

# Special Educational Needs (SEN) **Travel Assistance Policy** 2016/17



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## 1. Introduction

This document sets out Sandwell Metropolitan Borough Council's ("The Council") policy in relation to the provision of funded home to school travel assistance for children aged, between the age of 5-16 years old, and 16-19 year old attending a local authority maintained school or academy who have a statement of SEN or an education health and care plan.

Transport arrangements for Post 16 students can be found in the Transport Policy Statement for students 2016/17.

### Objective

This policy is intended to promote positive outcomes through joint working between pupils, parents/carers, schools and the Council with the aim of encouraging independence wherever possible. The duty to provide school travel assistance is considered alongside the duty not to discriminate against a disabled pupil contained in the Equality Act 2010. The Council is also under a general duty to promote the use of sustainable travel and transport by improving safety and reducing the use of cars.

The Council supports independent travel wherever possible to increase young people's independence and develop life skills required in adulthood as set out in the new SEND Code of Practice. Training is carried out by the Council's Independent Travel Trainers or a specialist mobility trainer for visually or hearing impaired pupils, where appropriate.

## 2. Policy

- 2.1 The Education Act 1996 (EA 1996) refers to 'travel arrangements' but in this policy 'travel assistance' is used because in practice the form of travel assistance provided may vary. The travel assistance provided will be whatever the Council considers is necessary and suitable for the purpose of facilitating the child's or young person's attendance at school, based on school hours.
- 2.2 The policy for travel assistance to school for pupils with a statement of SEN or an Education Health and Care Plan applies to:
  - children resident in Sandwell of statutory school age; and
  - Young people who remain in a local authority maintained school or Academy after their 16th birthday, up to the end of the school year in which they reach 19 years of age.
- 2.3 The EA 1996 and Schedule 35B to the EA sets out the categories of children and young people of statutory school age (5-16) who are eligible for travel assistance.
- 2.4 The Council has a duty to make arrangements for eligible children and young people for travel assistance up to the end of statutory school

age. Children and young people entitled to travel assistance who attend the nearest appropriate school as determined by the Council and either:

- live beyond the prescribed distance from school,
- or
- are unable to walk safely to school, accompanied as necessary,

Travel assistance will not be considered if a parent/carer requests and accepts a place at a school (including a special school) which is not the nearest appropriate school suggested by the council and at which a place is available.

- 2.5 Sandwell places a strong emphasis on including children and young people with special educational needs in their local primary or secondary school. However, some children and young people with statements of special educational needs, or education health and care plans, can only have their needs met through a Focus Provision place at a designated primary or secondary school or a place at a special school. The travel assistance needs of such children and young people are assessed individually; they do not automatically qualify for travel assistance.
- 2.6 It is the responsibility of all parents/carers to ensure that their child attends school regularly. Every parent/carer is also responsible for helping their child to develop the skills and confidence for independent travel to and from school. Most school pupils do not require any help from the council.
- 2.7 Where the Council provides transport, every effort will be made to keep journey times to a minimum to ensure that transport is 'non stressful'.

### **3. The criteria for travel assistance**

#### 3.1 Eligibility for travel assistance :

- Living in the Sandwell area and of statutory school age;
- Have special educational needs;
- Registered at a school named in the EHC plan/statement of special educational needs which is the nearest suitable school to the child's home address;
- Cannot reasonably walk to school even when accompanied by an adult because of associated health and safety issues related to the special educational needs and their disability as defined by the Equality Act 2010

### **3.2 Pre-school children**

Children under statutory school age of admission into reception class are not eligible for travel assistance

### **3.3 Residential Schools**

Children and young people who attend a non-Sandwell residential school, which has been named in their statement of SEN or education health and care plan as being the most appropriate school to meet their needs, will be allocated a maximum of 6 return journeys from/to their school per year (i.e. at the beginning and end of each half-term). Parents/carers are encouraged to take and collect their children as a means of establishing and maintaining regular contact with the school. In addition, parents/carers will be funded to attend the annual review. When approved, parents/carers can claim mileage at the agreed rate on the frequency of visits above (i.e. six times a year). Any visits in excess of this frequency will be the responsibility of the parents/carers. Mileage will only be paid for the distance calculated by the council and based at a non-taxable level.

### **3.4 Post-16 students**

The Sandwell 'Transport Policy Statement for Students 16 – 19 provides details of the range of transport support available for young people.

## **4. How travel assistance may be provided**

Where travel assistance is provided (i.e. the child/young person meets the criteria described above) it will be in whatever form the Council considers is necessary and suitable for the purpose of facilitating the child's or young person's attendance at school for the school day. All requests for travel assistance for young people of year six age (transition year to secondary school) and above will be followed by an assessment for travel training prior to any form of travel assistance being provided. Failure to engage or refusal of an assessment will be deemed as declining the Council's offer of travel assistance and no further assistance will be provided. Travel assistance will be provided in a safe and cost effective manner, taking account of the child's or young person's specific needs and with regard to the best use of the Council's resources from the range of options below:

### **4.1 Travel pass**

This is a pass for use on public transport and is the most common form of travel assistance provided. Where it is possible for a child or young person to travel on public transport accompanied by a responsible adult (if necessary) then a travel pass will also be provided for the responsible adult to facilitate this.

#### 4.2 Independent Travel Training (ITT)

Following a successful application for travel assistance independent travel training assistance will be offered in the form of a planned one-to-one travel training programme with fade out support (this includes an assessment of any risks) to enable the young person to travel independently over a period of time. Where this involves public transport a West Midlands Travel pass will be provided on completion of travel training.

Failure to engage or refusal of the travel training programme will be deemed as declining the Council's offer of travel assistance and no further assistance will be provided.

All eligible pupils from year six (transition year to secondary school), will be expected to undertake travel independence training unless they are assessed, by professional advisers, as being unlikely to benefit from such training. The travel training programme will only be offered to those young people who have been professionally assessed as suitable to take part.

Details of the Independent Travel Training Programme can be obtained from the SEN Service on 0121 569 8240 or [SEN\\_Team@sandwell.gov.uk](mailto:SEN_Team@sandwell.gov.uk) or from the Independent Travel Training Unit (ITTU) on 0121 569 4144 or [Travel\\_Training@sandwell.gov.uk](mailto:Travel_Training@sandwell.gov.uk)

#### 4.3 Reimbursement of mileage costs

If Independent Travel Training is not appropriate, parents or carers may be able to support their child in travelling to school by driving their own car. Where the Council agrees this arrangement the Council may remunerate the costs of travel by paying a mileage allowance at a non-taxable rate for journeys undertaken by the shortest available road route.

#### 4.4 Transport vehicles

The provision of a vehicle (usually a shared minibus) to transport a child or young person to and from school is made in exceptional circumstances only.

Vehicles and drivers are provided by a suitably qualified, registered, commercial provider working to contractual standards set by the Council. The Integrated Passenger Transport Unit (IPTU) will issue parents/carers with a guide of what parents/carers can expect of home to school transport and what is expected of them and their child.

The provision of a transport vehicle may cease to be necessary as a child grows older and as they become more independent. Such decisions will be taken on an individual basis and will take full account of the child or young person's needs.

For children and young people who qualify for transport vehicle assistance from the council, this will normally be provided from a pick up point close to where the child or young person lives and set down close to the school, and return, at times which coincide with the school day.

Pick up and set down points are provided as near as possible to home but parents are required to ensure their children get to and from the nearest boarding point.

The arrangements made will usually be by specially contracted vehicles. The Council decides which arrangement is most practicable.

All transport vehicle assistance arrangements are regularly monitored and appropriate action is taken to resolve any problems found. Adjustments to the arrangements to reflect changed needs are made as necessary when they occur. Parents and schools will be notified by the IPTU of any changes and the reasons for them.

#### 4.5 **Passenger Assistants**

A child or young person's need for a passenger assistant will be part of the assessment process and may include:

- the child or young person has a very significant disability or special educational needs which makes it necessary to provide a passenger assistant.
- the child or young person has an emotional or behavioural difficulty which would give rise to concerns about the well-being of the pupil, or the well-being of other pupils or staff were no passenger assistant present.

Schools have a responsibility to ensure that the SEN Service and the Passenger Assistant Unit are fully briefed about the needs of the child or young person, in compliance with the requirements of the Data Protection Act.

The regular review of a child or young person's travel assistance needs will take into account their need for a passenger assistant to ensure that this provision is still required and remains appropriate.

## **5. Applying for travel assistance**

Schools are responsible for applying for travel assistance and must make reference to the criteria prior to application.

- 5.1 Prior to a head teacher admitting a child or young person with SEN they will discuss with the parents whether the child or young person is capable of walking to school or using public transport, where necessary, accompanied. This will include specific reference to the

child's needs as detailed in their statement of SEN or Education Health Care Plan. The head teacher will then, where necessary, apply to the SEN Service for an assessment for travel assistance.

- 5.2 In the case of a child undergoing a phase transfer the application for travel assistance should be completed by the Head Teacher of the child's current school who is expected to liaise with the receiving school and the parents as part of the child's transition review.
- 5.3 The school must make a formal application for travel assistance before any assistance is considered. Application forms are available for download on the SEN virtual office and completed forms should be submitted online via WebEx?
- 5.4 The determination of whether a child or young person has a disability which makes it necessary for them to be provided with travel assistance is made by the SEN Service based on evidence received from schools and other professionals. Travel assistance by way of reimbursement of mileage to and from school or travel assistance by the way of provision of a vehicle will not be provided where the SEN Service assess that the child or young person is capable of walking or travelling by public transport to school, where necessary accompanied by a responsible adult.
- 5.5 Travel assistance for pupils with SEN is reviewed at each annual review. The Year 9 review of travel assistance needs will be particularly important in developing independence skills in preparation for adulthood. The SEN Service may also carry out periodic checks of children and young people in receipt of travel assistance to ensure that they remain entitled to the service and that the current method of assistance remains appropriate.

## **6. How entitlement to travel assistance will be decided**

- 6.1 The SEN Service will decide the form of travel assistance necessary, based upon the application of this policy, in the case of each child or young person.

Consideration will be given to all information contained in applications, and all evidence provided in support, in order to determine whether there is a legal obligation to provide travel assistance and if so, what from that assistance should take.

The SEN Service may request further evidence in support of an application; this will include an assessment for Independent Travel Training prior to a decision regarding what from of travel assistance the Council will provide.

- 6.2 It is important that all children and young people are encouraged to develop both educationally and socially. This includes working towards independent travel which is encouraged for children of secondary school age where appropriate. Travel assistance (where public

transport is used) may then take the form of a travel pass following completion of a travel-training programme.

## 7. Appeals procedure

If an application for travel assistance is not approved by the Council, or the parents or carers disagree with the type of assistance offered, there is a right of appeal. Appeals should be made in writing within 15 working days of the decision being received and should set out the exact nature and grounds of the appeal.

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The appeals process has two stages:

### Stage 1

The Group Lead for Inclusive Learning will review the original decision, further evidence may be requested to support the appeal and consultation with ITTU and other professionals may be required.

A decision and notification will be made in writing within 10 working days from receipt of the appeal, but this timeline may be changed with the agreement of the parents/carers where there is a delay in providing/ obtaining further evidence if required.

If the parent or carer remains dissatisfied with the outcome, they should notify the SEN service [SEN\\_Team@sandwell.gov.uk](mailto:SEN_Team@sandwell.gov.uk) within 15 working days of the decision being received and should set out the exact nature and grounds of the appeal.

**Stage 2**

If the parent or carer is dissatisfied with the outcome of the appeal at Stage 1 the appeal moves to Stage 2. The appeal will be reviewed by a panel chaired by the Cabinet Member for Children and Families.

A stage two review will consider all the information provided by the parents or carers as well as the information used by the Council to make its decision. A decision will be made and communicated within 20 working days.

Where the parent/carer is not satisfied with the outcome of the Stage 2 appeal they may make a complaint to the Local Government Ombudsman  
PO Box 4771, Coventry CV4 0EH Telephone 0845 602 1983  
Fax 0207 602 00011.

In addition if the parent/carer may also complain to the Secretary of State about the council's decision not to provide travel assistance.

During the appeal stages, travel assistance will not be provided nor will a change to existing travel assistance be made.