

## CHILDREN AND FAMILIES SERVICE

### HOME TO SCHOOL TRAVEL ASSISTANCE POLICY



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## **POLICY STATEMENT: HOME TO SCHOOL TRAVEL ASSISTANCE**

### **1 INTRODUCTION AND AIMS**

Parents/Carers have a responsibility to ensure that their child/young person attend school, including providing their required travel arrangements. Dundee City Council (the Council) may however, provide travel assistance if the child/young person meets the distance criteria or has additional support needs that prevent them from travelling accompanied as necessary.

The Children and Families Service places children, young people, and their families at the heart of the decision-making process to provide them with the best possible start in life. The vision that all children and young people will be safe, enjoy good health and have access to a wide range of experiences and opportunities to achieve their potential is embedded in the services they provide. This Policy provides information to enable access to services through the provision of travel solutions in order to ensure that the above vision for children and young people is achieved.

The Council wish to promote the independence and well-being of all children and young people through a range of travel options. All children and young people should be encouraged to follow a healthy lifestyle including walking a reasonable distance accompanied where necessary, and where possible, from home to school.

This Policy is aimed at parents, carers; children and young people; relevant council staff involved in travel arrangements, and other relevant stakeholders.

In implementing this Policy Dundee City Council aims to:

- assist parents and carers in their responsibility of ensuring that their child/young person attends school safely and on time
- ensure that the right children and young people get the right option for travelling to school
- be responsive to the concerns of parents and carers in the provision of appropriate travel assistance arrangements
- ensure the most effective, safe, and economical use of resources by close monitoring of contracts
- keep its arrangements for school travel assistance under continuous review

This Policy also aims to provide information about the provision of home to school travel assistance for eligible individual children and young people, including those with additional support needs.

Dundee City Council staff responsible for reviewing ASN Travel Assistance Applications include members of:

- ASN Travel Team
- ASN Senior Management
- Head Teachers and/or Deputy Head Teachers

In the event of a Reconsideration or Formal Appeal, individual staff will be identified and allocated to each review and parents/carers notified.

## **2 LEGISLATIVE REQUIREMENTS**

The Scottish Government publication [School Transport Guidance 2021](#) condenses numerous legislative documents summarising the guidance to local authorities about the provision of school transport. It highlights the responsibility for parents/carers to provide the safe journey to and from school for the children in their care.

This Policy also takes account of the following areas of legislation:

### **2.1 [National Bus Travel Concession Scheme for Young Persons \(Scotland\) Amendment Order 2021](#)**

The regulations increase the age range for the new National Concessionary Bus Travel Scheme for Young Persons so that it is open to people aged 21 and under from 31 January 2022.

Article 2 of this Order amends article 16 of the 2021 Order to the effect that persons aged 5 to 21 years old are eligible persons for the purposes of the Scheme. Previously persons aged 5 to 18 years old were eligible persons for the purposes of the Scheme.

### **2.2 [Education \(Scotland\) Act 1980](#) (as amended)**

Section 23 of this act places the responsibility for school transport on the Education Authority in which the child or young person resides.

Section 42 of the Act provides details of eligibility in relation to distance and other exceptional circumstances and conditions.

Sections 50 and 51 to make such arrangements, as they consider necessary for the provision in respect of children and young people attending schools or other educational establishments.

### **2.3 [Additional Support for Learning \(Scotland\) Act, 2004](#) (amended 2017)**

This act outlines roles and responsibilities for local authorities in relation to the assessment and provision for those children and young people identified with additional support needs. There are no requirements in relation to home-school travel assistance.

## **3 MAINSTREAM TRAVEL**

### **3.1 [National Bus Travel Concession Scheme for Young People](#)**

**3.1.1** The National Entitlement Card is generally known as a bus pass, library card, or Young Scot card, offering access to many public services across the country, including free bus travel in Scotland.

The benefits of the scheme are the promotion of social inclusion (by improving access to education, healthcare, training and employment etc.) and reduction in child poverty, and to embed positive sustainable travel behaviours.

### 3.1.2 Overview of the Scheme

All young people and children aged 5-21 years can apply for a National Entitlement Card (NEC) or Young Scot NEC with the valid free travel entitlement. Without this card, payment will have to be made for each journey.

Parents/Carers of under 16's must apply on their behalf. Children under 5 years old already travel free on commercial bus services and do not need a card.

### 3.1.3 Applying for a Travel Card

- (i) Apply online at [GetYourNEC.scot\\*](https://www.getyournec.scot). Proof of identity and address needs to be uploaded along with a photograph of the young person/child (depending on age). There is also a requirement to upload a copy of the child/young person's original full Birth Certificate, even if you can provide existing NEC details. **This is the preferred and quickest way of applying.**
- (ii) School Office Staff may be able to aid parents/carers with the application process, including printing a hard copy of the NEC Application Form and help them upload a recent digital passport-style photograph, if required. Local libraries may also be able to help.
- (iii) The [Young Persons' Free Bus Travel Scheme](https://www.youngscot.org.uk) website has all the information you need to apply.

### 3.1.4 Mainstream Travel - Distance Criteria

The National Bus Travel Concession Scheme for Young Persons (Scotland) Amendment Order 2021 supersedes the need for Local Authorities to provide free travel assistance to those children/young people who live out with the statutory walking distances as noted in the Education Scotland Act 1980 section 42(4). **Item 4.1.1** explores this further.

### 3.1.5 Mainstream Travel - Health

Consideration will be given to applications for school travel assistance on health/medical grounds which may prevent, on a permanent or temporary basis, a child or young person walking to and from their catchment school safely, or if they are unable to take advantage of the NEC/Young Scot NEC Travel Card Scheme. In all cases the application must be supported by written confirmation from the child/young person's doctor/consultant. **Item 4.2.2** outlines the process for making Applications.

### 3.1.6 Concession Card (C+1)

- (i) The NEC scheme also allows for free travel for companions where required by eligible disabled people of any age (including children under 5). Companions can only travel with the NEC Card Holder.

The [travel concessions eligibility criteria page](#) provides more information on who is eligible. Additionally, for Dundee residents; if you are profoundly or severely deaf a letter from North East Sensory Services is acceptable; if you had a visual impairment, please inform us when you apply and we can check it with [North East Sensory Services](#).

- (ii) Dundee City Council Travel Assistance Bus Pass: Responsible adults may be issued their own local bus pass to travel to and from home to school with their child – and valid only for travel on local bus services (ie not for national travel). Further information on how to do this can be sought from the [ASN Travel Team](#).

## 4. LOCAL AUTHORITY REQUIREMENTS – TRAVEL ASSISTANCE

### 4.1 Mainstream Travel Assistance

Local authorities must make any arrangements they consider necessary for the provision of school transport for pupils residing, and attending schools, in their area. They have a wide level of discretion, however they are required to have regard for the safety of pupils, as well as to ensure that access to transport assistance, which meets the child's needs, is provided.

Please note that families who live out with the Dundee City Council boundary, even though they attend a Dundee School, are not eligible for a designated school bus service provided by Dundee City Council. In this instance, all children/young people should apply to the [NEC/Young Scot NEC Travel Card](#) as outlined in **Item 3.1.3**.

#### 4.1.1 Distance Criteria (Walking)

Distance is determined based on statutory walking distances as noted in the Education Scotland Act 1980 section 42(4) and is calculated from the child or young person's home address\* to their designated catchment school\*\* using the Council's electronic mapping system.

\* *deemed to be the address held on school databases*

\*\* *the appropriate catchment school must meet the individual needs of the child*

Within the confines of the statutory walking distance prescribed by the Education Scotland Act 1980, Dundee City Council defines the distance as being **two miles** for primary school children and **three miles** for secondary school pupils.

#### 4.1.2 Safety

Dundee City Council keeps this under review and flexible enough to consider factors which might affect pupil safety. This could include the volume and speed of traffic; visibility distances for drivers at a particular location; availability of safe crossings; sufficient footpaths/pavements etc.

Designated school bus services may be provided (for the unsafe element of the route as a minimum) if the route to school is deemed unsafe because:

- the child or young person has to walk a route which does not comply with [Road Safety GB 'Assessment of Walked Routes to School'](#) (pdf) and,
- the alternative safe route is beyond the walking distances specified above

#### 4.1.3 School Placing Requests

Parents/Carers who apply for and are granted a place in a school which is not their catchment school must accept full responsibility for the transport to and from school.

#### 4.1.4 Catchment Schools

As more of the City's schools have the resources to meet the individual needs of all pupils, families will be asked to enrol their child/young person at the nearest available catchment school. Families who choose not to do this will no longer be eligible for home to school travel assistance.

#### 4.1.5 Change of Address

Families awarded travel assistance must re-apply if they move home. If their existing school is no longer their catchment school, Parents/Carers can choose for their child to remain at the original school, however they must then **accept full responsibility for home to school transport**. After a family move, if the address falls into the distance criteria noted in **Item 4.1.1** designated school and/or bus services should already be in place.

#### 4.1.6 Variation to Home Address

Requests to pick up and drop off at addresses other than the home address will not be accommodated unless there are exceptional or emergency circumstances and provided there is no additional cost to the Local Authority. **Ad hoc arrangements will not be accommodated.**

#### 4.1.7 Nursery Placement Requests

There is no statutory legislation for nursery children to be awarded travel assistance. In exceptional circumstances, children placed by the local authority at Frances Wright Nursery may be authorised for travel assistance at the discretion of the Executive Director of Children and Families Service.



#### 4.1.8 Transport to College or Alternative Placements

Where a young person attends college or a place other than school as part of their educational programme, it is expected they will apply for the [NEC/Young Scot NEC Travel Card](#) to travel safely to their educational establishment using designated public transport routes.

In exceptional circumstances, requests for travel assistance can be submitted by the Head Teacher or Named Person as part of the support plan agreed at the Team Around the Child (TATC) meeting.

#### 4.1.9 Other (Exceptional) Circumstances

Other exceptional circumstances maybe considered on an individual basis and be negotiated depending on individual need. In each case the final decisions lie with the Assessment Panel\*.

*\* Applications are assessed by at least 3 staff members from across ASN, Education and Inclusion and Head Teachers*

### 4.2 Additional Support Needs - Travel Assistance

Home to school travel assistance may be provided based on the additional support needs of the child/young person, visible or hidden, which might affect their ability to walk or travel by public transport, whether they are accompanied or not. Children/young people should be able to make their way to school in the same way that members of their peer group, who do not have additional support needs, would access their educational establishment.

Many children and young people with additional support needs will be able to make use of mainstream transport where it is necessary, which ensures their inclusion and encourages independence.

#### 4.2.1 Eligibility Factors

Eligibility considers evidence from Dundee's Team Around the Child (TATC) Staged Intervention Framework, and may include information from school staff, psychological services, community health and allied health professionals, as well as information from Parents/Carers. The Complex and Additional Support Needs Management Group make assessment based on whether:

- i. the child/young person has a physical or sensory impairment or severe, profound or multiple learning difficulty which prevents parents/carers assisting with travel, and which is assessed as requiring specialist travel arrangements or supervision.
- ii. if a non-catchment school **within** the walking distance criteria outlined in **Item 4.1.1** above is more suitable to the individual, travel assistance would be assessed on the **individual's need alone**.

- iii. if a non-catchment school has been requested by parents/carers and has been approved by the Education Department, as per **Items 4.1.3 and 4.1.4** above, parents/carers will be responsible for making suitable travel arrangements for their child[ren].
- iv. children/young people who are either permanently or temporarily confined to using a self-propelled or motorised wheelchair are not automatically offered travel assistance upon application. Pupils should be able to journey independently/unassisted with confidence, and with their peers whenever possible. Mobility and/or safety needs, associated health issues related to ASN or disabilities are taken into consideration. However, each application is assessed on its own merits and viewed independently.
- v. the child/young person is in receipt of the higher rate mobility component of Child Disability Payment and the family are in receipt of a Motability Vehicle. Every journey is for the benefit and support of the child/young person, and where a family has access to a Motability Vehicle, the expectation is that it will be used for transporting the named person in receipt of the benefit to and from home to school whenever possible. Parental Contracts may be available in these instances.
- vi. travel assistance is only provided within normal full-time school hours, unless there are exceptional/extenuating circumstances (for example early closures due to inclement weather or maintenance issues). Otherwise Parents/Carers should make their own arrangements to drop off/collect their child[ren].

#### **4.2.2 Travel Assistance Considerations**

Getting school transport right can be an enabler and we should not underestimate the role that the school journey can play in building confidence. Factors taken into consideration include:

- i. The needs of a child or young person may change over time and therefore Parents/Carers are responsible for completing an Annual Travel Assistance Application Form.
- ii. Application Forms must be submitted by the notified annual due date in order to ensure appropriate arrangements can be put in place. Delayed applications may result in Parents/Carers being responsible for transport until agreed arrangements can be put in place.
- iii. Parents/Carers will be notified as soon as practicable whether Travel Assistance has been awarded, the commencement date, and the mode of assistance that will be provided.
- iv. If Parents/Carers disagree with the outcome of their application, they have the opportunity to challenge it, as noted in **Item 6**.

### 4.2.3 Types of Travel Assistance

In determining the types of travel for children/young people authorised for Travel Assistance, consideration should be given to the following:

- distance to be travelled
- ability for accompanied or non-accompanied travel
- journey duration
- nature of additional support needs
- need for supervision and/or safety

Travel assistance may take the form of:

- Escorted Walking
- Escorted or Non-escorted transport by public bus service
- Parental Contract (mileage allowance)
- Escorted or Non-escorted Private Minibus
- Escorted or Non-escorted Taxi

### 4.2.4 Concessionary Travel

Education authorities have a statutory obligation to allocate concessionary spaces where there are vacant seats on a dedicated school transport contract. A concessionary place can be granted and charged for in accordance with the Education (Scotland) Act 1980 as amended in 2003.

If **another** child/young person then presents who legitimately meets the travel assistance criteria they will be granted that concessionary space with immediate effect.

## 5 APPLYING FOR TRAVEL ASSISTANCE

The application process for travel assistance is the same for mainstream and ASN pupils, however it is anticipated that most mainstream travel requests will be covered by the NEC/Young Scot NEC Travel Card Scheme.

### 5.1 Mainstream Travel

**Item 3.1.3** outlines the process for applying for NEC/Young Scot NEC Travel Card Scheme in order that their child/young person can travel safely to their educational establishment using designated public transport routes.

### 5.2 Additional Support Needs (ASN) Travel Assistance

#### 5.2.1 Application Process

Parents/Carers who wish to apply for ASN Travel Assistance are required to complete a [Travel Assistance Application Form](#). In most cases, the need for travel assistance will have been discussed at Team

Around the Child (TATC) meetings or within the Complex Needs Panel. In every case, requests will be considered where eligible criteria are met and the most appropriate form of travel assistance awarded (see **Item 4.2.3**).

- Submissions are assessed by at least 3 staff members from across ASN, Education and Inclusion and Head Teachers.
- Electronic responses are forwarded to applications, advising of the outcome of their application and citing the reason for the decision made.
- Additional information can be sought from a variety of sources including school staff, parents/carers, medical professionals etc, depending on the individual's circumstances.

### **5.2.2 Outcomes**

- (i) **Travel Assistance Awarded:** It is anticipated no further action will be required and arrangements made for the individual child/young person to commence on transport.
- (ii) **Further Information Required:** This can take many forms, including seeking advice from healthcare professions, talking with families (preferably face to face) etc.
- (iii) **Travel Assistance Denied:** Assessment criteria is not appropriately met. **Item 6** details how any Appeal might be made against the Panel outcome decision.

## **5.3 Review of Travel Arrangements**

### **5.3.1 Annual Review**

In all cases travel arrangements under this policy are subject to annual review, although Dundee City Council reserve the right to review travel arrangements, if circumstances change, throughout the academic year.

The provision of ASN Travel Assistance may change or cease as the child grows older or becomes able to travel more independently, whether that be accompanied or not.

### **5.3.2 Change in Circumstances**

Parents/Carers who are awarded Travel Assistance are required to inform the ASN Travel Team of any changes, whether that be home address, school placing requests, a change to medical conditions etc.

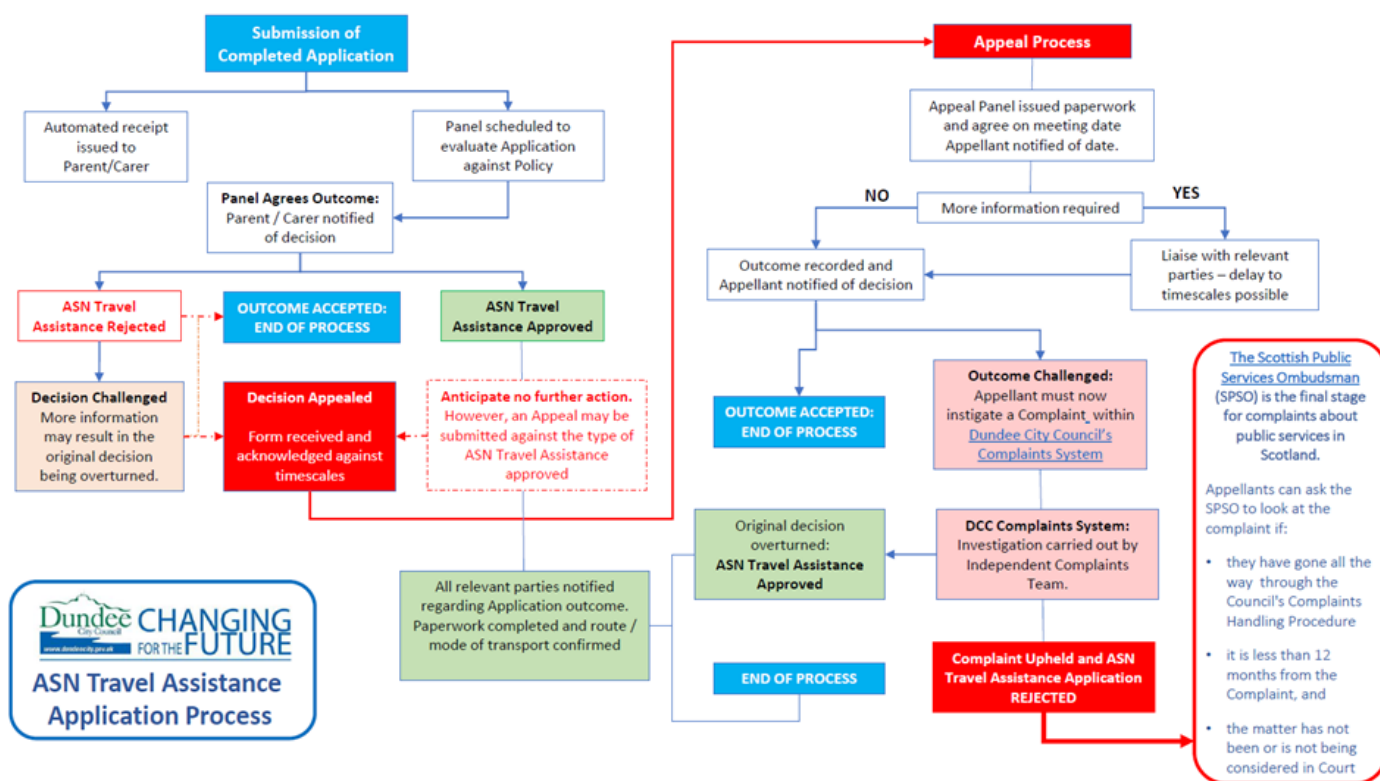
**Any reported changes will result in a review of the type of travel assistance awarded and may result in the removal of such.**

Parents/Carers are responsible for ensuring appropriate notice is provided to Dundee City Council and the ASN Travel Team to enable a Travel Assistance Review to take place. In the event that appropriate notice has not been provided parents/carers may be responsible for ensuring their child attends school while the appropriate review takes place.

**Item 4.1.4** (Change of Address) provides further information.

## 6 **APPEALS PROCESS:** *ASN and Education Department Senior Managers lead the Reconsideration/Appeal Panels and will be identified during individual cases.*

Parents/Carers should ensure they are familiar with this Policy and the following process prior to challenging the outcome of their Travel Assistance Application.



- ASN Home to School Travel Assistance Policy (*this document*)
- [ASN Travel Application Process](#)
- [ASN Travel Assistance Appeal Form](#)

### 6.1 Reviewing Decisions

If Parents/Carers are dissatisfied or disagree with the outcome of their Home to School Travel Assistance Application, they can ask for a reconsideration of the decision by presenting further information. This should be done **in writing** and presented in support of the original application. For example:

- Challenges facing the whole family, changes to the family unit
- Input from medical professionals

- Input from TATC professionals
- Conversations with the family to understand their needs more fully
- Visits with the family to understand how travel assistance might help

Every Application is individual and there is no one solution that would fit everyone when making these complex decisions. The list above is not exhaustive, and we may agree a different approach with families to gather more information on how they might benefit from travel assistance.

After a reconsideration has been undertaken, if the original decision has been overturned ie ASN Travel Assistance has now been **approved**, the assumption would be that no further action would be necessary **if the family agree with the new outcome**.

However, if the family still do not agree with the outcome, they can ask for an Appeal to be reviewed by an independent Panel.

## 6.2 Appeals

If the *type* of ASN Travel Assistance approved is not the outcome the family anticipated, or if the reconsideration/review is rejected, Parents/Carers can then formally Appeal the decision that has been made.

The **ASN Travel Assistance Appeal Form** should highlight the reasons for the Appeal. Where possible, reasons should be matched to the ASN Home to School Travel Assistance Policy.

### 6.2.1 Formal Appeals

Dundee City Council seek to resolve dissatisfaction as close as possible to the point of service delivery and to conduct thorough, unbiased, and fair investigations so that, where appropriate, evidence-based decisions on the facts of the case can be made.

Formal Appeals are escalated to Children and Families Service Managers to review the Application in an open, transparent, and impartial manner. Service Managers will review all the evidence surrounding the Application, considering any Legislative, Procedural or Policy matters that might have originally been overlooked. Requests should be forwarded to the ASN Travel Team Coordinator as outlined in **Item 6.1**.

Parents/Carers and Appellants should be able to show why they believe the original decision was wrong – for example, because of a mistake, or because they believe the procedure was not followed properly.

### 6.2.2 Timescales

- Receipt of formal appeal acknowledged within **10 working days\***
- Formal appeals should be resolved, or a definitive response provided, within 20 working days\* following a thorough investigation on the points raised

- \* *if the appeal or investigation is complex, an extension to timescales may be required and will be provided to appellants*

### 6.2.3 Decisions

After reviewing all the evidence, the Appeals Panel have two options:

- 1 Uphold the original decision: ASN Travel Assistance will be rejected
- 2 Overturn the original decision: ASN Travel Assistance will be approved

In all cases, reasons will be clearly identified and presented allowing no room for misinterpretation.

## 6.3 Appeal Decision Challenged

If parents/carers are still dissatisfied with the outcome of the ASN Travel Application Appeal they may now instigate a Complaint through [Dundee City Council Complaints System](#).

## 7 Information about the SPSO

If parents/carers have been through the internal DCC Appeals process and are still dissatisfied when a final response has been issued by through Dundee City Council's Complaints Procedure, they can ask the **Scottish Public Services Ombudsman (SPSO)** to look at the complaint if:

- they have gone through the Council's Complaints Handling Procedure.
- it is less than 12 months from the complaint, and
- the matter has not been (and is not being) considered in court.

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. The SPSO is an independent organisation that investigates complaints. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

### [SPSO](#)

Bridgeside House  
99 McDonald Road  
Edinburgh  
EH7 4NS

Freephone: 0800 377 7330

Online: [www.spsso.org.uk/contact-us](http://www.spsso.org.uk/contact-us)

Website: [www.spsso.org.uk](http://www.spsso.org.uk)

Independent support or advocacy to help with complaints can be found at:

- Citizens' Advice Bureau
- Scottish Independent Advocacy Alliance

## **8 MONITORING AND IMPROVING PERFORMANCE**

- Transport to school is an important part of a child's education experience and good relationships between Operators, Drivers, ASN Travel Assistants, Parent/Carers and Children/Young People is essential to ensure that this experience is positive.
- Whilst the continuity of transport arrangements, including Drivers and any ASN Travel Assistants will be considered, changes will take place from time to time and Dundee City Council reserves the right to place different Drivers/ASN Transport Assistants on routes as required.
- Changes to staff on routes will be communicated as soon as they are known recognising that short term illness may prevent an early notification.
- The effective operation of Contract Transport can best be achieved by a partnership between Sustainable Transport Team City Development, Operators, ASN Travel Assistants, School Staff and Parents/Carers.
- The Sustainable Transport Team within the City Development Department is responsible for procuring, managing and monitoring the performance of each school transport contract. This is carried out through close liaison with Schools, Parents/Carers and the transport provider. This could also involve Children and Families Service Health and Safety Officer, the Vehicle Inspectorate and Police Scotland.
- The Sustainable Transport Team will, once per contract period, undertake a Service User Satisfaction Survey with Parents/Carers and children/young people.
- Additional documentation is available which provides guidelines for Contractors, Drivers, ASN Travel Assistants, Schools and Parent/Carers. The Sustainable Transport Team, City Development welcomes the views of Parents/Carers with regards to improvements to the travel process.

## **9 OTHER RELATED DOCUMENTATION**

- Code of Practice
- Information leaflet for Parents/Carers
- Manual for Home to School Drivers and ASN Travel Assistants