



Home to school travel and transport for Compulsory school aged children

This information is about home to school transport for compulsory school age children, including eligibility, information about travel arrangement, how to apply and how to appeal a decision.

Compulsory school age begins with the start of term following a child's fifth birthday and ends on the last Friday in June in the academic year in which the child turns 16.

Who is eligible for home to school transport?

Local authorities ("LAs") are required to arrange free, suitable, home to school transport for children of compulsory school age who are 'eligible', to their nearest suitable qualifying school (section 508B of the Education Act ("EA") 1996).

The following criteria must be used by the Local Authority to decide whether a child of compulsory school age, might be eligible for home to school transport support:

- the distance the child must travel
- if the route is unsuitable for walking safely
- children with a special educational need, a disability or mobility difficulty
- families on low income.

If one of these criteria apply and the Local Authority has not made any suitable arrangements for attendance at a nearer school or boarding accommodation, then the Local Authority **must** provide free home to school transport. Further information on each criteria are below.

Distance

This criteria applies where the distance from home to school is over the statutory walking distance, which is as follows:

Over two miles for children under eight years old

Over three miles for children over eight years old.

The route may not be the same as the driving route because the distance is measured as the shortest available route along which a child can walk with reasonable safety to school and could for example include footpaths.



Unsuitable walking route

This criteria applies where the walking route to school is not safe to walk. The Local Authority should assess the route, taking into account:

- The age of the child
- Whether risks might be less if the child were accompanied by an adult and whether that is reasonable
- The width of the road and the existence of pavements
- The volume and speed of traffic
- Street lighting
- Different conditions at different times of year

Children with a special educational need, a disability or mobility difficulty

This criteria applies where a child has special educational needs, a disability or mobility difficulty which means they cannot reasonably be expected to walk to school. A child with special educational needs may not be reasonably expected to walk to school because of a physical disability, but it could be for other reasons, for example if they lack a sense of danger.

Families on low income

This criteria may apply where a child is entitled to free school lunches, or if their parents or carers receive working tax credit at the maximum rate.

The statutory walking distances are lowered for children from low income families so that children aged eight – ten years old become eligible if they live more than two miles (rather than three miles) from their nearest suitable school.

Secondary school age children from low income families who attend schools over two and up to six miles from their home will be eligible for free school transport even if the school they attend is not their nearest suitable school, providing there are not three or more suitable schools which are nearer to their home.

Secondary age children from low income families who attend a school over two miles but under 15 miles from home will be entitled to free school transport if their parent has expressed a wish for them to be educated at that school based on the parent's religion or belief and, having regard to that religion or belief, there is no nearer suitable school. This applies to parents with a particular religious or philosophical belief, including those with a lack of religion or lack of belief.

Secondary age pupils from low income families who receive education elsewhere than in school, for example, if the child is excluded from school and is receiving education at an alternative provision placement which is over two and up to six miles from their home will also be eligible for LA school transport, whether or not there is a nearer suitable school.



Nearest Qualifying School

There is an exception to the duty to provide free home to school transport for children eligible under the above criteria. This exception is that suitable arrangements have been made by the local authority to enable the child or young person to attend at a “qualifying school” nearer to his home. This exception only applies where suitable arrangements have actually been made, i.e. where the child had a place at a school where they can properly be placed.

Most schools are “qualifying schools” including (a maintained (publicly funded) school or nursery, non-maintained special school, pupil referral unit, city technology college, or an Academy). In addition, for those with an Education, Health and Care (EHC) plan, an independent school can also be a “qualifying school” if it is the only school or nearest school named in Section I of the EHC plan. Children who receive education somewhere other than at school e.g. at alternative provision or hospital, can also qualify as eligible children.

Suitability of Travel arrangements

Transport arrangements must be suitable so that:

- The child reaches school without such stress, strain, or difficulty that would prevent them from being able to benefit from the education being provided
- The child travels in reasonable safety and in reasonable comfort.

Guidance issued by the Department of Education states that it would not be considered suitable for a child to make several changes of public transport which results in an unreasonably long journey. Best practice suggests that the maximum each way length of journey might be:

- 45 minutes each way for a primary-age child
- 75 minutes each way for a secondary-age child
- Even shorter for a child with special educational needs and/or a disability, although this cannot always be the case.

There is no duty to offer a door-to-door service but if a child needs to walk an unreasonably long distance to catch a bus, that is unlikely to be thought suitable. The maximum walking distance would depend on a few factors, including:

- The child's age
- The child's individual needs
- The nature of the route to and from pick-up and drop-off points

Staff Training

There is guidance for the Local Authority to ensure that all staff involved with the home to



school transport have up to date training on how to handle a child's behaviour. This training includes the following:

- An awareness of different types of disabilities including hidden disabilities
- An awareness of discrimination
- Skills to communicate with children with different disabilities and how to manage behaviour

It is also the Local Authorities responsibility to ensure that the necessary safeguarding checks are completed.

Applying for school transport

It is the parents' responsibility to apply to the Local Authority for home-to-school transport. Bracknell Forest Council's School transport information and contact details can be found here: <https://www.bracknell-forest.gov.uk/schools-and-learning/schools/school-transport>. If your child has an EHC plan you should also speak to Bracknell Forest's SEN team.

Challenging Decisions

In some cases, parents who have applied to the Local Authority for home-to-school transport are either declined or the transport that has been offered is not suitable for your child. In this case you can complain or appeal to the Local Authority. Bracknell Forest's Transport policy, including how to complain can be found here:

<https://www.bracknell-forest.gov.uk/council-and-democracy/strategies-plans-and-policies/strategy-and-policy-documents/schools-and-learning-strategies-and-policies>

If the outcome of the complaint / appeal is not satisfactory, then the parent can raise this with the Local Government Ombudsman (LGO).

Where the child has an EHC plan and there are disputes over the nearest suitable school and whether transport will be provided, an appeal can be made to the SEND tribunal. However, the SEND tribunal cannot hear appeals about transport in their own right.

For more information, you can get in contact with the **Bracknell Forest's Information, Advice and Support Service**.