



# Home to school travel for pupils requiring special arrangements

**All Local Education Authorities (LEAs) in England**

Status: Recommended

Date of Issue: November 2004

Ref: LEA/0261/2004

## Overview

The guidance and website aim to provide information and advice for local authorities developing home to school travel policies for children requiring special arrangements.

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# Executive Summary

## Introduction

This guidance for local authorities (LAs) was put together following an investigation into the costs of home to school transport for pupils with special educational needs (SEN). The format is designed primarily to be viewed through the website [www.teachernet.gov.uk/senttravel](http://www.teachernet.gov.uk/senttravel) and it is intended that readers will move around the document rather than read it from start to finish.

This guidance should be seen in the context of the Government's Strategy for SEN, *Removing Barriers to Achievement*, the Children Bill (2004) and the Draft Bill and Prospectus (2004), *School Travel Schemes*.

## 1. Expenditure, Financial Management and Control

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Expenditure on home to school travel assistance for pupils with SEN varies considerably between LAs. A recent study<sup>1</sup> has identified some key relationships between procurement and financial management and control practices that impact on costs.

We recommend that LAs:

- review approaches to procurement to ensure that contracts are let on a rolling programme based upon blocks of activity for periods of approximately five years
- ensure that contracts are sufficiently flexible
- consult with parents, carers and pupils as part of the procurement process
- ensure that there is a close relationship between those who authorise entitlement, and those with responsibility for the budget and its management
- keep accurate real-time records of expenditure in activity-based cost centres that may be used to predict the future impact of commitments
- ensure that monthly budget monitoring takes place and that significant variances are reported through the responsible budget officer to senior officers and Elected Members
- report actual and planned expenditure accurately through Section 52 so that improved benchmarking data is available and costs are clear.

<sup>1</sup>Investigation in SEN transport costs (2004).

## 2 Developing Effective Services

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We recommend that:

- risk assessments are used to identify the least restrictive form of travel for each individual pupil to meet his or her particular needs
- the travel needs of each eligible pupil are reviewed at least annually to ensure that provision is safe and appropriate. Pupils should always travel using mainstream travel arrangements and local travel schemes where they can
- LAs introduce a travel co-ordinator responsible for assessment of risk, determining appropriate travel solutions, commissioning and procuring services, route planning and review, training and quality assurance
- when special arrangements are made for home to school travel, parents and carers are provided with clear information and, for some pupils, additional arrangements are made to link with parents and school staff
- Geographical Information System (GIS) routing software is used to support frequent route planning and review
- LAs should consider integrating travel services between education, social care and healthcare.

## 3. Service Standards and Health and Safety

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The Department for Transport and the Health and Safety Executive (HSE) have produced free guidance, 'Driving at work' INDG382 available from HSE Books or at [www.hse.gov.uk](http://www.hse.gov.uk) which will help manage risks as part of local authorities' arrangements for managing health and safety at work.

We recommend that LAs ensure full compliance with a minimum set of service standards that cover:

- vehicle standards and maintenance
- on-vehicle communication
- journey times
- emergency procedures
- Criminal Record Bureau checks
- photo identification for drivers and escorts
- training for drivers and escorts

- risk assessment and management
- pupils' health needs
- monitoring and quality control.

## 4. Policy

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We recommend that all special travel policies cover the issues set out in the checklist included within this guidance.

## 5. Managing Change

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Changing the way in which travel services are provided takes time and it is important to establish the agreement of key stakeholders at an early stage. It is important to establish support from headteachers, Special Educational Needs Coordinators (SENCOs) and parents who need to understand the reasons for change and be confident that the needs of their children will be met.

We recommend that LAs take the following steps where significant change is being considered:

- form a representative stakeholder group or ensure that an existing group is asked to undertake this role
- identify current expenditure and benchmark this against other authorities
- consult stakeholders about current services and aspirations for change and development
- identify and cost options for change and development to ensure full compliance with service standards, best practice and relevant legislative and regulatory requirements
- identify preferred options and consult widely
- gain agreement from Elected Members and amend policy to ensure that it is fully in line with proposed new arrangements
- phase in change providing high quality information to parents and carers and other key stakeholders.

# Introduction

In January 2004 the Department for Education and Skills commissioned an investigation into the costs of home to school transport for pupils with special educational needs (SEN). The key purposes of the study were to identify the reasons for wide variations between local authorities (LAs) in the costs of transport for pupils with SEN and to highlight examples of good policy and practice. Fieldwork was carried out in a 15% sample of LAs in England. Some key relationships between costs and the organisation of services were identified including:

- approaches to commissioning and procurement
- the assessment of entitlement and commitment of expenditure.

The investigation demonstrated that LAs are able to provide safe, efficient and cost effective services. This guidance draws upon the many examples of good practice that were identified and updates previous guidance issued in 2001.<sup>2</sup>

## Context

The duties of LAs regarding home to school transport are set out in the Education Act 1996. In summary:

- For children below 6<sup>th</sup> form age, including those below statutory school age, Section 509 of the Act requires their LA to make arrangements for them to be provided with transport, if it is considered necessary to get them to school. This assistance with transport has to be provided free.
- It is up to the LA to decide what is necessary in the case of each child, taking into account matters such as the child's age and the nature of the route to school, subject to one proviso. Where a child is a registered pupil at the nearest suitable school, and that school is beyond walking distance from home (i.e. more than 2 miles in the case of a child under 8, and more than 3 miles in the case of a child 8 or over) the Courts have held that it would be unreasonable for the LA not to provide transport.
- In relation to pupils of 6<sup>th</sup> form age, Sections 509 AA-AC require their LAs to prepare a transport policy statement each year setting out what travel arrangements they consider it necessary to make for them.

<sup>2</sup> Good practice guidance: Home to school transport for children with special educational needs, DfEE (2001)

The SEN Code of Practice<sup>3</sup> explains the issues to be considered by local education authorities (LEAs) when providing transport for pupils with statement of SEN. It recommends that LEAs have clear general policies relating to transport for children with SEN that should be made available to parents. Transport need only be recorded in Part 6 of a statement in exceptional circumstances where a child has particular transport needs.

The Government announced its intention to introduce new legislation with the publication of a new Draft Bill and Prospectus.<sup>4</sup> The proposed legislation is permissive and pilot LAs will be able to trial new approaches to school transport. Schemes will be expected to cut car use, provide for the development of localised transport schemes and improve integration and collaboration between the services provided by education, social services, health and local passenger transport services. It will be possible for LAs to introduce charges for some services.

<sup>3</sup> Special Educational Needs Code of Practice, Paragraphs 8:87 to 8:90, DfES (2001)

<sup>4</sup> School Travel Schemes – Draft Bill and Prospectus, DfES (2004)

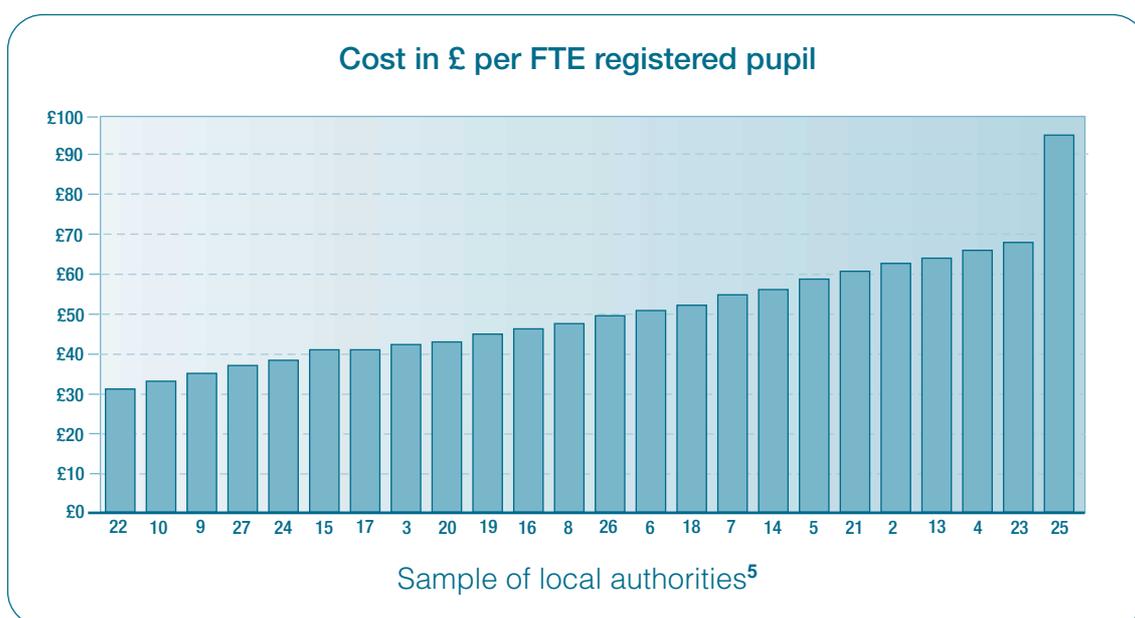
# 1 Expenditure, Financial Management and Control

The recent investigation into the cost of SEN transport showed significant variation between LAs.

The study found that, in LAs in the sample, expenditure on travel assistance for pupils with SEN and/or disabilities ranged from £31 per registered full-time equivalent pupil (FTE) to £95 during the 03-04 financial year. Expenditure by London Boroughs was found to be particularly high when compared to LAs in the rest of the country.

## 1.1 Where we are

The graph below shows planned expenditure on special travel arrangements (03-04) expressed as an amount per registered full-time equivalent (FTE) pupil in each LA of the sample.



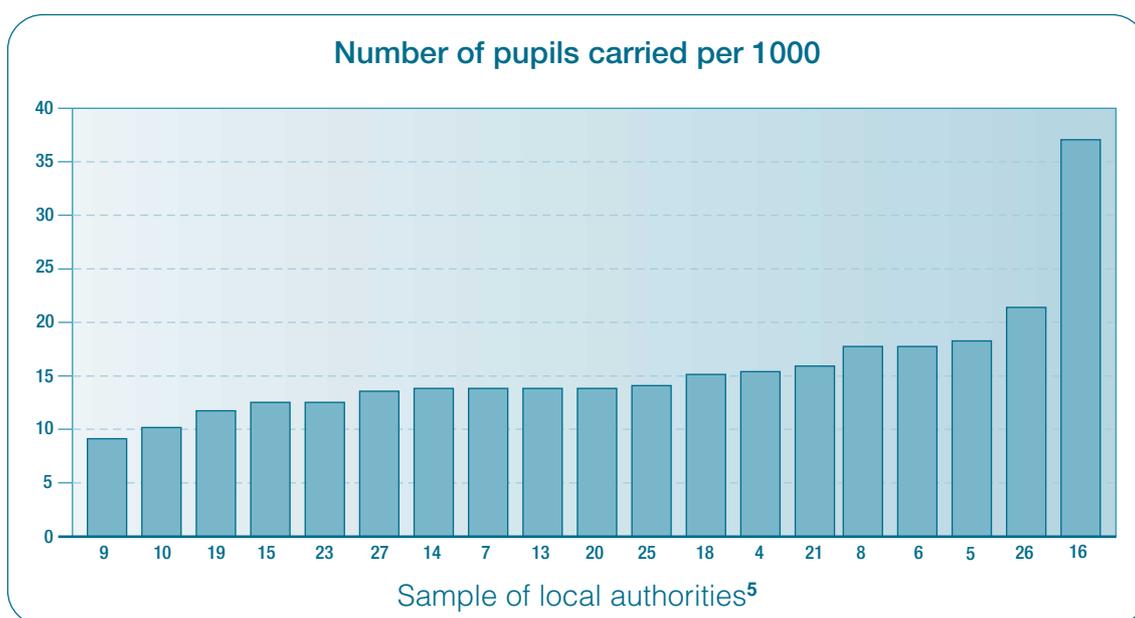
**Note:** expenditure is expressed as £ per FTE registered pupil attending schools (4-19 or 4-16 depending upon school organisation) in each participating LEA. This provides an alternative measure of comparative cost to the more usual approach of calculating £ per pupil carried through special travel arrangements.

<sup>5</sup> Numbers on graph refer to LAs in the sample

The study found:

- an inverse relationship between the number of pupils carried and expenditure
- more generous approaches towards entitlement tend to be associated with lower expenditure per pupil carried and vice versa
- high expenditure was associated with:
  - particular approaches to procurement
  - weak relationships between budget responsibilities and the assessment of entitlement.

The graph below shows the considerable variation between authorities in the number of pupils carried per FTE 1000 population. It would appear that in some authorities more pupils could use less restrictive home to school travel arrangements.



## 1.2 Best Value and Procurement

The approach that a LA takes towards the procurement of services can have significant impact on overall costs. Whilst improvement in service standards and more pupils with severe and complex needs may contribute to increased costs above the rate of inflation, there are considerable differences between authorities and these appear to be more closely related to approaches towards best value and procurement than to other factors, including service standards.

Contracts associated with high relative cost tend to be:

- of short duration (less than three years)
- all let at the same time
- not linked to the services provided by others (Social Services, Health and local passenger transport services).

***We recommend that local authorities:***

- divide services into discrete areas of activity; these may be routes to a particular school, to a group of schools, or within an area of the authority
- review each activity area and, where appropriate, to tender competitively, preferably on a rolling programme
- let new contracts for periods of approximately five years to enable a relatively stable planning period for contractors/in house fleets to plan for the purchase or lease of vehicles
- ensure that new contracts are flexible, resource-based arrangements, where prices are agreed for vehicles, drivers and escorts based on time and mileage; these enable routes to be varied to minimise costs whilst offering some protection to the operator and an incentive to invest
- review provision at least annually to ensure the most cost-effective use of vehicles, staff and resources; there can be an annual turnover in some client groups of 25-30%
- ensure that plain English is used in documentation to encourage bids, especially from small operators, including the voluntary sector
- review the commissioning and provision of services periodically but not so frequently as to prevent the development of high quality services.

In Cambridgeshire contracts are subject to tender every 5 years, with 20% of routes considered annually. Whilst contracts are for individual routes, they are offered for tender on an area basis so that operators may put contracts together to provide economies of scale. All routes to schools in an area are subject to tender at the same time. Operators may tender for some or all of the routes in an area. There is no in-house fleet with all services provided externally. Contracts are flexible and may be extended or reduced. Cambridgeshire used to let contracts for three years but has recently changed to five years for three main reasons:

- Change is often difficult for pupils with special needs and the move to five years reflects concerns expressed by parents whilst still allowing the market to be tested on a periodic basis.
- It is said to be easier to control costs with a staggered process. Existing contracts are inflated year on year in line with the Transport Index, currently running at 2.3%. Increased costs of 8% have been incurred for new contracts.
- Operators have more confidence and security and this is increasingly reflected in both tender prices and investment.

For further information contact Paul Nelson, Education Transport Manager on **01223 717746** or by e-mail at **[paul.nelson@cambridgeshire.gov.uk](mailto:paul.nelson@cambridgeshire.gov.uk)**

## In-house fleets

Some LAs maintain in-house services. Whilst there is some evidence that these can be relatively expensive if most special transport is provided in this way, some LAs maintain small fleets in order to influence market costs and to ensure the availability of accessible vehicles in some areas. Others have found it difficult to procure suitable services externally.

### ***Where in-house fleets are maintained we recommend that they are:***

- service providers only and do not commission routes or other services
- subject to periodic competitive tender as outlined above (on a route / area basis)
- used to provide transport services across the authority including for social services
- encouraged to maximise income by providing services for schools and other agencies, such as Health and Social Services, at market rates.

Routes should be regularly benchmarked against private sector costs to ensure that they remain competitive.

## Consultation

### *We recommend that parents and carers:*

- are always consulted as part of the procurement process; it is also good practice to consult pupils.

A review of transport policy for children and young people with special educational needs has recently been completed in Leeds. Careful steps were taken to involve parents in the review. The Parent Partnership Service facilitated meetings in each of the districts used for administrative and planning purposes. Many parents were positive about wanting more independence for their children. Ongoing consultation arrangements, facilitated by Parent Partnership, have since been established. For further information contact Wendy Winterburn, Parent Partnership Officer at [wendy.winterburn@educationleeds.co.uk](mailto:wendy.winterburn@educationleeds.co.uk)

### 1.3 Financial Management and Control

The relationship between the authorisation of entitlement, the travel solution and expenditure on services varies considerably between local authorities.

This section recommends a number of approaches to sound financial management and control. It draws on the evidence and data gathered during the investigation into costs of special travel assistance for pupils with SEN and / or disabilities.

### *We recommend that local authorities:*

Assessment and authorisation of entitlements

- Ensure that there is a close relationship between those who assess and authorise entitlement and financial responsibility  
*Many LAs find it helpful for the senior officer responsible for entitlement also to be the Responsible Officer for the special travel assistance budget*
- Ensure that one senior officer has an overview of all expenditure commitments and their impact on budget.

|                               |   |
|-------------------------------|---|
| <p>Cost centre management</p> | <ul style="list-style-type: none"> <li>● Consider the arrangements for cost centre management</li> <li>● Analyse cost by activity such as: <ul style="list-style-type: none"> <li>– special / medical / health needs in mainstream school</li> <li>– resourced provision / units in mainstream school</li> <li>– special schools</li> <li>– Pupil Referral Units<sup>6</sup></li> <li>– out of area schools</li> <li>– Post-16 travel to sixth forms and colleges</li> </ul> </li> <li>● Analyse cost by type of solution such as: <ul style="list-style-type: none"> <li>– vehicle type</li> <li>– in-house</li> <li>– contractor</li> <li>– travel pass.</li> </ul> </li> </ul> |
| <p>Monitoring</p>             | <ul style="list-style-type: none"> <li>● Produce monthly monitoring reports with in-year forecasts for the Responsible Budget Officer (RBO), the Transport Coordinator and the officer responsible for assessing entitlement (if different from RBO)</li> <li>● Make arrangements for periodic budget challenge by senior officers and /or Elected Members</li> <li>● Report significant variances through the RBO to senior officers and Elected Members.</li> </ul>   |
| <p>Forward planning</p>       | <ul style="list-style-type: none"> <li>● Have robust arrangements for estimating and planning budget requirements for subsequent financial years. These should cover accurate estimates of activity levels, including: <ul style="list-style-type: none"> <li>– current provision and known commitments</li> <li>– planned changes to provision, policy or entitlement</li> <li>– expected cost of providing the above services per day multiplied by the number of days that services will be required (these can be significantly different between financial years)</li> </ul> </li> </ul>   |

<sup>6</sup> See Appendix 1

#### Forward planning

- expected change / increase in cost due to planned procurement exercises
- an element for inflation - it is recommended that this is built into contracts and service level agreements and is based upon the transport element of the Retail Price Index
- Prepare an accurate estimate for the next financial year as part of the annual budget revision and planning cycle
- Make projections for a further two financial years.

In the London Borough of Brent the budget for SEN transport has been under pressure and placed on a 'hotspots' monitoring list. This is considered every month by the Strategic Finance Group (a group of senior finance officers from all council departments, chaired by the Director of Finance). The Director of Finance uses the hotspots list to report to Elected Members. The list is also reported quarterly to the Policy Coordination Group that includes the Council Executive, Directors and the Chief Executive.

For further information contact [Deborah.Mulley@brent.gov.uk](mailto:Deborah.Mulley@brent.gov.uk)

### 1.4 Benchmarking and reporting of expenditure through Section 52

Resources for SEN transport for pupils of statutory school age and below are within the LA budget block. It is essential that for monitoring and benchmarking purposes expenditure on special travel arrangements are reported accurately through Section 52. Revised guidance will be available in due course and it is anticipated that new reporting arrangements will be introduced from April 2005. Expenditure on ordinary home to school travel arrangements will, in future, be reported separately from the costs associated with pupils where special transport assistance is provided. A definition of the activities associated with special transport assistance is attached as Appendix 1.

## 2 Developing Effective Services

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### 2.1 Responsibilities of parents and carers

Parents and carers are responsible for ensuring that their children attend school. Travel assistance may be required to help parents and carers discharge their duties. Some LAs have found it helpful to ask parents to apply for assistance with travel instead of providing transport as a result of statutory assessment or admission to special school. For most pupils it is their individual needs, rather than whether or not a statement is held, that should determine how home to school travel arrangements are made.

### 2.2 Entitlement

In the majority of LAs, entitlement to special travel assistance is determined by the SEN manager working to criteria that are clearly set out in policy. Decisions should be evidence based and made following an individual assessment of need. Some LAs use the SEN panel to provide advice to the SEN manager on entitlement.

### 2.3 Determining the travel solution

Where entitlement is agreed, assistance should be provided in the least restrictive way possible and in accordance with local travel schemes.

Alternatives might include paying for or providing:

- travel training support to enable pupils to learn to use public transport or to travel independently
- a travel pass
- a parent with a mileage payment to transport the pupil themselves
- a walking travel escort
- an escort to accompany a pupil on public transport
- transport from a pick up point
- home to school transport.

The following questions, for example, might be considered when determining a travel solution:

- Is the pupil able to walk or cycle on their own?
- Would the pupil be able to walk or cycle if given some support / training?

- Is the pupil able to use public transport on their own?
- Would the pupil be able to use public transport if given some support / training?

*If not then home to school transport may be required.*

- Can this be on a mainstream contract vehicle?
- Could this be from a pick up point?
- Could this be on a small shared vehicle (with / without an escort)?
- Is a wheelchair accessible vehicle required?

***We recommend that local authorities:***

- carry out risk assessments before home to school travel services are provided
- provide the least restrictive form of home to school travel for each individual pupil
- ensure that remaining risks are managed effectively and ensure safe care.

North Lincolnshire and Cumbria carry out risk assessments on all pupils who are entitled to assistance with transport on the grounds of special educational need, medical need or disability. These help to determine:

- the travel solution including type of vehicle (if any)
- whether escorts are required
- any specific training that is required
- whether dedicated care plans are required.

Assessments are updated annually and also take account of the mix of pupils travelling on vehicles.

For further information on the approach in North Lincolnshire contact Ruth Bohin at **[Ruth.Bohin@northlincs.gov.uk](mailto:Ruth.Bohin@northlincs.gov.uk)**

For information on the approach in Cumbria contact Lynda Johnston at **[lynda.johnston@cumbriacc.gov.uk](mailto:lynda.johnston@cumbriacc.gov.uk)**

## 2.4 Coordination of home to school travel

*We recommend that local authorities introduce a travel coordination role within their structures. Ideally this function is responsible for:*

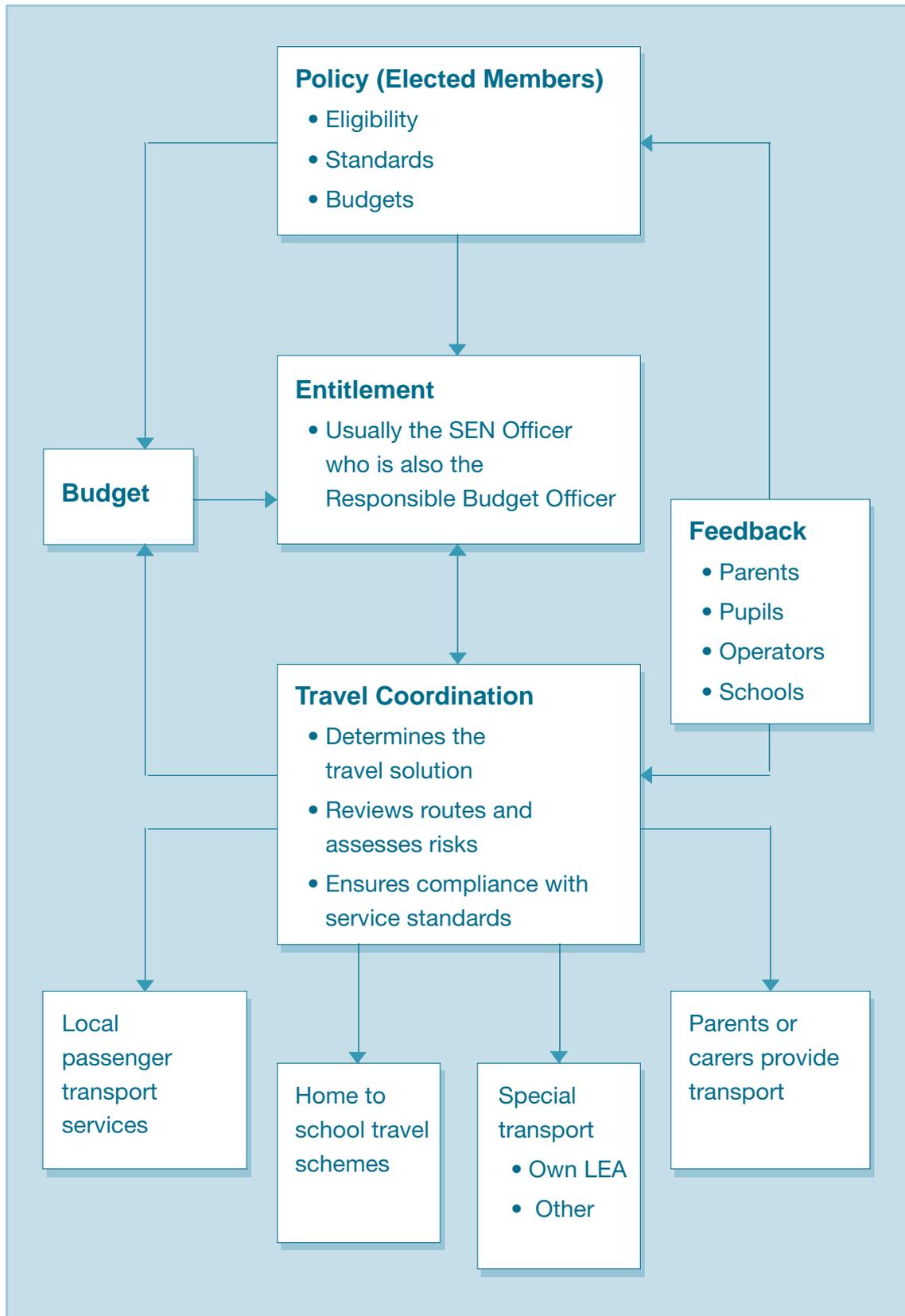
- undertaking the assessment and management of risk in respect of each pupil entitled to travel assistance, liaising with the officers assessing entitlement
- determining the appropriate travel solution for each eligible pupil
- commissioning / procurement of services in liaison with the LA procurement unit
- regular and ongoing route planning and review using Geographical Information System (GIS) route planning software and local knowledge
- information to parents and carers in liaison with the officers responsible for entitlement
- training or training standards for both drivers and escorts
- service standards and quality assurance including regular monitoring, and feedback from users of services including pupils and their parents and carers
- maintaining sound financial information and providing feedback to senior officers.

Ideally this role should be separate from any in-house services so that commissioning arrangements can be the same as for external operators.

It is helpful if the travel coordinator is also responsible for procuring transport on behalf of Social Services and is linked to the operation and commissioning of local passenger transport services.

A model for the management of services is outlined on the next page.

## A model for the effective management of special travel assistance



## 2.5 Review of home to school travel arrangements

The investigation into the costs of SEN transport found that some LAs review all pupils' travel needs at least annually to determine safe travel arrangements and whether or not special travel assistance is still required. Others in the sample did not do this and tended to continue to provide services for the remainder of the pupil's school career based upon the original assessment of entitlement.

### *We recommend that:*

- the travel needs of each eligible pupil are reviewed at least annually to ensure that the provision made is appropriate for their assessed needs
- pupils should always travel by using mainstream arrangements and local travel schemes where they can.

Shropshire's transport team includes two Transport Review Officers who have specific responsibilities for the continual review of services and routes. This ensures that the LA meets the needs of pupils and continues to provide value for money. The Review Team is separate from day-to-day operations and works in a dynamic pupil and transport environment. It is tasked to meet specific annual cash savings. It provides a check on the provision of home to school transport and, as part of this process, maintains a close relationship with schools to ensure that any changing needs in the pupil population can be reflected in changes in transport provision as quickly as possible.

For further information contact

Mick Gadd at [Michael.Gadd@shropshire-cc.gov.uk](mailto:Michael.Gadd@shropshire-cc.gov.uk)

or Chris Purcell at [Chris.Purcell@shropshire-cc.gov.uk](mailto:Chris.Purcell@shropshire-cc.gov.uk)

## 2.6 Linking home and school

### *We recommend that, when transport is arranged, parents and carers should be provided with information that:*

- sets out the time and location that their child or young person will be picked up
- clarifies that it is the responsibility of the parent or carer to ensure that the pupil is ready on time - pupils should be ready five minutes before the pick up time

- specifies the maximum time that a vehicle will be able to wait at a pick up point
- specifies the return drop off location and time and makes clear that it is the responsibility of parents and carers to be there
- states that that the parent or carer should contact transport services if their child is not able to travel – a contact telephone number should be provided
- states how parents and carers will be contacted in case of emergency, if their child is ill or should an extended delay or disruption to transport services occur.

For some pupils the journey to and from school can have significant impact on the quality of the school day or evening at home.

***For pupils with severe learning difficulties we recommend that local authorities:***

- ensure that drivers and escorts are known to parents – ideally they should have been to visit prior to transporting the child or young person. Their details, including contact numbers for the operator, should be in any letter setting out transport arrangements
- maintain stable staffing over time and avoid unnecessary changes of personnel. For some pupils, including those with complex autistic spectrum disorders, any changes need to be explained and planned in advance. Contracts need to make clear if only specific staff should be used
- encourage schools and transport services to have a home-school liaison diary for each child so that parents and school staff are able to report on any issues that the other should know about
- ensure that journey times are reasonable and that undue stress is not caused by extended periods on vehicles.

## **2.7 Encouraging independence**

The Transport Partnership Fund allocated to each Post 16 Transport Partnership can be used to support travel training for students in Years 10 and above. Travel training should be undertaken at suitable times and places in order to address the difficulties of travel, for example travelling at busy times and in busy places. Blind and partially sighted pupils may also need mobility training as part of their travel training.

The Hackney Learning Trust operates a 'Travel Training' scheme for escorts and teaching assistants. They are invited to become travel trainers, helping older students to become independent travellers. To date 6 members of staff have taken part in the programme and 25 students are now travelling independently (who had previously travelled on dedicated provision).

Hackney Learning Trust also ensures that the provision of SEN transport is reviewed annually. Arrangements are varied where possible to support independent travel.

For further information contact Penny Dixie at [Penny.Dixie@learningtrust.co.uk](mailto:Penny.Dixie@learningtrust.co.uk)

Similarly the London Borough of Tower Hamlets has used Pathfinder resources to develop a travel training scheme involving 15 young people. Kensington and Chelsea has also successfully introduced 'walking buses' using Behaviour Improvement Programme resources.

As part of the Department for Education and Skills funded Transport Pathfinder Initiative, Kingston Upon Hull has produced a special pack advocating the advantages of independent travel to students with disabilities and learning difficulties. Working closely with the Inclusion Service, Hull City Council's Learning Services brought in a freelance writer with a background in education and set about preparing supportive information to train and encourage students to use public transport. The pack '*Getting There!*' comprises a specially written book, titled '*Audition*', and an accompanying teaching pack that has been successfully piloted with Key Stage 3 and 4 pupils. The aims of the pack are:

- to enable parents, teachers and other professionals to understand that most young people can travel independently
- to provide a range of high quality materials to ensure this understanding is translated into good practice
- to establish a structure that ensures continued promotion of the benefits of independent travel.

Hull have now produced an accompanying parents pack because they found that it is often concerns and objections from parents that prevent young people from travelling independently.

Copies of the pack may be obtained from the Department for Education and Skills information helpline, telephone **0845 60 222 60**. Materials are available as follows:

- Getting There! – toolkit for teachers
- Audition – reader for pupils
- Getting Here – pack for parents

## 2.8 Route planning and review

The number and needs of pupils who travel on SEN transport services can change frequently with significant impact on cost and availability of vehicles. Most LAs review routes at least annually but an increasing number consider altering journeys whenever a change occurs.

We recommend that GIS route planning software packages are used to support route planning and review but:

- they should be appropriate for purpose (for example, some very expensive packages may be appropriate to the operation of community transport services where vehicles can be diverted whilst on route but may not be cost-effective for the operation of home to school transport)
- introduction should be supported by high quality training and time should be given to enable the system to be used effectively.

## 2.9 Integrating services

Following the publication of the Green Paper, Every Child Matters<sup>7</sup> and the Children Bill (2004), LAs will be developing more integrated and cohesive children's services. The SEN Transport Investigation demonstrated that there are benefits from linking transport services provided by education, social services, health and local passenger transport services.

Integrating passenger transport services can:

- improve vehicle utilisation rates and reduce down time
- reduce the unit costs of journeys as expenditure on vehicles and staff is offset against more activities
- enable other passenger transport services and travel schemes to be planned and used as the transport solution for some children and young people with more complex needs.

<sup>7</sup> Every Child Matters: A Green Paper, HMSO (2003)

West Yorkshire Passenger Transport Executive has recently been successful with a multi-million pound bid to pilot Yellow Bus Services in West Yorkshire over the next three years. Education Leeds will be involved in the scheme with six new yellow buses coming into service on mainstream journeys in Garforth and Otley areas in the autumn term 2004. The specification for the vehicles is such that some children and young people with special needs will be able to use them and travel to and from school alongside their peers.

For further information contact Gill Cook, Transport Manager at [Gill.Cook@educationleeds.co.uk](mailto:Gill.Cook@educationleeds.co.uk)

*We recommend that when developing integrated services local authorities should consider:*

- the timing of school days – some LAs have found that slight staggering of school opening times can improve vehicle usage
- the timing of day provision for adults – often these clash with school opening and closure times but some LAs have found that it is possible to vary these
- whether some vehicles could be used to provide patient transport to local health provision.

## **2.10 Linking services with those provided by other local authorities**

It is often the case that neighbouring authorities place children at the same out of area schools. Financial savings can be achieved when LAs coordinate journeys with each other to minimise the number of vehicles involved.

### 3 Service Standards and Health and Safety

The SEN Transport Investigation found that service standards vary considerably between LAs. This section sets out a checklist of minimum standards that should apply to the operation of all special transport services whether provided in-house or through contractors.

Cumbria determines transport needs for individuals through a team approach including a member of their health and safety team. The team has developed a risk assessment programme, in conjunction with schools, to ensure that transport provision takes into account the specific issue of safe travel for each pupil.

For information on the approach in Cumbria contact Lynda Johnston at [lynda.johnston@cumbriacc.gov.uk](mailto:lynda.johnston@cumbriacc.gov.uk)

*We recommend that local authorities ensure full compliance with the following minimum service standards and health and safety requirements:*

| Service Standard                     | Actions Required  |
|--------------------------------------|---|
| Vehicle standards and maintenance    | <ul style="list-style-type: none"> <li>● All standards and requirements should be set out in contracts or service level agreements (where in-house vehicles are used)</li> <li>● All operators must comply with vehicle licensing, insurance and taxation requirements as well as Vehicle Construction and Use Regulations.</li> </ul>  |
| Provision of mobile phones or radios | <ul style="list-style-type: none"> <li>● All vehicles should have a means of communication available for use in emergencies.</li> </ul>   |
| Journey times                        | <ul style="list-style-type: none"> <li>● Journeys should minimise stress and LAs should establish a service standard for the maximum time that pupils should be on vehicles. Most LAs set a target standard of between 45 and 75 minutes</li> <li>● For each journey, the assessment should consider whether a passenger assistant is required in addition to the driver</li> <li>● Where journeys are longer, for example in rural locations or to out of area schools, breaks should be specified in the standards</li> </ul> |

|   |  |
|---|--|
| Emergency procedure information                       | <ul style="list-style-type: none"> <li>● Essential information and contact details should be carried on vehicles and known to drivers and escorts. Pupils should normally remain on vehicles unless it is unsafe for them to do so.</li> </ul>   |
| Criminal Record Bureau (CRB) checks                   | <ul style="list-style-type: none"> <li>● All drivers and escorts must have positive enhanced CRB clearance prior to working with pupils.</li> </ul>  |
| Photo identification                                  | <ul style="list-style-type: none"> <li>● All drivers and escorts should carry photo identification at all times.</li> </ul>  |
| Minimum standards of training for drivers and escorts | <ul style="list-style-type: none"> <li>● It is recommended that all drivers of appropriate vehicles take Minibus Awareness Training (MIDAS) or training to a similar standard and that it be updated every four years</li> <li>● Similarly, it is recommended that all escorts take Passenger Transport Assistance Training (PAT) or a similar accredited course</li> </ul> <p>Details of the above training programmes can be obtained from the Community Transport Association at <a href="http://www.communitytransport.com">www.communitytransport.com</a> or telephone <b>0870 7743586</b></p> <ul style="list-style-type: none"> <li>● Additional training may be required in some circumstances. This may include conflict resolution, safe handling and working with children with particular medical conditions or disabilities.</li> </ul> |
| Assessment and management of risk                     | <ul style="list-style-type: none"> <li>● The responsible officer must consider the needs of each pupil. This must take account of additional needs including: <ul style="list-style-type: none"> <li>– medical / health related needs</li> <li>– mobility</li> <li>– wheelchair where used (type and anchorage arrangements)</li> <li>– special seat belts / chairs</li> <li>– access</li> <li>– behaviour</li> <li>– safe handling and lifting requirements</li> </ul> </li> </ul>  |

|  |   |
|--|---|
| <p>Assessment and management of risk</p> | <ul style="list-style-type: none"> <li>● Individual pupil requirements should be reviewed regularly. This should be repeated whenever there is a change in their needs, in order to assess whether the level of provision remains appropriate. A review period should be stated in the risk assessment.</li> </ul>  |
| <p>Pupils with health needs</p>          | <ul style="list-style-type: none"> <li>● Drivers and escorts should know what to do in the case of a medical emergency. They should not generally administer medication but where it is agreed that a driver or escort will administer medication (for example in an emergency) they must receive training and support and fully understand what procedures and protocols to follow. They should be clear about roles, responsibilities and liabilities</li> <li>● Where pupils have life threatening conditions, specific care plans should be carried on vehicles. These should be agreed with the school, parents or carers and the responsible medical practitioner for the pupil concerned. They will specify the steps to be taken to support the normal care of the pupil as well as the appropriate responses to emergency situations</li> <li>● All drivers and escorts must have basic first aid training. This is included in the PAT and MIDAS schemes referred to above. Additionally trained escorts may be required to support some pupils with complex medical needs. These can be healthcare professionals or escorts trained by them</li> <li>● Some pupils are at risk of anaphylactic shock. Risks can be minimised by not allowing anyone to eat on vehicles. As noted above, all escorts should have basic first aid training and should be trained in the use of an epipen for emergencies.</li> </ul> |

Pupils with mobility needs

- Vehicle design should allow pupils and escorts to get in and out of the vehicle safely, where necessary using features such as tail lifts or swivel / slide seats. Special seats or harnesses should be used where appropriate
- Drivers and escorts should receive training in safe mobility assistance / handling techniques, wheelchair handling and use of any special equipment required, such as wheelchair clamps, tail lifts and ramps
- At school there should be clear drop-off / pick up points close to the entrance area with a well-marked, preferably covered walkway supplied with handrails leading to the main entrance area. Larger parking bays should be provided to enable pupils with mobility difficulties to get in and out of vehicles. Kerbs should be dropped between the setting down points and the principal entrance areas
- When parking away from school, appropriate places should be chosen to allow safe entry to and exit from to buildings
- During journeys, wheelchairs should be held securely to the floor by tracking fitted longitudinally to the vehicle. Escorts should be able to see the faces of all pupils at all times to ensure that they are comfortable and well. It should be possible at all times for able bodied passengers to obtain access from every passenger seat to at least two exit doors, one on the nearside and one on the offside or at the rear of the vehicle.

Advice on safe anchorage should be obtained directly from manufacturers or from the Mobility and Inclusion Unit at the Department for Transport. ►

## Monitoring

- There should be clear procedures in place to ensure compliance with service standards.

These will include:

- spot checks on vehicles and licences
  - involvement of parents, carers and schools in feedback
  - checks to ensure that drivers and escorts are authorised, carry identification and undertake duties in accordance with service standards and requirements
  - checks to ensure that contracts are operated in accordance with the timetable
- It is good for duty holders and others to carry out spot checks to ensure these procedures are being adhered to.

Under the Health and Safety at Work Act 1974, LAs (as employers) have a responsibility to manage health and safety effectively. Under the Management of Health and Safety at Work Regulations 1999,<sup>8</sup> they need to carry out an assessment of the risks to the health and safety of their employees, while they are at work, and to other people who may be affected by their work activities. The Regulations require them to periodically review their risk assessment so that it remains appropriate.

The Department for Transport and the Health and Safety Executive have produced free guidance, 'Driving at work' INDG382 available from HSE Books or at [www.hse.gov.uk](http://www.hse.gov.uk) which will help manage risks as part of local authorities' arrangements for managing health and safety at work.

<sup>8</sup> The Management of Health and Safety at Work Regulations 1999 SI 1999/3242, The Stationery Office, ISBN 0 11 085625 2

## 4 Policy

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Local authorities should have a policy on travel assistance for pupils with SEN and/or disabilities approved by Elected Members following consultation. It should be regularly reviewed and kept up to date. Ideally it should be integrated within the overall policy for home to school transport as set out in the SEN Code of Practice.

This section provides a checklist of items usually found in the best policy documents with some brief explanations.

### 4.1 Policy checklist

*We recommend that local authorities consider the following checklist and ensure that local policies are compliant with it:*

- **Applications:** state how parents and carers may apply for transport provision.

**Note.** It is the responsibility of parents to ensure that their children attend school. The local authority has a duty to assist parents and carers where children and young people:

- live further than the statutory maximum walking distance from their nearest appropriate school with space
- have particular needs or disabilities such that travel assistance is required. It is recommended that parents and carers be asked to apply to the LA when they require assistance with home to school travel.

- **Entitlement:** clearly indicate the criteria used to define the additional needs of children and young people that may entitle them to special travel assistance. Show:

- how entitlement will be assessed
- evidence that will be considered
- how parents and carers will be informed of decisions.

**Note.** The parents of some pupils may be in receipt of the higher rate mobility component (HRMC) of the **Disability Living Allowance (DLA)**. This is the gateway to the Motability scheme that supplies vehicles, adapted or unadapted, in return for the DLA, usually on contract hire terms. If a pupil is the HRMC recipient and the family obtain a vehicle through the Motability scheme, then the vehicle is supposed to be used for the benefit of the disabled pupil. When determining

whether or not to provide travel assistance, LAs may take account of a Motability car where this has been provided for the benefit of the pupil.

Similarly it would not be unreasonable for a LA to take account of the HRMC of the DLA where this has been provided for a child but has not been used to obtain a vehicle.

- **Family Circumstances:** LAs should consider these when determining whether or not to provide assistance with home to school travel. Policy should specify how these will be considered and the criteria that will be used to judge entitlement.
- **Review of decision:** state how a parent or a carer may seek a review of a decision that they do not agree with. LAs are encouraged to establish independent review arrangements. These may involve a partnership panel (such as the SEN Panel), consideration by a second and more senior officer, or a panel of Elected Members.
- **Children in their early years:** state the circumstances where special transport may be provided for a child below statutory school age.

**Note.** Very young children do not normally travel independently to school or play group but families should not be adversely affected by having a child with a disability. The assessment of entitlement for very young children should take account of particular needs and individual family circumstances.

- **Post 16:** LAs must collaborate with their local Learning Skills Councils (LSCs), Further Education Colleges, Higher Education Institutions, transport authorities, Connexions and other key local organisations in developing, publishing and delivering transport policy statements for students. These statements should specify what transport arrangements are available for students with SEN. Good practice suggests that wherever possible LAs and their partners should provide support for students with SEN until at least the age of 21, and ideally up to 25.
- **Parental preference for a school:** special travel arrangements should normally be made to the *nearest appropriate school with space*. On occasions parents will decide to send their child to a school that is further away. LAs do not need to provide assistance with travel in these circumstances. For pupils with statements of SEN, LAs may name the nearest appropriate school or may name the school of parental choice. This does not commit the LAs to providing transport as long as it is sure that the needs of the pupil could be met appropriately at the local school. Policy should clearly show how LAs will consider such requests.

- **Payments to parents:** parents often offer to help with home to school travel arrangements and these can sometimes offer a Best Value solution. LAs sometimes make payments to the parents and carers of pupils with SEN to:

- act as an escort (for example, with a child who has an autistic spectrum disorder (ASD) and has challenging behaviour)
- use the family car to take a pupil to a special school at some distance from the home

Policy should clearly set out the circumstances where LAs may make payments to parents and the amounts that they will be entitled to. Where mileage payments are made it is recommended that the Community Transport Association mileage rate for volunteer drivers, or other similar rate, is used.

- **Escorts:** policy should clearly set out when escorts will and will not be provided on vehicles. Policy will normally take account of:

- age (LAs usually provide escorts on all vehicles where children are under the age of 8)
- gender
- particular needs and disabilities
- health and safety (risk assessments should be carried out to determine whether a escort is required)
- size of vehicle
- length of journey

Provision of escorts should be subject to regular review.

- **Charges:** sometimes there is space on a vehicle that can be used by a pupil who is not eligible for free home to school transport. LAs authorities can make a charge for spare seats. The charges should be clearly set out in policy together with the rules governing the use of such seats, which may be withdrawn if required for pupils who are eligible. Charges may be made for Post-16 services in line with the local Post-16 Transport Policy. These may also apply to students with SEN but they must be treated no less favourably than other students. Similarly, LAs that become pilot areas for new home to school travel schemes may also charge for some travel arrangements.



- **Service standards:** these should be set out in policy and address:
  - maximum journey length and time
  - minimum standards of training for both drivers and escorts
  - the provision of photo identify cards for all drivers and escorts
  - compliance with Criminal Records Bureau checks for all drivers and escorts
  - the provision of on board equipment to meet individual needs, including seat belts and restraints
  - the information that will be provided for parents and carers (for example, contact information, pick up and drop off arrangements, parental responsibilities and handover arrangements).
- **Arrangements for consultation with parents and carers:** it is important that parents are consulted when changes to policy are planned and regularly to assess their satisfaction with the service that is provided. These arrangements should be set out in policy.
- **Monitoring performance:** policy should clearly set out how service standards and operation will be monitored. This should include spot checks and must include all operators both in-house and those procured externally.
- **Inclusion:** increasingly pupils with severe and complex special educational needs and/or disabilities attend local mainstream schools and settings for some or all of their education. Policy should set out the circumstances where transport may be provided to support inclusion. LAs do not normally provide vehicles to convey pupils between establishments during the school day although a few do so.
- **Dual registration:** policy should specify arrangements for pupils with SEN registered at more than one school. Increasing numbers of pupils attend a mainstream school for part of the week as well as a special school or other specially resourced provision. Most LAs provide travel assistance for eligible pupils at the start and end of the school day. Travel assistance during the day is often, but not always, considered to be the responsibility of schools.
- **Extended schools:** policy should specify the circumstances in which the local authority would provide assistance with transport to or from such provision. Guidance on extended schools states that schools should consult with their LAs on out of hours transport provision. LAs, transport operators and parents should work in partnership to develop

School Travel Plans and incorporate extended pupil and community access into those plans. Pupils with SEN should be included within these plans. Schools also have a general duty under Part 4 of the Disability Discrimination Act (1995) not to discriminate against disabled pupils. These duties and responsibilities must be taken into account when planning educational activities outside the school day.

- **Respite care:** some pupils with SEN and/or disabilities may start or end some school days at respite care provision. As children's services become integrated, it is reasonable to expect a corporate approach to the planning and financing of transport to respite care. Policy should set out whether home to school transport will normally be available for planned stays provided that journey times remain reasonable.
- **Travel to residential schools:** policy should set out the transport arrangements for pupils attending residential special schools, often at some distance from their home. Policy should set out the level of transport support that will be provided in these circumstances (weekly, fortnightly, at the beginning and end of each half-term etc.). Policy should also state whether parents will be provided with financial assistance to attend annual review meetings and/or open days at the school.
- **Complaints:** policy should clearly set out the procedures for dealing with complaints.

## 4.2 Information for parents and carers

*We recommend that a summary of policy should be available giving information on:*

- entitlement
- policy towards parental preference of school
- arrangements for application
- the variety of travel arrangements that might be made
- the responsibilities of parents and carers
- health and safety and pupils with medical needs
- arrangements for supervision on transport
- sources of further information and advice
- review procedures in the event that an application is turned down
- procedures for dealing with complaints.

## 5 Managing Change

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Significant change to services can be difficult to manage and implement. A change of contractor or mode of travel can cause anxiety for pupils and their parents or carers. The investigation into the costs of SEN transport found examples where change had been managed sensitively and successfully. There was also evidence that parents will often support and encourage more independent travel arrangements. At its heart, successful change involves consultation and the provision of clear information to schools, parents and carers, partner agencies and transport operators.

***We recommend that when considering significant change local authorities should:***

- Form or use an existing stakeholder group to steer the project.  
Membership is likely to include representatives from:
  - schools
  - organisations working on behalf of parents
  - transport operators
  - officers responsible to commissioning and coordinating services
  - officers responsible for policy, assessing entitlement
  - finance officers
- Identify and benchmark the costs of current services
- Consult widely with parents and carers, pupils and operators on current services and aspirations for improvement (this may be done through focused discussions with target groups)
- Identify options for change and model the costs of these based on known and planned levels of activity; agree preferred solutions with the stakeholder group
- Consult widely on proposals for change
- Discuss outcomes of consultation with the members of the project group and report to Elected Members
- Identify and agree changes to policy and services with Elected Members
- Provide clear information on changes to all key stakeholders
- Implement or phase in over time
- Monitor impact
- Keep arrangements under review.

# Appendix 1

## Reporting Expenditure through Section 52

**The reporting line 'SEN transport' should include all net expenditure incurred by local authorities for:**

- travel between home and mainstream schools, early years settings and special schools where entitlement to assistance is agreed for reasons of SEN and /or disability
- additional travel arrangements made during the school day to facilitate inclusion
- additional travel arrangements made to support pupils with SEN and /or disabilities to take part in Extended School activities outside of normal school hours
- travel to provision, other than a school, where it is made to meet a special educational need
- the cost of escorts provided to support travel for children with SEN and /or disabilities
- travel between home and mainstream schools and special schools for young people over the age of 16 where entitlement to assistance is agreed for reasons of SEN and /or disability

**The following activities should be excluded:**

- travel between home and school / other educational settings when provided through mainstream LEA home to school policy arrangements
- travel for pupils under normal admission arrangements where payment is made to enable them to attend a school that is not their nearest school / setting
- travel for pupils under normal admission arrangements who have previously been subject to exclusion from another school
- travel to and from Pupil Referral Units
- travel to temporary provision for pupils who do not have a school place unless arrangements are wholly attributable to severe and complex SEN
- travel to colleges or universities providing Further or Higher Education.

## **Central costs, overheads and recharges**

These are of two types:

- those costs associated with the direct operation of home to school travel services (e.g. travel, telephones, legal services, premises, personnel services, stationery, administrative support) should be charged directly and reported through the appropriate budget. LAs will need to apportion these overheads between the SEN and mainstream transport lines
- other overheads and recharges that cannot be assigned to services should be apportioned using conventional accounting practice. These would mirror the way overheads and recharges are calculated for the services that the LEA trades with schools.

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