

BRIEFING FOR  
EDUCATION AWARDS (REVIEW) SUB COMMITTEE

**EDUCATION TRANSPORT**

**BACKGROUND**

The Education Act 1996 sets out a minimum level of provision required of Local Authorities for providing transport assistance between home and school. It also gives Local Authorities considerable discretionary powers.

The Education and Inspections Act 2006 (Part 6) has inserted Section 508B to the Education Act 1996. This means that from September 2008 this Act has extended provision for some pupils from low income families.

Transport assistance can be in the form of a travel pass for use on public transport, or as necessary, specialised transport such as taxis, minibuses, wheelchair accessible vehicles, etc. Other forms of travel assistance might include: access to independent travel training; personal transport budgets; escorted public transport; and provision of pupil guides.

**POLICY**

**PUBLIC TRANSPORT**

In Birmingham the statutory walking distances (for existing users) are modified by discretionary power to the benefit of pupils up to 11 years of age. Bus passes will be issued to those pupils who have to travel more than the following distance criteria to the nearest available school measured by the shortest available walking route.

Up to 8 years of age	1 mile
Between 8 years and 11 years of age	1.5 miles
11 years and over	3 miles

From **1<sup>st</sup> September 2013** for all pupils starting school the statutory walking distances apply as follows:

Under 8 years of age	2 miles
8 years and over	3 miles

**LOW INCOME FAMILIES**

**Primary Aged Children**

Children aged between 8 and 11 years of age from low income families are entitled to free travel assistance where they are attending their nearest available qualifying school and that school is more than 2 miles from their home.

### **Secondary Aged Pupils (Year Groups 7 to 11)**

Children from low income families (children who are in receipt of free school meals or whose parents are in receipt of the maximum level of working tax credit) may be eligible for free transport assistance to either:

- one of the 3 nearest qualifying schools, where they live more than 2 miles but less than 6 miles from that school;

OR

- the nearest qualifying school preferred on the grounds of the parent's religious or philosophical beliefs where that school is more than 2 miles but less than 15 miles from their home.

Sub Committee will consider those applications that fall outside these criteria. Applications will either have been refused because (a) the distance criteria have not been met or (b) there are nearer schools available within the stated distance.

### **SPECIALISED TRANSPORT**

This will be provided for those pupils if they are attending the nearest qualifying school to their home that can meet their needs but have special educational needs, a disability or mobility problem and for this reason could not be expected to walk to that school.

### **APPLICATIONS FOR REVIEW**

If parents are not entitled to assistance then they can request that their application is reviewed. Evidence would need to be provided of other exceptional family circumstances. Consideration should also be given to any up to date medical advice from health care/educational professionals and details of any financial hardship.

### **EXAMPLES OF EXCEPTIONAL CRITERIA**

- Have any medical and/or special educational needs reasons been presented to support why either it would be unsafe for the pupil to walk to school and or use public transport to attend that school? Has any medical/ professional advice, such as advice from the school, been provided to support this?
- Are there any special reasons as to why a pupil would not be able to attend a closer school? Has any medical/ professional advice been provided to support this?
- Are there any special reasons as to why the parent/carer would not be able to accompany the child to school?

- Does the parent/carer have any mobility problems occurring as a result of the disability of a parent?
- Does the family have any financial hardship? Has there been a sudden drop of income? Has there been a sudden change in family circumstances?
- Are there any other available schools within walking distance?
- Has the pupil moved house after deciding in Year 9 GCSE options? Have the family been forced to move house?
- Have exceptional reasons been provided as to why a pupil cannot attend a particular school? E.g. bullying, harassment etc.
- Secondary Transfer Choices – what choices did parent make? What schools were offered?
- Medical Reasons – has evidence been provided by a medical practitioner to show that a pupil would have difficulty either walking or using public transport e.g. broken bones, temporary medical conditions, etc? Do parents have a car? Could pupil travel on public transport with an escort?
- Is there some exceptional reason as to why pupil cannot walk or go on public transport, e.g. bullying, harassment, etc?
- Is there medical or professional advice provided to show it would be unsafe for the pupil to either walk or use public transport to attend school

**NB: please note each application should be considered on its own merits taking account of individual circumstances**