

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER FOR YOUNG PEOPLE

5 March 2019

**Joint Report of the Strategic Director for Children’s Services
and the Strategic Director for Economy, Transport and Environment**

**HOME TO SCHOOL TRANSPORT – HAZARDOUS ROUTE
ASSESSMENT**

1. **Purpose of Report** To consider a request for a route between Little Eaton and The Ecclesbourne School be declared 'hazardous' for the purpose of establishing eligibility to free home to school transport.
2. **Information and Analysis**

2.1 Background

The Authority provides assistance with travel for full-time primary and secondary school pupils who do not live within walking distance of their normal area school. This distance, as defined in the 1996 Education Act, is 2 miles for children under the age of 8 and 3 miles for children 8 and over measured by the nearest available route (Transport Policy for Children and Young People – Appendix A).

An exception may be made to these distance rules if the Authority agrees that a particular route is hazardous for a pupil, accompanied if necessary, to undertake on foot. In making such a decision, the Authority will not only consider the nature of the route or alternative routes the pupil could reasonably be expected to take, but also the age of the child and whether, due to disability, the parent is unable to accompany him or her.

2.2 Criteria The Authority’s criteria for the assessment of route safety in relation to home to school transport situations are set out below:-

- a) In assessing the safety of a particular route, consideration be given only to danger relevant to traffic/highway conditions;
- b) It is essential that each case be considered objectively on its merits;

- c) It is assumed that the child is accompanied, if necessary, by a parent or other responsible person and will be suitably clad;
- d) Where a footway or roadside strip of reasonable width and condition, public footpath or bridleway exists, this will normally be assumed to provide a safe route for that part of the journey;
- e) Where, on a lightly trafficked or narrow road, a verge exists which is not easy to walk on, but which can be stepped onto by the child and accompanying person when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey;
- f) Many routes may lie along roads having neither footway nor verge. On such roads, consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent heavy goods vehicles) and to visibility (ie sharp bends with high hedgerows or banks);
- g) The absence of street lighting is not in itself a measure of the availability of a safe route although where children are unable to step off the road surface, it could become a significant factor;
- h) Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movement; and
- i) Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration as should the extent of visibility.

Where a route is deemed hazardous for any of the above highway reasons, the matter should also be referred to the Cabinet Member for Highways and Transport to consider if the danger can reasonably be removed by appropriate highway management means. Granting of "hazardous route" status should be on the clear understanding that this status would cease if and when necessary highway measures are taken to remove the cause of the danger.

3. Little Eaton to The Ecclesbourne School via Eaton Bank and Makeney Road

3.1 Background

A parent from Little Eaton applied for free school transport to the Ecclesbourne School for their child and was refused because the distance was under the statutory walking distance of 3 miles. The parent has then cited that they believe the route to school is hazardous.

A pro forma (Appendix B) is attached with the area in question indicated on the attached map (Appendix C), Accident Data (Appendix D).

The route from Little Eaton to The Ecclesbourne School is paved on either one or both sides of the carriageway. It is necessary in some areas to cross from one side of the carriageway to the other to continue along a pavement but, other than this, it is not necessary to walk on the carriageway.

3.2 Details

If the route between Little Eaton and The Ecclesbourne School, through Eaton Bank and Makeney Road is declared hazardous for the purposes of home to school transport, the Authority would issue a bus pass on the vehicle currently contracted.

Date of Inspection

Recommendation

22 January 2019

Not hazardous

4 Financial Considerations

Any routes which are declared hazardous by the County Council automatically require the provision of free transport to children who have to travel along those routes if there is no alternative route under the relevant distance to the School (see 2.1 above Background – Transport Policy for Children and Young People). Therefore, any routes so designated have ongoing financial consequences for the Authority which would have to be met from its Home to School Transport budget. In each case under consideration, the cost does not have a bearing on the question of whether a route should be regarded as dangerous.

5. Other Considerations

In preparing this report the relevance of the following factors has been considered:

Prevention of Crime and Disorder, Equality of Opportunity and Environmental, Health, Human Resources, Legal, Property, Social Value and Transport considerations.

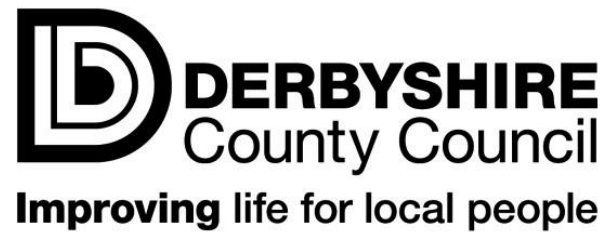
6. Background Papers

Reports and recommendations as mentioned in this report.

7. Recommendations

The Cabinet Member for Young People is asked to consider the Hazardous Route Panel's recommendation that the route been deemed not hazardous for the purposes of home to school transport.

APPENDIX A



**Transport Policy for
Children and Young People
DERBYSHIRE COUNTY COUNCIL
September 2016**

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1. Introduction

This policy explains the entitlement to travel assistance for Derbyshire children and young people and in some cases their families, including those who have additional needs such as children with learning difficulties or disabilities. It sets out the criteria for eligibility for travel assistance, how parents may apply, how decisions are made and the type of assistance that may be available and how parents and carers may have decisions they are unhappy with reviewed.

In developing and implementing this policy, the following principles are applied:

- The policy should be applied fairly, and consistently.
- Wherever possible, independence for children, young people and families should be promoted.
- Value for money should be secured.

The policy is intended to provide clarity for parents and carers in a wide range of circumstances and to ensure that children with additional needs are appropriately supported. However, it is the legal responsibility of parents to ensure that their children of compulsory school age are educated at school or otherwise.

Extensive consultation with parents, carers, children and young people has informed this policy and in support of the policy an Equality Impact Assessment has been undertaken to ensure that it does not unfairly disadvantage any group or individual.

The scope of this policy includes all travel assistance provided by Derbyshire County Council (the Authority) for children, young people and families to services, schools and places of learning.

The Authority has a duty to ensure that all arrangements make the best use of the Council's resources.

This policy applies to all children and young people who are resident in Derbyshire, excluding those living in the Derby City Local Authority area, and includes all children looked after by Derbyshire County Council.

2. Home to school transport for children and young people of statutory school age.

Home to school transport is provided for statutory school age children whose circumstances meet the Authority's home to school transport criteria as explained below.

Statutory school age starts at the beginning of the term following the child's fifth birthday and lasts until the last Friday in June in the school year the child becomes 16. In law, there is no requirement to assist with education transport for children younger than statutory school age.

The Raising of the Participation Age (RPA) legislation, requiring young people to participate in education or training until the end of the academic year they turn 17 from 2013 (and up to their 18th birthday from 2015), has not created any new entitlement to transport for post-16 learners.

2.1 Choice of School

The offer of a school place does not give a guarantee of home to school transport assistance from the Authority. Parents have a right in law to state a school preference for their child but that does not automatically carry with it a right to assistance with transport to get the child/young person to and from school in the event they are successful with their preference.

Unless the circumstances fall into one of the *General Eligibility Criteria* (section 2.2) or the *Home to School Transport for Low Income Families criteria* (section 2.3), the child's parents or carers will be required to make their own arrangements to get their child to school.

2.2 General eligibility criteria

In Derbyshire, provision is made for eligible pupils, at the beginning of the academic year in which their fifth birthday falls, and who live over statutory walking distance from the normal area school attended full time, until they finish school in year 11.

Children and young people of compulsory school age are entitled to assistance with transport from the Authority to a maintained school, academy, or other establishment if named in an Education Health and Care Plan or statement of special educational needs, if they meet the following criteria:

- Attend the normal area school, or a school closer than the normal area school, or the nearest suitable school as determined by the Authority; and
- Live beyond the statutory walking distance from that school.

The statutory walking distance is 2 miles for children under the age of eight and three miles for children over the age of eight.

School normal areas are determined by the Authority, or in the case of faith schools, by the diocese in partnership with the Authority.

In the exceptional circumstances of a child being educated outside their normal chronological age group any transport application will be assessed according to the age of the majority of children they are educated with.

Whilst not exhaustive, the list below indicates cases where there will not usually be an entitlement to transport assistance from the Authority, with the exception of children in the care of the Authority:

- To access breakfast or after school clubs including out of school activities.
- To work experience, taster or open days.
- To part-time provision off the school site organised by the school.
- For transfers between educational establishments during the school day.
- To and from temporary addresses including friends and child minders where these arrangements are made by the family.
- To and from medical appointments.
- Following detention.
- At times to suit the convenience of family arrangements.
- For late arrival or early departure, for example due to illness or medical appointments.
- For shorter than normal days e.g. during the exam season.
- For a child whose level of attendance is a cause of concern, but for whom no eligibility criteria are met.
- For students on exchange visits.
- Where the behaviour of a young person is not acceptable to the driver of the vehicle and places other travellers at risk. In these circumstances parents will be required to make alternative arrangements (See Appendix C).

2.3 Home to school transport for families with low incomes

The Education and Inspections Act 2006 introduced additional transport assistance for families with low incomes under the term *Extended Rights*.

Children of primary age who are entitled to free school meals or whose families get the maximum level of working tax credit are entitled to free transport to the nearest suitable school where the distance from home is more than two miles. This distance is measured along the nearest available route.

Children aged 11-16 who are entitled to free school meals or whose families get the maximum level of working tax credit are entitled to free

transport to any one of the three nearest suitable schools where the distance from home is between two and six miles. Where the school is preferred on grounds of religion or belief the distance is between two and fifteen miles if the school is the nearest appropriate school. Evidence to support religious or philosophical belief will be required.

Distance measurement up to three miles is determined using the 'shortest available walking route', as detailed in section 2.5 below. Any distance measurements over three miles linked to low income entitlement shall be determined using a road route suitable for a motorised vehicle.

Eligibility for transport assistance may be checked annually. If parents are no longer eligible they will be required to meet their child's transport costs. Should a family's circumstances change they will need to inform the Authority at the earliest opportunity in order for their eligibility for assistance to be re-assessed.

2.4 Transport to faith schools

Following consultation, from September 2015, Derbyshire local authority no longer provides a transport subsidy to faith schools. Protection was given for pupils in Years 6 and 11 for the academic year 2015/2016 but the Authority has not contracted any buses to provide transport to faith schools since July 2016.

However, the authority will still have a duty to provide free travel for those pupils who are entitled to free travel on distance or low income grounds (see sections 2.2 and 2.3).

Children aged 11-16 who are entitled to free school meals or whose families get the maximum level of working tax credit are entitled to free transport to any one of the three nearest suitable schools where the distance is between two and six miles. Where the school is preferred on grounds of religion or belief the distance is between two and fifteen miles if the school is the nearest appropriate school. Evidence to support religious or philosophical belief will be required. Any distance measurements over three miles linked to benefit entitlement are done using road routes.

The Council gives a grant to a hardship fund which is to be administered by the relevant Diocesan authorities. These grants are intended to be used in support of families and pupils particularly disadvantaged by the

changes. In particular those identified as particularly vulnerable which include pupils living some distance from others travelling to the school and without an alternative means of transport, and families with an income just above the threshold for entitlement to free transport on the grounds of low income for whom the costs may be prohibitive. Applications will be dealt with by the relevant Diocesan authority directly.

2.5 Distance measurement

Home to school distance is measured from the child's residential address, from the established pedestrian access point for the property nearest to the school - for example, the front gate - to the nearest approved entry point to the school site, using the 'shortest available walking route'.

Measurements are made from one permanent address for a pupil, deemed to be the residence at which the child resides during the normal school week. Where the child subsequently moves address the eligibility will be re-determined. Where the child shares equal time between different parental addresses eligibility will be assessed from the property nearest to the school attended.

The '**shortest available walking route**' is the shortest route along which a child, accompanied as necessary, may walk with reasonable safety. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads.

Any distance measurements over three miles linked to low income entitlement shall be determined using a road route suitable for a motorised vehicle.

From September 2014 distance measurements for all new applicants are normally determined by means of a computerised GIS mapping system using Ordnance Survey information. Distance measurements for existing users may include routes and distance measurements already held on file by the Authority.

2.6 Hazardous Routes

Transport assistance will be provided if the Authority considers that the route a pupil would normally be expected to walk to school is hazardous and the alternative route(s) is/are over the statutory walking distance. The assessment criteria are set out in Appendix A.

When considering a walking route it is expected that the child will be accompanied by an adult or other responsible person as necessary. Arranging this is the responsibility of the parents/carers.

2.7 Spare Seats

Where the Authority provides contract vehicles, spare places may be offered on request and on a temporary basis for children who are not entitled to transport assistance based on the criteria in sections 2.2 and 2.3. For 2016/17 where a child takes up a spare seat a charge will be made of £365 per annum for a secondary age pupil and £330 per annum for a child of primary school age. This charge will increase by the rate of inflation in the September of each year.

The Authority reserves the right to determine the allocation of these spaces based on the demand and space available at the time and to determine charges.

The Authority cannot guarantee the spare seat place for the duration of the child's attendance at that school and will make every effort to give a minimum of one week's notice should a place have to be withdrawn at any time. There is no appeal against withdrawal of concessionary transport, as from the outset, this offer does not commit the Authority to future assistance.

The facility for children who are not entitled to transport assistance from the Authority to pay to use spare seats does not apply to buses which charge a daily fare for travel.

2.11 Medical needs

Short Term: in most cases, the Authority will not provide transport assistance when a child has a medical condition or need that is short term. If a short term need affecting mobility means that the pupil cannot be reasonably expected to walk to school, some assistance may be provided, and would be assessed on an individual basis using written evidence from a medical practitioner that includes an expected end date to the temporary condition.

Long Term: children and young people with medical needs attending their closest suitable school who are unable to walk to school due to their medical need, and where this need is supported by a medical plan, may be considered for transport assistance.

All efforts will be taken to support independence of the child or young person within the context of their medical needs including parents' availability. Transport assistance will only be provided where this is clearly stated as a requirement in the medical plan and the type of travel assistance offered will be dependent on the individual needs of the child.

Applications for assistance come from the management of the schools in the form of a medical plan.

2.9 School re-organisation

If a child has to move school after a school re-organisation or closure, and they lived in the normal area of their former school, they will only be offered transport to their new designated school if they meet the general eligibility criteria. Transport for those who do not meet the general eligibility criteria will only be provided if it has been agreed as appropriate under the school closure/ re-organisation plan.

2.10 Applying for school transport

When a child or young person is due to start full time school for the first time or transfer at the normal transfer time between schools, parents/carers will receive a letter advising them at which school the child has been offered a place. This letter will include information relating to home to school transport.

If a child/young person is offered a place at/attends a primary school in another Authority's area, a letter will be sent to the child's home address from the School Admissions and Transport Team advising about the process for applying for transport, and where to find more information.

Primary age children: families who believe their child may be entitled to transport assistance should apply online or submit a form X78.

Secondary age children: with the exception of children falling into the following category, families who believe their child may be entitled to transport assistance should apply online or submit a form x78

Year 6 pupils transferring from junior/primary school to a secondary school: where it is identified that a pupil is entitled to receive transport assistance the Authority will notify parents by letter in April prior to transfer. In this case a separate application is not necessary and parents/carers should only contact the Authority if the transport assistance is not required.

Parent/carers who do not receive a letter should apply to the Authority if they believe that their child may be entitled to assistance with travel. The application should be completed by the end of May prior to transfer. Applications for school transport can be made online at www.derbyshire.gov.uk/get2school or by completing form X78.

Other circumstances: applications for transport to support new admissions or changed circumstances at other times of the year should be made on line on the Derbyshire County Council website or using the application Form X78.

In normal circumstances, when the parent/carer of the student entitled to assistance applies, it may take up to 15 working days before provision is in place and parents/ carers will be expected to make their own travel arrangements during this time. If further information or investigation is required more time may be required.

Transport applications are assessed on the basis of the information supplied, so if circumstances change it will be necessary for the parent/ carer to notify the Authority and re-apply if appropriate. The stored information is verified with schools by the School Transport Team twice yearly.

In the event that the Authority has provided assistance with transport in error the provision will be withdrawn giving six weeks' notice. The Authority reserves the right to recover from parents the cost of any transport wrongly provided on the basis of false or inaccurate information given by the applicant, or failure by the applicant to notify the Authority of a change of circumstances.

2.11 What type of transport assistance will be offered?

Transport assistance will normally be provided through a place on a school bus, public bus or train, or by reimbursement of a parent's mileage expenses at 45 pence per mile based on one return journey a day. A pupil's journey may include one or more changes of transport, where connection times and overall journey times, are reasonable. For complex journeys, the Authority will discuss provision with the family to determine the most suitable arrangements.

Children/young people who have lost their bus/rail pass will have to pay the Authority for a replacement (and may also incur a separate fee from the rail company). Parents/carers must send a letter to school confirming that the pass has been lost and payment will need to be included. Children will not normally be issued with more than one replacement pass each school year.

Children will normally be expected to walk up to a mile, accompanied as necessary, to meet a service vehicle to school.

2.12 Acceptable journey time

Where transport is provided the recommended maximum journey time is 45 minutes each way for children of primary school age and 75 minutes each way for children of secondary school age. In practice the Authority attempts to minimise these times as much as possible in the interests of the child. Acceptable journey times for children and young people with special needs may be adjusted according to individual need.

2.13 Request for review

Where transport assistance to school/college is refused there will be an opportunity for the parent/carer to have their circumstances reconsidered.

A parent/carer has 20 working days from receipt of the Authority's transport decision to make a written request asking for a review of the decision by completing a review form (Appendix D) which can be obtained from the School Admissions and Transport Team (see Appendix C for details).

The written request should detail why the decision should be reviewed and give any details of exceptional family circumstances, attaching any necessary supporting evidence. In the matters of route distance, correction of administrative error and withdrawal of a temporary seat, the final decision rests with the Authority.

Within 20 working days of receipt of the review form, an officer panel will review the original decision and inform the parent/carer of the decision in writing. The panel will comprise of officers not party to the original decision.

Parents whose review has been refused have the right to request their case as originally presented is considered further by a Senior Officer. A written request should be made via the School Admissions and Transport Team (see Appendix C).

2.14 Complaints

If a parent/carer has a complaint about the individual arrangements for their child, please contact the appropriate School Transport Team (see Appendix C).

3. Transport for children and young people with additional needs or special circumstances

3.1 Home to school transport for pupils of statutory school age with learning difficulties and/or disabilities

Pupils with learning difficulties and/or disabilities (LDD) of statutory school age who qualify under the criteria in sections 2.2 and 2.3 will be provided with free home to school transport.

The majority of Derbyshire pupils who have a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) do not receive or require specialised travel assistance from the Authority. Where a pupil lives within the defined travelling distance, and is able to walk to school, accompanied as necessary, the Authority expects parents of pupils with a statement of SEN or an Education, Health and Care Plan (EHCP) to make arrangements for their child in the same way as parents of pupils without a statement.

Where entitled and deemed necessary, free transport will be provided to and from the nearest suitable school where the child cannot be reasonably expected to walk with regard given to his or her individual learning difficulty and/or disability. The child's age will be taken into account, and where transport is provided, the Authority will ensure that children can travel in safety and reasonable comfort and that journey times are kept to a minimum.

If the child is attending a school of parental preference i.e. where the Local Authority considers there is a suitable school nearer the pupil's home, free transport will not be provided. If the parents preferred school is further away from the child's home than another school that can meet the child's needs the local Authority may agree to the named the preferred school on condition that the parents are responsible for all costs relating to travel from home to school.

The provision of transport will be reviewed annually.

A pupil with a statement of SEN or an Education, Health and Care Plan (EHCP) who is a registered pupil or has been offered a place at a mainstream school will not be provided with home to school transport unless:

- The nearest appropriate school exceeds the distance criteria (see section 2.2); or
- The low income criteria are met (see section 2.3); or
- The pupil has a disability which prevents them from walking to school, accompanied as necessary by a parent or carer.

When a pupil with LDD is entitled to free home to school transport and cannot access the transport generally available to take other children from their local area to school then alternative transport arrangements will be made, the nature of such arrangements being at the discretion of the Authority, having regards to the needs of the pupil.

If the Authority agrees to provide transport assistance it will be provided in a safe and cost effective manner, taking account of the child's specific needs and with regard to the best use of the Council's resources from the range of options below:

- **Re-imburement of mileage costs:** parents may consent to support their child in travelling to school, either through accompanying their child in place of a passenger assistant or by driving their own car. In these cases the Authority may remunerate the costs of travel by paying a mileage allowance, currently 45 pence a mile based on one return journey a day.
- **Escorted public transport:** It may be possible for a pupil to travel on public transport if they have some assistance. Where parents are unable to accompany their child, or do not consent to do so, the Authority may provide a passenger assistant.
- **Contract vehicles:** in exceptional circumstances the Council may provide a contracted vehicle to transport a child to and from school. Vehicles are provided by suitably qualified, registered providers working to contractual standards set by the Council. Whenever possible, pupils will travel together in mini-buses that are adapted to meet the needs of pupils travelling on them. Each route will be planned on the basis of school start and finish times and the shortest possible route for all children travelling on a particular vehicle. Pupils will be picked up and dropped off at a convenient location, within a reasonable distance from their home, in many cases from recognised bus stops.
- **Home pick-up:** this will only be made where deemed essential due to the child's significant needs.
- **Taxis and private hire vehicles:** under very exceptional circumstances the Council may transport pupils in separate taxis or private hire vehicles based on the assessed needs of the child.

Passenger assistants may be provided at the discretion of the Authority where:

- The child is under 8 years of age.
- The child has a disability which makes it necessary to provide an escort for health and safety reasons or.
- The child 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 if there were no passenger assistant present.

3.2 Pre-School age children

On the basis that pre-school children do not fall within eligibility criteria as set out in the statutory guidance, the Authority will not normally provide transport assistance for pre-school children. Where children have or are undergoing an assessment of special educational needs and/or disability, provision may be considered but this would only be agreed in exceptional cases.

The decision to make discretionary travel arrangements rests with the Authority, and, if agreed, will usually be in the form of parental reimbursement of 45 pence per mile based on one return journey per day and follow consideration on a case by case basis.

3.3 Independent Travel Training

The Independent Travel Training scheme is aimed at young people who may face difficulty with using public transport to help them live more independently.

Travel Trainers work on a one-to-one basis with a learner to gain independence on a specific route to and from school or college. A Travel Trainer usually works with a learner for about 10 return sessions, gradually developing their independence through accompanied, close and distance shadowed journeys.

For learners to be eligible they need to:

- Be in Year 8 or above at school or be aged above 16 attending post-16 education.
- Being provided with transport to their place of education, paid for by the County Council.

Please phone 07805745341 or email lift-derbvshire@natstar.ac.uk for more details.

3.4 Transport to residential placements

Where the pupil attends a residential school, transport will be arranged by the Authority, or the parents will be reimbursed the cost of making their own arrangements as follows:

- Weekly basis- journeys at the beginning and end of each school week.
- Termly basis- journeys at the beginning and end of each term, up to a maximum of 12 journeys.
- 38 or 52 week placements- a maximum of 12 journeys per school year.

Parents/carers are expected to make independent transport arrangements when returning pupils to school following illness, for medical appointments and for exclusions where these journeys are additional to normal transport arrangements.

3.5 Transport to short breaks

Transport may be provided by the Authority between school and a short break setting where there is an existing contract that can be utilised at no extra cost to the Authority. If there are additional costs the parents or carers will be expected to meet these costs, or provide transport by their own arrangement for short breaks overnight or longer.

3.6 Children moving school for reasons other than changing home address

If a child moves to another school or establishment other than due to a house move, transport assistance will not normally be offered unless the general eligibility criteria (see sections 2.2. and 2.3) are met.

Each request will be considered on its particular circumstance

3.7 Children moving to different place of learning due to behaviour issues

If a child has been placed in an alternative establishment for provision of their education, such as a support centre or a different school, following exclusion, eligibility criteria (as defined in sections 2.2 and 2.3) will apply from the pupil's home to the nearest suitable establishment where instruction or training is being given.

3.8 Home to school transport for children in the care of the Authority

The educational attainment of children and young people in the care of Derbyshire County Council (children in care) is a high priority, and it is the aim of the Authority to ensure children and young people receive continuity of education where possible and in their best interest. Care will

be taken to ensure that travel is not excessive for an extended period (see section 2.12 acceptable journey time).

The majority of children in care will attend a local school, particularly when a placement is identified as long term or expected to endure for more than 6 months.

For looked after children and young people who do not have a statement of special educational needs and who have an assessed need to attend school outside of the normal area where they live, whether in residential or foster care, decisions regarding transport will be taken in the best interests of the child by the Social Worker.

Provision of transport may be considered:

- When the child's care plan is for the child to return home in a specified timescale and there is a need to maintain the child in a school.
- When a child/ young person is at a critical time in their education timetable e.g. SATs, GCSEs, transition.
- Where continuity of education is specified by the Courts in Care Proceedings or by the Children in Care Review Process.

The decision should be made either at the initial care planning meeting or the statutory review.

Where possible and appropriate, the young person is expected to travel independently by walking or cycling, on public or other school transport. For younger children or where other forms of transport are not available, it is expected that where possible, appropriate and in the interests of value for money the foster carer or other carer will transport the child to school and will be reimbursed at the rate of 45 pence per mile based on one return journey a day.

Where transport by car is difficult due to responsibility for a younger child, the Council may offer support with childcare costs to support the transport of a child in care if this is appropriate and represents value for money.

Only in exceptional circumstances will individually commissioned transport be provided, and all requests must be formally approved by the Safeguarding District Manager.

Transport arrangements will be kept under review by the Independent Reviewing Officer.

3.9 Transport to contact and other settings for children in the care of the Authority

All efforts must be taken to secure best value when arranging transport for children in the care of the Authority, even when a rapid response is required or in the case of unforeseen circumstances.

Where possible, contact visits should be arranged as close as possible to where the child is living and/ or attending school, and transport should be provided to and from contact visits by the Carer with travel reimbursed at a mileage rate of 45 pence per mile.

In cases where transport provided by the Carer is not possible, the Social Worker should seek an alternative that offers best value.

3.10 Transport to contact visits for parents

The Authority will not provide transport for parents to attend contact visits with their children who are in the care of the Authority. The Authority will reimburse public transport costs for attending contact visits on presentation of a valid ticket or receipt, or will pay a mileage reimbursement for personal car use at the public transport rate (currently 16.4 pence a mile).

3.11 Transport for parents attending Parenting Courses provided by the Authority

When the need presents the Authority will identify parenting courses and classes to offer parenting support. Travelling to and from the course/class is a parental responsibility unless safeguarding services identify exceptional circumstances in which case the Authority will reimburse travel expenses for personal car (at public transport rate of 16.4p a mile) or public transport use.

3.12 Request for review

A parent/carers can ask for a review of the Authority's decision to refuse assistance with transport if they do not meet the criteria in 2.2 and 2.3. See section 2.13.

3.13 Complaints

If a parent/carers has a complaint about the individual arrangements for their child, please contact the school transport section (see Appendix C).

4. Post 16 Transport

Please note this section gives a brief overview of our Post 16 transport provision.

We publish a separate annual Post-16 Transport Policy Statement which defines our transport policy for learners over age 16. This can be viewed at http://www.derbyshire.gov.uk/council/policies_plans/educ_plans_and_policies/post16-transport-plan/default.asp

Statutory eligibility to free home to school transport ends at age 16. Eligibility for Post-16 transport provision for learners of sixth form age is not prescribed by statute and the local authority must decide what arrangements it considers necessary, as a local response to transport needs, which complies with the legislation and public law.

Local authorities have a duty to prepare and publish an annual Transport Policy Statement specifying the arrangements for the provision of transport, or otherwise, that the Authority considers it necessary to make to facilitate the attendance of learners of sixth form age receiving education or training at schools and other prescribed establishments, and for learners with learning difficulties and/or disabilities aged from 19 to 24 who are subject of a Learning Difficulty Assessment or Education Health Care (EHC) plan.

The Raising of the Participation Age (RPA) legislation, requiring young people to participate in education or training until the end of the academic year they turn 17 from 2013 (and up to their 18th birthday from 2015), has not created any new entitlement to transport for post-16 learners.

4.1 Transport to school and college for students post-16

Post-16 students in full time education qualify for a b_line 2 card which provides reduced fares on public transport in Derbyshire up to their 19th birthday, under the Council's b_line concessionary fares scheme. The concession includes bus and rail travel across Derbyshire, Derby city and journeys to and from some destinations just outside the county.

Further information about b_line, including application forms and details of how to replace a lost or defaced b_line card, may be obtained from the school office or found on the Derbyshire Youthinc website at www.derbyshireyouthinc.com

The Council does not make any additional arrangements to convey Post 16 students unable to access public transport unless it is a specific

requirement in a Statement of Special Education Needs, in a Learning Difficulty Assessment; or in an Education, Health and Care plan. Some colleges may provide transport or transport assistance, and more information about this can be obtained from the institutions - see http://www.derbvshire.gov.uk/council/policies_plans/educ_plans_and_policies/post16-transport-plan/default.asp

Post 16 learners may be able to use spare seats available on transport services contracted by the Authority (see section 2.7).

4.2 Post 16 students with learning difficulties and/or disabilities

Derbyshire County Council provides a b_line scheme providing discounted travel for young people accessing learning. It is expected that most young people with learning difficulties and/or disabilities will use this to get to their places of learning. Where this is not possible the Authority will, in the first instance, explore if a parent is able to provide transport and receive a mileage reimbursement. If this is not possible the Authority will consider alternative transport arrangements.

A contribution will be charged for transport assistance for sixth form aged pupils. The standard contribution for 2016/17 is £365 per year; the low income contribution is £245 per year. This contribution will increase by the rate of inflation in the September of each year.

For full details see post 16 policy http://www.derbvshire.gov.uk/council/policies_plans/educ_plans_and_policies/post16-transport-plan/default.asp

Walking Route Assessment Criteria

- A. In assessing the safety of a particular route, consideration will be given only to danger relevant to traffic/highway conditions.
- B. It is essential that each case be considered objectively on its merits.
- C. It is assumed that the child is accompanied if necessary by a caring parent or other responsible person and will be suitably clad.
- D. Where a footway or roadside strip, public footpath or bridleway exists of reasonable width and condition, this will normally be assumed to provide a safe route for that part of the journey.
- E. Where, on a lightly trafficked or narrow road, a verge exists which is not easy to walk on, but which can be stepped onto by the child and accompanying person when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey.
- F. Many routes may lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent heavy goods vehicles) and to visibility.
- G. The absence of street lighting is not in itself a measure of the availability of a safe route although where children are unable to step off the road surface it could become a significant factor.
- H. Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movement; and
- I. Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration as should the extent of visibility.

Please note: any routes found unsuitable for a young person to walk, accompanied as necessary, will be referred to the County Highways Authority to look at cost effective adjustments.

Assessment:

Officers of the Authority will use the above factors to assess whether a route is reasonably safe to walk. There will normally need to be a combination of factors present for the route to be unavailable for an accompanied child. A route will not normally be considered unsafe because a short length of it is difficult. It is reasonable to expect special care in particular places

Behaviour Code of Conduct for provided transport

Derbyshire County Council is committed to providing safe and reliable transport to and from educational establishments and places of learning in the County.

A number of bus services now have CCTV fitted and partnerships have been established with some schools and bus operators to help deal with problems. The County Council also works in partnership with Derbyshire Community Safety Forum and will, where necessary, utilise the range of legislative enforcement powers available to help stop anti-social behaviour. Parents are responsible for ensuring their own child understands the consequences of misbehaving on provided transport.

Step 1

Where a child misbehaves, drivers will normally speak to the child about their behaviour. If problems remain the details will be reported to the school or place of learning and to the County Council. Once a pupil has been reported, a verbal warning will normally be given by the school or place of learning. Schools and places of learning should include within their School Behaviour Policy conduct which takes place on the journey to/ from their establishment as well as behaviour within the school or place of learning, and may also impose additional sanctions under the terms of the Behaviour Policy where this is appropriate.

In cases of more serious misconduct, Step 2 will immediately apply.

Step 2

Where a pupil is a persistent offender, or commits a serious offence, a written warning will be issued as follows. Either:

- A letter will be sent home informing parents/guardians of their child's behaviour along with a warning that further misbehaviour will result in the child being banned from the transport provided for a temporary period, or
- A letter will be sent home informing parents/guardians that an immediate ban from the transport provided has been imposed for a specific period. Pupils may also be asked to sign an acceptable behaviour contract before they are allowed to return to the transport provided.

In very serious cases the right to travel on transport arranged by the Authority may be withdrawn completely.

Warning letters may be issued by the School or place of learning, the County Council or the Anti-Social Behaviour Officer.

A serious offence includes any type of behaviour which endangers the safety of other passengers, drivers and members of the public. It also includes criminal damage or vandalism to the transport vehicle provided.

Serious cases may also be reported to the police, to be dealt with by way of criminal proceedings.

Parents/carers should be aware that where bans are imposed the travelling arrangements and costs will be the parent's responsibility and the County Council will not offer alternative transport or assistance.

Parents and carers of pupils who cause damage to transport vehicles will be liable for any costs incurred by the company. The County Council will support the transport company and will encourage police involvement if necessary.

For specialist staff dealing in home to school related matters

School Admissions and Transport Team - tel: 01629 537479 or email admissions.transport@derbvshire.gov.uk for assessment/eligibility queries.

Family Information Service

Tel: 01629 535793

School Transport Team (school bus provision)

Tel: 01629 536739

Special Needs Transport Team

Tel: 01629 536727

Online applications for transport assistance can be made at www.derbvshire.gov.uk/get2school

TRANSPORT REVIEW FORM

Please use **BLOCK LETTERS** on this page and complete in black ink or type.

Name of child:

Address:

Child's date of birth:

Postcode:

Full name of parent/carer:

Telephone number (daytime):

Home:

Work:

Mobile:

Email:

Does your child have a Statement of Special Educational Need or Education, Health and Care Plan?

YES ☐ **NO** ☐

School to which transport is requested:

Any previous school(s) attended:

Date started or due to start at above school:

Details of other adults in the family:

Name:

Relationship to child

Details of other children in the family (i.e. brothers or sisters):

Name:	Date of birth	School/college attended
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Please explain how your child currently travels to school:

I understand the Authority may seek advice and information relating to my request from other departments or agencies, including schools, prior to my review.

Signature:

Date:

Please give full details of request for transport assistance and grounds for review. You should include details of any other agency involvement e.g. social care, housing and provide relevant documentation from them.

Please note financial circumstances or normal parental working arrangements will not usually, by themselves, be regarded as exceptional family circumstances. Where the parent/carer is unable to accompany the child, then the Authority will consider the availability of immediate family members, friends and neighbours, and the provision of any other assistance or benefit to the family.

Other agency details:

Name:

Contact telephone number:

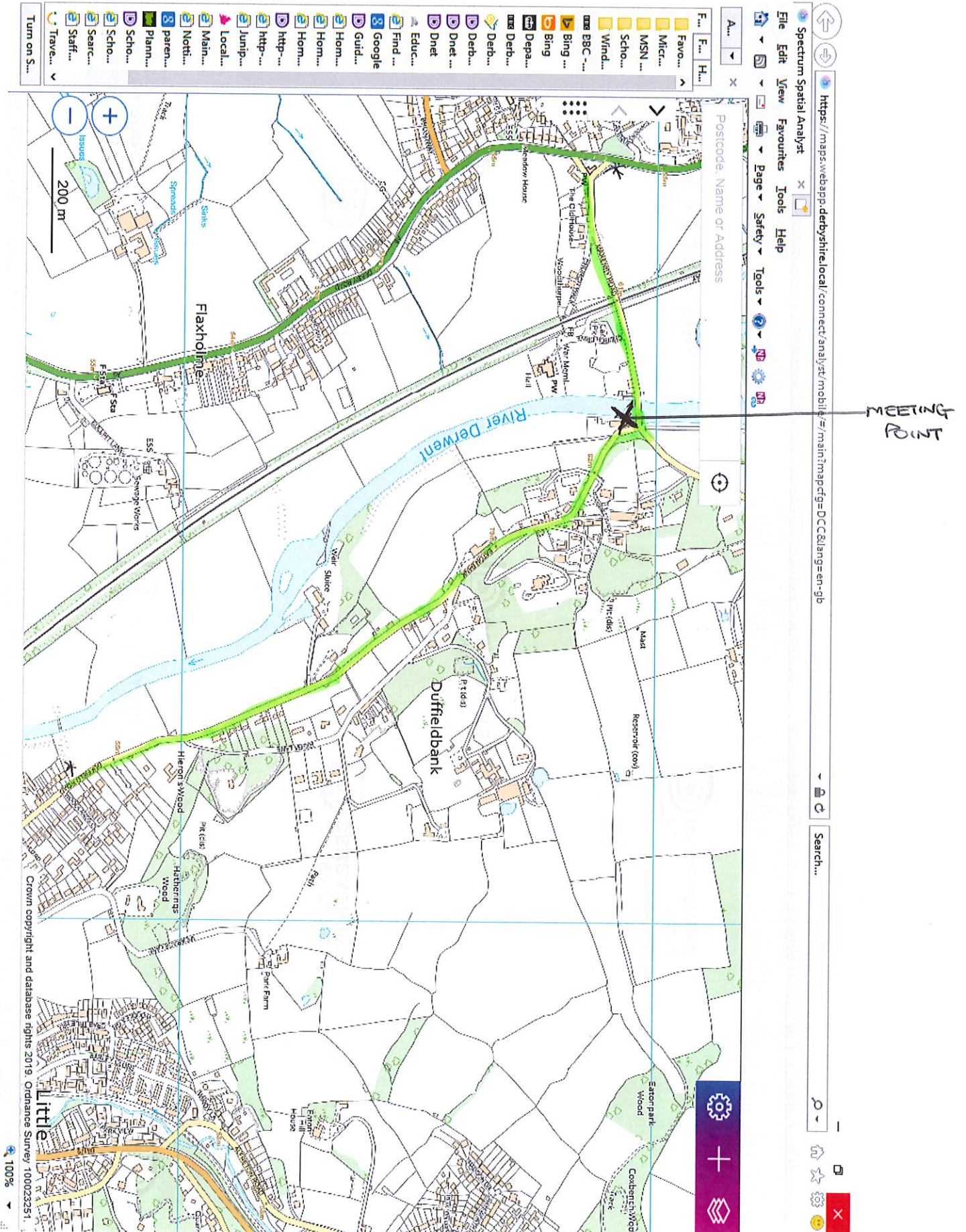
Privacy Notice: The information you release to us will be used for transport related purposes and may be shared, as the law allows, with partner organisations. Further details on the Authority's Data Privacy policies and those of partner organisations can be found on the Derbyshire County Council website www.derbyshire.gov.uk/privacynotices, or a hard copy can be provided on request.

Please return this form to Derbyshire County Council, School Admissions and Transport Team, School Road, Off Sheffield Road, Chesterfield, Derbyshire, S41 8LJ or email to admissions,transport@derbyshire.gov.uk

APPENDIX B
DERBYSHIRE COUNTY COUNCIL

<u>HOME TO SCHOOL TRANSPORT – WALKING ROUTE ASSESSMENT CRITERIA</u>	<u>ROUTE: Little Eaton to Duffield Eccesbourne School via Eaton Bank and Makeney Road.</u>	
	<u>RELEVANT INFORMATION (where applicable)</u>	<u>OFFICER'S COMMENTS</u>
In assessing the safety of a particular route consideration should be given only to danger relevant to traffic/highway conditions. It is essential that each case be considered objectively on its merits.		
1. It is assumed that the child is accompanied if necessary by a normal caring parent or other responsible person and will be suitably clad.	As determined in the High Court ruling Rogers v Essex 1987	.
2. Where a footway or roadside strip of reasonable width and condition, public footpath or bridleway exists, this will normally be assumed to provide a safe route for that part of the journey.	A footway exists for the whole of the journey.	It would necessitate crossing the road along Eaton Bank on two occasions and one crossing at the junction with Makeney Road. The footway is in a reasonable condition but relatively narrow.
3. Where, on a lightly trafficked or narrow road, a verge exists which is not easy to walk on, but which can be stepped onto by the child and accompanying person when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey.	Lighting exists along Eaton Bank and Makeney Road where road crossings are necessary	The road is reasonably busy with traffic at rush hour. However as indicated previously, it is paved all the way and there is no need to walk on the actual road when crossing in the appropriate places.
4. Many routes may lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent heavy goods vehicles) and to visibility (i.e. sharp bends with high hedgerows or banks).	The road is a minor road and narrow in places along Eaton Bank for two vehicles to pass.	A vehicle count was made on Wednesday 24 October 2018 8.15 to 8.45 am. During this time 212 cars, 1 lorry, 18 vans, 1 bus and 3 pedestrians accessed the route. Again pedestrians can use a footway
5. The absence of street lightening is not in itself a measure of the availability of a safe route although where children are unable to step off the road surface it could become a significant factor.	There is street lighting along the route and there is a footway to avoid walking on the road	Walking on the road is not necessary so street lighting is not a particular issue
6. Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movement.	Accident details for the last 3 years are provided	There have been 3 accidents one of which involved a pedestrian.
7. Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration as should the extent of visibility.	There are no official road crossings along Eaton Bank or Makeney Road.	Care will have to be taken where road crossings are needed. Visibility in both directions will need to be considered

Appendix C



APPENDIX D

Details of Personal Injury Accidents for Period - 01/08/2015 to 31/07/2018 (36) months

Selection: Selected using Manual Selection
Notes: Collisions on Eaton Bank and Makeney Road between Little Eaton and Duffield

Police Ref.	Day	Location Description	Vehicles						Casualties		
			Veh No	Type	Age	Manv	Dir	Class	Sex	Age	Sev
Road No.	Date										
2nd Road No.	Time										
Grid Ref.	D/L										
	R.S.C										
	Weather										
	Speed										
	Account of Accident										
Causation Factor:											

1700297 Wednesday DUFFIELD A6 TOWN STREET J/W C4 Veh 1 Car Turning right SE to N
22/02/2017 MAKENEY RD - IPQA Veh 2 Pedal cycle 44 Going ahead N to S Dri M 44 Slight
R1: A 6 0800hrs
R2: C Daylight:street lights present
E 434,558 Wet/Damp
N 342,906 Fine without high winds
40 mph

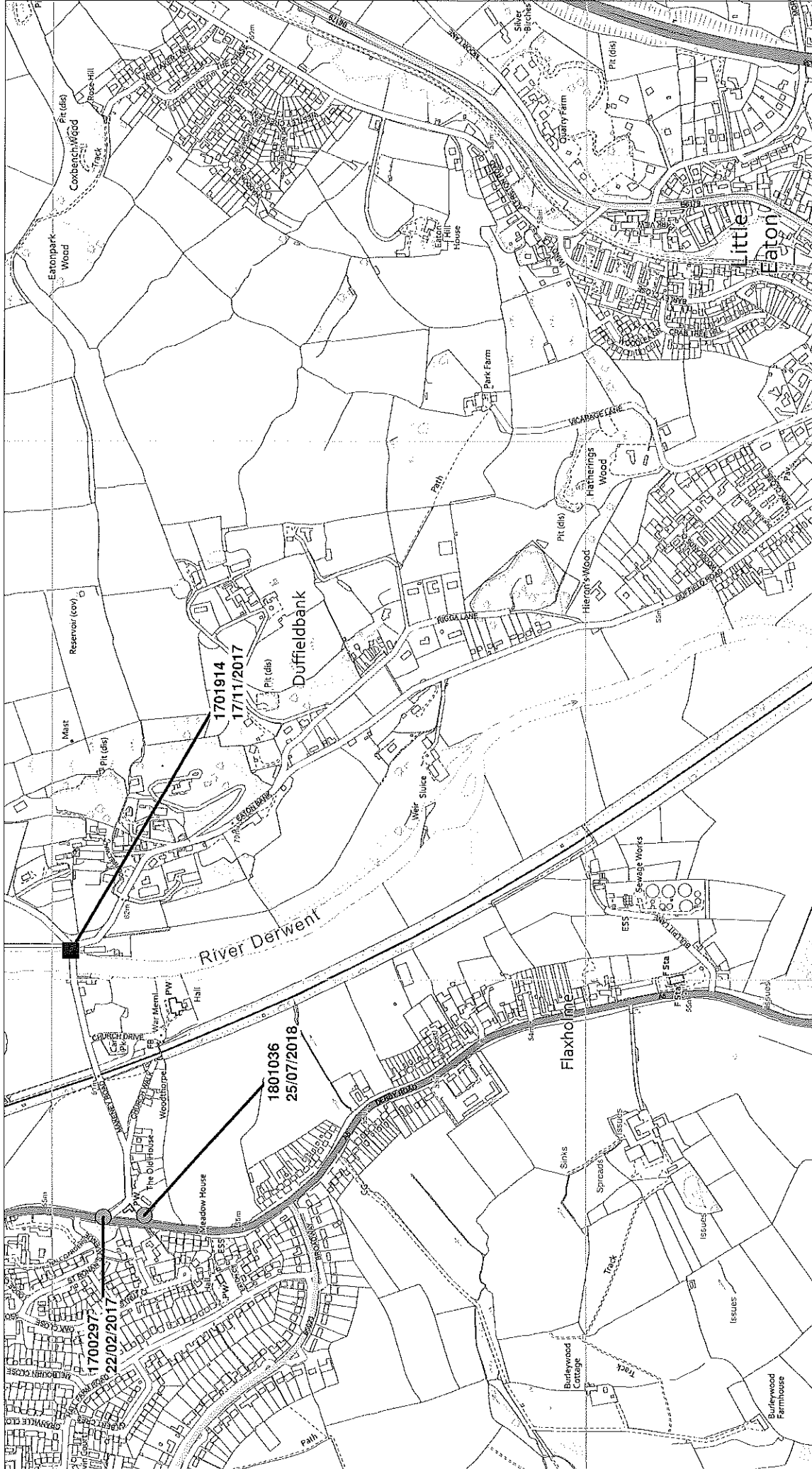
VEH 1 TURNED RIGHT INTO TOWN ST FROM MAKENEY RD BELPER BOUND WITHOUT CHECKING. V2 CYCLIST DERBY BOUND UNABLE TO STOP PLOUGHED INTO VEH 1 REAR OFF SIDE.


1701914 Friday DUFFIELD C4 DUFFIELD BANK J/W Veh 1 Car 22 Going ahead RH bend NE to W FSP F 18 Slight
17/11/2017 ON BRIDGE AFTER J/W C70 EATON Veh 1 Car 22 Going ahead RH bend NE to W RSP F 16 Slight
R1: C 0230hrs BANK - IPQA Veh 1 Car 22 Going ahead RH bend NE to W Dri M 22 Slight
R2: C Darkness: street lighting unkno Veh 1 Car 22 Going ahead RH bend NE to W FSP M 21 Serious
E 435,053 Dry
N 342,966 Unknown
30 mph

Causation Factor: Participant: Confidence:
1st: Impaired by alcohol Vehicle 1 Possible
V1 TRAVELLING ALONG DUFFIELD BANK LOSES CONTROL AND COLLIDES WITH BRICK WALL OF BRIDGE. VEHICLE THEN LEAVES THE CARRIAGEWAY ENDING UP IN A RIVER BELOW THE BRIDGE.

1801036 Wednesday DUFFIELD C4 MAKENEY RD J/W A6 Veh 1 Car 25 Turning right S to NE Ped M 40 Slight
25/07/2018 (IPQA-5144) Veh 2 Goods < 3.5t Wait go ahead held NE to SW
R1: C 0740hrs
R2: A 6 Daylight:street lights present
E 434,561 Dry
N 342,829 Fine without high winds
30 mph

Causation Factor: Participant: Confidence:
1st: Crossed road masked by stationary veh Casualty 1 Very Likely
PEDESTRIAN WAS CROSSING THE ROAD BEHIND A VAN(V2) WHEN HE WAS CLIPPED BY V1 TRAVELLING PAST HIM. V1'S VIEW WAS OBSCURED BY THE HEIGHT OF THE VAN. (IPQA-5144)



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	<p>Collisions on Eaton Bank and Makeney Road between Little Eaton and Duffield</p>		
	<p>Selected Range of Accidents between dates 01/08/2015 and 31/07/2018 Selected using Manual Selection</p>		
	<p>SCALE</p>	<p>1 : 10000</p>	<p>DATE</p>
			<p>13/11/2018</p>
		<p>DRAWING No.</p>	
		<p>DRAWN BY</p>	