

To: Education and Children's Services Policy Board

On: 21 January 2021

Report by Director of Children's Services

Heading: Additional Support Needs (ASN) Home to School Travel Assistance Policy

1. Summary

- 1.1. In line with legislative requirements, Renfrewshire Council's home to school transport policy ensures children and young people attending mainstream schools outwith walking distance are able to do so. However, this policy does not make provision for specific circumstances where a child or young person has additional support needs which prevents them from accessing learning.
 - 1.2. Following a review of current practice, the attached Additional Support Needs (ASN) home to school travel assistance policy (see appendix) has been developed to provide a framework for home to school travel assistance for eligible children and young people with additional support needs which sets out the criteria by which this will be agreed.
 - 1.3. As there has not been an ASN home to school travel assistance protocol, the attached policy provides the requisite framework which will provide appropriate support where this is required. Decision making for ASN home to school travel assistance should be based on a balance between the needs of each individual child or young person, encouraging their independence, active travel and the council's duty to ensure a financially responsible approach.
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2. Recommendations

- 2.1. The Education and Children's Services Policy board is asked to approve the ASN home to school travel assistance policy attached as an appendix to this report.
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3. Background

- 3.1. The legal basis for home to school transport provision is found in the Education (Scotland) Act 1980, Sections 42(4) and 51(1), as amended by the Education (Scotland) Act 1981, Section 2, the Education (Scotland) Act 1996, Schedule 5 and the Standards in Scotland's Schools etc Act 2000, Section 37.
- 3.2. While Additional Support for Learning (Scotland) Act, 2004 (amended 2009) outlines roles and responsibilities for local authorities in relation to the provision for those children and young people identified with additional support needs, there are no specific provisions in relation to home to school travel assistance. It is expected however that local authorities will make reasonable adjustments to ensure that children and young people with ASN can benefit from education. This can include the provision of specific home to school travel assistance.
- 3.3. Renfrewshire currently provides alternative transport to around 700 pupils with ASN attending schools within and outwith Renfrewshire. This transport is comprised of internal council vehicles, and private transport contractors engaged via a transport framework. The ASN home to school travel assistance policy (hereafter referred to as the policy) aims to encourage the independence of children and young people wherever possible and to build on a range of sustainable travel options to meet their needs.
- 3.4. The transport section within children's services provide the administrative and organisational support to central officers within children's services who make decisions about when transport should be awarded. Requests for ASN home to school travel assistance are received from schools and early years establishments, parents, and social work staff. Home to school travel assistance is also provided for pupils who attend the Renfrewshire additional support needs schools of Mary Russell and Riverbrae, as well as those pupils who access full or part time support at a Renfrewshire ASN base.
- 3.5. When a request for ASN home to school travel assistance is made, it is crucial that this comes from the team around the child within the school or nursery. This ensures that all relevant partners including the parent has had an opportunity to consider the need for transport in line with this policy and provide relevant information which will allow decisions to be made.
- 3.6. Year on year more children and young people are put forward for consideration for ASN home to school travel assistance due to their own needs and/or the needs of their families. It is therefore crucial to provide a clear framework to ensure that decisions are made about the awarding of home to school travel assistance fairly and equitably in accordance with this policy.

Implications of this report

1. Financial

It is intended as a result of this policy, that a clear framework for decision making provides best value for council resources.

2. HR and Organisational Development

None.

3. Community/Council Planning

Our Renfrewshire is safe

- This policy takes account of the safety and wellbeing needs of children, young people and staff

Tackling inequality, ensuring opportunities for all

- This policy ensures equality of allocation of home to school travel assistance

Creating a sustainable Renfrewshire for all to enjoy

- This policy encourages the use of sustainable methods of home to school travel assistance

4. Legal

None.

5. Property/Assets

None.

6. Information Technology

None.

7. Equality and Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. Health and Safety

Due regard is given to health and safety issues in relation to council fleet and contract provision.

9. Procurement

Procurement policy is fully adhered to.

10. Risk

None.

11. Privacy Impact

None.

12. Cosla Policy Position

None.

13. Climate Risk

None.

List of Background Papers

None.

Children's Services

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Renfrewshire Children's Services: Home to school travel assistance policy for children and young people with additional support needs

1. Introduction

- 1.1 Renfrewshire Council places a strong emphasis on including pupils with additional support needs within their own communities, and this home to school travel assistance policy reflects that commitment.
- 1.2 This policy provides information to enable access to home to school travel assistance for children and young people with additional support needs.
- 1.3 Parent/carers have a responsibility to ensure that their child/young person attends school and for making the required travel arrangements. Renfrewshire Council, however, provides home to school travel assistance if the child/young person meets the distance criteria and in addition takes account of any additional support needs that prevent them from travelling on the same transport as peers.
- 1.4 Renfrewshire Council wishes to promote the independence and well-being of all children and young people through a range of travel options. All children and young people should be encouraged where possible to follow a healthy lifestyle including walking a reasonable distance to school accompanied where necessary.
- 1.5 This policy is aimed at parent/carers, children and young people; relevant council staff involved in travel arrangements and other relevant stakeholders. In implementing this policy, Renfrewshire Council aims to provide information about the provision of home to school travel assistance for eligible children and young people with additional support needs and to set out the criteria by which this can be awarded.

2. Legislative framework

- 2.1 Children attending school in Scotland are entitled to free home to school travel assistance if their walking distance from home is more than two miles for children under the age of eight and three miles for children over the age of eight (Education Scotland) Act 1980 para 42(4)).
- 2.2 The current policy in Renfrewshire is to provide home to school transport for walking distances greater than one mile for primary school children and two miles for secondary school children, or where there is no safe walking route.
- 2.3 The Additional Support for Learning (Scotland) Act, 2004 (amended 2009) outlines roles and responsibilities for local authorities in relation to the provision for those children and young people identified with additional support needs. There are no specific provisions in relation to home to school travel assistance.

3. Eligibility Criteria

- 3.1 The distance criteria at 2.2 applies to all children and young people, including those with additional support needs. It is acknowledged however that some children and young people will require home to school travel assistance because of their additional support needs.

Children attending an authority ASN establishment will be entitled to home to school travel assistance pending individual assessment of need.

Children or young people who live **within the mileage distance** will be considered for home to school travel assistance under the following criteria:

- the child has a physical or sensory impairment or a severe, profound or multiple learning/behavioural difficulty which requires specialist transport arrangements or supervision
 - there are health or medical grounds in relation to a child or young person which may prevent them walking to and from school safely.
- 3.2 Some children and young people with additional support needs will be able to make use of mainstream school transport, which ensures their inclusion and encourages independence.
- 3.3 Requests for ASN home to school travel assistance on a temporary or emergency basis may come directly from the school, other agencies or by parent/carer request if:
- a child suffers an injury or medical condition that impairs their ability to walk or use standard transport. This will be subject to ongoing review and provided for as long as is reasonably necessary;
 - a child is displaced from home due to domestic violence/crisis and it is necessary to ensure continuity of education;
 - the child is placed in foster/kinship care and there are exceptional circumstances which prevent the foster/kinship carer from transporting the child to school;
 - there are exceptional **short-term** circumstances which prevent the parent/carer from providing transport for their child to an educational establishment. These circumstances could include where a family has been rehoused in an emergency (i.e. fleeing domestic violence); or parental incapacity; and
 - other exceptional circumstances which will be considered on an individual basis and be negotiated depending on individual need. In each case, information on additional support needs will be requested from the team around the child, and evidence of medical grounds sought from health professionals.
- 3.4 Any parent/carer requests must be discussed and supported by the child / young person's school in the first instance.
- 3.5 Any social work requests must be discussed with the child/young person's school in the first instance.

- 3.6 Any home to school travel assistance awarded will be kept under continuous review in relation to the age and stage of the child/young person, bearing in mind any additional support need.

4. Assessment and decision making

- 4.1 The main assessment process for children and young people who may require transportation due to their additional support needs is through staged intervention. The team around the child (TAC) is best placed to assess individual needs, and to evidence those against the criteria set within the policy. In determining individual transport needs, recommendations from school staff, educational psychology, social work and health professionals will be considered. Information from parent/carers/ is a crucial part of this process. Any application from a single team must be discussed with other involved teams (partners in TAC)

- 4.2 Consideration will be given by the TAC to the following:

- distance to be travelled;
- safety of route;
- ability for independent travel; to include physical and psychological capabilities;
- the need for an escort;
- ability to use public transport;
- viability of foster/kinship carers to provide transport when a child is accommodated away from home in foster care;
- journey duration; and
- use of mainstream school bus.

- 4.3 More information about the above criteria is provided in the operational guidance which accompanies this policy.

- 4.4 Recommendations from the TAC for home to school travel assistance are considered and approved on a weekly basis by the Education Support and Resource Group (ESRG).

- 4.5 When a decision is made by the ESRG not to award ASN home to school travel assistance, reasons for this will be communicated in writing by the transport team within 5 working days of the decision and can be appealed in writing to the designated head of service within 2 weeks of the decision being communicated. The decision of the head of service is final and will be based on whether the policy has been applied fairly. There is no further right of appeal.

5. Looked after and accommodated children

- 5.1 When a child or young person is accommodated in a crisis situation or when their placement breaks down and they have to be moved at short notice, the

importance of continuity of educational placement is acknowledged and temporary home to school travel assistance will be provided to facilitate this.

- 5.2 Where an accommodated child or young person becomes eligible for temporary ASN transport as a result of short-term need, the transport will be provided for a period of up to twelve weeks or for longer in exceptional circumstances. Situations which would entitle someone to this support include a temporary displacement from home, a short-term placement in foster care or a children's house.
- 5.3 It is recognised however that when a child or young person is placed out with Renfrewshire, travel to school can result in long periods of time spent in a taxi at the beginning and the end of the day. This is not conducive to the wellbeing of the child/young person.
- 5.4 When a long-term foster placement or permanency arrangement is put in place for a looked after and accommodated child, it is expected that the child will move to the school within their placement community at a natural point in their academic journey and no later than the start of the following academic year. Decisions on exceptional cases will be made by the ESRG.

6. Other considerations

- 6.1 Where a child or young person attends both mainstream school and specialist education provisions, the local authority will make all reasonable efforts to ensure that a child or young person attends a single establishment on any given day, subject to the needs of that child or young person. By consolidating timetables, children and young people will have to spend less time travelling before, during and after the school day.
- 6.2 Where a parent/carer of a child with additional support needs makes a placing request they assume responsibility for all travel arrangements between their home and that school, including all associated costs except where the placing request is in respect of an independent school. Where the placing request is made for a public school, consideration of whether the child meets the eligibility criteria for transport at paragraph 3 will still be given.

7. Equality

- 7.1 In all decisions, the ability and age of the child will be considered along with any other factors which may be relevant to ensure equality of access to educational provision.

8. ASN transport arrangements

- 8.1 Once a request is approved, the ESRG will identify the most appropriate option for that child's needs.
- 8.2 Travel options which will be considered are:
- Walking and/or cycling, as part of an ongoing commitment to support children and young people to make healthy choices;
 - Provision of a bus pass to allow children and young people to use mainstream public transport;

- Provision of a bus pass to a family member for those children and young people who may not be able to use public transport independently, taking account of any national entitlement cards young people may be eligible for;
- Provision of a taxi to be shared with other children and young people living along a designated route to the education provision;
- Provision of a taxi and escort where supervision is required, to be shared with other children and young people living along a designated route to the education provision; and
- Provision of a personal travel budget to the parent/carer, to be paid at a daily amount for each day the child or young person attends an education provision, and payable monthly in arrears. The personal travel budget is for the purpose of attending school or an alternative educational placement. The budget will be withdrawn if a child or young person is not regularly attending said placement.

8.4 Home to school travel assistance means an arrangement that will be put into place taking into consideration the location of the child's home address. Only in exceptional circumstances will arrangements be made to vary the pick-up/drop-off point according to changes to childcare arrangements. Where any variance to the travel plan is required, this must be agreed in advance as part of the assessment process.

8.5 The local authority reserves the right to change the method of travel assistance where this is appropriate to the needs of the child and financially sustainable.

8.6 Escorts are provided for children and young people travelling on ASN transport who are assessed as requiring supervision. Additional provision may be made as required due to medical needs or for safety reasons.

8.7 The children's services transport section in conjunction with the ESG will determine the most appropriate method of travel assistance for the child in accordance with the criteria set out in this policy.

9. Review of individual ASN transport assistance

9.1 In all cases, travel assistance under this policy will be subject to review every six months. The provision of ASN travel assistance may change or cease as the child grows older or becomes more able to travel independently. Such decisions will be made with the team around the child and will take full account of the child's needs. Where home to school travel assistance is granted on a time limited basis there is no guarantee that this will be renewed following the agreed date. It is the responsibility of the person making the request to ensure that the team around the child is involved in a discussion updating the application, and thereafter provide enough information to justify the continuation of home to school travel assistance. If a new application is not received in time home to school travel assistance will cease to be provided.

10. Transport provision – contracted transport arrangements

- 10.1 All contractors used by Renfrewshire Council are approved by the children's services transport section and their vehicles are appropriately licensed and insured. Drivers and escorts have been subject to appropriate vetting. In accordance with Council standing orders, transport contracts are awarded on the basis of competitive tender with the right to recognise quality of service and continuity of staff where necessary.
- 10.2 Operators must ensure that their vehicles are roadworthy at all times and are required to have safety features and equipment as appropriate. Operators are required to provide alternative, appropriate vehicles in the event that the usual vehicle used to transport a child or young person is off the road. If this is not possible due to an emergency the children's services transport section must be informed immediately in order that alternative arrangements can be made. Current legislation regarding the safe conveyance of wheelchair users is enforced. Current guidelines regarding the safe transportation of oxygen is adhered to.

11. Staff Training

- 11.1 All drivers and escorts employed by Renfrewshire Council wholly or partially to provide ASN transport must be appropriately trained by their department.

12. Nobody at home

- 12.1 Parent/carers are expected to be at home after school when the operator drops children and young people off. Where a parent/carer is absent, operators must immediately contact the children's services transport section for further guidance.

13. Information sharing

- 13.1 It is crucial that key information is shared with transport providers to ensure safe transport. Relevant and proportionate information about the child's additional support needs will be shared with the transport provider with consent of parent/carer.
- 13.2 Whenever transport is awarded, before the transport takes effect, the team around the child must ensure a risk assessment is submitted to the transport section which outlines the needs of the child to ensure safe transport can be provided. Children and young people with additional support needs may sometimes display challenging behaviour, and this should be taken into account during the risk assessment process. Where a challenging behaviour risk assessment (cbra) exists, this should be updated to include transport arrangements. Where a risk assessment is required for medical reasons, a template will be provided for this purpose.
- 13.3 Where the agreed method of travel assistance is not effective this will be reviewed.

14. Administration of medication

- 14.1 Medication cannot be administered by drivers or escorts unless they have been fully trained and authorised to do so in respect of specific children or young people. It is essential for drivers and escorts to know of any medical condition that may adversely affect a child or young person during a journey.

15. Monitoring and improving performance

- 15.1 It is recognised that transport to and from school is an important part of a child's educational experience, and good relationships between operators, escorts, parent/carers, children and young people is essential to ensure that this experience is positive. Continuity of transport arrangements and staff will be taken into account whenever possible to support this process.
- 15.2 The effective operation of contract transport can best be achieved by a partnership between children's services transport section, operators and escorts, school staff and parent/carers. Specific monitoring systems are in place to ensure that ASN transport arrangements meet individual and service needs.

16. Roles and Responsibilities

- 16.1 The director of children's services is the officer responsible for this policy. It is the role of the director of children's services to ensure that the policy is reviewed at least every 3 years.
- 16.2 Directors, heads of service, managers and supervisors are responsible, so far as is reasonably practicable, for ensuring the health, safety and welfare at work of all employees in their respective service.
- 16.3 The officer making the request for ASN transport is responsible for undertaking a review of arrangements as necessary.
- 16.4 Where transport is provided by the local authority, parent/carers are responsible for notifying the Children's Services Transport Section when transport is not required.

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