place until the end of a course, in which case an application will not be required for each year of study. Support will be provided in the form of:

- Post-16 personal transport budget\*
- Bus / train pass
- Training to cycle independently (reimbursement of bicycle and safety equipment), subject to agreement by parent/carer.
- Independent travel training, fully funded and offered on a 1-2-1 basis.
- Other bespoke travel options that enable travel and the development of travel skills and independence, e.g., Travel Buddy.
- Driving lessons (age dependent)
- Provision of a private bus, coach, or minibus.
- Shared contract transport vehicle (coach, minibus, taxi) using collection point.
- Shared contract transport vehicle (coach, minibus, taxi) using home collection.
- Provision of taxis or licensed private hire car (in exceptional circumstances)

\*The Council will exercise discretion to provide travel assistance in the form of an post-16 personal transport budget to support families and young people to make their own transport arrangements to develop independence and prepare for adulthood pathways.

## **Financial Contributions**

Most Local Authorities have some form of charging put in place to contribute to the travel for Post 16 Students. However Havering Council have decided not to introduce any form of charging for Post 16 Students on the feedback received through the Home To School Transport Consultation and will continue to support the transport for this cohort of students in the most cost effective manner.

Havering Council will keep the contributions to Post 16 travel under constant review and have the right to change this depending on multiple factors including demand for Post 16 travel.

## **Bursary and Travel Support**

All students should discuss with their school or college student support service whether they may be eligible with transport costs from the 16 to 19 Bursary Fund. There are two types of bursary schemes highlighted in this policy statement for your reference and investigation:

### **The 16 to 19 Bursary Fund\***

What is a bursary?

A bursary is money that you, or your education or training provider, can use to pay for things like:

- clothing, books, and other equipment for your course,

- transport and lunch on days you study or train.

### **16 to 19 Bursary Fund Overview (GOV.UK)**

The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation so they can remain in education. You could get a bursary to help with education-related costs if you're aged 16 to 19 and:

- studying at a publicly funded school or college in England - not a university (a publicly funded school is one that does not charge you for attending it).
- on a training course, including unpaid work experience.

### **There are two types of 16 to 19 bursaries:**

1. A bursary of up to £1,200 a year for young people in one of the defined vulnerable groups below:

- you are in or you recently left local authority care.
- you get Income Support or Universal Credit because you're financially supporting yourself.
- you get Disability Living Allowance (DLA) in your name and either Employment and Support Allowance (ESA) or Universal Credit.
- you get Personal Independence Payment (PIP) in your name and either ESA or Universal Credit.

2. Discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books, and equipment. Your education or training provider decides how much you get and what it's used for.

**If you're 19 and over you'll only be eligible for a discretionary bursary and could get this if you either:**

- are continuing a course you started aged 16 to 18 (known as being a '19+ continuer')
- have an Education, Health, and Care Plan (EHCP). Your school or college will have their own criteria for discretionary bursaries. They'll look at your individual circumstances - this usually includes your family income.

Ask student services at the educational establishment about their criteria and any evidence you will need. Schools and colleges are responsible for managing both types of bursaries. Young people who want to apply for support from the bursary fund should contact their chosen school or college to make an application.

**School Bursary Funding** - Contact your Head of Sixth Form or Bursar in the first instance.

For bursary support at colleges see 'College Contact Information' for specific contact details.

# Concessionary fares and travel schemes

## **TfL Travel Mentoring**

TfL offers free travel mentoring to support people using public transport so they can gain confidence to become independent travellers. They offer service such as advice on planning a journey using an accessible route and mentors to accompany travellers to practice the journeys a few times.

Mentoring can be provided Monday to Friday from 09:00 to 17:00. To find out more please contact:

**Phone:** 020 354 4361 (TfL call charge applies);

**Email:** [travelmentor@tfl.gov.uk](mailto:travelmentor@tfl.gov.uk)

## **National Railcard discounts**

There are different railcards that suits different ages and needs which provides 1/3 discount on off-peak pay as you go travel, usually **after 09:30am**. More information and how to apply can be found on the TfL website: [National Railcard discounts - Transport for London \(tfl.gov.uk\)](#)

TfL offer free or discounted Travel for schools if the school is registered with Transport for London, click on the link below

## **TFL free-and-discounted-travel**

### **Traineeships and Apprenticeships**

If a young person is accepted onto an apprenticeship or traineeship and the Council assesses a young person aged 16 to 19 years as eligible for travel assistance under its policy, the assistance offered in the first instance will be in the form of a personal transport budget to support families and young people to make their own transport arrangements as they transition to employment.

### **Independent Travel Training**

In line with the Council's aims and objectives to support independence and prepare young people for adulthood, and where appropriate employment, ITT will be expanded as an option. The Council will identify young people, and those who will be transitioning from compulsory education into post-16 and above who could benefit from ITT and contact their families with a view to undertaking an ITT assessment. Families can also self-refer if they wish to access ITT for their child.

An ITT assessment will be carried out with the support of the family and/or school, to confirm the suitability of the young person for the 1-2-1 ITT programme, taking into account the following criteria:

- The likelihood of the pupil being eligible for SEN transport under the 16 to 19 policy.
- Existing level of independent travel skills.
- The age of the pupil.
- The distance between home and school.
- The SEND of the pupil.
- The route which the young person would need to undertake.
- Journey times using public transport and the complexity of the journey.
- The frequency of the journeys required.

This assessment would take place before the pupil undertakes the ITT programme, which would last for approximately four to six weeks. During the programme, the pupil will travel to and from their education or training provision each day with their dedicated one to one ITT trainer both in the morning and afternoon from the home to the school and vice versa.

During the period when a pupil is taking part in the ITT, this will be their travel assistance offer. At the end of the ITT programme, the Council will review the pupil's progress with the family to decide if it is appropriate for the pupil to continue to travel independently. If it is not appropriate for the pupil to travel independently, their travel assistance offer will be reviewed. We will always listen and support individuals through this process and give feedback on progress. Although the vast majority of young people are successfully supported to achieve and benefit immensely from becoming independent travellers it is however acknowledged that for some young people, due to the nature of their SEND, ITT will not be appropriate. Where a young person successfully completes the ITT programme, they will receive a Post-16 Travel Allowance or their public transport fares will be funded.

## **Collection points**

Collection points are like bus stops, where the Council identifies designated pick-up and drop-off locations for the pupil to meet the bus or taxi rather than offering a door-to-door service. This reduces the time needed for the route to pick up the pupils and supports young people to become more independent and better prepares them for adulthood.

The Council will assess individual needs to determine suitability of routes for collection points. In most cases, collection points will be considered for young people attending mainstream settings. The Council will also ensure that it is aware of any individual circumstances which may mean that a collection point is not appropriate for a pupil or pupils on that route due for example to their additional needs.

Achieving this level of independence will not be possible for some young people with the most complex SEND needs, and in some cases parent/carers' own mobility or disability may impact on them being able to accompany their child to a collection point. Where this is the case, the ambition for the service is to improve the range of options available for young people to take responsibility of their own travel assistance where this is desired and appropriate. In such circumstances, the Council will carefully consider and assess the individual young person's needs as well as the mobility and or disability of their parents/carers.

All collection points will be assessed in advanced for their suitability.

- Wherever an existing bus stop can be legally used as a collection point, it will be.
- Minibuses can stop to collect and drop off on yellow and double yellow lines; vehicles cannot stop on red routes, white zig zags (near a zebra crossing) or school keep-clear hatchings.
- The driver always plans not to cause obstructions to other road users while making a drop off or collection and will try to stop in parking areas or bays.
- Collections or drop-off are always made kerb side.
- Each collection point is physically assessed before being used in service; a driver will go out and access to see if the location is safe (for example, a well-lit public location, not too close to a junction or on the brow of a hill).
- The drivers complete dynamic risk assessments at the time of collections or / drop offs in the eventuality of any changes (new road layouts, another road user in the stopping space) and will slightly adjust the collection point if it is unsafe to stop.
- A collection point should not be more than one mile from the home address.

Where a route has been identified as suitable for collection points to be introduced, a further 4 week consultation will be undertaken with the families and young people on that route to ensure that the proposed arrangements are appropriate, for example the location of the collection point. Once a collection point route has been established, that route will remain a collection point and no specific consultation will be undertaken. This means that any young pupil joining the route will be informed that it is a collection point route, and they will be expected to use the collection point. Families will have the opportunity to make representations via the Council's appeals process.

## **19 to 25 travel assistance**

### **Assistance with transport for students over the age of 19 with learning difficulties or disabilities**

The Council's duty and powers in relation to post-19 (19 to 25) travel assistance apply to young adults and young people with special educational needs and disabilities aged between 19 and 25 inclusive who have an Education Health and Care Plan.

The Council is required to provide assistance where needed to students who attend a local authority maintained or assisted further or higher education institutions or an institution within the further education sector. The Council must also provide assistance where necessary to students with EHCPs where the Council has secured the provision of education or training at an institution outside the further and higher education sectors and the Council is providing boarding accommodation in connection with that education or training. In these cases, the Council will consider whether assistance with travel is necessary to enable the young adult to maintain attendance at their education placement. If it is identified that assistance is necessary, then there would be no charge/ financial contribution expected from the young adult.

The post-19 (19 to 25) Home to School Travel Policy is focused upon a needs-led approach in which the individual needs of each young adult are assessed to inform the appropriate form of travel support, as we move away from standard provision in

favour of a policy which recognises that young people are, in many cases, more capable of achieving independent travel than pupils of statutory school age.

The overall intention of the adult transport duty is to ensure that those with the most severe disabilities with no other means of transportation can undertake further education and training after their 19th birthday to help them move towards more independent living.

For post-19 students starting a new course, you must evidence why it is necessary for the Council and not the student to make travel arrangements. To assess this and understand the individual circumstances, we would need to know:

- the nature of the route, or alternative routes, which the student could reasonably be expected to take to college.
- what other arrangements you have considered or tried and why they are not suitable.
- if there is a family member or carer who is willing and able to transport the student and if not, why it would not be possible or reasonable for them to do so.
- whether the student is in receipt of higher rate mobility component of the Personal Independence Payment or Disability Living Allowance, the purpose of which is to assist those who have mobility problems, with severe difficulty walking or who need help getting around outside. We would normally expect this benefit to be fully utilised and if there are any factors limiting its use you should provide details of them.
- whether there is a 'Motability' vehicle for which the student may or may not be the driver.
- whether the student has support from the Council's social care department to assist with travel.
- any other needs or circumstances that you consider need to be taken into account and the Council consider any recent supporting evidence that you provide.

If travel assistance is provided, contribution towards the cost of travel assistance will not apply.

The council will consider whether to exercise its discretion in exceptional circumstances to pay all or part of the reasonable travelling expenses of a young adult with an EHCP attending an institution outside the further education sector or which is not a council-assisted or maintained institution based on the individual circumstances including the factors set out above.

## **Appeals**

Parents/carers of children who live in Havering and who wish to appeal a decision that did not grant Travel Assistance regarding one of the following, may apply for their case to be considered at a Stage 1 appeal in relation to any of the following:

- their child's eligibility
- the distance measurement in relation to statutory walking distances and
- the safety of the route.
- the travel arrangements offered

During an appeal about an application for travel assistance, travel assistance will not be provided to the child/young person unless the appeal concerns the travel arrangements offered, in which case the offered arrangements will be available pending the appeal decision. Where the appeal concerns a change to existing travel arrangements, then the previously agreed travel arrangements will continue until the review is complete.

### **Stage one: Case review by a senior officer**

The request for a review can be made either

- online at [www.havering.gov.uk/schooltravelassistance](http://www.havering.gov.uk/schooltravelassistance)
- or verbally via a telephone call on 01708 434785

All requests must be made within 20 working days of the original notification of a decision. The request must include the reasons for the review and any additional information that is felt not to have been considered when the decision was made.

Following the councils review, the outcome will be confirmed, in writing, within 20 working days of the receipt of the appeal. This will outline:

- The nature of the decision reached
- How the review was conducted
- What factors were considered
- Information about other departments and/or agencies consulted
- The rationale for the decision

### **Stage two: Case review by an independent panel**

If the parent/carer remains unhappy with the decision at stage one of the appeal, they can complete a 'Stage 2 appeal form' to request that their case is escalated for consideration by an independent panel.

The independent appeal panel will be independent of the original and stage one decision-making process (but are not required to be independent of the local authority) and suitably experienced. Panel members may include officers of the local authority along with Havering Council councillors and an Independent Lay Panel Member. Including officers on independent panels will strengthen the experience and knowledge of the panel and allow appeals to be heard more rapidly as there will be a larger number of panel members to draw on. Councillors will continue to be part of appeal hearings.

Requests for a stage two appeal must be made within 20 working days from receipt of the local authority's stage one written decision.

Stage two appeals will normally be considered within 40 working days of receipt of the parent/carers request for it to be escalated. Any additional supporting documents should be supplied by the parent at least 10 working days prior to the review hearing date. A copy of the paperwork that has been submitted to the stage two appeal panel will be sent to the parent at least seven working days prior to the review.

The stage 2 appeal panel will give equal consideration to all case reviews whether conducted in the presence of all parties or heard in the absence of one/both parties. If the panel considers that further information is required, the case will be adjourned so that the information can be made available.

The clerk at the stage two appeal will write to the parent/carer, normally within five working days of the review, setting out:

- the decision reached
- how the review was conducted
- 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 and
- information about the parent/carer's right to put the matter to the Local Government Ombudsman (see below).

### **Local Government Ombudsman**

There is a right of complaint to the Local Government Ombudsman, but only if the complainant considers that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the review has been handled. Further advice is available on the Local Government Ombudsman website or on the Local Government Ombudsman advice line on 0300 061 0614.

If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply for judicial review. It is recommended that independent legal advice be obtained before taking this step.