

**SUBJECT: Draft Home to School Transport Policy 2024/5**

**MEETING: People Scrutiny Committee**

**DATE: 19<sup>th</sup> July 2023**

**DIVISION/WARDS AFFECTED: All**

**1. EXECUTIVE SUMMARY AND PURPOSE:**

- 1.1 The Learner Travel (Wales) Measure 2008 sets out the legal responsibilities for the provision of school transport. Within the legislation they place a duty on local authorities to review their transport policy on an annual basis. The policy needs to be confirmed by the 1<sup>st</sup> October for application in the following academic year.
- 1.2 Public consultation concluded on the 29<sup>th</sup> June and the feedback will inform an amended draft policy which will be presented to Cabinet in September. The purpose of this report is to provide scrutiny Members with an opportunity to consider the feedback and proposed policy so that their views can be reflected in the final draft to be considered by Cabinet.

**2. RECOMMENDATIONS:**

- 2.1 That Scrutiny Committee consider the proposed Transport Policy 23/24 contained in Appendix 2 and provide recommendations for consideration to the Cabinet Member for Education.

**3.0 KEY ISSUES:**

- 3.1 The provision of home to school transport is prescribed by the Learner Travel (Wales) Measure, 2008. The legislation imposes statutory duties on local authorities in the provision of home to school transport and the circumstances when transport must be provided. It also places a duty on all local authorities to undertake an annual review of the transport policy which sets out how the statutory responsibilities and any discretionary policies that are being applied. The transport policy should be agreed prior to the 1<sup>st</sup> October for application in the proceeding academic year.

- 3.2 A draft Transport Policy was presented to Cabinet in May of this year and public consultation was undertaken between 31<sup>st</sup> May and 29<sup>th</sup> June. There was a press release at the commencement of the consultation and there have been regular social media posts during its duration. In addition, all schools were provided with information on the consultation at the start of the process and were also asked to remind parents a week before the consultation closed. The Commissioning Team also contacted the parents and carers of existing users of the service to make them aware of the consultation.
- 3.3 A summary of the consultation responses has been included in Appendix 1 and can be broken down into \*\*\*\* themes, which are considered in detail below.

### **Free Transport for Faith Learners**

- 3.3.1 We have received feedback from survey respondents and representatives of faith schools that the proposed drafting in the home to school transport policy is too narrow and was contradictory to the proposals outlined in the consultation. Respondents have largely not objected to the proposed policy change if the drafting reflects that there is no requirement for the school's faith to be the same as the learner.

#### Response

We have amended the drafting in the proposed policy to wider the eligibility criteria so that the learner does not have to have the same denominational faith as their chosen school. The eligibility criteria will only consider if the learner has been accepted by the school based on their faith criteria. If they do not meet the faith criteria, they will be assessed for transport based on their nearest suitable or catchment school.

### **Public Transport**

- 3.3.2 One of the key changes proposed is to increase the use of public transport for secondary learners. The policy proposes to do this by aligning with Welsh Government's Llwybr Newydd Transport Strategy and adopting the transport hierarchy. We have received feedback opposing this approach which is largely summarised as follows:

- Safeguarding concerns as learners will be sharing the vehicles with passengers who do not have a DBS.
- The reliability and punctuality of service vehicles.
- Concerns that parents would feel the need to travel with their children as the transport is not dedicated school transport
- The impact on working parents

- Increased stress levels for parents and learners

### Response

The Council has and continues to use public bus services for secondary learners. The same protocols that govern safeguarding equally apply on public service vehicles and drivers have a DBS. We acknowledge that traffic conditions can impact on the punctuality of buses, but this equally applies to home to school transport. Service operators have been contacted and they have worked with Monmouthshire's officers to amend service timetables to ensure that learners are dropped off and collected at schools at the correct times. We do not propose to issue parents with bus passes to travel with their children as the Learner Travel Measure assumes that only primary aged learners will need to be accompanied by a responsible officer and we will not be using public transport for primary aged learners.

Our experience to date is that travelling on public services does not increase the risk of safeguarding incidents, although we appreciate that parents and carers may hold that perception. We will work closely with operators to monitor the behaviour of passengers and review safeguarding measures and transport methods where substantiated concerns arise. This policy supports the reduction in home to school commissioned transport and the maintenance of public services within Monmouthshire. It aligns with Welsh Government's transport policies and the Corporate and Community plan.

### **Post 16 Travel**

3.3.3 Respondents have requested that Post 16 travel should be free and available to all of those that require it. They are concerned that the lack of guaranteed Post 16 travel has a detrimental impact on those living in rural locations and those choosing to access Welsh medium education.

### Response

We fully understand the concerns that have been expressed by respondents regarding the uncertainty of Post 16 travel. We appreciate that this uncertainty is a particular problem for Welsh and Faith learners who need to travel out of County and there are no direct public service bus routes. As a result, If parents apply for Post 16 concessionary travel for Welsh medium or Faith learners who are attending their nearest suitable school we will ensure that transport is available.

### **Schools Suitability**

3.3.4 The consultation proposed the removal of the consideration of a schools special measures status when determining a learners nearest school. This currently only applies to learners who live in the Gilwern area whose nearest school is Brynmawr and their catchment school is King Henry VIII. Responses

have objected to the proposed change and have cited concerns that the proposal does not consider feeder school status; it deprives parents of choice; is anti-competitive; does not consider community cohesion and acts as a disincentive to schools to strive for better Estyn reports.

#### Response

The Learner Travel Measure places a duty on Local Authorities to provide home to school transport to a learner's nearest suitable school. There is no definition on suitable and this is instead left to the Local Authority to determine. The legislation does not impose any requirement for a Local Authority to consider feeder school status, community cohesion or the Estyn status of a school when determining a learner's nearest suitable school. Monmouthshire already exceeds the requirements by offering free transport to both the nearest and catchment school where they are not the same. The policy change would therefore provide clarity that the Commissioning Team will not assess the educational performance of a school when awarding transport and instead only consider the distance criteria, if it is a state funded school and if there are any specific individual circumstances, e.g. a request for Welsh medium or faith based education.

#### **Available Walking Routes and Pick Up Points**

- 3.3.5 We have received feedback challenging the requirement to walk to pick up points and the wider assessment of available walking routes. In particular it has been suggested that the assessment should have more regard for local views of the safety of roads and that there should be an on-going assessment to reflect any changes in circumstances. There was some concern over the proposal to reduce the notice period to one term when transport is being withdrawn as an available route has been identified.

#### Response

We do not consider it unreasonable to require learners to meet transport at a designated pick up point if there is a walking route available. In circumstances where there is no available walking route, feeder transport will be provided. Risk assessments are undertaken by qualified Highways colleagues and they follow the assessment process set out in the Learner Travel Measure and other road safety guidance. If parents or carers have a concern with the walking route they are able to ask for an assessment to be undertaken and we are grateful to those parents who report hazards such as brambles etc so that maintenance works can be undertaken. Assessments are undertaken on the basis that primary aged learners will be accompanied by an appropriate adult.

We acknowledge that the reduction in the notice period may impact some parents and carers who wish to accompany their primary aged children to

school. Individuals cases will be considered by the Commissioning team for short term discretionary transport for parents to put arrangements in place. If there is an available walking route and the distance is below the eligibility criteria it is the parents/carers responsibility to transport their children to and from school.

### **Other issues raised**

- 3.3.6 Respondents queried whether any changes to the Transport Policy would impact on those learners already in receipt of transport. Others questioned whether learners would be required to use more than one vehicle and the impact that this would have on learners and on the viability of schools competing with their English counterparts.

#### Response

Where learners are already in receipt of free transport they will continue to receive transport unless an available walking route is made available. The Council is not proposing that learners will be asked to travel on two public service buses to travel to and from school. We do provide feeder transport for those learners who do not have an available route to a pick-up point and in those cases we will continue to provide feeder transport.

- 3.3.7 Respondents were asked to consider the impact of the proposals on the Welsh language. The comments received raise concerns over charging and availability of Post 16 transport, the length of journey times and the ability of learners to communicate in Welsh on transport. As outlined earlier in the report the Council will ensure that there is available concessionary transport for Welsh medium post 16 learners. Routes are assessed to ensure that travel times are no longer than 60 minutes for secondary learners.
- 3.3.8 Officers have considered all of the feedback received and proposed amendments to reflect the valuable contributions made by respondents.

## **4.0 EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):**

- 4.1 The Integrated Impact Assessment is attached.

## **5.0 OPTIONS APPRAISAL**

Option	Benefits	Dis-benefits	Comments
Leave the Transport Policy	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>The policy will fail to</li> </ul>	This option should be

as originally drafted		<p>acknowledge the valuable contributions of the respondents.</p> <ul style="list-style-type: none"> <li>The Council will have failed in its duty to consider the consultation responses.</li> </ul>	discounted as it falls short of the reasonable expectations of consultees and the standards required of an engaged and listening Council responses.
Agree to the amendments proposed following the consultation exercise	<ul style="list-style-type: none"> <li>The policy has reflected on the views expressed by respondents and where reasonable and equitable to do so have made amendments to the drafting.</li> <li>The Council is open in its decision-making and holds true to its values.</li> <li>Respondents can see how their engagement has influenced the Councils decision-making.</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	It is recommended that this option is progressed.

## 6.0 REASONS:

6.1 The Learner Travel (Wales) Measure places a requirement on Local Authorities to review their Transport Policy. The proposed policy has been amended to reflect consultation responses.

6.2 The proposed policy exceeds the statutory duties placed on Local Authorities but is in line with current policy and practice. Given the current hardship being encountered by many families due to the cost of living crisis, it was not considered appropriate to consider a reversion to statutory distance criteria at this time.

## 7.0 RESOURCE IMPLICATIONS:

- 7.1 The cost of school transport for the financial year 22/23 was circa £6,000,000. . This includes the cost of external provision and our in-house transport provider. School contracts for the 23/24 academic year have recently been re-tendered and we are in the process of awarding contracts.
- 7.2 Should we be successful in transitioning learners onto public bus services there will be a reduction in revenue generated from concessionary income as parents will purchase season tickets directly from the bus operator.
- 7.3 Due the nature of the transport market, the costs can change as contracts are handed back and re-tendered, new routes are added to accommodate new learners and contract uplifts to reflect the increasing cost of transport provision.

## **8 CONSULTTEES:**

Cabinet  
Monitoring Officer  
S151 Officer

## **9 BACKGROUND PAPERS:**

Learner Travel Statutory Provision and Operational Guidance 2014  
Cabinet Report 3<sup>rd</sup> May 2023

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## **APPENDICES**

### **Appendix 1 Summary of Consultation Responses**

#### 1. Do you agree with some or all of the proposed changes:

Positive responses to:

- Retention of travel distances
- Promotion of active travel
- Use of public transport
- Positive approach to climate change & environment
- Maintaining more generous distance thresholds helps to prioritise worker hours and the economy

#### 2. Do you disagree with some or all of the proposed changes

##### **Faith**

- Faith criteria too narrow in the draft document
- Should not be an eligibility requirement for attending faith schools
- Should retain existing policy and if a faith based school accepts the learner free transport should be provided.
- Proposed drafting will exclude multiple faith denominations

##### **Post 16**

- Lack of provision for Post 16

##### **Schools suitability**

- Object to the removal of “special status” when determining a school’s suitability
- Loss of free transport to send their child to another school outside their catchment area will deprive parents of choice, be anti-competitive and be a dis-incentive for schools to strive for better Estyn reports
- The proposed change has not been fully considered/ assessed and not justified and should therefore be rejected.
- Need to consider feeder school status as part of the suitable school determination.
- The impact on community cohesion is not considered within the EQIA and therefore this aspect should be re-assessed.



## **Use of Public Transport**

- Do not agree with the use of public transport for primary aged pupils- safeguarding issues
- Should provide transport on the statutory mileage so all learners across Wales have the same access to transport
- Concerns over reliability and capacity of public buses
- Don't want learners on public transport as they would take up all of the vehicle capacity
- Public buses create a safeguarding risk
- Season tickets should be able to be used outside of school travel
- Public transport passengers (non-learners) will not be DBS checked
- Parents may not be able to work due to the journey being both uncertain and too long
- Parents should be provided with bus passes to accompany their children on public transport.
- Reduced availability of concessionary seats.
- Financial support for public bus services no longer needed
- Should risk assess for learner safety
- Buses should be partitioned for learners and non DBS passengers
- Schedules need to be 100% reliable to avoid a drop in attendance
- Should risk assess for knife based mental health/terrorism type scenarios as well as the societal surge in drug/alcohol related violence
- Public buses do not run at suitable times for learners, which may mean that some will have to pay for breakfast club . The inflexibility will mean that some will have to give up work which would result in a loss of working hours to the economy.
- Public buses are unsafe and their unreliability causes unreasonable levels of stress and long journey times for learners.
- Parents would have to travel with U14's as this age group is particularly vulnerable to grooming and assault by members of the public who are not DBS checked.
- Lack of bus shelters would be detrimental to the health of learners waiting for buses.
- All buses should have a chaperone
- Should not be using funds for essential school buses to support public buses

## **Available Walking Routes**

- Do not agree that learners should have to walk to a pickup point
- Should not disregard the length of private roads and driveways when assessing distances

- Learners should not be asked to walk to pick up points if there are no safe walking routes
- Learners should be given free transport if there are no zebra crossings on their walking route
- Designate more safe walking routes to reduce requirement for transport
- One terms notice of an available walking route and the loss of free transport is too short.
- Learners should not be obligated to walk on wet pavements in lightening storms
- Transport should only be withdrawn if it will not cause hardship.
- Walking routes should be continually reviewed and a telephone number made available for parents to report issues such as overgrown brambles or if a route becomes socially dangerous.

## **Other**

- Buses should have chaperones
- Should be providing access to bicycles and cycle proficiency courses and safe storage at schools
- Schools should introduce walking buses and signpost where lollipop staff are located
- Should not be providing free transport for Welsh language learners
- All learners should have access to free transport
- Would like additional pick-ups for after school clubs
- Should allow free transport for learners who have to move schools as a result of bullying
- Public transport needs to be more affordable and accessible
- If a catchment review results in changes all learners already accessing the free transport should continue to do so
- Council must support working parents by providing free home to school transport
- Should be a review of Glascoed catchment
- Should not increase journey times for faith, Welsh medium and special education settings.
- Taking more than one bus to school is unreasonable as increases the risk of learners being stranded and vulnerable if the second one is cancelled/delayed and increases journey times.
- If a family has two children and they have to travel on separate transport, parents cannot be in two places at one to drop off / pick up children from two different places.
- The proposed policy changes will increase vehicular movements and impact negatively on climate change
- Negatively impacts on parents who cannot drive, therefore they should have dedicated free school buses.

- Lack of free school transport may impact the viability of Faith and main stream schools, particularly when they compete with English schools.
- Unfair to provide free transport for Welsh medium learners and not Faith learners
- Should use the same vehicles to transport primary and secondary pupils.
- Need to ensure that budget is made available to maintain active travel routes and a risk assessment and any works required completed before September 2024.
- Not clear if the proposed changes will impact existing users of home to school transport

Q3 Are you a current user of transport (on line survey respondents only)

Yes: 59

No: 29

Q4 Do the proposed changes impact on the Welsh Language

- Long journey times impact on travel
- Learners should be able to communicate in Welsh on the vehicle
- Drivers should be able to speak Welsh
- Charging for Post 16 travel to Welsh medium schools is discriminatory as there isn't one in the county
- Lack of convenient transport to mainstream schools where Welsh is taught will result in parents exercising parental preference and choosing a school in England.
- Providing families with free Home-to-School Transport to Welsh medium schools and removing it from families whose own religious or philosophical convictions require them to send their children to faith schools would appear to be discrimination, and therefore not community building, in a county where the lives of many inherently straddle both country borders. Arguably, the value of learning the Welsh language is also diminished without the building up of a moral compass to use it wisely!

Q5 How can the proposals be improved to have a positive impact on the Welsh Language

- More dual language signs on bus transport
- Bilingual staff
- Retain the existing Faith policy criteria where the Welsh language is taught.

- Interest in Welsh and the art of learning EU and international languages in general, could be fostered by asking learners to greet Home-to-School contract drivers perhaps in Chinese on 'Mandarin Mondays', German on Tuesdays, the indigenous language on 'Welsh Wednesdays', Italian or Spanish on Thursdays, and 'Francais on Fridays'. Learners could be encouraged to play 'I Spy' in the language of the day enroute? This could serve as a fun game, and mental distraction eg from bus bullying due to boredom etc? While awaiting bus collection, again, learners could play 'I Spy' in the language of the day with their parents/guardians. ...It would certainly make a change from more usual number plate games etc, and encourage enhanced engagement from parents/guardians as well.
- Greetings etc should be undertaken in Welsh

## **Appendix 2 – Proposed Transport Policy**

# **Monmouthshire County Council - Home to School Transport Policy 23/24**

### **Introduction**

This document sets out Monmouthshire County Councils (MCC) statutory duties to provide free home to school transport for children who live within the Monmouthshire County boundaries. If you do not pay council tax to MCC, please contact your Local Authority to find out how to apply for their home to school transport.

The Learner Travel (Wales) Measure (2008), places a statutory duty on Local Authorities to provide free home to school transport if certain eligibility criteria are met. Monmouthshire County Council has developed its transport guidance in accordance with this legislation to enable it to meet its statutory duties for learners up to and including year 11.

Free transport will only be available where a student fulfils the necessary criteria which will be explained in detail in this policy document. Parents should only apply for free home to school transport if they have read this guidance and ensured themselves that their children meet the criteria thresholds. If you have previously applied for free home to school transport and been refused, please do not reapply unless your personal circumstances have changed, e.g. you have moved to a new house or your children changed school.

The information given in this guidance relates to the 2024 – 2025 school year. This policy will be reviewed annually in line with the requirements of the Learner Travel (Wales) Measure.

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## Monmouthshire County Council's Transport Policy

All applications for home to school transport are assessed on an individual basis by the Commissioning Team.

To qualify for free home to school transport a child must attend their nearest suitable state funded or catchment school **and** that school must be over the MCC distance criteria. Free home to school transport will not be provided unless a learner meets both criteria.

### Nearest Suitable or Catchment School

The Learner Travel Measure defines nearest suitable school as a school where the 'education or training provided is suitable having regard for the age, ability and aptitudes of the learner and any learning difficulties he or she may have'.

In determining whether a school is suitable it will consider:

- Age appropriateness – relating to attendance at a Primary or Secondary School
- Ability appropriateness – relating to attendance at a mainstream, welsh medium or faith school.
- Special education requirements – if a learner has a statement of special education needs (SEN) which specifies a school.

The nearest suitable school for Transport purposes will be the state-maintained school which is closest to the applicant's home. Where parents have applied for welsh medium or faith education, the same nearest and catchment criteria will apply. A learner's catchment school is defined by the Access Unit. Further information on catchment areas

can be found by accessing [School catchment areas - Monmouthshire](#).

Whilst parents are free to exercise parental preference when selecting their preferred school, free home to school transport will not be provided if the preferred school is not their nearest suitable school (see 1.40 & 1.46 of the Learner Travel (Wales) Measure) or catchment school. When assessing the nearest suitable school, the Commissioning Team will consider schools that are outside of the Council's administrative boundary.

When assessing suitability for Transport purposes the Council will not consider parental preferences, if a school has a poor Estyn report or is in special measures or parental concerns with a specific school.

If your nearest suitable school is full, eligibility will be assessed on the basis of the next nearest suitable school that has availability to accept the learner. The same distance eligibility criteria will apply.

Where a learner has to move schools due to incidents of bullying, free transport will only be provided where the Education Welfare Service or Access Unit have been involved and supported the change of schools. Evidence will need to be provided by either the Education Welfare Service or Access Unit to support the request for transport.

Where a younger sibling applies to attend the same school as an older sibling that receives free transport this does not guarantee that the younger sibling will receive it. Each learner is assessed on an individual basis according to the prevailing policy.

Available walking routes are continually reviewed to reflect changes to the local footpath infrastructure. If an assessment results in a route that was previously designated as unsafe being re-categorised as

available, home to school transport will be withdrawn from the start of the next academic term. The delay in withdrawing the provision is to provide parents and learners with the opportunity to prepare for the change.

No transport will be provided for a learner attending a fee paying mainstream independent school.

## **Distance Criteria and how it is Calculated**

A learner's school must be over the prescribed distance for learners to be eligible for free home to school transport.

The Learner Travel (Wales) Measure provides minimum statutory walking distances of 2 miles for primary aged learners and 3 miles for secondary aged pupils. Monmouthshire County Council, however, has chosen to improve the statutory provision and has instead adopted the following distance criteria for all eligible learners:

- Primary aged learners – free home to school transport will be provided if the distance between the nearest suitable school and the learner's home is 1.5 miles or more.
- Secondary aged learners – free home to school transport will be provided if the distance between the nearest suitable school and the learner's home is 2 miles or more.

The Council will determine your nearest suitable school via the shortest available walking route. This will be measured using a Digital Information Mapping System from the point your property meets the adopted highway to the nearest available entrance to the school. A walking route will be considered available if it is safe (as far as is reasonably practicable) for a learner without a disability or learning difficulty to walk the route alone

or with an accompanying adult if the learner's age or understanding requires this.

Free transport may also be provided where the Authority is satisfied that the route between home and school is sufficiently dangerous to warrant such provision, even though the distance is below the prescribed 1.5 miles (primary) and 2 miles (secondary). As part of its assessment the Authority would have regard to the degree of danger involved and whether the accompanying adult is at risk from the traffic situation.

## **Discretionary Transport for Learners attending Faith and Welsh Medium Schools**

Free transport will be provided to learners attending their nearest faith school subject to:

- Distance eligibility criteria being met
- The learner has met the faith admission criteria for their preferred school.

The Commissioning Unit may consult with schools to confirm that learners have met the faith admission criteria.

Learners attending Welsh medium education will be provided with free transport to their nearest suitable school, subject to meeting the distance eligibility criteria.

## **Transport for Children Under 5**

The provision of free home to school transport is a statutory requirement for those learners aged 5 to 16. Transport for 4-year olds is discretionary and will only be provided if a learner is attending primary school and the parent confirms in writing that a driver and/or passenger assistant is authorised to assist their child with the use of seatbelts.



Booster seats will not be provided for younger learners. A parent can however provide a booster seat for their child should they wish to do so.

Transport is not provided for learners attending nursery school.

## Transport hierarchy and the allocation of transport

The Council has adopted the transport hierarchy outlined in Welsh Governments Transport Strategy, Llwybr Newydd. Where a learner has been assessed to be entitled to free home to school transport, the following transport hierarchy will be applied:

- i. *Public transport* – wherever possible learners attending secondary education facilities will be provided with a bus pass to travel on public bus services.
- ii. *Home to School transport* – will be provided for primary aged learners and where no public bus provision is available. Learners will be asked to meet transport at agreed pick up/drop off points, which will not be more than a mile from their home address. It is the parent's responsibility to ensure that their children get to and from the designated pick up/drop off point.
- iii. *Feeder transport* will only be provided if designated pick up and drop off points are more than a mile (private driveways and roads will be disregarded when calculating distances).

## Transport for Learners with Dual Residences

Where learners have more than one residence, they will be able to apply for home to school transport for up to two homes which are the nearest to their school. They will still need to meet the eligibility criteria in

terms of distance, age and ability as outlined above. Evidence of the dual residency will be required from both parents which confirm the shared care arrangement. Where a learner lives with one parent but has contact with another parent, transport will only be provided to the learners' primary address.

## Looked After Children

Where children are looked after by the Council, the same distance criteria to their nearest suitable school will apply.

## Learners with Additional Learning Needs (ALN), i.e. a Statement of SEN or an IDP

Transport for children with ALN who do not meet the eligibility criteria will only be funded by the authority:

- to take a child to their nearest suitable or catchment school if he or she has major mobility problems, or
- if a child attends specialist provision (a special school or Specialist Resource Base) which has been approved by Monmouthshire County Council and the school is named in the learners IDP/Statement.

Transport will not be provided for children with additional learning needs (ALN) if the child is attending a school due to parental preference, i.e. a school that is not considered by the Local Authority to be the nearest suitable school. Personal Transport Budgets (PTBs) or petrol expenses to cover mileage expenses are provided in exceptional circumstances and for time limited periods e.g. if there is no existing route. Time is required to commission this.

Free transport is only available to post 16 SEN pupils if they attend a specialist school or Specialist Resource Base (SRB). Free transport is not available to those learners attending further education within a mainstream school.

## Medical Conditions

To qualify for assistance on medical grounds, the learner must be attending their nearest suitable or catchment school.

If a learner's medical needs affect their ability to travel to and from school accompanied as necessary by an adult, parents must provide supporting evidence from their child's consultant. The evidence should detail the difficulties that the learner will experience walking or travelling by public transport.

If transport is granted on medical grounds, the learner's case will be reviewed on an annual basis and up to date evidence on their medical condition will be required at each review. If up to date medical evidence is not provided transport will be withdrawn.

If a parent has a medical condition that prevents them from taking their primary aged children to and from school, discretionary transport may be provided. Parents must provide evidence of their medical condition from their consultant and their child must be attending their nearest suitable or catchment school.

Discretionary transport granted because of a parent's medical condition will be reviewed on an annual basis and up to date evidence of their medical condition will need to be provided for their review. If up to date medical evidence is not provided, then the discretionary transport will be withdrawn.

Discretionary transport will not be provided to secondary aged learners because of a parent's medical condition as it is expected that the

learner will be able to travel to and from school without parental assistance.

## Learners Changing Address During Year 10/11

If a learner changes their home address whilst studying for their GCSE exams in either years 10 or 11, they will be entitled to free home to school transport if they meet the following criteria:

- The school they attend was the nearest suitable or catchment school for their previous address.
- Evidence of their new address
- That their new address is more than 2 miles from their school.

If the learner attends a school that was not their previous nearest suitable or catchment school, they will not be provided with free home to school transport for their new address. If, however their new address does mean that the school they are attending is now their nearest or catchment school they will be able to apply for transport in the normal way.

## Length of the Journey

The Council will ensure that journeys are planned in such a way to minimise travel times. There is also the need however, to maximise limited public resources by maximising vehicle occupancy which may impact on journey times. Where possible, journey travel times will be a maximum of 60 minutes for mainstream secondary aged pupils and 45 minutes for mainstream primary aged pupils. For those learners attending welsh medium, faith or special education settings, journey times may be more than an hour dependent on the location of the education setting.

It may not be possible for all learners to be collected from their home address and

therefore it will be necessary for parents to take and collect their children from designated pick up and drop off points. Every effort will be made to keep this distance as short as possible and it should not exceed 1 mile under normal circumstances.

Parents are responsible for the safe travel and safeguarding of their children from their home to the agreed pick up and drop off points.

If there is no available walking route to the pick-up point, transport will be provided

### Available Walking Routes

All walking routes are assessed based on the Learner Travel Measure and GB Road Safety Guidance.

Walking route assessments will be undertaken by the Councils Road Safety Officer or other suitably qualified person who will consider both the traffic and social risk factors. When undertaking the assessments, it will be assumed that an adult will accompany all primary aged children.

Copies of walking risk assessments will be made available to parents or learners on request.

Requests for routes to be assessed should be made to the Commissioning Team. Any maintenance concerns about an available walking route should be notified to the Commissioning Team on 01633 644777.

### Post 16 Transport

The Council does not provide free transport to any learners over the age of 16 at the start of the academic year, unless specified by a statement of SEN.

Post 16 mainstream learners will have the opportunity to apply for concessionary travel, but this will be dependent on the availability

of seats, that there are no additional financial implications to the Council, no disruption to the transport route and the learner meets the vehicle at a point determined by the transport provider.

Post 16 concessionary seats are not guaranteed to be awarded from the start of the academic year; however, all learners will be notified if a seat is available within 10 working days of the commencement of the academic year. Learners attending Welsh medium or faith schools outside of the County area will be provided with concessionary travel. Applications should be received before the end of June so that transport can be arranged prior to the commencement of the academic year.

If an application is made during the school year, the applicant will be notified if a seat is available within 10 working days. It is the parent's responsibility to ensure that learners are transported to and from school whilst their application is being considered.

If a concessionary seat is awarded, learners will be collected from a specified point that may be different from any previous pick up and collection points and be in excess of a mile, but no further than two miles from their home.

Learners will not be authorised to use a concessionary seat until it has been officially confirmed in writing by the Commissioning Team.

Pupils allocated a concessionary seat midway through a term will be charged per week for the number of weeks remaining in that term. Payment may be paid in monthly instalments via a standing order by contacting the Sundry Debtor Team upon receiving an invoice.

On occasions it may be necessary to withdraw a concessionary seat, if the seat is withdrawn then we will provide 10 working days' notice and parents will be required to make alternative arrangements.

Applications for Post 16 concessionary transport will not be considered for learners who are in arrears for previous concessionary transport. When the arrears are cleared the learner will then become eligible for concessionary travel if a seat is available. Accounts will be checked regularly and where no attempt at payment has been made then we will provide notice that the seat has been withdrawn.

The seat will be awarded for 33 weeks only, however if learners need to travel during the study or exam period they can do so at no extra charge

Refunds will be payable from the date that the Commissioning Team receive written confirmation from the parent that they wish to cancel their child's seat. Retrospective refunds will not be made.

If a Post 16 learner is in receipt of free school meals, they can apply for subsidised travel if they are attending their nearest suitable school.

## Concessionary Travel

Those learners that are not eligible for free transport are able to apply for concessionary travel.

Concessionary seats will be awarded if a vacant seat exists, there is no financial implication to the Council, no disruption to the transport route and the learner is taken to a specified pick up and drop off point as determined by the transport provider. Concessionary seats are not guaranteed to be awarded from the start of the academic year; however, all learners will be notified if a seat is available within 10 working days of the commencement of the academic year. If an application is made during the academic year, the applicant will be notified if a seat is available within 10 working days. It is the parent's responsibility to ensure that the child/children are transported to and from school whilst their application is being considered

The pickup and drop off point may be more than a mile from the learner's home but no further than 1.5 miles for primary aged learners and 2 miles for secondary.

Learners will not be authorised to use a concessionary placement until officially confirmed in writing by the Commissioning Team.

Applications for Post 16 learners will take priority for concessionary seats. If vacant seats remain, concessionary seats will be awarded based on when the application form was received. For one or more applications received on the same date, the learner whose home address measures the furthest walking distance to the educational establishment will take precedence.

On occasions it may be necessary to withdraw a concessionary seat, if the seat is withdrawn then we will provide 10 working days' notice and parents will be required to make alternative arrangements.

Pupils allocated a concessionary seat midway through a term will be charged per week for the number of weeks remaining in that term. Payment may be paid in monthly instalments via a standing order by contacting the Sundry Debtor Team upon receiving an invoice.

Applications for concessionary transport will not be considered for learners who are in arrears for previous concessionary transport. When the arrears are cleared the learner will then become eligible for concessionary travel if a seat is available.

Refunds will be payable from the date that the Commissioning Team receive written confirmation from the parent that they wish to cancel their child's seat. Retrospective refunds will not be made.

## Mode of Transport

Where a learner has been awarded free transport, travel will be in the form of a season ticket for public transport or on dedicated home to school transport.

The Council will always in the first instance seek to provide transport via season tickets on public transport and dedicated transport will only be provided if public transport is not available.

Parents are not able to choose which form of transport or specify vehicles their child will travel on. If a learner does travel on dedicated home to school transport, there is no guarantee that the driver or passenger assistant will stay throughout the learners' academic journey.

There is no guarantee that a learner with special educational needs will automatically receive a passenger assistant in the vehicle provided or be a sole passenger. The provision of passenger assistants is determined by the evidence provided by the learner's consultant or SEN statement.

## Bus Passes

All learners travelling on dedicated transport will require a QR code to travel. This can be downloaded from the Councils Elitech software and parents will be provided with guidance how to do this when they are advised that their application for transport has been successful.

The QR code will need to be scanned by the learner when they embark and disembark a vehicle. A hard copy or digital QR code can be used. If a learner loses their QR code during the day, all drivers have a list of passengers so the learner will still be able to travel if they are on the passenger list. No learner will be able to travel without a QR code or inclusion on the passenger list.

Those learners who have been granted free travel on public transport will be issued a season ticket by the operator prior to the commencement of the academic year.

## Additional Journeys

Transport is only provided to and from the learner's home and school. Transport will not be provided to breakfast or after school clubs or for any journeys required during the school day.

Where a learner is taking part in an induction process or has a reduced school schedule, transport will not be provided, and parents will need to make their own arrangements. Transport will not be provided where a learner needs to leave school prior to the end of the school day for sickness or to attend medical appointments.

If a family must reside in a temporary address, transport will not normally be provided. If there are however exceptional circumstances, e.g. the learner is in years 10 and 11 discretionary transport may be provided.

## Right to Withdraw Transport

Where it becomes evident that free transport has been provided in error, the Council has the right to withdraw the transport with 21 days' notice.

Where circumstances change with the walking route measurement or assessment during an academic year, the free transport will be withdrawn at the end of the academic term.

Where concessionary transport has been awarded and the seat is subsequently no longer available e.g. it is required for a pupil eligible for free transport or the contract is terminated, the pass will be withdrawn with 10 days' notice.

## Behavioural Issues

The safety of all learners travelling on home to school transport is paramount. If a learner misbehaves, the Council reserves the right to withdraw the transport provision. Whenever the Commissioning Team is made aware of an

incident on home to school transport they will liaise with schools and the Education Directorate to investigate the incident. Where necessary warning letters and or email correspondence will be sent to the parents of learners who misbehave, cause damage to a vehicle, threaten or cause injury to passengers or drivers / passenger assistants or behave in such a way that might jeopardise safety. Home to school transport may be withdrawn from the learner on a temporary or permanent basis in accordance with the Learner Travel Operational Guidance. The Council also reserves the right to either suspend or cancel transport for learners where drivers or passenger assistants have received verbal abuse or been physically assaulted by parents or guardians. In such cases the victims will be encouraged to report such actions to the police and any other necessary authorities.

Where transport is withdrawn, parents are responsible for ensuring that their child gets to school.

## Personal Transport Budgets

The Council may choose to offer parents a personal transport budget (PTB), where it is the most cost-effective solution for the Council to meet its statutory duties. It will not automatically be provided and will not be granted where existing suitable transport is in operation.

The PTB is a payment designed to reimburse parents for the costs incurred in providing transport for their children. The payments are made directly into the parent's bank account monthly. The PTB will be calculated based on the driving distance between home and school (by using a Digital Information Mapping System), from the point your property meets the adopted highway to the nearest available entrance to the school. In addition, a calculation will be undertaken to determine the usual time it takes to travel from your home to the school and back again.

Payments to parents will be calculated on a daily rate which includes the travel time and mileage for two journeys to the school and back. Reimbursement rates will be confirmed prior to the commencement of the transport arrangement

Payments will be made to parents as follows:

September: Full Monthly Payment based on the completion of all school days for the calendar month.

October to July – The Commissioning Team will contact the school to confirm any learner absences in the preceding month. If a learner has been absent the monthly payment will be reduced to reflect the days where travel has not been incurred.

There will not be any additional allowance for delays due to traffic conditions.

The ALN team may determine that a petrol allowance will be the most appropriate reimbursement method and will advise parents / carers prior to the commencement of transport.

## Unforeseen Circumstances

If a transport operator is unable to provide transport due to an emergency or unforeseen circumstance, the Commissioning Team will try to secure alternative transport provision. If, however alternative transport cannot be provided, parents will be contacted and asked to take their children to school. If parents agree they will be reimbursed for the mileage incurred at the rate of 65p a mile following the submission of a completed claims form.

## Complaints Process

Only complaints received in writing from parents or learners will be investigated by the Council. Complaints should be made to:

[passengertransportunit@monmouthshire.gov.uk](mailto:passengertransportunit@monmouthshire.gov.uk)

The Commissioning Unit will acknowledge the complaint within 5 working days and respond within 10 working days. There may be occasions where we will need to take longer than 10 working days and we will advise you when this happens and provide a timescale as to when you will receive a response.

If a complaint is upheld, appropriate steps will be taken to remedy the issue as soon as is practicable.

## Appeals Process

If an application for free transport is refused a parent can appeal the decision using the following process:

### Stage 1

The parent should complete an appeal form which can be obtained from the Commissioning Team by emailing:

[passengertransportunit@monmouthshire.gov.uk](mailto:passengertransportunit@monmouthshire.gov.uk)

or calling

01633 644777

The appeal form should be returned to the Commissioning Team with supporting evidence. Their appeal will be considered by the Commissioning Manager and they will receive a formal response within 21 working days.

### Stage 2

If the parent is not satisfied with the appeal decision, they can refer the matter to the Head of Decarbonisation, Transport & Support Services. The Head of Service will consider the appeal and any supporting information against the Councils Home to School Transport Policy and the Learner Travel (Wales) Measure.

A response will be provided within 21 days. If the appeal is rejected, there will be no further right of appeal.

If the parent is dissatisfied with the decision process and believes that they have not been treated fairly and in accordance with the Councils Home to School Transport Policy, they can make a formal complaint by contacting.

[feedback@monmouthshire.gov.uk](mailto:feedback@monmouthshire.gov.uk) or calling 01633 644644.