



**OXFORDSHIRE  
COUNTY COUNCIL**

# **Home to School Travel and Transport Policy 2025/26 onwards for Reception to Year 11**

## **DRAFT FOR CONSULTATION**

Transport policy statement for Home to School Travel and Transport  
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## Introduction

- 1.1 This document describes the policy for home to school travel assistance and the criteria applied to determine eligibility.
- 1.2 The Policy has been developed in accordance with the legislative framework set out in sections 508A, 508B, 508C, 508D and 509AD and Schedule 35B of the Education Act 1996 (as amended by Part 6 of the Education and Inspections Act 2006), the current Government Home-to-school travel guidance. and, where appropriate, the Equality Act.
- 1.3 Parents have a legal duty to make necessary arrangements to ensure that their statutory aged children attend school regularly. The council is only required to provide free school travel assistance to children resident within the administrative area of Oxfordshire County Council. if the school transport eligibility criteria are met.
- 1.4 Home to School travel assistance aims to:
  - support those most in need
  - promote principles of independence
  - provide the most cost-effective travel assistance
  - promote and encourage the use of sustainable travel
- 1.5 As a Council, we expect the service delivered to be of a high standard. All children and young people who travel under this Policy can expect that those standards will be monitored and maintained. In this policy we have referred to children of statutory school age (5-16 years) as “pupils”, and those over statutory school age as “students”.
- 1.6 The Education Act 1996 provides the following duties and powers on local authorities:
  - duty to promote sustainable modes of travel to meet school travel needs - s.508A
  - duty to make necessary travel arrangements free of charge to secure suitable home to school travel arrangements for eligible children. Eligibility includes age, distance to school, special educational needs, a disability (SEND) or mobility problems and safe walking routes - S.508B
  - power to make necessary school travel arrangements for other children on payment of a charge as appropriate - s.508C
  - power to provide travel assistance or travel expenses for children attending early years education, subject to eligibility criteria - s.509A
  - duty to prepare a Post-16 transport policy statement setting out transport provision and financial assistance (where applicable) to facilitate attendance of sixth form students at educational institutions - s.509AA and s.509AB
- 1.7 Those who are not resident in Oxfordshire are advised to contact their own home local authority for details of any policy that their local authority may have regarding home to school/college transport.

## Home to School Transport Eligibility

## **Under Statutory school age (0 to 4 years) Eligibility for Travel Assistance**

- 2.1 Free and subsidised transport **is not automatically provided to children of pre-school age** who attend an Early Years settings or school, Travel arrangements for a child attending a nursery provision the responsibility of a child's parent.
- 2.2 In exceptional circumstances the Council will consider providing travel assistance for any child who will turn 5 within the term that the application is made, subject to them meeting the transport eligibility criteria and the Council completing a travel needs assessment. Each case is considered individually therefore parents should not assume automatic entitlement.
- 2.3 A child with an EHCP attending a mainstream or specialist nursery can bring their case to the Transport Exceptions Panel to be considered for travel assistance, as long as the placement is the nearest suitable setting. If travel assistance is offered, this is likely to be in the form of a Direct Travel Payment, subject to a consideration of a family's ability to make suitable transport arrangements for their child's journey to nursery.
- 2.4 If it is determined by the School Transport Eligibility Team that once the child is 5 they will meet the eligibility criteria for home to school transport, A child with an EHCP attending a reception class before they turn 5 may be transported during the term that they are due to turn 5, providing there is existing transport running from the child's home area to the educational setting. This is subject to the Council completing a travel needs assessment.
- 2.5 If it is determined by the School Transport Eligibility Team that a child with an EHCP attending a reception class would be eligible to receive Council funded home to school travel assistance once they turn 5, then we would consider providing travel assistance if the child needs it before the age of 5. This would be the case even if there was no existing transport provision running from the child's home area to the educational setting. These cases can be brought to the Transport Exceptions Panel for consideration.
- 2.6 If travel assistance is offered, this is likely to be in the form of a Direct Travel Payment subject to a consideration of a family's ability to make suitable transport arrangements for their child's journey to school.

## **Statutory school age (5 to 16 years - Mainstream and SEND)**

- 2.7 Statutory school age begins with the start of term following a child's 5th birthday and ends on the last Friday in June in the academic year in which they turn 16. Children of statutory school age need to attend a school or educational setting on a full-time basis; this is defined as 190 days (or 380 sessions) each academic year.
- 2.8 There are 4 categories of statutory school age students living in Oxfordshire and attending their nearest suitable school who are eligible for Council funded travel assistance:
  - children who live beyond the statutory walking distance
  - children from low income families (where extended rights apply – see section 2.25)
  - children whose walking route to school is unsafe

- children with Special Educational Needs (SEN), a disability or a mobility difficulty
- 2.9 The nearest suitable school is defined as ‘the nearest qualifying school with places available that provides education appropriate to the child's age, ability, aptitude, gender and any special educational needs they may have’. A ‘qualifying’ school is:
- a maintained school or nursery, or a special school approved under s.342 of the Education Act 1996
  - a pupil referral unit or Alternative Education Provision
  - an academy
- 2.10 Where a child has an EHCP, the school named in the EHCP will normally be considered to be their nearest suitable school.
- 2.11 The nearest suitable school used for the transport eligibility assessment may not be the same as the catchment school or nearest school for admissions purposes.
- 2.12 Where at least 20% of addresses are nearest to the catchment/designated area school and the rest are nearest to another school, free transport will be provided to the catchment school for all addresses if the distance is beyond the “statutory walking distance” or there is no safe walking route. This is referred to as the ‘al village’ entitlement. This additional entitlement applies to all children of the relevant age for the schools concerned and applies whether a child does or does not have an EHCP. A list of the villages affected can be found under ‘Villages’ on at [www.oxfordshire.gov.uk/schooltransport](http://www.oxfordshire.gov.uk/schooltransport) .
- 2.13 When school applications are processed, where a preference is expressed for and a place is offered at the nearest suitable school, and this school is out of county, then this is considered in the school transport eligibility assessment.
- 2.14 When determining the nearest suitable school for transport purposes, the assessment does not take into account whether a child is qualified for grammar school. Therefore, the nearest suitable school may be an upper/all-ability school. In these instances, if a child chooses to attend a grammar school further away, Council funded transport will not be provided to that school.
- 2.15 Parents/carers should always express a preference for their nearest suitable school on their application. The School Transport Eligibility Team will determine places available and therefore families do not need to be concerned about whether their child is likely to secure a place at the nearest suitable school.
- 2.16 ‘Places available’ does not apply to admissions to Special Schools or Additionally Resourced Provision.
- 2.17 Parents are not required to name the nearest suitable school as their first preference when they make their school application, but it must be listed as their first preference if they want to be considered for transport. If a place cannot be offered a place at the nearest suitable school, then transport could be provided to the next nearest school.
- 2.18 If parents do not express their nearest suitable school as one of their preferences, and instead choose a place at a school which is not the nearest suitable school, the pupil will not be eligible for Council funded travel assistance unless the

extended rights apply (see section 2.25 – 2.30).

## **Statutory Walking Distances**

- 2.19 The statutory walking distances are used to determine whether a pupil is eligible for Council funded travel assistance. The statutory walking distances are as follows:
- up to 2 miles (if below the age of 8)
  - up to 3 miles (if aged between 8 and 16)
- 2.20 The statutory walking distance is measured along the shortest route along which a child, accompanied by a responsible adult, may walk with reasonable safety. The route may include footpaths, bridleways, and other pathways, as well as recognised roads. All such routes need to be open to the public. Even where the distance is calculated to have been longer than the statutory walking distance it will still be measured using this method.
- 2.21 If the distance between home and the nearest suitable school is more than these limits, the pupil is eligible for Council funded travel assistance. Pupils who live beyond the statutory walking distance may be required to use public transport and in these cases the Council will provide a bus or train travel pass in order for them to use the relevant public transport service.
- 2.22 Where a pupil lives within the statutory walking distance of their nearest suitable school and is not eligible for Council funded travel assistance on any of the other grounds set out in this policy, the parent/carer is responsible for making suitable arrangements for their child's travel to school.
- 2.23 If issues are raised over the possible safety of a walking route the School Transport Eligibility Team will arrange for an initial assessment and, if necessary, a full assessment by a member of the Road Safety Team.
- 2.24 For pupils who fall within the 'Extended Rights' eligibility criteria the 6 mile and 15 mile upper limits are not walking routes. These routes are those which are passable using a suitable motorised vehicle. In short, the two upper limits will be measured along road routes.

## **Extended rights for pupils from low income families**

- 2.25 A pupil may be eligible for extended rights under the 'low income' provisions. The Council defines low income families as those where a child receives free school meals because their parents or carers receive at least one of the benefits listed below:
- Income Support
  - Income-based Jobseeker's Allowance
  - Income-related Employment and Support Allowance
  - Child Tax Credit – provided their parents/carers are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190
  - Universal Credit - if they apply on or after 1 April 2018 their household income must be no more than £7,400 a year (after tax and not including any benefits they get)
  - The guaranteed element of Pension Credit
  - Support under Part VI of the Immigration and Asylum Act 1999

- 2.26 If the pupil is not entitled to free school meals, another benefit that is accepted is entitlement to the maximum level of Working Tax Credits. This means that there is no reduction due to income in the Working Tax Credits elements section of their HM Revenue & Customs award notice for the current tax year and their annual income is no more than £16,190.
- 2.27 Where extended rights apply, pupils aged 8 to 10 from low income families who live more than 2 miles (rather than 3) from their nearest suitable school become eligible for Council funded home to school travel assistance.
- 2.28 Secondary school age pupils from low income families who attend schools between 2 and 6 miles from their home will be eligible for Council funded home to school travel assistance even if the school they attend is not their nearest suitable school, providing it is one of the three nearest schools which the pupil is qualified to attend (for example a mainstream pupil is not qualified to attend a special school even if it is one of the three nearest schools and therefore it would be discounted).
- 2.29 Secondary school age pupils from low income families who attend a school between 2 miles and 15 miles away from home will be entitled to Council funded home to school transport if their parents/carers have expressed a wish for them to be educated at that particular school based on the parents/carer's religion or belief and, having regard to that wish, there is no nearer suitable school. This applies to parents/carers with a particular religious or philosophical belief, including those with a lack of religion or lack of belief.
- 2.30 When assessing whether a child lives within the 6 or 15 mile upper limits, the Council will measure road routes only.

### **Pupils whose route to school is unsafe**

- 2.31 A pupil is eligible for Council funded travel assistance if they attend their nearest suitable school, and
- it is within the statutory walking distance of their home, and
  - the nature of the route means they could not be expected to walk there in reasonable safety, even if accompanied by their parent/carer, and
  - there is no alternative route within the statutory walking distance that they would be able to walk in reasonable safety, even if accompanied by their parent/carer.
- 2.32 All walking routes are assessed by the Council in accordance with the Road Safety GB and RoSPA (Royal Society for the Prevention of Accidents) guidelines. The Council will assess the route at the times the pupil would be using it and will consider:
- The age of the pupil
  - whether risks might be less if the pupil were accompanied by their parent/carer
  - the width of the road and the existence of pavements
  - the volume and speed of traffic
  - the conditions at different times of the year
- 2.33 Where a route previously assessed as unsafe is reassessed and determined to be safe (for example by reviewing the route, through route improvements, upgrades or maintenance, the building of new footpaths or installing pedestrian crossings, etc.) the transport eligibility for all pupils who are using the previously assessed



unsafe walking route will be reviewed. Pupils who are no longer eligible once the route is reassessed as safe will be given a minimum of one half term's notice before Council funded travel assistance is withdrawn. It will then be the parent/carer's responsibility to make suitable travel arrangements for their child.

- 2.34 It is clear from relevant case law that assessments must look at the relationship between pedestrians and traffic only and that personal safety/security issues of children travelling alone should not be considered. Therefore, routes are assessed in terms of road safety rather than personal safety/security in any other sense.
- 2.35 The assessment carried out is a road safety assessment. This assessment does not include the weight of the bags carried by an individual, the local weather conditions, temporary surface conditions such as mud or puddles, the presence of uncut hedges, difficult terrain and the arduousness of the route or whether the accompanying responsible adult will also have a younger child or pram with them.
- 2.36 If a footway is over ½ a metre in width the footway is classed as an available route.
- 2.37 If a footway is less than ½ a metre in width then traffic volumes and speeds are included in the assessment to determine whether the footway is an available route.
- 2.38 Even if there is not a footway, the walking route will still be assessed as available if it is safe to walk, accompanied, as necessary, by a responsible adult. The assessment will take account of traffic flows and whether drivers have enough time to slow down or pedestrians have time to step-off the road or verge. It is the responsibility of a parent to ensure that a child is accompanied as necessary on the walking journey to school.
- 2.39 No walking route can be absolutely safe. The term used in the Road Safety GB guidance to describe the accepted standard is "reasonable safety".
- 2.40 Assessments will usually take place in the morning during the times children will be travelling to school and assessments may also be undertaken when returning home in the afternoon. Visits will be timed, where possible, so that crossing assessments of main roads take place at the times when the number of children travelling to school is highest.

### **Transport to schools that are not the nearest**

- 2.41 If a place cannot be offered at the nearest suitable school when this has been expressed as the preference school, then travel assistance to the next nearest suitable school will be offered. Where the Council allocates a school place which is not a preference, we will only consider providing Council funded travel assistance if the nearest suitable school was expressed the 1st preference.

### **Split Site Schools**

- 2.42 In the case of split site schools, as with all other schools, when assessing whether a child should receive free travel because of the walking distance to that school, the distance will be measured to the site they initially attend. This decision will not be reviewed because a child subsequently moves to a different site of the same school.
- 2.43 The following Oxfordshire secondary schools currently have split sites:
- The Cherwell School

- King Alfred's Academy
- Lord Williams' School
- Heyford Park School

### **Home to school transport provision in specific circumstances**

- 2.44 There may be specific circumstances where Council funded travel assistance could be provided. These are provided at the Council's discretion .
- 2.45 Parents/carers of pupils who do not meet the eligibility criteria above, may have reasons why they think their child should be provided with travel assistance which they want the Council to consider. The Council has a 2 stage appeal process for parent/carers to challenge decisions about transport eligibility.
- 2.46 Each appeal must be made in writing. The appeal will be considered and transport may be provided at the discretion of the Council.
- Discretionary assistance will be:
  - dealt with on a case-by-case basis
  - granted for a set period of time
  - is subject to review more frequently than other circumstances
  - may cover the whole cost of transport provision or be a contribution to the cost of the travel assistance

### **Criteria for home to school transport for pupils with Special Educational Needs and Disabilities (SEND) or mobility issues**

- 2.47 Pupils who have SEND or mobility issues may require assistance with getting to school or to another educational setting. This may be over and above the provision made for other pupils. Pupils with SEND who attend their nearest suitable school/setting and satisfy the distance, unsafe walking route or low income assessment criteria set out above are eligible for Council funded travel assistance.
- 2.48 Having an Education, Health and Care Plan (EHCP) does not automatically mean that a child will be eligible for travel assistance.
- 2.49 A pupil with an EHCP will not usually be provided with Council funded travel assistance unless they meet the statutory eligibility criteria, or they live within the statutory walking distance limits and the pupil has a special educational need, disability or mobility issue which prevents them from walking to school in reasonable safety, even if accompanied.
- 2.50 The Council considers the individual needs of pupils, including professional advice, and will consult with parents/carers and teachers about travel needs and assistance. Where appropriate the pupil will also be consulted.
- 2.51 The Council will take the following into account when determining eligibility for transport assistance for pupils with SEND:
- distance to nearest suitable school
  - medical needs
  - behaviour that challenges, impacting on reasonable safety
  - mobility issues
  - whether the pupil is able to walk to school in reasonable safety if accompanied by their parent/carer
  - vulnerability (including age, young parents and those at risk of

- disengaging from employment, education or training)
- low income family criteria
- practicality

This list is for guidance only, and satisfying one or more of these factors does not automatically support entitlement to Council funded travel assistance.

- 2.52 When determining the most appropriate type of travel assistance for pupils with SEND, the Council will consider the following:
- age of the pupil
  - nature and severity of the pupil's SEND
  - availability of public transport
  - length and nature of the journey
  - most cost-effective mode of transport
  - safety of handover arrangements
  - travel training readiness
  - pupil's ability to use public transport independently
- 2.53 Parents of pupils with EHCPs may, in certain circumstances, be given the option of a personal budget to meet some or all of the provision detailed in the Plan and special transport will be an element of the personal budget.
- 2.54 A parent will be formally notified, in writing, of the travel arrangements that the Council believes to be appropriate. At that point the parent may appeal against the mode of transport decided upon through the normal transport appeal process set out in this document. The first stage of this process is to request a review from the School Transport Eligibility Team. Prior to any appeal the Council will only make available the transport decided upon in the assessment. The result of any transport appeal is binding on the Council.

### **Elective Home Education**

- 2.55 Where parents/carers decide to provide Home Education for their children instead of sending them to a school, this is called elective home education (EHE). In the case of EHE, no assistance will be available from the Council in connection with any transport need arising.

### **Education other than at school (EOTAS)**

- 2.56 Education other than at school (EOTAS) must be agreed by the Council. Where the Council arranges for a pupil/student to have education other than at a school, the Council may consider transport subject to the normal eligibility criteria as detailed in section Criteria for home to school transport for pupils with Special Educational Needs and Disabilities (SEND) or mobility issues of this Home to School Transport Policy. Circumstances will be reviewed and agreed on a case-by-case basis.

### **Alternative Education Provision**

- 2.57 Where a pupil's placement has broken down and the pupil continues to be maintained on the school roll (of the pupil's original school) pending next placement but attends an Alternative Education Provision to ensure continued access to education (similar to S61/S19) then assistance with travel may be agreed to the nearest suitable provision.

- 2.58 Both the school and the council must agree and confirm that the original placement has broken down, and this is confirmed by both the school and the council. Any support with travel in these circumstances will be reviewed and agreed on a case-by-case basis in consideration of the established eligibility criteria for Home to School Transport assessments.

## **Looked After Children (under the care of the Council - all ages)**

- 2.59 The Council is committed to supporting those most in need, ensuring that travel assistance is available to those who require it. It is recognised that Looked After Children face specific challenges and barriers to achieving their full potential, and as corporate parents we are committed to reducing those barriers.
- 2.60 For Looked after Children under our care, transport will be provided as follows:
- if a Looked After Child is educated at a school that is not the nearest suitable school for less than one term, transport will be provided by the Council for this period
  - if a Looked After child is educated at school that is not the nearest suitable school for more than one term, transport will be provided by the Council for one term. During this term it is expected that an application will be made to the nearest suitable school, unless there are exceptional circumstances as to why the pupil should not move to this school. The view of the Head Teacher of the Virtual School will be taken into account when senior officers consider any exceptional circumstances

## **Non-statutory school age (16 to 25 years - Mainstream and SEND)**

- 3.1 Under national legislation, students are required to be in education, employment or training until their 18th birthday. This could involve staying in full-time education in school/college, starting an apprenticeship or traineeship, or spending 20 hours or more a week working or volunteering while in part-time education or training. There has not, however, been any change to statutory school age which ends at the end of the academic year in which the student turns 16.
- 3.2 Under the current law, there is no automatic entitlement to Council funded transport from home to school or to another educational setting once a student is 16 and over. However, the Council is required to facilitate the attendance of all those of sixth form age i.e. those students over compulsory school age who started their programme of learning before their 19th birthday. This may involve travel assistance but the Council does not need to provide this assistance free of charge. Responsibility for attendance lies with the student and their parents/carers.
- 3.3 Where a student with SEND starts a new course at aged 19 or older, any transport assistance which is necessary to facilitate attendance must be free of charge i.e. fully Council funded, as they are Adult Learners. More information is provided in our Post-16 Transport Policy Statement.

## **Post-16 Transport Policy Statement**

- 3.4 The Council has a duty to prepare and publish an annual Transport Policy Statement. This statement specifies the arrangements for transport that the Council considers it necessary to make in order to facilitate the attendance of sixth form students receiving education or training.

- 3.5 The Post-16 Transport Policy Statement includes information on:
- fares, Passes and Travel Cards
  - travel options for mainstream students including the Spare Seats Scheme
  - travel assistance for students with SEND
  - financial hardship
  - bursaries
  - independent Travel Training
- 3.6 This Post-16 Transport Policy Statement takes account of the Special Educational Needs and Disability Code of Practice 0 to 25 years.

### **Support for students with SEND 19-25 years**

- 3.7 The Council outlines the support available to students aged 19 to 25 with SEND in the Post-16 Transport Policy Statement described above.

## **Application and Review Process**

### **Application process**

- 4.1 For enquiries about school transport eligibility for pupils/students with EHCPs please contact the School Transport Eligibility Team.
- 4.2 For all other pupils, school transport eligibility is assessed and confirmed by the School Transport Eligibility Team. Enquiries about school transport eligibility can be made using the School Transport Eligibility Team 'Contact us' form.
- 4.3 Pupils/students without an EHCP do not normally need to apply for free home to school transport. Eligibility will be checked when a school place is offered. Where you have either applied to a school directly, moved to a new home address, or if there has been a change in your circumstance, then you will need to contact the School Transport Eligibility Team to apply directly for assistance.

### **Review process**

- 4.4 Provision of travel assistance at any one time does not guarantee that this will be an ongoing arrangement, and the requirement will be reviewed by the Council on a regular basis.
- 4.5 All pupils/students who receive travel assistance will be subject to review:
- at the end of Year 3 in which the pupil attains the age of 8 years;
  - at the end of Year 6;
  - following the successful completion of Independent Travel Training;
  - following a change in circumstances.
- 4.6 If during the course of any school year the Council determines that the provision of home to school transport does not need be provided any longer, it will stop at the end of the term in which the decision is made.

## **How to challenge a decision**

### **Concerns about transport arrangements**

- 4.7 Transport arrangements are based on the Council's assessment of the young person's individual transport needs and relate to how their transport is delivered.

Examples include the type of vehicle, number of passengers, use of a passenger assistant.

- 4.8 If you have a concern about your child's transport arrangements, you should contact Supported Transport in the first instance. If your concern is not resolved, view section How to make a Home to School Transport complaint.

#### **Appeals about transport eligibility**

- 4.9 Transport eligibility relates to whether the child or young person:
- has a legal right to have transport provided, or,
  - meets Oxfordshire Council's criteria for exceptional reasons to have transport provided
- 4.10 The Council has a 2 stage appeal process for young people and parents/carers to challenge a decision about transport eligibility.

#### **Stage 1 – Review by a senior officer/officer panel**

- 4.11 Parents/carers have 20 working days to request a review of our decision about home to school transport eligibility or provision. Parents/carers should write to us, detailing why the decision should be reviewed, giving details of any personal/family circumstances and include all supporting evidence to be considered, for example, evidence from a medical professional. In most cases the parent/carer will be asked to complete a form for further information. The parent/carer will receive an acknowledgement when we have received their written request for a review.
- 4.12 The parents/carers of pupils/students should write to the School Transport Eligibility Team using the School Transport Eligibility 'Contact us' form.
- 4.13 The decision will be reviewed by a senior officer or via the Transport Exceptions Panel. The Transport Exceptions Panel meet throughout the year and is made up of officers from Children's Services, the Support Transport team and Integrated SEND teams.
- 4.14 Within 20 working days of receipt of their written request including all supporting evidence, parents/carers will be advised in writing of the appeal decision.

#### **Stage 2 - Review by an Independent Appeal Panel**

- 4.15 Parents/carers have 20 working days from receipt of our Stage 1 appeal decision notification letter to write to ask for it to be reconsidered at Stage 2, which is a review by an Independent Appeal Panel. Details of where to send the Stage 2 request will be included on the Stage 1 appeal decision letter. Within 40 working days of receipt of the parents/carers Stage 2 request, an Independent Appeal Panel will consider written and verbal representations from both the parent/carer and officers involved in the case. The Independent Appeal Panel will give a detailed written notification of the outcome within 5 working days of the panel meeting.
- 4.16 The Independent Appeal Panel is made up of officers who have experience and knowledge of transport issues. These officers are independent of the original decision making process.

#### **Stage 3 - Complaint to Local Government and Social Care Ombudsman**

- 4.17 Parents/carers can complain to the Local Government and Social Care Ombudsman only if they consider that:

- there was a failure to comply with the procedural rules
- if there are any other irregularities in the way the appeal has been handled

4.27 For further information contact the School Transport Eligibility team.

## **Types of travel assistance**

5.1 The travel assistance offered by the Council may take the form of:

- a public bus or train travel pass
- Independent Travel Training
- a Direct Travel Payment
- a Council arranged coach/bus service
- a Council arranged minibus
- a Council arranged shared taxi
- a Council arranged solo taxi, based on a travel needs assessment undertaken by the Council
- Passenger assistant support, based on a travel needs assessment undertaken by the Council
- Other alternative assistance based on needs/circumstances (case by case)

5.2 In order to determine the most appropriate travel option for pupils/students and the most cost effective means of travel assistance, the Council will use a range of criteria.

5.3 In exceptional circumstances, considered on a case by case basis, a Direct Travel Payment may be offered to the parent/carer of mainstream (non-SEND) pupils who are eligible for Council funded travel assistance, as an alternative to Council organised transport. However, in these instances Council funded and organised travel assistance is always available if this is the preference.

## **Direct Travel Payments and Mileage claims for pupils with SEND**

### **Direct Travel Payments**

5.4 The Families of pupils/students of all ages with SEND who are eligible for transport can apply for a Direct Travel Payment. This is awarded at the Council's discretion to support the pupil to travel from home to their school or educational setting.

5.5 A Direct Travel Payment is paid on the assumption that a pupil of statutory school age attends their school/educational setting 190 days a year (as determined by the government definition of a school year); or for students who are over 16 years old, that they attend a full-time programme of learning that is at least 540 guided learning (planned and funded) hours per year.

5.6 If a pupil or student receives a Direct Travel Payment part way through the school year, or attends school or learning on a part-time basis, the total payment is on a pro rata basis to account for the reduced amount of time that a parent/carer would be responsible for transport arrangements.

### **What is a Direct Travel Payment?**

5.7 A Direct Travel Payment allows families to have the freedom and flexibility to make their own travel arrangements rather than travelling on Council organised transport. A Direct Travel Payment is awarded at the discretion of the Council. It is a sum of money to support the pupil or student to travel from home to their school

or educational setting. It is not a short-term alternative while a transport application is being processed.

- 5.8 A Direct Travel Payment could be used in many ways, including:
- to pay for fuel and/or running costs on a family vehicle that is used to transport a pupil or student to school/educational setting
  - lease a vehicle to use if the family don't have one
  - paying for a shared taxi with other pupils or students
  - paying for another person to take a sibling to school to free a parent/carer up to transport the pupil or student with SEND
  - buying travel passes for other children in the family so that they can travel to and from school, allowing the parent/carer to transport the pupil or student with SEND
  - paying for childcare for another child to allow a parent/carer to take the pupil or student with SEND to school/educational setting
  - working with the school to join up transport options with other parents (for example car share), encouraging a sense of community
  - A Direct Travel Payment allows families to have the freedom and flexibility to make their own travel arrangements rather than travelling on Council organised transport. A Direct Travel Payment is awarded at the discretion of the Council. It is a sum of money to support the pupil or student to travel from home to their school or educational setting. It is not a short-term alternative while a transport application is being processed.
- 5.9 Direct Travel Payments can be used for any non-Council provided transport service. This means for, example, a public transport bus pass, commercially-provided closed school bus pass or rail pass. A Direct Travel Payment cannot be used for Council organised transport services, for example the Council's Spare Seats scheme or to pay for Council arranged transport for an annual fee.
- 5.10 All eligible pupils or students for whom a Direct Travel Payment request is made will have their application assessed. We will take into consideration any cost to the Council of arranging the transport and will make a best value assessment based on the cost of council arranged transport as well as the specific needs of the pupil/student.

#### **Conditions of use for Direct Travel Payments**

- 5.11 If a parent/carer uses the Direct Travel Payment to employ someone (for example for childcare), then they will be responsible for complying with relevant rules regarding Tax and National Insurance, Employment Law, Insurance, Health and Safety or any other relevant rules or legislation in force at that time. In addition, parents/carers should make relevant and appropriate checks on whether employed staff have current Disclosure and Barring Service (DBS) certificates; and parents/carers should arrange or pay for those checks if directly employing an individual who doesn't have one.
- 5.12 Similarly, if a parent/carer uses the Direct Travel Payment to enter into contracts with organisations for example after school/extra-curricular clubs, or individuals, the parent/carer would be responsible for complying with the terms and conditions of those contracts. This may include payment arrangements or notice of cancellation.
- 5.13 All children with an Education, Health and Care Plan in the same family would be considered when agreeing the amount awarded via a Direct Travel Payment.



There may be some circumstances where it is appropriate for a family to have one child travelling on Post-16 SEND Council arranged transport (and paying an annual fee), while the other child has a Direct Travel Payment. Where this is an appropriate arrangement, this would be discussed with the family. Where a pupil or student attends more than one educational setting, their eligibility for a Direct Travel Payment to each setting will be assessed separately.

- 5.14 Regular and proportionate checks will be carried out to ensure that Direct Travel Payments are used appropriately, in accordance with the Council's Direct Travel Payment agreement with the parent/carer.
- 5.15 A Direct Travel Payment may be withdrawn in some circumstances or a reduction in the payment amounts made, including if:
- a pupil/student's attendance falls below 90% (this aligns with the government definition of "Persistent Absence" in school-age children which is an absence rate of 90% and below) - it would be recognised that attendance for some pupils may be affected by their medical needs, and the details and evidence of this will be taken into consideration in determining whether to withdraw, reduce or reclaim a Direct Travel Payment
  - a pupil/student regularly arrives late at their educational setting in the mornings or in an unfit state to learn
  - a Direct Travel Payment is not being used appropriately
  - it is not cost-effective for the Council to continue providing the Direct Travel Payment
  - it has been assessed that the pupil/student is no longer eligible for travel assistance
  - there is a change to national legislation and/or the Council's policies

#### **Agreeing the amount of Direct Travel Payments**

- 5.16 To determine the appropriate Direct Travel Payments amount, the following factors, alongside discussion with the family, will be considered:
- the special educational needs and disabilities of the pupil/student
  - the travel distance as measured by the Council
  - how the pupil/student might travel to their educational setting
  - the time the journey takes
  - whether the pupil/student is able to travel alone or if they need to be accompanied
  - the age of the pupil/student
  - whether any specialist equipment might be required
- 5.17 The standard amount that would be awarded with a Direct Travel Payment (DTP) based on the straight-line distance (using the Council's transport software system) between the pupils home and their main school and calculated based on the mileage band. It is expected the value of the DTP will support the cost of two return journeys per day of attendance at their educational setting (i.e. all four legs of the journeys). Any variation to the standard amount will be considered as part of the pupil/student's travel assessment. As a Direct Travel Payment can be used in many ways there is no expectation that the parent/carer will use the same route as measured by the Council.
- 5.18 Where a pupil receives a DTP partway through the academic year, the total payment will be offered on a pro rata basis to account for the reduced timescale

that the parent/carer will be responsible for transport arrangements.

- 5.19 Where a pupil is accessing education on a part-time basis, or they are making use of boarding facilities, their DTP payments will be offered on a pro rata basis to account for the reduction in journey frequency.
- 5.20 There might be circumstances where a Direct Travel Payment is not appropriate. This could include where the Council can arrange transport at a lower cost and would take into account the specific needs of the pupil/student. This will be assessed as part of the application process. The Council will make the final decision based on all the available information.
- 5.21 More detailed information on mileage banding and Direct Travel Payment values can be found on our [Direct Travel Payment webpage](#). Banding and values are reviewed annually and updated accordingly to ensure ongoing sustainability and value for money.

#### **Mileage allowance for pupils/students with SEND**

- 5.22 Direct Travel Payments have replaced mileage allowance. However, there may be exceptional circumstances where a mileage allowance could be offered. These are assessed and offered to parents/carers on a case-by-case basis.

### **Sustainable modes of travel**

- 5.23 The Council has a Sustainable Modes of Travel Strategy.
- 5.24 School Travel Plans identify, and address congestion, safety, health and environmental issues associated with car use on the school journey.
- 5.25 Schools may organise campaigns and projects, run initiatives and events and promote activities to reduce single occupancy car use for the journey.

### **Spare Seats Scheme**

- 5.26 The Council contracts with companies to provide school bus transport for pupils who are eligible for Council funded transport. Spare seats on these vehicles may be sold where there are seats remaining after the allocation of seats to eligible pupils have been made. More information about the Council's Spare Seat Scheme can be found on our website.
- 5.27 Spare seats on Council provided transport are extremely limited. All purchased seats are subject to the seat being withdrawn with 5 working days' notice if it is required for a pupil who is eligible.
- 5.28 Where free travel is provided or a seat is purchased through the Spare Seat Scheme, travel is provided for attendance at the beginning and end of the school day only and not for extracurricular activities. This applies both to children who have an Education, Health and Care Plan and those who do not have such a plan.
- 5.29 On routes where spare seats are available and where applications are received by the advertised deadline, spare seats will be prioritised and allocated in the following order
- renewal applications

- looked After Children or former Looked After Children who have been adopted
  - pupils/students with Special Educational Needs and Disabilities (SEND) who have an Education, Health and Care Plan (EHCP)
  - children of Armed Forces personnel - in line with our duty as part of the Oxfordshire Armed Forces Covenant
  - siblings of pupils/students allocated a place in priority 1 and siblings of eligible pupils travelling on the same route.
  - all others - on a first come first served basis from date of application
- 5.30 Detailed terms and conditions on the Spare Seats Scheme are published on our website.
- 5.31 The travel pass provided for this transport is the responsibility of the pupil/student. If lost or damaged, contact us online to request a replacement quoting a valid student reference number, name, address and date of birth. An administration charge will apply.

### **Passenger Assistants for pupils/students with SEND**

- 5.32 Passenger assistants are responsible for the supervision of pupils/students to and from school. They will oversee the pupil's/student's conduct and safety in such a way that the driver is able to drive the vehicle safely. The role of the passenger assistant is to help the driver to ensure the pupil/student can access their transport provision in a safe and appropriate way.
- 5.33 The needs of each individual pupil/student will be assessed to determine whether they will require supervision by a passenger assistant. There is no minimum and maximum age that determines whether a passenger assistant is required.
- 5.34 Passenger assistants receive training to understand the needs of pupils/students placed in their care. All Council passenger assistants are subject to an Enhanced Disclosure and Barring Service (DBS) check.
- 5.35 Every effort will be made to ensure that the same passenger assistant and driver continue to transport a pupil/student. We understand disruption can be unsettling and will do our best to minimise changes. This may not always be possible and changes may need to be made, for example as a result of staff unavailability/staff turnover/contract renewals.
- 5.36 The passenger assistant is not responsible for the administration of routine medical aid/medication during the journey. If an eligible pupil/student has a medical condition which will require the administration of routine medical aid/medication during the journey, the Council will make suitable transport arrangements. Alternatively, the parent or carer could choose to receive a Direct Travel Payment and arrange their own transport.

### **Medical needs while onboard transport**

- 5.37 The driver and/or any passenger assistant are not responsible for the administration of routine medical aid or medication during the journey. If a pupil/student has a medical condition which would require the administration of routine medical aid or medication during the journey, the Council will make suitable transport arrangements in line with the pupil's/student's travel needs assessment.

For example, the Council will make suitable arrangements for medical aid onboard transport where a child has complex medical needs requiring a medical professional to administer treatment or medication during the journey. The transport arrangements will be informed by supporting evidence from a senior medical professional e.g. a consultant. Alternatively, the parent/carer may choose to receive a Direct Travel Payment and make their own suitable transport arrangements.

- 5.38 In the event of a medical emergency while the pupil/student is onboard transport, the driver will stop the vehicle where it is safe to do so. The driver and/or passenger assistant will call 999 and while they wait for paramedic assistance, they will follow the instructions given to them by the emergency operator.
- 5.39 Parents/carers are responsible for advising the Council of any changes to their child's medical needs which may affect their transport arrangements.

## **Boarding & Alighting Arrangements**

- 5.40 Appropriate transport arrangements will be made based on the age and needs of the child. Pick-up and drop-off times cannot be rescheduled to take into account other family commitments. Parents/carers who are unable to be home at the specified pick-up and drop-off times and location will have to make alternative arrangements.
- 5.41 Pupils/students receiving mainstream transport assistance are expected to walk up to 1 mile to their pick up point, with or without a parent/carer as appropriate. The pick up point for SEND pupils/students may be a short distance from their home address.
- 5.42 Parents/carers are responsible for ensuring their child is at the pick-up point near their home and for accompanying their child to/from this point where required. Where necessary, parents/carers are responsible for ensuring they are waiting to meet their child at the setting down point on the return (homeward) journey.

## **Passenger Travel Times**

- 5.43 The Council will make every effort to ensure that travelling times to and from school are a maximum of:
- 45 minutes each way at primary school age;
  - 75 minutes each way at secondary school age
- 5.44 The distances involved mean that some pupils/students will have longer journeys. As return journeys are not constrained by specific times, homeward journeys may be quicker than advertised. Every effort is made to ensure that the waiting time on school premises, before and after school, and at pick up and set down points, does not exceed 20 minutes.
- 5.45 Parents/carers will receive a schedule of journey pick up times and will be notified if there are any changes.

## **Transport during the school / college day**

- 5.46 Transport is only provided Monday to Friday. The only exception to this may be instances where weekend travel is required for pupils/students who are boarders

at residential schools. Transport is provided at the start and end of the normal school or college day. Transport will not be provided for journeys made during the school/college day.

- 5.47 Travel assistance will not be provided outside of the pre-agreed timetable. Examples of circumstances where travel assistance will not be provided are:
- to enable pupils/students to undertake work experience, work placements, apprenticeships or traineeships
  - to enable the pupil/student to attend any off-site provision arranged by the school/college
  - to transfer the pupil/student between the main school/college site and a satellite site during the normal school or college day
  - for induction or taster days
  - to take students home after extra-curricular activities or detentions
  - for students who are taken ill at school/college to enable them to return home
  - to enable students to attend medical or dental appointments
- 5.48 In the above circumstances the school, college or parent/carer, as appropriate, must make their own arrangements and pay for transport.

### **Transport for pupils/students with SEND transferring to a different school**

- 5.49 Where an eligible pupil or student with SEND receives Council funded travel assistance, this is arranged from home to the designated school/setting only. When an eligible pupil or student with SEND transfers to a different school/setting, Council funded travel assistance will be withdrawn and the pupil's/student's eligibility for Council funded travel assistance from their home to the new school/setting will be assessed.
- 5.50 The parent/carer will need to make suitable travel arrangements while eligibility to the new school/setting is assessed. If the pupil/student is not eligible for Council funded travel assistance to the new school/setting, the parent/carer is responsible for their child's travel arrangements, including the cost of those arrangements.
- 5.51 If a pupil or student is confirmed as being eligible for travel assistance to their new school/setting, their travel needs may be reassessed. It can take up to 15 working days from the date that the travel needs assessment is completed to make Council funded travel assistance arrangements. During this time, the parent/carer is responsible for school attendance.

### **Safety of Transport Arrangements**

- 5.52 The Council will monitor the routes and vehicles used to ensure that they are fit for purpose and do not pose a risk to anyone travelling on the vehicle or using the route to travel to school. Any vehicle or route found to be unsafe will be withdrawn and alternative arrangements made until normal service can be resumed. The Council reserves the right to make changes to routes and types of travel as necessary.
- 5.53 If you are concerned regarding the safety of a route, you can report this to Support Transport.

### **Identification of new routes**

- 5.54 The Council reserves the right to review all routes in light of any changes to the Admissions Policies, the availability of walking routes and/or areas of new housing. If such changes mean that a pupil/student will no longer be eligible for Council funded travel assistance, then they will be given one half term's notice from the date of notification to the parent/carer before Council funded travel assistance is withdrawn.
- 5.55 Examples of change could include the building of new roads or housing developments, opening of new or repairs to existing footpaths, or changes to the safety of a route as determined by the Council.

### **Changes to school transport due to severe weather**

- 5.56 If a school decides it needs to close early or not open because of severe weather, we will attempt to advise parents/carers of these changes, using the contact details we hold. This may not always be possible especially in the case of larger schools. The school will advise parents/carers of their procedures in the event of an emergency closure.
- 5.57 In severe weather conditions, the transport operator is the sole judge of whether to begin or complete a school transport journey, giving priority to the safety of the pupils/students on the vehicle.
- 5.58 Parents/carers must ensure that the pupil/student is appropriately dressed in case the journey to or from school is very slow or even halted in severe weather.
- 5.59 In the event that transport is not able to operate in the morning because of adverse weather conditions, but a parent/carer nevertheless decides to take the pupil/student to school, then they are expected to make their own arrangements to collect the pupil/student either at the end of the day or at the time of early closure.
- 5.60 Drivers are required to seek the safest route and may therefore make changes to the normal routes in order to stay on major roads or to avoid specific hazards. They are instructed that they must only set-down pupils/students at specific set-down points. Where transport is not able to access the predetermined set-down point due to severe weather, passengers may be required to leave the vehicle at an alternative safe location.
- 5.61 Where a road is too hazardous for school transport in the morning due to severe weather conditions, the transport operator is under no obligation to attempt the afternoon run. Parents/carers would be informed if this is the case so they can make alternative arrangements to collect their child from school.

### **Parents/Carers of pupils or students with SEND who are not at home**

- 5.62 In the event that parents/carers of pupils/students with SEND are not at home when the pupil/student is returning from school, the driver or passenger assistant will notify the Council's Client Transport team to seek advice. Where possible, they will continue their route and make a return visit to the family home to check if the parent or carer has returned.
- 5.63 If the parent/carer has not returned by the end of the route, the driver or passenger assistant will contact the Supported Transport team to inform them of the situation. The Supported Transport team will then inform the Head Teacher and/or the

relevant Social Care team. Drivers and passenger assistants will receive further instructions following the advice given by the Head Teacher and may be required to travel back to school to leave the pupil/student with an appropriate adult. In all cases, a note will be left for the parent/carer containing details of who they should contact and the whereabouts of the pupil/student.

- 5.64 If an incident happens after 5pm Monday to Thursday, and after 4.30pm on a Friday, contact will be made with the Social Care Emergency Duty Team. All incidents will be recorded and considered by the Council.

## **Residential Schools**

- 5.65 The frequency of transport for pupils/students in 52-week placements will be determined on a case by case basis.
- 5.66 The frequency of transport for pupils/students in a standard 40 week placement will depend on the number of weeks in the school calendar. The following numbers are for guidance only:
- termly Boarders: 2 journeys each term, 6 journeys per academic year
  - half Termly Boarders: 2 journeys each half term, 12 journeys per academic year
  - fortnightly Boarders: 2 journeys each fortnight, 38 journeys per academic year
  - weekly Boarders: 2 journeys each week, 76 journeys per academic year
- 5.67 Where a pupil/student is unable to make their journey to school due to sickness or family matters and the Council has been informed at least 24 hours before the journey is due to take place, the journey will be provided at an alternative date agreed between the Transport Officer and the parent/carer. A parent/carer will be expected to make their own transport arrangements if the Council is notified less than 24 hours before the journey is due to take place.

## **General Home to School Transport Guidance**

### **Home address**

- 6.1 Transport assistance is based upon the distance from the home address to school and will be verified using the information supplied by the parent/carer. Normal home address is defined as being the address at which the parent/carer ordinarily resides and with whom the child normally lives.
- 6.2 In situations of joint parental custody, the home address would normally be that at which the parent/carer, in receipt of the child benefit for that pupil, resides. If child benefit is not received, then the address at which the child is registered with a GP will be used. If this is not conclusive then we will use the address the child spends the greater proportion of the school week.

### **Educational placement for pupils/students with an EHCP**

- 6.3 Parents/carers have the right to ask for a preferred school/setting to be named in their child's EHCP when the plan is first drawn up and when the Council amends the existing plan. Where naming the parent's preferred school/setting would be unsuitable for the pupil's/student's age, ability, aptitude or special educational needs, or incompatible with the efficient education of others or the efficient use of

resources, the Council must name a different school that would be appropriate for the pupil/student.

- 6.4 There is no automatic entitlement to travel assistance.
- 6.5 Where a parent/carer would prefer their child to attend a school that is further away from their home than the nearest school with available spaces that would be able to meet their child's needs, the Council will consider the cost of the two educational placements. Where relevant, this will include the estimated costs of Council funded travel assistance to each setting. If the Council determines naming the parent's preferred school would be incompatible with the efficient use of its resources, the Council may:
- name a different school that would be appropriate for the child's needs, which may be the nearer school, or
  - name the parent's preferred school on the condition that the parent arranges and provides all of the cost of the travel.
- 6.6 This is at the discretion of the Council based on efficient use of resources. The decision will be made in line with the Council's legal responsibilities in completing the EHCP.
- 6.7 The Council will record the decision to name the parent's/carer's preferred school on the condition that the parent/carer arranges and pays for their child's home to school travel. The Council may review the school named in the EHCP if the parent/carer is later unable or unwilling to arrange or pay for their child's travel.

### **Change of address and emergency contact details**

- 6.8 Parents have an obligation to notify the council when they move house.
- 6.9 If an eligible pupil or student moves to an address further away from the school such that their current school is no longer the nearest suitable school, Council funded travel assistance will be withdrawn from the moving date.
- 6.10 If the parents/carer apply for and are allocated a place at their nearest suitable school, the pupil's/student's eligibility for Council funded travel assistance will be reassessed.
- 6.11 If a pupil or student is confirmed as being eligible for travel assistance from their new home address to their nearest suitable school, it can take up to 15 working days to organise the transport arrangements. During this time, the parent/carer is responsible for ensuring school attendance.
- 6.12 Parents/carers must provide the council with up to date emergency contact numbers and email addresses. It is the parent/carer's responsibility to provide updated information where there are changes.

### **Inaccurate Applications**

- 6.13 The Council reserves the right to reclaim the cost of any transport provided, if it is found that any incorrect information has been submitted in order to gain travel assistance.



## **Students living outside of Oxfordshire**

- 6.14 Students who live outside of Oxfordshire attending a school in Oxfordshire should apply to their own Local Authority for assistance with transport.

## **Grounds of religion or belief**

- 6.15 There is no eligibility for transport assistance for pupils on the grounds of religion or belief, except in relation to low income families.

## **Disclosure and Barring Service (DBS) Checks**

- 6.16 Enhanced Disclosure and Barring Service (DBS) checks are carried out on all drivers and passenger assistants prior to them being employed on Home to School Transport contracts. Following a satisfactory check and appropriate safeguarding training and other relevant training, an identity badge will be issued to drivers and passenger assistants by the Council which is worn at all times as proof of approval to undertake the work. If a driver or passenger assistant cannot produce their badge, you should notify the Supported Transport immediately and not let your child travel in the vehicle.
- 6.17 If you have any concerns regarding the behaviour of drivers or passenger assistants, report this immediately to Supported Transport.

## **Data Protection**

- 6.18 The Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR) regulates the way we use your personal information.
- 6.19 You provide this information when you seek services from or come into contact with us. The Act provides a legal framework to the way we handle this data. Data Protection compliance is not an activity that is done once, and we regularly review our compliance.
- 6.20 The Council employs a Data Protection Officer. Our data protection policy can be found here on the Council's website.

## **Expected level of behaviour for all pupils/students**

- 6.21 We aim to ensure the safety and well-being of all pupils/students travelling on Home to School Transport. All pupils/students using Council organised transport are expected to meet standards of behaviour that will ensure their own safety and that of other passengers. The Council will work in partnership with schools and other educational settings to promote appropriate standards of behaviour and pupils/students being transported will be expected to follow the same behaviour codes as they do when in school or other educational settings. Behaviour that does not meet our standards will be monitored and appropriate action taken.
- 6.22 When behaviour first becomes an issue dialogue with the parents/carers and the school/educational setting will begin, with a view to resolving issues prior to any further action being taken. If the issues are not resolved, parents/carers will be notified when transport will be suspended or withdrawn, giving 5 working days' notice of the suspension/exclusion. This will take the form of a written warning letter, suspension or withdrawal letter. If an incident is of a serious nature the Council reserves the right to withdraw the pupil/student from transport immediately

to ensure the safety of the pupil/student and others. In these instances, the parent/carer will be notified.

- 6.23 The withdrawal or suspension of transport for a set period would be a matter of last resort. The length of the suspension or withdrawal from home to school transport will be dependent upon the seriousness of the incident.
- 6.24 The decision to suspend or withdraw transport for eligible pupils/students will take into account any special educational needs and disabilities the pupil/student may have that impact on their presenting behaviour. Where this is the case, the Council will work with parents/carers and the pupil/student with SEND (where they have capacity) to identify alternative solutions to safely transport them to their school/ educational setting. As this is an exceptional circumstance, if an immediate solution cannot be identified a Direct Travel Payment may be offered on a temporary basis.
- 6.25 Parents/carers are responsible for transporting their own children during any period of suspension or exclusion from transport due to inappropriate behaviour that is unrelated to any special educational needs and disabilities. No refunds for transport provided under the Spare Seat Scheme will be made during this period.
- 6.26 Behaviour that falls below the required standard includes that which is likely to significantly offend or endanger others, including, but not limited to:
- serious damage to the vehicle by the pupil/student
  - actions which may constitute a health and safety risk to themselves or others
  - assaults on others
  - verbal, written or online abuse of other people including but not limited to swearing, taunting, racist, sexist, transphobic or homophobic comments, threatening behaviour
  - incitement of others to engage in misbehaviour
  - making repeated malicious false allegations of mistreatment requiring investigation
  - serious misuse of a travel pass including allowing others to use their travel pass
  - failure to comply with the reasonable instructions of the driver, passenger assistant, Council officer, or authorised member of school / establishment staff
- 6.27 During the period of suspension or withdrawal, it is expected that parents/carers take steps to address the behaviour. The parent/carer, pupil/student (where reasonable) and school/educational setting will be consulted on arrangements for the return to transport.
- 6.28 Parents/carers who wish to appeal a decision taken to suspend or withdraw transport should follow the process outlined in the suspension or withdrawal notification letter. This will enable a review of the case.

## **How to make a Home to School Transport complaint**

- 6.29 Any pupil, parent or carer wishing to make a complaint relating to Home to School Transport arrangements should complete the School Transport Eligibility Contact

Us Form.

6.30 Formal complaints should be made through our Feedback and Complaints Procedure.

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# Appendix 1

## Schools that have opted out of the In-Year Admissions Scheme

This information was correct at the time this policy was published. An up-to-date list is available online at [www.oxfordshire.gov.uk/residents/schools/apply-school-place/transferring-or-moving-school/before-you-start](http://www.oxfordshire.gov.uk/residents/schools/apply-school-place/transferring-or-moving-school/before-you-start)

All-through schools with an age-range of 4 to 18 years. The normal point of entry to these schools is Reception year group.

- Heyford Park School  
[heyfordparkschool.org/](http://heyfordparkschool.org/)  
01869 232203

Primary schools with an age range of 4 to 11 years. The normal point of entry to these schools is Reception year group.

- Ashbury with Compton Beauchamp Church of England Primary School  
[www.ashburyprimary.org.uk/default.asp](http://www.ashburyprimary.org.uk/default.asp)  
01793 710259
- Bampton Church of England Primary School  
[www.bamptonprimaryschool.org.uk/](http://www.bamptonprimaryschool.org.uk/)  
01993 850371
- The Blake Church of England Primary School, Witney  
[www.blake.oxon.sch.uk/website](http://www.blake.oxon.sch.uk/website)  
01993 702840
- Brize Norton Primary School  
[www.brizeprimary.org/](http://www.brizeprimary.org/)  
01993 842488
- Dr South's Church of England Primary School, Islip  
[dr-souths.co.uk/](http://dr-souths.co.uk/)  
01865 372323
- Goring Church of England Primary School  
[www.goring.oxon.sch.uk/](http://www.goring.oxon.sch.uk/)  
01491 872289
- John Henry Newman Academy  
[www.jhnacademy.co.uk/website](http://www.jhnacademy.co.uk/website)  
01865 772495
- Kidmore End Church of England Primary School  
[moodle.kidmore-end.co.uk/](http://moodle.kidmore-end.co.uk/)  
0118 357 3149
- North Leigh Church of England Primary School  
[www.northleighprimaryschool.org.uk/](http://www.northleighprimaryschool.org.uk/)  
01993 881525
- Our Lady's Catholic Primary School, Cowley  
[ourladyscowley.co.uk/](http://ourladyscowley.co.uk/)  
01865 779176
- St Christopher's Church of England Primary School, Langford  
[www.st-christophers.oxon.sch.uk/](http://www.st-christophers.oxon.sch.uk/)  
01367 860318

- St Christopher's Church of England Primary School, Oxford  
[www.st-christophers-pri.oxon.sch.uk/](http://www.st-christophers-pri.oxon.sch.uk/)  
01865 779772
- St Joseph's Catholic Primary School, Thame  
[www.st-josephs.oxon.sch.uk/](http://www.st-josephs.oxon.sch.uk/)  
01844 214278
- St Mary & St John Church of England Primary School, Oxford  
[www.ssmj.oxon.sch.uk](http://www.ssmj.oxon.sch.uk)  
01865 245768
- St Peter's Church of England Primary School, Alvescot  
[www.stpeters.oxon.sch.uk/](http://www.stpeters.oxon.sch.uk/)  
01993 842535
- Tyndale Community Primary School, Oxford  
[www.tyndalecommunityschool.co.uk/](http://www.tyndalecommunityschool.co.uk/)  
01865 454000

Secondary schools with an age range of 11 to 18 years. The normal point of entry to these schools is Year 7.

- Wykham Park Academy, Banbury  
[wykhampark-aspirations.org/](http://wykhampark-aspirations.org/)  
01295 251451

Studio Schools and University Technical Colleges with an age range of 14 to 18 years. The normal point of entry to these schools is Year 10.

- Bicester Technology Studio  
[www.bicestertechstudio.org.uk/](http://www.bicestertechstudio.org.uk/)  
01869 203012
- Futures Institute Banbury  
[www.futuresbanbury.org/](http://www.futuresbanbury.org/)  
01295 257942
- UTC Oxfordshire, Didcot  
[www.utcoxfordshire.org.uk/](http://www.utcoxfordshire.org.uk/)  
01235 391587

## Appendix 2

### Split Villages

Transport will be provided to the designated area school from all addresses in the contiguous built-up area of the village because more than 20% of the addresses are closest to the designated area school. Transport will also be provided from individual addresses to the relevant nearest school (if different) where appropriate.

Village *	Nearest Schools	Designated Area School
Adderbury/Twyford	Blessed George Napier Catholic School The Warriner School	The Warriner School
Ascott-under-Wychwood	Burford School Chipping Norton School	Burford School
Dry Sandford	Fitzharrys School Larkmead School	Fitzharrys School
Duns Tew	Dr Radcliffe's CE Primary School Middle Barton School	Dr Radcliffe's CE Primary School
Freeland	Bartholomew School Wood Green School	Bartholomew School
Great Haseley	Lord Williams's School Wheatley Park School	Wheatley Park School
Kirtlington	Gosford Hill School Heyford Park Free School The Marlborough CE School	The Marlborough CE School
Long Hanborough	Bartholomew School The Marlborough CE School Wood Green School	Bartholomew School
Old Boars Hill	Fitzharrys School Matthew Arnold School	Fitzharrys School
South Hinksey	Matthew Arnold School St Gregory the Great Catholic School	Matthew Arnold School
Tadmarton	Bloxham CE Primary School Sibford Gower Endowed Primary School	Sibford Gower Primary School
Twyford/Adderbury	Blessed George Napier Catholic School The Warriner School	The Warriner School
Yatscombe Copse	Fitzharrys School St Gregory the Great Catholic School	Fitzharrys School

\* Oxfordshire County Council considers the 'village' to be the contiguous built-up area.

An address within the Civil Parish but outside the contiguous built-up area of the village does not qualify for free travel under the 'split-village' rule.

Similarly, where the village name forms part of the postal address, but the property is outside the contiguous built-up area of the village, free transport will not be provided under the 'split-village' rule.

# School Transport Code of Conduct

The safety and welfare of students travelling on home to school transport is of paramount importance and therefore it is expected that all parties will abide by the School Transport Code of Conduct at all times. Failure to do so could result in home to school transport being withdrawn from a student or a contract with a Service Provider being terminated.

Any incident reported to Oxfordshire County Council involving school transport and the behaviour of students using school transport will be taken seriously and will be investigated by Quality Monitoring and some cases may be referred to Schools Safeguarding Transport and if necessary the School or Multi-Agency Safeguarding Hub (MASH) before any action is taken. Where there is a consistent concern or refusal to comply with the School Transport Code of Conduct and a student is excluded from travelling, it will then be the responsibility of parents or carers to ensure that there is a continued attendance at school.

## Responsibilities of Oxfordshire County Council

- To provide free home to school transport by the most cost-efficient means for students living in Oxfordshire, who qualify for free travel under the Home to School Travel and Transport Policy (Please refer to the Home to School Travel and Transport Policy for further information)
- Provide a safe journey on all home to school transport contracts between the designated pick up point and the school site, and vice versa
- Ensure that the Service Provider provides a suitable vehicle and that all drivers and vehicles are suitably licenced and insured for the conveyance of students. Agree all routes and schedules with the Service Provider
- Ensure all Drivers and Passenger Assistants have an enhanced DBS check and Safeguarding and Disability Awareness Training
- Ensure all Drivers and Passenger Assistants are issued with an OCC Identification Badge
- Provide route schedule for mainstream primary and secondary routes
- Provide a pass for students who travel on vehicles of 20 seats and above
- Monitor contracts with Service Providers to ensure contract and law compliance
- Carry out risk assessments where appropriate to establish suitability of provision and routes
- To ensure there is a robust complaints procedure in place
- Investigate all complaints, liaising with schools and Service Providers, where necessary, and respond to all parties advising of the outcome
- Ensure that all confidential information is handled in line with General Data Protection Regulations (GDPR)

## Responsibilities of the Service Provider

- To provide students safe travel between their designated collection point and the school site, and vice versa ensuring all safeguarding protocols are followed
- To provide vehicles and drivers that meet all legal and contractual requirements
- To have appropriate employers' liability, public liability and vehicle insurance cover
- Ensure they hold an appropriate operator's or local authority licence where applicable
- Comply with all terms and conditions of contract
- Ensure all Drivers and Passenger Assistants hold a valid Oxfordshire County Council Identification Badge

- Ensure that all Drivers are issued with the most up to date route and schedule
- Ensure that no changes are made to the schedule without approval from the Supported Transport Service. This includes location of designated pick up and drop off points.
- Immediately inform Oxfordshire County Council where a serious incidence has occurred
- To notify Oxfordshire County Council and the school of any incidents of unacceptable student behaviour as soon as possible
- Ensure Drivers and Passenger Assistants conveying students with Special Educational Needs have sight of students Risk Assessment Passenger Passport
- Ensure that all confidential information is handled in line with General Data Protection Regulations (GDPR)

## **Responsibilities of the Driver and Passenger Assistant**

- Always be presentable and courteous
- Adhere to the Taxi Driver, Passenger Assistant and Coach Driver Code of Conduct
- To be in possession of an appropriate license to drive the vehicle being used to convey students and be able to produce it on demand
- Hold a valid Oxfordshire County Council Identification Badge and be able to produce this when requested
- To undertake Oxfordshire County Council Safeguarding and Disability Awareness Training
- Follow the route and schedule as agreed and not deviate from this without prior authorisation, unless exceptional circumstances (e.g. a road closure) make a deviation necessary – they should notify their controller in these circumstances so that the school and/or parents and carers may be notified of any delay
- Never leave a designated collection point earlier than the published time
- Do not pick-up or drop-off at any point other than a designated stop
- Check passes issued to students on vehicles over 20 seats, on a regular basis and only transport those students who can produce a valid pass for the vehicle that they are attempting to board
- In the event of a vehicle breakdown, maintain a safe environment for all passengers and contact their controller
- Must not sell or supply goods of any kind to students or stop en route for students to obtain goods of any kind
- To be responsible for the safety of the students for the entire duration of their journey
- If there is an emergency on board and it is safe to do so, stop the vehicle and follow protocols. If appropriate consult with the student's Passenger Passport and where necessary, ring 999. If it is not safe to stop, or it would be safe to continue, once at the nearest safe destination (home or school) inform their controller who will then inform the Supported Transport Service, school and parents
- Never try to resolve any acts of misconduct (unless a student's behaviour presents a danger to the vehicle or other students on board) but report the names of the miscreants to the school at the earliest opportunity
- Unless there are genuine concerns for the safety of the students on board the vehicle, the vehicle should not be stopped. If stopped, it must be in safe place and for as short a period of time as possible and the school and Service Provider must be notified of such a break to the journey
- Serious incidents or accidents involving the safety of children, the vehicle or other road users must be reported immediately to the Service Provider who will be responsible for notifying Oxfordshire County Council's Supported Transport Service.
- Must not provide food, sweets or drinks to students in their care
- No student should be put off any vehicle mid-journey
- Seek immediate advice from the Service Provider where a serious incident occurs



- Report any incident to their management as soon as it happens
- Where a student travels in a wheelchair, anchor and secure the webbing on the chair on all journeys
- If conveying a student with Special Educational Needs will ensure they have read the Risk Assessment Passenger Passport
- Ensure when transporting a primary aged student or student with Special Educational Needs they are handed over to an appropriate responsible adult before leaving designated stop (school, home or bus stop)
- Can refuse to transport a student whose behaviour would put the driver, passengers and any other road user in danger for the immediate short term and until further guidance has been received from Supported Transport Service
- If the student's behaviour on the vehicle presents a danger to themselves or others, transport may be withdrawn - we will work extensively with the parent/carer and school, college or unit before withdrawing transport. The parent/carer has a responsibility to manage the student's behaviour and if transport is withdrawn, it does not excuse the student from attending their school, college or unit
- The Driver and Passenger Assistant's duty of care does not do not end until the last student has been discharged. On no account must this duty be delegated to any other person

Drivers and Passenger Assistants are responsible for ensuring that a seat belt or safety harness is provided for passengers and that it has been secured. However, they are not responsible for securing seatbelts or harnesses. Neither are they responsible for escorting students from the vehicle into home or into school premises. Drivers are not permitted to lift or assist by manually handling passengers in or out of vehicles.

## **Responsibilities of the School**

The Department for Education expects schools to promote appropriate standards of behaviour by students on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The Education and Inspections Act (EIA) 2006 empowers headteachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when students are not under the legal control of the school, but when it is reasonable to do so. In the Department for Education's view, this would include behaviour on school transport, or otherwise on the route to and from school, whether or not the students are in school uniform. A school cannot exclude a student from transport provided by Oxfordshire County Council.

- To be responsible for the behaviour of students from the start to end of their home to school transport journey, both morning and afternoon.
- To have a zero-tolerance policy in relation to inappropriate behaviour on home to school transport
- Identify a lead member of staff to have responsibility for home to school transport and provide contact details for this person. This person will act as the main point of contact for reporting incidents of misconduct and will be responsible for notifying Oxfordshire County Council's Supported Transport Service Quality Monitoring Team of such incidents
- To be the initial point of contact for complaints about student misconduct or anti-social behaviour on all school transport.
- Keep an up to date record of all incidents, misconduct and anti-social behaviour on home to school transport
- Treat seriously any notification of an incident that is reported on home to school transport and notify the Supported Transport Service Quality Monitoring Team

- To work with students, parents and carers to ensure that any unacceptable behaviour issues either on the home to school transport journey or at the designated stop are addressed and take action to issue appropriate sanction
- Only issue temporary passes for travel on transport provided by Oxfordshire County Council where a current bus pass has been lost, stolen or forgotten. However, a temporary bus pass should not be issued to a student who does not already have entitlement to travel
- School staff are responsible for assisting students onto and off of school transport

## **Responsibilities of Parents and Carers**

- To support the school and the Service Provider by ensuring that the Student Code of Conduct has been read and is followed at all times
- Ensure that your child is at the boarding point five minutes before transport is due and that young children are accompanied until the transport has departed
- Ensure that your child arrives at the designated stop safely in the morning and reaches home safely from the designated stop in the afternoon.
- Where a student is of primary school age or has Special Educational Needs or a disability and they hold an EHCP, they will need to be met at the designated stop or home address by a responsible adult. Failure for a responsible adult being present could result in a child being returned to the school or the nearest police station.
- Teach your child, where they do not need to be accompanied to and from the designated stop, the safest walking route between home and the designated stop, including the safest crossing points on their route
- Teach your child to think about their own and others' safety, while walking to and from the designated stop and on the transport
- Teach your child the importance of waiting for the transport in an orderly, courteous and calm manner and ensure that they know what to do if the transport does not arrive within 15 minutes of the scheduled time, or if access to the transport is refused
- Ensure that any travel pass is carried at all times (drivers and Service Providers will make necessary checks that students are permitted to travel and have the right to refuse to carry a student without a pass)
- Prior to the start of transport ensure your child has read the No Pass No Travel Guidance, where a pass has been issued
- Ensure any Special Educational Needs Risk Assessment Passenger Passports are carried at all times
- Where a student's behaviour in a vehicle presents a danger to themselves or to others, home to school transport may be withdrawn. However, where a student's behaviour in a vehicle is due to their Special Educational Needs or disability, the Supported Transport Service will work extensively with parents, carers, school or college before withdrawing transport in these cases
- If transport is withdrawn it is the responsibility of parents and carers to ensure their child's continued attendance at school
- Remind your child that they need to wear any seatbelt or harness that is provided at all times
- For students with Special Educational Needs and Disabilities, ensure that seat belts and harnesses are fastened and secured before the vehicle pulling away
- Ensure your child is aware that in the event the vehicle has to make an unscheduled stop, that they must follow the driver's instructions. If the driver's instruction is not followed, then this is at the student's own risk
- Cooperate with the school, Service Provider and Oxfordshire County Council if your child exhibits bad behaviour on home to school transport

- Ensure that any incidents or concerns are reported to Oxfordshire County Council and the school as soon as possible. You should not contact the Service Provider directly unless you have been asked to do so
- Ensure that the school and Oxfordshire County Council School Transport Eligibility are advised of any change in the students' personal circumstances or family circumstances which may have an impact on eligibility for free home to school travel e.g. change of address, no longer eligible for free school meals. Where there has been a change of address, evidence of the new address will be required before any new travel arrangements can be approved.
- Parents and carers are not permitted to board the vehicle
- Parents and carers should not act in a threatening or abusive way towards the driver, passenger assistant or any other students either on or around the vehicle. Any concerns should be reported to the school and or the Supported Transport Service. If there are any additional adults or children present with you at the stop when the school transport arrives, you are responsible for ensuring that they also adhere to the rules.

It is important that students should behave in an appropriate manner towards any Driver, Passenger Assistant, other students or members of staff at Oxfordshire County Council. All students who use home to school transport are expected to abide by the School Transport Code of Conduct and any student who fails to abide by this when using any transport provided by Oxfordshire County Council may be excluded from using the transport in accordance with Oxfordshire County Council's Home to School Travel and Transport Policy.

If your child is excluded from home to school transport for a fixed-term or permanently, you will be responsible for ensuring that they continue to attend school. Alternative travel arrangements will not be put in place.

If your child is found to be responsible for bad behaviour on home to school transport, which does not result in them being excluded, it is your responsibility to ensure that reasonable steps are taken to modify that behaviour and to stress to your child the importance of behaving in an appropriate manner while travelling on home to school transport. It is also your financial responsibility to meet the costs for repair or replacement of equipment or any property intentionally damaged as a result of your child's actions.

Oxfordshire County Council has a determined procedure for dealing with cases of poor behaviour reported to us and will write to you to warn you that your child is at risk of being excluded from home to school transport.

If your child has been excluded from travelling under the School Travel Code of Conduct and you feel that it has been applied unfairly or incorrectly, you can lodge an appeal by emailing [schooltransporteligibility@oxfordshire.gov.uk](mailto:schooltransporteligibility@oxfordshire.gov.uk)

## **Responsibilities of the Student**

- To ensure they abide by the School Transport Code of Conduct at all times
- To act responsibly while travelling to and from the designated stop and while travelling to and from school on home to school transport
- To behave well at all times and not to act in a way that may compromise the safety of others
- Show respect at all times for the driver, Passenger Assistants and all other passengers
- Ensure that they follow the instructions of the driver or Passenger Assistants at all times
- To report any concerns about safety to the named member of staff at school

### Before the journey to school

- Arrive at the designated stop 5 minutes before the scheduled pick-up time
- Wait at the designated stop for 15 minutes past the scheduled pick-up time before notifying Supported Transport Service and await advice. If transport still has not arrived, follow the procedure you have agreed with your parent or carer (for example go home to organise alternative transport) and notify your parent/carer and school.
- Wait in an orderly, courteous and calm manner
- Keep away from the kerb and well clear of other traffic
- Only board the home to school transport you have been allocated when it is stationary
- Always carry your pass (if a pass has been issued), and show it to the driver when boarding the vehicle – see No Pass No Travel Guidance

### During the school journey

- Find a seat quickly and remain seated for the whole journey
- If provided, seatbelts and harnesses must be worn
- Only occupy one seat per passenger
- Never distract the driver or be discourteous
- Do not be abusive or shout at the driver, other students or other passengers in the vehicle. Bad language and unruly behaviour will not be tolerated
- Treat all on board with care and respect and do not bully any other students. Any form of bullying will not be tolerated
- Follow any instructions given by the driver or Passenger Assistant quickly and without hesitation
- Do not vandalise the vehicle or other people's property
- Do not smoke, use electronic cigarettes, drink alcohol or consume illegal substances
- Do not carry an offensive weapon, real or replica
- Do not throw objects from or within the vehicle
- Do not eat or drink while on the vehicle or leave litter
- Keep the aisle clear. Bags go under the seat, on the parcel shelf or on your lap. Make sure you have all your belongings as you leave the vehicle
- Do not open the emergency door unless the driver instructs you to, or if there is a genuine emergency

### At the end of the school journey

- Ensure all of your belongs are taken with you when you exit the vehicle
- Stand back from the road when the vehicle moves off
- If you need to cross a road, only do so once the vehicle has moved off and the road is clear in both directions

It is important to understand that bad behaviour of any kind will not be tolerated and may lead to students being excluded from home to school transport. Where students are excluded this does not excuse them from attending school and parents and carers will be responsible for the cost and provision of transport during this time. Where students fail to attend school, they may be referred to the County Attendance Team.

Any criminal offences that result in a student being excluded may also be reported to the police.

Oxfordshire County Council may choose to refuse Spare Seat Scheme applications from students who have been excluded multiple times for disobeying the School Transport Code of Conduct.

## Complaints and Concerns

If at any time, you wish to report an incident involving the behaviour of an adult or student in connection with school transport you should email Quality Monitoring & Contract Compliance at [QMCC@Oxfordshire.gov.uk](mailto:QMCC@Oxfordshire.gov.uk).

All complaints regarding passenger or parent behaviour received by Oxfordshire County Council will be investigated and, if necessary, they will be passed for further investigation to the Transport Safeguarding Officer, the School, Multi-Agency Safeguarding Hub (MASH) or the Police.

### **'No Pass No Travel' Guidance for Parents, Carers and Students**

Where a pass has been issued it MUST be shown in order to travel. This is necessary to ensure everyone has a seat and can travel safely and in reasonable comfort.

- If a student who is entitled to travel is unable to produce a bus pass because they have forgotten to carry it, or the pass has been lost or stolen, a temporary pass can be obtained from the school.
- Temporary passes are valid for 10 days to enable a replacement pass to be arranged. If a valid replacement pass cannot be produced after 10 days, the driver can refuse travel.
- If a pass has been lost or stolen a replacement can be purchased. Further information can be found at:  
<https://www.oxfordshire.gov.uk/residents/schools/travelling-school/information-existing-users-travel-assistance/replacement-school-bus-pass>
- Parents or carers who take students to a stop to meet the vehicle are advised to either ensure that the student is carrying a valid pass or wait with them until the vehicle arrives and advise the driver accordingly.
- Out of date passes will be confiscated.
- If the vehicle has not arrived 15 minutes past its normal pick up time, students should call the number on the back of their pass.
- Transport is arranged by Oxfordshire County Council through its Supported Transport Service.
- Queries regarding Mainstream School Transport should be sent to [mainstream.schooltransport@oxfordshire.gov.uk](mailto:mainstream.schooltransport@oxfordshire.gov.uk) and for SEND School Transport to [ee-specialeducationalneedsITU@oxfordshire.gov.uk](mailto:ee-specialeducationalneedsITU@oxfordshire.gov.uk)
- If your enquiry is urgent and you need to speak to us by phone you can contact Mainstream School Transport on 01865 323500 and SEND School Transport on 01865 323795
- If transport is no longer required, please return the pass to Supported Transport Service, PO Box 867, Oxford, OX1 9NR. This will enable us to allocate the place to another student.