



Derbyshire County Council: School Travel Policy for children of compulsory school age

Academic Year 2027 - 2028

Derbyshire County Council's policy statement on transport and travel assistance for children of compulsory school age

Department Responsible: Children's Services

Policy applicable from: 1 September 2027 to 31 August 2028

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1 Introduction

1.1 Purpose and Scope of the Policy

This document sets out Derbyshire County Council's policy for travel support including the criteria used to determine eligibility for support. It applies to children of compulsory school age, including those with Special Educational Needs and/or Disabilities (SEND).

The policy has been developed in accordance with the **legislative framework established under the Education Act 1996, the Children and Families Act 2014 and the Equality Act 2010**, and reflects the principles outlined in the Department for Education's [Home-to-school travel guidance document](#) (GOV.UK) The policy is reviewed annually to ensure that the Council's arrangements remain compliant with current legislation, and statutory guidance.

Travel Support aims to:

- promote independence
- provide the most cost-effective travel support
- promote the use of sustainable transport

Post-16 travel support

Post –16 travel support is outside of the scope of this policy. Statutory eligibility to free home to school travel ends when a child ceases to be of compulsory school age.

In accordance with the statutory requirement to do so, the council publishes a separate annual Post-16 Travel Policy Statement which defines our policy for learners over age 16. This can be viewed on the Derbyshire County Council website: [Post-16 travel to school](#).

2 Legal Requirements and Responsibilities

2.1 Parental responsibility and choice of school

Under Section 7 of the Education Act 1996, parents and carers have a legal duty to ensure that their child of compulsory school age receives a suitable full-time education, either by regular attendance at school or otherwise. Unless a child qualifies for travel assistance from the Council, this duty includes making appropriate arrangements for the child's travel to and from school.

It is important to note that there is no universal entitlement to free travel for all children to any school. While parents have the right to express a preference for a school place under the School Admissions Code, this does not guarantee eligibility for free travel under the School Travel Policy. Parents may wish to consider eligibility for free travel when selecting a school, particularly where the chosen school is not the nearest suitable or designated normal area school.

2.2 The Council's Responsibilities

Derbyshire County Council has a range of statutory duties and discretionary powers under national legislation to support access to education through travel assistance:

2.3 Education Act 1996

- Section 508B: The Council has a statutory duty to make suitable travel arrangements for eligible children of compulsory school age to facilitate their attendance at school
- Section 508C: The Council has a discretionary power to make travel arrangements for children who are not eligible under Section 508B, where it considers such arrangements necessary. The Council may apply their discretionary power to:
 - Provide travel support to the normal area school, or a nearer school, where the school is not the nearest suitable school, but where the statutory walking distance or available route criteria are met
 - Support for Reception-aged children under compulsory school age where they will be eligible for travel support under this policy when reaching compulsory school age
 - Provision of the Spare Seat Scheme
 - Apply discretion in line with statutory guidance for children in care for provision of their education
 - Where the Council considers it necessary to provide assistance

2.4 Children and Families Act 2014

- The Council must consider travel needs as part of a child or young person's Education, Health and Care Plan (EHCP), particularly for those aged 16–25 continuing in education or training.

2.5 Equality Act 2010

- The Council must ensure that travel policies and decisions do not discriminate against children with protected characteristics, including disability
- The Council is required to make reasonable adjustments to ensure disabled children and young people can access education

3 Eligible Children

Under the statutory duties outlined in Section 2 there are 3 categories of statutory school age children living within Derbyshire (excluding Derby City) who are eligible for travel support if they meet all criteria applicable to that category.

- Statutory Walking Distance and Available Routes*
- Extended Rights for low-income families
- Children with SEND or mobility difficulties

*See Appendix B for details of how we measure distances and identify available routes.

Eligibility is assessed on a case-by-case basis, and applies to all children, including those with SEND.

Key terms used in this policy are shown in **bold** and defined in appendix C.

3.1 Statutory Walking distance and available routes

Travel support will be provided where:

- The child attends their **normal area school**, a nearer school, or a school which is otherwise their **nearest suitable school**.

AND either

- The child lives beyond the **statutory walking distance***:
 - 2 miles for a child aged under 8
 - 3 miles for a child aged 8 and over

OR

- The shortest walking route to school is assessed as not reasonably safe for an accompanied child, and there is no alternative available route within **statutory walking distance*** (see Appendix B for information about available routes)

(*Walking distance includes the distance travelled by mobility aids where it is reasonable to expect the individual to use such aids given the SEND or mobility issues).

Children under 8 who qualify where the distance is more than 2 miles but less than 3 miles, will continue to receive travel support until the end of the academic year in which they turn 8.

3.2 Extended Rights for Low-Income Families

Children aged 8 or over from low-income families will be eligible for travel assistance under the Extended Rights provisions where:

The child is eligible for **Targeted** Free School Meals (FSM).

AND

The child is:

- Aged 8–10 and attending their **nearest suitable school**, and the school is over 2 miles, or
- Aged 11–16 and attending one of the three **nearest suitable schools**, and the school is between 2 to 6 miles, or
- Aged 11–16 and attending their nearest suitable **faith school** chosen on grounds of religion or belief or 2 to 15 miles

Applications must be supported by current documentation confirming eligibility as requested and is reviewed annually.

Where entitlement to free school meals ends, a child eligible for travel assistance under the above criteria will continue to receive travel assistance for the remainder of the school year.

3.3 Children with SEND, Disabilities, or Mobility Problems

The council recognises that children with SEND may require additional support to access education.

In addition to the eligibility criteria under 3.1 and 3.2_a child with SEND, disabilities, or mobility problems* will be eligible to travel support where:

- The school attended is the **nearest suitable school** as determined by the Council

AND

- The school is within **statutory walking distance**

AND

- The child has SEND, is disabled, or has mobility problems* that mean they cannot reasonably be expected to walk, even when accompanied by a parent or carer

*Defined as suffering from a temporary medical condition or injury which temporarily restricts their mobility. A child may be eligible because of temporary mobility problems but, due to the short-term nature of some mobility problems, it may not always be practicable for the Council to make travel arrangements before the child has recovered.

Eligibility is assessed on a case-by-case basis, parents or carers must provide supporting medical evidence from a qualified medical or other professional involved with the child (see section 6 for further details of what is required).

This should include:

- Confirmation of the diagnosis
- Their professional opinion of how the condition affects the child's ability to travel
- Recommended duration of support, if applicable

4 Travel Arrangements for Eligible Children

Travel support is normally provided at the standard start and finish times of the school or college day.

Travel Support will usually not be provided for the following journeys (with the exceptions of children in the care of the Council or where required by the SEND Service).

- Induction, taster, or open days
- Work experience placements
- School trips or extracurricular activities

- Medical, dental, or other non-educational appointments
- Children taken ill or excluded during the day
- Examination timetables (travel assistance is only provided at standard times)
- Before or after-school clubs or activities
- Travel to or from contact time, this is the responsibility of Social Care
- Where behaviour poses a risk to others, travel assistance may be suspended or withdrawn, with consideration given to the impact of the child's disability
- Following detention
- For students on exchange visits
- For a student whose level of attendance is a cause of concern, but for whom no eligibility criteria are met
- At times to suit the convenience of family arrangements
- To an address other than the student's home address
- To and from temporary addresses including friends and child minders where these arrangements are made by the family
- For shorter than normal days e.g. during the exam season
- For late arrival or early departure, for example due to illness or medical appointments
- Off-site education or inter-site travel during the school day
- To facilitate a reduced timetable. Exceptions may be considered where a child's medical or health needs require a reduced timetable, supported by professional evidence

4.1 Types of Travel Assistance

Where a child is eligible for travel support, assistance offered by the Council will usually take the form of:

- A council arranged school bus
- A public bus or train travel pass

Where required due to a child's assessed needs or where public travel is unavailable or inappropriate, other travel support may be offered such as:

- A Personal Travel Budget (PTB)
- Reimbursement of the agreed cost of travel arranged by a parent/carer
- Assisted public travel
- Independent Travel Training (ITT)
- A Council arranged shared minibus
- A Council arranged shared taxi
- A Council arranged solo taxi, based on the needs of a child, determined by travel risk assessment undertaken by the Council
- Passenger assistant support, based on the needs of a child, determined by travel risk assessment undertaken by the Council

To determine the most appropriate travel option for each child and the most cost-effective means of support, the Council considers a defined range of criteria, including:

- The child's individual SEND, medical and mobility requirements

- The suitability and safety of different transport modes
- Journey distance and reasonable journey times
- Opportunities to promote independence
- Efficient and cost-effective use of resources, assessed fairly and lawfully
- Sustainability

4.1.1 Specialised Transport

Additional information will be required to determine need for specialised transport requirements. Professional evidence is required when making a request for specialised transport, dated within the last 12 months. This may include documentation from:

- Medical professionals
- Educational psychologists
- Social workers or other relevant professionals

4.1.2 Personal Travel Budgets (PTBs)

A PTB allows children and their families to have the freedom and flexibility to make their own travel arrangements, rather than travelling on transport organised by the Council. It is a sum of money to support the child to travel from their home address to their school or educational setting.

4.1.3 Assisted Public Travel

It may be possible for a child to travel on public travel if they have some assistance.

4.1.4 Independent Travel Training

The Independent Travel Training scheme is aimed at eligible children who may face difficulty with the journey to school to help them live more independently. Travel Trainers work on a one-to-one basis with a child to gain independence on a specific route to and from school or college.

ITT supports young people in preparation for adulthood and providing, confidence and knowledge they need to use transport safely. It covers topics such as road safety, personal safety, money management, journey planning and coping strategies, including:

- confidence in using buses or trains
- personal safety
- how to use timetables and buy tickets
- road safety, including how to cope with traffic on major roads
- what to do when things go wrong (e.g. the bus is late)

For some young people ITT would not be appropriate due to their complex needs.

4.2 Pick-up Points

It may not always be necessary to provide children with 'door to door' transport in order to meet their needs. Many will be able to walk to a suitable pick-up point to be collected,

provided they would be able to do so in reasonable safety, accompanied by their parent if necessary. Some children's needs will mean they need to be collected from their home.

Where free travel is provided on a school bus or by public transport children will normally be expected to walk or up to a mile, accompanied as necessary, to the designated pick-up point (e.g. a bus stop) for the service vehicle to school.

For children provided with specialised transport, pick-up points will only be used where the child's needs have been assessed, and the arrangement is deemed suitable.

4.3 Travel to Residential Placements

Where an eligible child attends a residential school, travel assistance will be arranged by the Council, or the parents will be reimbursed the agreed cost of making their own arrangements as follows:

- On a Monday and Friday for children who are weekly boarders
- Before and after school holidays for children who board full-time

4.4 Review of suitability of Travel Arrangements

The Council is committed to ensuring that travel support remains appropriate, efficient, and responsive to the changing needs of children.

All travel arrangements made for children eligible for specialised travel assistance are reviewed annually.

4.5 Journey Times

The Council aims to ensure that all children and young people eligible for travel support are provided with travel that is appropriate and as safe and efficient as possible.

A child's journey to school may involve one or more changes of travel, such as a transfer between vehicles or modes (e.g. bus to taxi), where connection times and overall journey durations are reasonable. For complex or multi-leg journeys, the Council will engage with the family to determine the most suitable arrangements, considering the child's individual needs and circumstances.

Where possible, travel assistance will be arranged to minimise journey times, recognising that long travel durations can impact a child's wellbeing and readiness to learn. As a general guide the Department of Education's (DFE) recommended maximum journey times are:

- 45 minutes each way for children of primary school age
- 75 minutes each way for children of secondary school age

But there will be circumstances where this is not possible, for example in rural areas where children live in remote locations, where a child needs to travel a long way to the school named in their EHC plan, or where journey times are extended by traffic delays.

4.6 Replacement bus passes

In the event that a child loses their bus/rail pass, parents/carers will be charged for a replacement by the Council (N.B. a separate fee from the bus/rail company may also be incurred). Parents/carers must send a letter to the child's school confirming that the pass has been lost and payment for a replacement pass will need to be included. Children will not normally be issued with more than one replacement pass each school year.

4.7 Withdrawal of Travel Assistance

In the event that the Council has provided assistance with travel in error, the provision will be withdrawn following a six-week notice period. The Council reserves the right to recover from parents the cost of any travel wrongly provided on the basis of false or inaccurate information given by the applicant, or failure by the applicant to notify the Council of a change of circumstances.

See Appendix B for when travel assistance may be withdrawn following changes to available routes to school.

5 Discretionary Travel Assistance

The Council has discretionary powers to go beyond its statutory duties and provide transport assistance for children who do not meet any of the eligibility criteria set out in Section 3 of this policy (Education Act 1996, Section 508C).

Where the Council agrees to provide travel assistance on a discretionary basis, parent/carers may be required to make a financial contribution to the overall cost of any travel assistance provided. Alternatively, the Council may decide to pay all or part of the reasonable home to school travel expenses incurred by the parent/carer of the child concerned.

A decision by the Council not to offer travel assistance on a discretionary basis is subject to the parent/carers right to request a review of the decision (See Section 8).

5.1 Exceptional circumstances

Derbyshire County Council may consider applications for travel assistance where a child is not otherwise eligible under the standard criteria, but where exceptional circumstances apply. Such support is typically offered for a limited period and is assessed on a case-by-case basis.

Whether the Council considers there are "exceptional circumstances" requiring assistance depends on the individual facts of each case. However, the following circumstances would **not** normally be considered exceptional (this list is not exhaustive):

- Parental preference for a particular school to which free travel assistance is not otherwise available under this policy
- The cost of travel
- Lack of access to private travel
- Single-parent families

- Children living temporarily away from home
- Change of address where free travel assistance is not otherwise available under this policy (but see below where the child is in Y6, Y10 or Y11)
- Parents/carers unwilling or unavailable to escort their child to school
- Change of school not agreed or managed by the Council
- Work commitments or domestic difficulties of parents/carers
- Childcare arrangements for example children travelling to and from grandparents
- Bullying (as all schools are required to have effective anti-bullying policies)

Requests will be assessed on a case-by-case basis, considering the circumstances and evidence provided, the resources and other support available to the family, and the availability of public travel. Parent/carers will be required to submit such evidence as the Council might reasonably require in order to consider whether to exercise its discretionary powers to provide travel assistance.

5.2 Children Who Move Address Permanently During Their Final Years

The Council may, at its discretion, provide continued travel assistance to children of compulsory school age who move home address during their final academic years, where the move is beyond the control of the parent or carer **and** where the eligibility criteria in Section 3 is not satisfied.

This applies to:

- Children in Years 10 and 11
- Children in Year 6, if the move occurs after the Easter holidays

Where:

- The pupil has attended the current school for more than one academic year
- The new home address is over the **statutory walking distance** from the school and is within a reasonable journey time

Examples of circumstances considered beyond the control of the parent/carers may include (but are not limited to):

- A move resulting from Council tenancy enforcement or eviction
- Destruction of the home due to fire, flood, or another emergency

Circumstances not considered beyond the control of the parent/carers may include:

- A move due to employment change
- A voluntary house move, whether as a tenant or homeowner

5.3 Children moving school for reasons other than changing home address

If a child moves to another school or place of learning for any reason other than a house move, travel assistance will not normally be offered unless the general eligibility criteria in Section 3 are met.

In these circumstances, parent/carers will be required to explain why it is considered necessary for the child to move to another school and to submit evidence in support of their application. Such evidence may include a letter from the head teacher of the child's previous school which confirms his/her understanding of the reason why the child has been withdrawn from the school.

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

Where, following exclusion from school, a child has been placed in an alternative establishment for provision of their education (e.g. a support centre maintained by the Council, or other alternative provision), their eligibility for travel assistance to the relevant educational establishment will be determined in accordance with Section 3.

Where, a child is dual registered at two **qualifying schools** their eligibility for travel assistance to the relevant educational establishment they are attending at the relevant time will be determined in accordance with section 3.

5.5 Spare Seat Scheme

Children who are not eligible for free school travel assistance may still be able to use the school bus by paying a fare to the bus driver for each journey they make. However, this is only available on school bus services that take paying passengers. The single fare is equivalent to the approximate charge per journey of the annual spare seat charge. The fare for 2027/28 is £1.50 per journey.

Where the option to pay a daily fare is not available on a contracted school travel vehicle parents may be able to pay for a 'spare seat' to allow their child to travel on these services. Spare seats may be purchased subject to availability and on a temporary basis.

For the 2027/28 academic year, the annual charge for a spare seat is £570.

- Charges are reviewed annually and may increase in line with inflation.

Spare seats are:

- Not guaranteed and may be withdrawn at short notice if required for an eligible pupil
- Allocated based on availability and demand
- Offered on a first-come, first-served basis
- Non-transferable and valid only for the agreed route and academic year

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

If a spare seat is withdrawn, the Council will aim to provide at least one week's notice. There is no right of appeal against lack of availability or withdrawal of a spare seat, as the scheme is discretionary and does not confer entitlement.

5.6 Early Years Education

As children who are below **compulsory school age** do not fall within the statutory eligibility criteria for home to school travel assistance, the Council will not normally provide such assistance for pre-school children.

Where a pre-school child is the subject of an Education, Health and Care Plan, or is undergoing a statutory assessment of their educational, health and care needs, travel provision may be considered.

The decision to make discretionary travel arrangements for children below compulsory school age rests with the Council and decisions will be made on a case- by- case basis.

6 Applications

Travel applications are assessed on the basis of the information supplied, so if a child's circumstances change it will be necessary for the parent/carer to notify the Council and re-apply if appropriate. Applications may be made at any time following a change in circumstances such as a change of address. Parents/carers are encouraged to re-apply as soon as possible after a change in circumstances to minimise disruption to travel assistance.

In normal circumstances, when the parent/carer of a child who is eligible for transport assistance submits an application to the Council, it may take up to 15 working days before provision is in place. Where specialised transport is required it may take up to 30 working days before provision is in place. Parents/carers will therefore be expected to make and fund their own travel arrangements during this time. If further information or investigation is required, additional time may be required before the provision can be put in place. Delays in decisions may occur due to incomplete applications or inadequate supporting evidence.

Parents are responsible for arranging travel to school during any appeal process.

Year 6 children transferring to Mainstream Secondary School

The Council may auto-assess eligibility for secondary transfer based on school admissions data and known eligibility criteria. Parents will be informed in April/May before secondary transfer if their child has been awarded travel assistance using auto-assessment.

Parents do not need to apply if they have received notification of entitlement but should contact the School Admissions and Transport Team if travel support is not required. Parents who do not receive notification of entitlement who believe they are entitled to travel assistance should make an application. We ask that applications are made by 31 May prior to the start of the new academic year.

Children with EHCPs

Where a child has an EHCP Applications are assessed by the SEND Travel Team. Where transport has been approved and the child subsequently moves school, for example from year 6 to 7, parents will need to make a new application for transport assistance.

Applications related to SEND, Disabilities, or Mobility Problems

Applications should be supported by written evidence dated within the last 12 months from relevant professionals, such as:

- Educational Psychologists
- Medical Consultants or GPs
- Social Workers
- Occupational Therapists or Physiotherapists (where applicable)

Examples of SEND/disabilities or mobility problems may include:

- Long-term, severely restricted mobility due to physical disability
- Medical conditions resulting in persistent pain and/or extreme fatigue
- Sensory impairments significantly affecting mobility or safety
- Severe behavioural, emotional, or social difficulties that impact safe travel

This list is not exhaustive. The Council will consider all relevant factors and evidence when assessing eligibility.

How to apply

Applications for travel support can be made online as follows:

- For children without an EHCP: [Home to school transport assistance – application for transport assistance](#).
- For children with an EHCP: [Home to School Transport - EHCP](#)

If you are unable to apply online, paper application forms are also available by contacting:

For children without an EHCP – email: admissions.transport@derbyshire.gov.uk

For children with an EHCP – email: sendtransport@derbyshire.gov.uk

7 Appeals

Parents and carers may wish to request a review of Derbyshire County Council's decision regarding:

- Refusal to provide travel assistance
- The type or method of travel assistance offered
- The application of this policy to their individual circumstances

The appeals process is intended to review how the policy has been applied in individual cases. It is not a mechanism for challenging the policy itself.

The appeals process follows a two-stage procedure, in line with Department for Education guidance:

Stage One – Officer Review

- A written request for review by a senior officer not involved in the original decision.
The request must be submitted within 20 working days of receiving the decision letter.
- The Stage 1 review decision is final (subject to the parent/carers right of appeal under Stage two of the review/appeals process).

Stage one review requests should be submitted by completing an online form: [School Transport Review - Overview - Self](#)

A request for Stage one review should include:

- The reason for the review request
- Any supporting evidence (e.g. medical reports, educational assessments)

- Details of the decision being challenged

Stage Two – Independent Appeal Panel

- If the parent/carer remains dissatisfied, they may request a further review by an independent panel. The panel will meet to consider written and (if the parent/carer wishes to attend the panel meeting) verbal representations from both the parent/carer and officers involved in their case
- A request must be submitted within 20 working days of receiving the Stage One outcome.

Timescales

- Stage One review decisions will be notified within 20 working days of receiving the request
- Stage Two appeals will be heard within 40 working days of receiving the request for an appeal hearing, with written notification of the outcome provided within 5 working days of the panel hearing
- The Stage 2 decision is final and concludes the Council's internal appeals process.

Details of how to request a Stage 2 appeal are given in the Stage One decision letter.

APPENDIX A Walking Route Assessment Criteria

A. In assessing the availability of a 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 will be accompanied as necessary by a caring parent or other responsible person and will be suitably clothed and wearing suitable footwear.

D. Where a footway or roadside strip, public footpath or bridleway exists of reasonable width and condition, this will normally be assumed to provide an available 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 will normally be assumed to provide an available 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 regard to the effect on pedestrian movement; and;

I. Where road crossings are necessary, the availability of facilities to assist such crossings (e.g. pedestrian/'Zebra' crossings) should be taken into consideration, as should the extent of visibility.

Please note: any routes found to be unavailable for a child to walk, accompanied as necessary, will be referred to the County Highways Council to look at cost effective adjustments. The assessment of walked routes to school will not be undertaken where an alternative route to school, which is under the **statutory walking distance**, is identified by the Council.

Assessment: Officers of the Council will use the above factors to assess whether a route is available to walk. There will normally need to be a combination of factors present for the route to be unavailable for an accompanied child to walk. A route will not normally be considered unavailable just because a short length of it is difficult. It is reasonable to expect special care to be taken by the child and, where necessary, the accompanying adult in particular places.

APPENDIX B Distance Measurements and Route Availability

Distance Measurements

(Phrases in bold are defined in Appendix C)

Home to school distance is measured from the child's **home 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.

Distance measurements for all applicants are determined by means of a computerised GIS mapping system using Ordnance Survey information.

Distance measurements to determine if the child's home is within the **statutory walking distance** of the school will be measured by the shortest **available walking route**, which is defined as the shortest route along which a child, accompanied as necessary, may walk safely. As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads.

It may be necessary to compare the distance between home and the school attended and other schools in the area to determine which school is the nearest suitable school or to determine if a school is nearer than the normal area school. These distances will be measured by the shortest walking route and not the shortest **available walking route**.

However, when the Council has determined that the child attends a school that is:

- their **normal area school**
- a school nearer than their **normal area school**
- their **nearest suitable school**

measurements to determine eligibility will be based on the distance of the shortest **available walking route**.

Distance will also be measured by the shortest walking route (rather than the shortest **available walking route**) when:

- the route is over the **statutory walking distance**
- determining which address is nearer to the school attended where a child resides at more than one parental address

Distance measurements linked to low- income entitlement which are over the **statutory walking distance** will be measured along road routes which are suitable for motorised vehicles.

Route Availability

Definition of an Available Walking Route

A route is available if it is one along which a child, accompanied as necessary, can walk with reasonable safety to school.

Travel assistance will be provided if the Council considers that the route(s) which a child could reasonably be expected to walk to a school which would otherwise be within **statutory walking distance** is/are unavailable due to being unsafe to walk.

The assessment criteria are set out in Appendix A. In determining whether a route is unsafe to walk, the Council will consider whether the child could reasonably be expected to walk the route if accompanied. If so, the Council would normally expect the child to be accompanied by an adult or other responsible person as necessary. Arranging this is the responsibility of the child's parents or carers. The Council would also consider, if appropriate, alternative safe routes which are under **statutory walking distance**.

Where there is doubt regarding the safety of a walking route, an assessment is not required where alternative routes that are within the **statutory walking distance** provide a suitable alternative.

In exceptional cases (e.g. where the child's parent/carer (s) has/have a disability which prevents them from being able to accompany the child), the Council may agree that it would not be reasonable for the parent(s) to accompany the child, in which case travel assistance will be provided. Adults who receive support from our adult social care team should contact their social worker if they have a disability which is impacting their ability to accompany their child along a walking route that would be considered unsafe without adult supervision.

To form part of an available route a footpath would usually have an all- weather surface.

Decisions on route safety, the recognition of existing footpaths, or changes in the road or footpath network, may lead to a change in entitlement for children in the local area.

Where this leads to a loss of entitlement provision will be withdrawn with 6 weeks' notice to allow a parent/carer time to make alternative arrangements.

Where a parent or carer disagrees with the assessment of a walking route's availability, they may submit an appeal through the process outlined in Section 7.

APPENDIX C - Definitions

Key terms used in this policy are defined as below

Compulsory School Age

Compulsory school age: This is on 31st December, 31st March or 31st August following a child's fifth birthday, whichever comes first, until the last Friday in June in the school year in which they reach 16.

Children aged 4 and attending reception classes will be eligible for assistance with travel if the criteria which applies to children of compulsory school age is satisfied.

In the exceptional circumstance of a child being educated outside their normal chronological age group, any travel application will be assessed according to the age of the majority of children with whom they are educated. For example, a child who is repeating Year 11 due to sickness or other unavoidable cause will not cease to be eligible for travel assistance simply because they are no longer of compulsory school age. In these circumstances, any travel assistance for which they were eligible will continue to be provided until the child completes Year 11.

Faith School

A school formally designated by the Department for Education as having a religious character.

Home Address

This means the address where the child usually lives with their parent (or carer with parental responsibility).

The Council may request documentary evidence of residency, such as:

- Council Tax bills
- Child Benefit documentation
- School records
- Legal custody arrangements
- Utility bills or tenancy agreements

In cases where the child spends time between different parental addresses:

- Where a child resides more than 50% of their time during the school week at one parent's address, that address will be used to determine eligibility for travel assistance
- Where the child shares equal time residing at each parental address, eligibility will be assessed from the address used to allocate the school place at intake. Where the family has moved from that address, or where travel is requested following a change of school outside of the intake admissions round, eligibility will be assessed from the property nearest to the school attended

If eligible for assistance, travel will be provided only from the address used in the assessment even if the child would qualify from the other address. Where specialised travel arrangements are in place we may agree to provide travel to more than one address or to an address other than the home address.

Where a child receiving travel support subsequently moves address, travel support will end, and a new application will be required for eligibility to be reassessed.

Nearest Suitable School

A suitable school for home to school travel purposes is a **qualifying school** that is suitable for the child's age, ability, aptitude, and any special educational needs, and which has a place for the child. This is determined by the Council and for children without an EHCP will almost always be the nearest school by distance* with a place available for the child. Suitable does not mean more suitable or most suitable. A child's nearest school may be in a neighbouring local Council area. *See Appendix B for details on distance measurement.

When considering if a school has a place for a child the Council considers availability at the earliest point at which a place could have been requested. This is by the deadline for the applicable intake round for the current education phase or else the date at which a child subsequently moved address.

If the Council considers that there is a suitable school with a place available in the child's year group which is nearer to the child's home than the school attended, he/she will not be eligible for transport assistance to the more distant school.

Normal Area School

The normal area of a school is the geographic area which it serves and the normal school area you fall into is based on your permanent home address. A school's normal area is determined by the Council, or in the case of faith schools, by the relevant diocesan body in partnership with the Council, or in the case of an academy school by the academy trust.

[Find your normal area school – Derbyshire County Council](#)

If a child must 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 travel assistance to their new designated school if they meet the general eligibility criteria. Travel assistance 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.

Qualifying School

Qualifying schools are: community schools, foundation schools, voluntary aided and voluntary controlled schools; academies (including those which are free schools, university technical colleges, studio schools and special schools); alternative provision academies; community or foundation special schools; non-maintained special schools; child referral units; maintained nursery schools (where attended by a child of compulsory school age); and city technology colleges and city colleges for the technology of the arts.

For children with special educational needs, an independent school is a qualifying school if it is the only school named in their EHC plan, or the nearest of two or more schools named in the EHC plan.

Statutory Walking Distance

Statutory walking distance* is defined in law. It is two miles for children under the age of eight and three miles for children aged eight to sixteen. It is a threshold which determines whether the responsibility for travel to school sits with the Council. It does not mean that children living under this distance from school must walk to school. Where a child is not eligible for travel assistance, it is the responsibility of the parent or carer to decide how the child will travel to and from school. *See Appendix B - Distance Measurement

Appendix D

The below applies to children travelling on school bus services. Information about behaviour for children travelling on specialised transport is available via the document [Guidelines for special educational needs place specialised transport](#)

Poor Behaviour and Withdrawal of Travel Assistance

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 we work closely with schools /academies/colleges and operators and with other agencies such as Community Safety and Neighbourhood teams.

The Education and Inspections Act 2006 empowers headteachers to take action to address unacceptable behaviour by children, even when it occurs outside school premises and outside school hours, where it is reasonable to do so. This includes behaviour:

- On school travel
- At pick-up and drop-off points
- On the walking route to and from school
- Whether or not the pupil is in school uniform

Schools are expected to promote appropriate standards of behaviour during the journey to and from school, including through positive reinforcement and sanctions where necessary.

Derbyshire County Council has a duty to ensure that all children travel in reasonable safety and comfort. Behaviour that endangers the safety or wellbeing of:

- Other passengers
- Drivers or Passenger Assistants
- Members of the public
- The pupil themselves

may result in travel assistance being withdrawn, either temporarily or permanently. This applies whether the behaviour is intentional or unintentional.

In such cases, the responsibility for arranging and funding travel will fall to the parent or carer. The legal duty to ensure the child's attendance at school remains with the parent. Where travel assistance is withdrawn due to behaviour, the Council will consider:

- The nature and severity of the behaviour
- Whether the behaviour is linked to a disability or SEND
- What reasonable adjustments can be made
- Whether a behaviour support plan or risk assessment is in place

Below explains the process which will be undertaken when a child breaches the Behaviour Code of Conduct for provided travel.

Where necessary, Derbyshire County Council will 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. Children 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 Council may be withdrawn completely. Warning letters may be issued by the school or place of learning or the County Council. 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 children 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.

Parents have the right to appeal a decision to withdraw travel assistance, as outlined in Section 7.

APPENDIX E

Contact details for specialist staff dealing with travel:

School Admissions and Transport Team (assessment/eligibility queries)

Email: admissions.transport@derbyshire.gov.uk

Telephone: 01629 537479

School Transport Team (school bus provision)

Email: schooltransport@derbyshire.gov.uk

Telephone: 01629 536740 or 01629 536749

SEND Transport Team (Children with EHCP's)

Email: sendtransport@derbyshire.gov.uk

Specialised Travel Team

Email: SpecialisedTransport.Services@derbyshire.gov.uk