

# Appeals Committee

## Agenda

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<b>Date:</b>	<b>Thursday, 26th November, 2009</b>
<b>Time:</b>	<b>2.00 pm</b>
<b>Venue:</b>	<b>Committee Suite 1, Westfields, Middlewich Road, Sandbach CW11 1HZ</b>

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal or prejudicial interests which they have in any item of business on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos. 11 and 35, a period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to its work.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. There is no requirement to give notice of the intention to make use of the public speaking provision. However, as a matter of courtesy, a period of 24 hours notice is encouraged.

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For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

**Contact:** Carol Jones  
**Tel:** 01270 529952  
**E-Mail:** [carol.jones@cheshireeast.gov.uk](mailto:carol.jones@cheshireeast.gov.uk)

Members of the public who wish to ask a question at the meeting, should provide 3 clear working days' notice, in writing, to enable an informed answer to be given.

4. **Minutes of the Previous Meeting** (Pages 1 - 4)

To approve as a correct record, the Minutes of the Meeting held on 29<sup>th</sup> October 2009.

5. **Exclusion of Press and Public**

The reports relating to the remaining item on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Committee may decide that the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

6. **School Transport Policies** (Pages 5 - 30)

A copy of the Under-16 Transport Policy is enclosed and has been applied in Cases 1 and 3. The Post-16 Transport Policy, also enclosed, has been applied in Case 2.

7. **School Transport Appeals** (Pages 31 - 82)

To determine appeals against the decision of the Council not to offer assisted school transport.

Case 1	2.00 pm	Blue	Pages 31 - 52
Case 2	2.45 pm	Green	Pages 53 - 68
Case 3	3.00 pm	Yellow	Pages 69 - 82

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Appeals Committee**  
held on Thursday, 29th October, 2009 at Committee Suite 1, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

**PRESENT**

Councillor S Bentley (Chairman)  
Councillor L Gilbert (Vice-Chairman)

Councillors M Asquith, M Martin and M Simon

**OFFICERS IN ATTENDANCE**

Melissa Andrews	Solicitor and Clerk to the Appeals Committee
Jackie Speakman	Principal Transport Officer (Presenting Officer for the Local Authority)
Carol Jones	Democratic Services Officer

**APOLOGIES**

Councillors R Fletcher and D Topping

**18 DECLARATIONS OF INTEREST**

Council M Asquith declared a personal interest in Case No. 2 on the basis that he was a School Governor at Wilmslow High School, which was the named school in Case No. 2.

No other Member made any declaration of interest in any item of business on the agenda.

**19 PUBLIC SPEAKING TIME/OPEN SESSION**

In accordance with Procedure Rules Nos. 11 and 35, a total period of 10 minutes was allocated for members of the public to address the Committee on any matter relevant to its work.

There were no members of the public present and the Committee, therefore, proceeded to its next business.

## **20 MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That

the minutes of the meeting held on 24<sup>th</sup> September 2009 be approved as a correct record, subject to a revision to the Appeals Procedure at Minute No. 17, the revised procedure to read as follows -

1. The Chairman to welcome all to the meeting and make introductions.
2. The Local Authority Presenting Officer to outline the Authority's case.
3. The appellant to present their case.
3. The Local Authority Presenting Officer to ask questions of the appellant.
4. The appellant to ask questions of the Local Authority Presenting Officer.
5. Committee Members to ask questions of the Local Authority Presenting Officer.
6. Committee Members to ask questions of the appellant.
7. The Local Authority Presenting Officer to sum up the Authority's case.
8. The appellant to sum up their case.
9. The Local Authority Presenting Officer and appellant will then withdraw from the meeting, following which the Committee will reach its decision.

## **21 EXCLUSION OF PRESS AND PUBLIC**

### **RESOLVED:**

That the press and public be excluded from the meeting during consideration of the following item, pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972, and the public interest would not be served in publishing this information.

## **22 SCHOOL TRANSPORT APPEALS**

The Committee considered two appeals against the decision of the Integrated Transport Service not to allow assisted school transport, in accordance with the Council's Transport Policy.

In Case No. 1, the appellant and the Presenting Officer were in attendance throughout consideration of the appeal. After the appeal, the appellant and Presenting Officer withdrew from the meeting, following which the Committee reached its decision.

The appellant in Case No. 2 was not present, and the appeal was, therefore, heard in her absence. The Presenting Officer presented the Local Authority's case and the Committee considered the appellant's written evidence only. The Presenting Officer then withdrew from the meeting, following which the Committee reached its decision.

The Committee carefully considered the evidence presented to it both orally and in writing.

**RESOLVED:**

That

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|-----|------------|--|
| (1) | Case No. 1 | The appeal be UPHeld, subject to a contribution by the appellants towards the cost of transport. |
| (2) | Case No. 2 | The appeal be REFUSED.   |

The meeting commenced at 2.20 pm and concluded at 3.20 pm

Councillor S Bentley (Chairman)

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**POST 16****TRANSPORT POLICY****Entitlement to School/College Transport for Pupils aged 16-19**

This statement of policy sets out the way in which the Council has decided to exercise its powers and duties in relation to the provision of school and college transport for students aged 16-19 in accordance with Section 509 of the Education Act 1996, as amended by Schedule 19 of the Education Act 2002.

- General Statement of Policy
- College transport services
- Criteria of eligibility for assistance with student transport
- Students who attend their local school or college
- Personal choice of an alternative school or college
- Students who attend denominational schools
- Students with disabilities and/or special educational needs
- Students affected by school closures
- Students whose families move home
- Students in temporary residential circumstances
- 'Ineligible' students and spare seats on contract services
- Students with medical problems
- Specific conditions relating to students in full-time post-16 education:
  - Eligibility dependent on a presumption of local school or college
  - Local colleges and the areas they serve
  - Curriculum choice
  - Charging arrangements for post-16 transport
  - Period of assistance
  - General conditions
  - Parental responsibilities
  - Calculation of distance from home to school or college
  - The nature of the transport arrangements
  - Student behaviour
  - Correcting errors
  - The appeals system
  - Definitions
  - Student Transport Services

## **1.0 General Statement of Policy**

Generally the Council will provide transport for students aged 16-19 who are registered at their local school or college and live more than the recognised walking distance from it, i.e. 3 miles, as for children of secondary school age. There is a charge for the over-16s as specified from time to time, usually fixed on the basis of an annual review of this policy. The Council makes no general transport provision for those who attend private schools or colleges. Generally the Council will not meet the cost of student's travel to schools or colleges other than those which are intended to serve the particular area in which they live, e.g. normally the Council's zoned school or the Church school which serves the particular parish or neighbourhood or the nearest appropriate college. If a parent sends his/her child to another school or college, s/he cannot claim from the Council the money the school transport service would otherwise have been prepared to spend on transporting the student to his/her local school or college.

The above general statements are intended as a general guide and are without prejudice to the complex set of rules that have been developed over the years to meet various situations around the area. After these rules have been applied, parents may still appeal against a decision; each appeal will be considered individually on its own merits by a Committee of councillors.

## **2.0 College Transport Services**

In addition to the arrangements made by the Council under Education law a number of Cheshire Colleges use college funds to operate their own transport services or provide some form of assistance with students' travel costs, where they do not qualify under the LA's scheme of assistance. In some cases Colleges are prepared to meet some part or all of the charge which the LA currently makes for transport provision. Details, so far as these are known, are set out in Appendix 5. Enquiries about assistance of this kind should in all cases be made to the Student Services Officer of the relevant college. Cheshire students who propose to attend non-Cheshire colleges would be advised to make similar enquiries at their prospective college, to see whether some assistance of this sort might be available, even though they do not live in the area of the local education authority in which the college is situated. Details of contacts at a number of local non-Cheshire colleges which recruit Cheshire students are also included in Section 3 Appendix 2.

## **3.0 Criteria of eligibility for assistance with student transport**

### **3.1 Students who attend their local school or college**

*(The local school or college is as defined in paragraphs 6.2-3 and 4.1-2 respectively)*

(a) Arrangements for travel assistance will be made in accordance with the provisions of paragraph 5.3 of this statement, where the student is a registered student at the nearest



post 16 provider and lives more than 3 miles from the school, as measured by the nearest available walking route; or

(b) Arrangements for travel assistance will also be made for students registered at their zoned school or nearest college who live less than the walking distances between home and school referred to in (a)(i) and (ii) above respectively, where, having regard in particular to the nature of the route, or any possible alternative route which the student could reasonably be expected to take, assistance with transport is considered necessary for the purpose of facilitating the student's attendance at school or college.

### **3.2 Personal choice of an alternative school or college**

*(Students attending by personal choice a non-denominational LA maintained school other than the zoned school in whose catchment area they live or a college other than the nearest)*

- (a) Where the student lives outside the distance referred to in paragraph 3.1(a)(i) or (ii) above and is registered at the nearest school, the Authority will make provision for assisted transport in accordance with the arrangements specified in paragraph 5.3 of this policy statement.
- (b) The Authority has no general duty to provide assistance with transport for students other than those who attend the "nearest suitable school" (defined in paragraph 6.2) or the nearest college. Except where specifically provided for elsewhere in this statement, therefore, in all other circumstances the Council will normally not contribute towards the cost of such transport as may be available.

### **3.3 Students who attend denominational schools or colleges**

*(Students attending voluntary aided and foundation schools on denominational grounds)*

- (a) Where a student continues to attend for reasons of religious belief, but not otherwise, a school providing denominational education, the Authority will treat the appropriate voluntary aided or foundation school of the relevant denomination as defined in paragraph 6.2 as the 'local' or 'nearest suitable' school for the purposes of paragraph 3.1 above, provided that the travelling time to or from school does not exceed one and one quarter hours.
- (b) Students admitted to voluntary aided and foundation schools on other (ie. non-religious) grounds, e.g. as a result of an expression of personal preference for an alternative to the zoned school, will be deemed to fall within paragraph 3.2 above and will not be considered as qualifying for transport assistance under this clause, i.e. on denominational grounds.

**3.4 Students with disabilities and/or special educational needs**

*(Students with disabilities and/or learning difficulties who have or have had a statement of special educational needs)*

Arrangements for the provision of transport for students with special needs are set out in a separate policy statement 'Complex Special Needs Transport Policy'. Briefly the position is that children with special educational needs may qualify for free transport either on grounds of distance or on the basis of their requirements as set out in the statement of their special educational needs.

To qualify under this clause, therefore, students must have had during their statutory period of compulsory education a statement of their special educational needs under the terms of the 1996 Education Act in which a requirement for transport was specified. A student for whom special transport was not a requirement of a statement of SEN will be considered for eligibility under the other criteria of this policy, having regard to the distance of the place of residence from the school/college or unit where he/she has been placed by the LA or other appropriate authority.

The school/college or unit at which the student is so placed will be deemed the 'nearest suitable school' for transport policy purposes irrespective of the normal zoning arrangements applying.

**3.5 Students affected by school closures**

*(Travel arrangements for students displaced from their zoned school by its closure)*

- (a) If a school closes, assisted transport may be provided for displaced students resident in that school's catchment area who have to travel further to their new designated school, where considered appropriate under the arrangements agreed under the closure plan irrespective of the normal distance criteria.
- (b) Such arrangements are time-limited, and requests for assisted transport on behalf of students subsequently admitted to the designated school will be determined in accordance with paragraph 3.1 above.

**3.6 Students whose families move home**

*(Entitlement of a student whose family moves to another address while he/she is attending a course of post-16 education)*

- (a) An existing entitlement to assistance with transport does not continue nor is a new entitlement necessarily created as a result of a change in a student's place of residence.
- (b) Subject to para 3.7 below (which is specifically concerned with short-term emergency situations), in the case of all other students who move to a new

address their entitlement to assisted transport will be re-assessed on the basis of this policy.

- (i) If a student's family removes into the catchment area of another Cheshire school or college, the student will not qualify or continue to qualify for transport assistance to the school or college in the area where he/she formerly lived, unless that school or college also continues to be the nearest school or college.
- (ii) If the family remove into the area of another local education authority and the student continues to attend the school in their former area either from outside the area or from a Cheshire address, the responsibility for considering any request for assisted transport will rest with the education authority in whose area the parents currently live.

### **3.7 Students in temporary residential circumstances**

*(Arrangements for determining the entitlement to assistance with transport on a short-term basis where students' families are forced to re-locate temporarily from their home to alternative accommodation owing to circumstances outside their control)*

- (a) The Council is prepared under this policy to consider on their merits applications in respect of students accommodated under a strictly temporary or emergency arrangement otherwise than where responsibility is accepted by Social Services in (b) below, having regard to the usual distance criteria (though this requirement may be waived in the case of a young person accommodated in a refuge, whose safety in the judgement of Children's Social Care would otherwise be at risk). Any such temporary arrangements made to provide transport will be subject to review as necessary and at least on a termly basis.
- (b) Where school transport becomes necessary on social grounds as a result of the intervention of Social Care, the cost of providing transport as requested by Social Care should, where appropriate, be considered the responsibility of and re-charged to that service.

### **3.8 'Ineligible' students and spare seats on contract services**

*(Arrangements for determining the allocation of spare seats to students not entitled to assisted transport under the normal terms of this policy)*

- (a) Parents of students not eligible for subsidised transport under the other provisions of the Authority's school/college transport policy ('ineligibles') may apply to use a spare place on an available contract vehicle, where there is no suitable public transport service. Where unallocated seats are available on education contract vehicles, they will be offered to 'ineligible' students at a charge to be decided annually and reflecting the cost of provision.

- (b) In allocating spare seats in response to requests received before the appointed date preference will be given to Cheshire students whose parents have purchased spare seats for them in the previous year. Should there be further spare seats available after the appointed date, these will be allocated on a first come, first served basis.

### **3.9 Students with medical problems**

Parents of pupils who live within the normal walking distance of their zoned school, but are unable to walk to it because of a medical condition, may apply for assisted transport there. Any such applications should be made to: The Manager, Medical Needs Service, Ellesmere Port Offices and will be determined in the light of the recommendation of the School Medical Officer.

## **4.0 Specific provisions relating to students in full-time post-16 education**

### **4.1 *Eligibility dependent on a presumption of local school or college***

- (a) Subject to paragraphs 4.2 and 4.3 below, eligibility to subsidised transport will be limited in general to journeys of over three miles to the zoned (or nearest) post 16 provider of further education to the place of residence, as set out below.
- (b) All post-16 students in full-time education who are under 19 years of age at the beginning of the school/college year (i.e. 1 September) are entitled to receive assistance with transport if they qualify within the policy set out under the provisions of paragraph 3.1 above, provided that they receive their education at the nearest suitable post-16 provider of further education (including sixth form college). In the case of further education students, attendance will ordinarily be assumed to be at the nearest Cheshire college able to provide a suitable course, but assistance may alternatively be offered on request to another college, where that college is the nearest public sector college to the student's place of residence.
- (c) Eligibility to transport assistance is not dependent on the establishment attended being Cheshire maintained or situated in Cheshire, but primarily on criteria related to distance. Except where the course is a course of further education specifically recognised by the Council, however, students attending private establishments generally fall outside the scheme of eligibility.
- (c) Where a further education college and a sixth form college exist close to each other in the same area of Cheshire, both colleges are to be regarded as equally available for the purposes of this policy to all students living in the relevant district council area.

#### **4.2 Local colleges and the areas they serve**

*(The concept of catchment areas for colleges has been developed by the LA purely for the purpose of establishing eligibility for assistance with transport under a policy which cannot be open-ended)*

The general scheme under which post-16 students may qualify for assistance with their 6th form transport is based on the catchment areas of individual secondary schools and having regard to historic progression links, subject in each case to normal distance criteria. It should be noted that applications falling outside normal distance criteria (based on catchment area) will also be considered having regard to other criteria of the policy, e.g. curriculum (see 4.3 below).

#### **4.3 Curriculum choice**

Specialised courses are not necessarily available at all local institutions. Particular exceptions may, therefore, be made on an individual basis to the normal distance criteria specified under (a) above in circumstances where the required course or combination of 'A' level subjects is not available at the nearest school/college – as with courses in Agriculture or Dance and Drama, for example. Students who choose to take at an out-of-area school or college subjects which differ in only minor respects from those available locally (e.g. alternative syllabuses/ examination boards, or subsidiary subjects) are not entitled on that account to the benefit of assisted transport to such an alternative, more distant, school/college. Where students attend an out-of-area establishment, eligibility for assistance will be determined in the light of the availability at any nearer school or college of the required course or a suitable alternative as deemed equivalent by the Council.

#### **4.4 Charging arrangements for post-16 transport**

*(LA School and college transport is no longer provided free to students, but offered at a subsidised cost as part of an integrated network of routes, involving both commercial and subsidised services together with dedicated specialist operations)*

Transport is provided under the terms of this policy at a charge and on conditions to be reviewed annually. The annual charge is limited to a maximum of one per family unit. Charges may be waived in line with the Council's criteria for assessing financial hardship (see section 6.5 below)

For a limited period while Government funding is available, an additional type of assistance in the form of a travel pass will be available for some students. This is explained further in appendix 2 to this section, Student Transport Services, which gives details of assistance available from the colleges serving students resident in Cheshire.

#### **4.5 Period of assistance**

Students who stay on for a third year in the sixth form continue to be eligible for assisted transport, subject to normal age and distance criteria, whether they attend an LA

maintained school sixth form or a sixth form college in the FE sector. A similar entitlement is available to FE college students. In either case eligibility is limited to a maximum of three years subject to the student not being aged 19 or over at the start of the relevant academic year.

## **5.0 General conditions**

*Transport is provided to and from school and/or college for students who qualify under this policy on the basis that parents, children, schools, LA and transport operators have a shared responsibility for its safe and secure operation in the interests of all the parties. A number of considerations are set out below:*

### **5.1 Parental responsibilities**

Transport assistance is provided only on the basis of a formal application submitted by or on behalf of the parent (*or student, if 18 or over*). If the application is successful, assistance is effective from date of receipt of the application by the Integrated Transport Service or as soon thereafter as practicable – assistance will not normally be provided retrospectively.

### **5.2 Calculation of distance from home to school or college**

The distance between home and school/college is measured from the student's home gate or the drive nearest to the school/college to the nearest available gate/entrance of the school/college grounds, by way of the nearest available walking route. An assessment of the route will be made, if necessary, on the basis of appropriate professional advice on all of the relevant factors relating to distance and safety. (*The guidelines for the assessment of walking routes are provided in Section 6*)

### **5.3 The nature of the transport arrangements**

- (a) The arrangements for assisted travel which may be made under this policy will be at the Council's discretion and are made on the most cost-effective basis. These arrangements may take the form of:-
- travel pass for use on public transport
  - travel pass or other authorisation for use on private contract services (including taxis, where appropriate)
  - cash grant
  - mileage allowance payable to parents
  - cycle maintenance grant

Cash grants and mileage allowances will normally only be paid where no suitable public transport service exists; in certain circumstances the parent of an infant pupil may be paid a cash grant on request. Cycle maintenance grants are available, if requested by parents, as an alternative to other forms of transport provision.

- (b) Where arrangements are made for transport assistance, this will be for one return journey each day at the beginning and end of the normal school/college day. It is

normally the responsibility of the parent to make any necessary arrangements for the student to be transported at any other time.

- (c) The Council will not sanction arrangements under this policy, other than to the zoned or designated establishment appropriate to the place of residence, which involve students undertaking a journey which, by public transport, would require a travelling time each way in excess of one and a quarter hours.

#### **5.4 Student behaviour**

The Council may withdraw its provision of transport facilities or employ other sanctions, as it considers appropriate, in the case of any student whose behaviour during the journey to or from school/college is not of an acceptable standard. In addition, schools can also employ a number of sanctions ranging from detention to exclusion in order to deal with persistent misbehaviour on school transport. *(There is a Code of Practice, which schools and colleges are encouraged to invoke in appropriate circumstances)*

#### **5.5 Correcting errors**

Where, for any reason, transport facilities have been approved in error, the LA reserves the right to withdraw that provision at any time convenient to the Council, and will normally do so, after giving due notice of its intention to do so.

#### **5.6 The appeals system**

Notwithstanding the general provisions of this policy, applications for assisted school/college transport are considered on an individual basis. In the case of a dispute over eligibility a parent/student may, bring an appeal against the LA's decision before the Council's Appeals Committee.

### **6.0 Definitions**

- 6.1 The term 'Community' (formerly 'County') when applied to a school refers to the status of the school as an LA school and may, therefore, describe a school maintained by another local education authority. The term 'LA school' includes all Community, Controlled, Aided and Foundation schools, i.e. all schools maintained by a local education authority.
- 6.2 For the purposes of this policy the 'nearest suitable school' is defined as:-
- the LA's local school, i.e. "the zoned school"; or
  - "the nearest maintained school", if different from the 'zoned' school; or
- 6.3 A school designated by the LA as the appropriate school for a particular pupil (eg. a permanently excluded or a statemented pupil) will normally be deemed to be the nearest suitable school for the purposes of this policy.
- 6.4 For the purposes of this policy a person receiving education or training at school or college is of sixth form age if he/she is over compulsory school age but –

- (a) is under the age of 19, or
- (b) has begun a particular course of education or training before attaining the age of 19 and continues to attend that course.

**6.5 'Eligibility' for free transport for 'disadvantaged' children**

*(How does the Council determine 'eligible' in relation to pupils from low income families and their entitlement to free transport under the Education and Inspections Act 2006)*

The Education and Inspections Act 2006 requires local authorities to adopt the following criteria for assessing a family as low income or 'disadvantaged':

"The Act will place a new duty on local authorities to provide free transport for some of the most disadvantaged pupils (those eligible for free school meals or whose parents are in receipt of the maximum level of Working Tax Credit)..."



## **STUDENT TRANSPORT SERVICES**

This document provides general information about transport services and travel support provided by local colleges which offer courses to students who live in the Cheshire area.

Details of individual transport services provided for Cheshire-resident students who attend local schools and colleges are given on the web-site listed by establishment, and include those services operated commercially. Many of the contract services are run in order to provide for a particular student need and are, therefore, subject to change to reflect changes in demand. Details of contact points for all travel operators providing transport services for Cheshire resident students are also listed on the website. The arrangements are currently understood to be as set out below, though students should contact colleges and transport operators direct for the most up to date information:

### **CHESHIRE COLLEGES**

#### **Macclesfield College**

The college is situated in Park Lane, Macclesfield. It serves a large area in East Cheshire within the Boroughs of Macclesfield and Congleton, and it is the nearest college for the majority of students who live in the catchment areas of the following Cheshire community and foundation secondary schools: Congleton, Eaton Bank, Fallibroome, Knutsford, Macclesfield, Poynton, Tytherington, and Wilmslow.

The college currently subsidises the Local Authority termly charge for students using LA contract services or those issued with a pass for public services, where the distance is over 3 miles. The college will charge the student £60 for Term 1 and £50 for Term 2 (Term 3 is free). The college currently operate their own bus services from Buxton and Stockport. A charge of £60 for Term 1 and £50 for Term 2 is made to students using this service (Term 3 is free). For further details enquiries should be directed to Student Services at the College, tel: 01625-410018. Email: [info@macclesfield.ac.uk](mailto:info@macclesfield.ac.uk) Website: [www.macclesfield.ac.uk](http://www.macclesfield.ac.uk)

#### **Mid-Cheshire College**

The college's main campus is at Hartford, Northwich, with smaller centres at London Road, Northwich, and at Winsford; it serves a large area, drawing students from most parts of Cheshire, and it is the nearest college for the majority of students who live in the catchment areas of the following Cheshire community secondary schools:

Frodsham, Hartford, Helsby, Holmes Chapel, Leftwich, Middlewich, Rudheath, Tarporley, Verdin, Weaverham, and Woodford Lodge.

The college currently subsidises the LA termly charge for students using LA contract services or issued with a pass for public services, where the distance is over 3 miles,

leaving the cost to the student for 2009/10 as £105 for Term 1 £105 for Term 2 and Term 3 £40. A termly grant is also paid to students ineligible for LA transport support but using contract services.

Students using their own transport who can prove there is no viable public transport system can apply for a Travel Grant. Form's and further details available from Student Services.

For 2009/10 Mid Cheshire College is offering an incentive to students who share lifts. If you require further details please contact Student Services.

Mid-Cheshire College currently operates its own bus services from Runcorn for residents of the Halton Borough, and from Warrington. For Runcorn the cost of the pass to the student will be £90 for Term1, £90 for Term 2 and £40 for Term 3 for 2009/10. Please contact Student Services for an application form. Warrington students bus passes will be subsidised by Warrington Borough Council leaving the cost to the student for 2009/10 as Term 1 £90, Term 2 £90 and Term 3 £40. Application forms and further details are available from Student Services. The college has a Discretionary Learner Support fund to help students in some cases. Students should contact the Student Services Officer at the college about these funding arrangements to see if they may be entitled to any help: tel: 01606-74444. Website: [www.midchesh.ac.uk](http://www.midchesh.ac.uk)

### **Reaseheath College**

The college is a specialist land-based college with residential facility serving the whole County. It is situated on the A51 about 1.5 miles from Nantwich town centre. Students come from all over the UK and from overseas. The Council currently provides transport from most areas of Cheshire for students attending specialist courses which are only available at Reaseheath. The college provides no general subsidy towards the LA charge, but uses some of its access funds to help students of limited means with the cost of transport. Some seats on LA contract services are usually available for ineligible students at the normal LA charge; the College may give some help with meeting this cost.

The college itself provides five bus services, from the Wirral, Crewe, Warrington, Stoke-on-Trent and Market Drayton/Whitchurch. Students are charged by the College for these services unless they can offer proof that the family is in receipt of benefits. For further details of college services students should enquire of the Student Services Officer at the College: tel: 01270-613209. Email: [enquiries@reaseheath.ac.uk](mailto:enquiries@reaseheath.ac.uk)  
Website: <http://www.reaseheath.ac.uk/>

**Sir John Deane's College (Sixth Form)**

The College is situated off Monarch Drive on the Kingsmead development, just under a mile from Northwich town centre. Although students come from a wider area, the College provides sixth form education for all students from the area served by the following Cheshire 11-16 community secondary schools: Hartford, Leftwich, Middlewich, Rudheath and Weaverham.

Many of the transport services provided by the Council are shared with Mid-Cheshire College, which is situated in fairly close proximity. The College provides its own heavily subsidised bus services from the following areas:

1. Warrington. One bus serves the Appleton, Grappenhall and Stockton Heath areas. A second starts in the town centre and runs through Lymm and High Legh.
2. Halton.
3. South Manchester. This covers the Altrincham, Sale, Bowden and Hale areas.
4. Congleton and Holmes Chapel.

In all cases students using the services are required to make a commitment for a whole year and payment is made by standing order in 11 monthly instalments. The College expects to have limited Learner Support (Access) Funds available to assist students with the cost of transport dependent on individual financial circumstances. For further details contact Andrea Moores at the College, tel 01606-46011. E-mail [mailto:moores\\_a@sjd.a.uk](mailto:moores_a@sjd.a.uk) Website : <http://www.sjd.ac.uk/>

**South Cheshire College**

Situated in Dane Bank Avenue, Crewe, South Cheshire College is ideally positioned for easy access. It is on most major bus routes and is less than 15 minutes from the mainline railway station in Crewe. The town centre is also 15 minutes walk away. The college serves a large area in South Cheshire within the Boroughs of Crewe & Nantwich and Congleton and is the nearest college for the majority of students who live in the catchment areas of the following Cheshire community secondary schools: Alsager, Brine Leas, King's Grove, Malbank, Sandbach, Shavington, Ruskin and Sir William Stanier.

The College also receives students from neighbouring areas and provides a subsidised transport service for students who live in the Whitchurch and Market Drayton area of Shropshire and the Kidsgrove/Newcastle area. The college provides two free services for students from Crewe and one from the Leighton area, and one from Sydney/Coppenhall area. Public services run from the town centre and stop in Edleston Road/Nantwich Road from the Crewe/Sandbach areas and there are also several stops along Nantwich Road for buses originating from Nantwich/Chester.

09/10. Students who use the LA contracts will be reimbursed all but £185 of their travel costs, regardless of eligibility status (Subject to minimum 85% attendance). Full time students under 19, using public services can purchase a termly ticket direct from the

operator. The college will reimburse 50% towards the cost (Subject to minimum 85% attendance). Further information may be had from the South Cheshire College Transport Co-ordinator, Jo Sobutta during term times : Tel 01270 654654 ext 338, between 9am and 1.30pm, or

Email [j-sobutta@s-cheshire.ac.uk](mailto:j-sobutta@s-cheshire.ac.uk) <<mailto:j-sobutta@s-cheshire.ac.uk>>. Students over 19 can apply to [m-jones@s-cheshire.ac.uk](mailto:m-jones@s-cheshire.ac.uk) <<mailto:m-jones@s-cheshire.ac.uk>> for help with cost from Learner Support Funds Tel 01270 654654 x 306.

### **West Cheshire College**

The college has separate campuses in Eaton Road, Chester, Sutton Way, Ellesmere Port and at Capenhurst, which together serve a large area in west Cheshire, mainly in the City of Chester and the Borough of Ellesmere Port and Neston. It is the nearest appropriate college for the majority of students who live in the catchment areas of the following Cheshire secondary schools:

Chester:

Bishop Heber, Bishops' Blue Coat, Blacon, Christleton, Neston, Queen's Park, CCH and Upton. There are public services via Overleigh Road from the Chester bus exchange, which is the focal point for services from all parts of the city and from most of the communities in the West Cheshire area and further afield.

### **Grange Centre, Ellesmere Port:**

University Church of England Academy, Ellesmere Port, The Whitby High School, Neston High School, EPCH

### **Capenhurst:**

Some engineering courses are held at Capenhurst, which is connected by rail with Chester and Liverpool/Birkenhead.

Eligible students wishing to use the LA subsidised travel arrangements should apply direct to the Integrated Transport Service.. Students from families with low income may apply to the Learner Support Fund (LSF) for reimbursement of costs. Eligibility for reimbursement will be subject to the normal means testing criteria of the scheme and is dependent on the availability of funds. LSF application forms may be obtained from Customer Services or the Finance & Welfare Team at the college. For further details of College services and provision enquire of the Student Services Officer at the College, tel: 01244-677677.

Email: <mailto:info@westcheshire.ac.uk> Website: <http://www.west-cheshire.ac.uk/>

## **CHESHIRE POST 16 PARTNERSHIP FUNDING**

A student pass is provided by the Partnership to assist students deemed to be in most need on economic and social grounds, who may live within the statutory walking distance, but who might not otherwise attend a post-16 educational establishment. These pupils will be identified towards the end of year 11 by Connexions Personal Advisers in conjunction with the school currently attended. Connexions advisers may apply for this pass for pupils who live within areas of multiple deprivation and are in receipt of top band Educational Maintenance Allowance (EMA). Applications for the following academic year must be submitted during the summer term and passes will be awarded subject to funding being available.

### **NON-CHESHIRE COLLEGES**

The local authority provides assistance with transport for Cheshire resident students who attend the following colleges only if they are in each individual case the nearest college able to offer the required course. Details of college provision are given below:

#### **Deeside College, Flintshire**

This college is located at Connah's Quay, North Wales, on Kelsterton Road.

The college offers free transport to full-time students who live further than 3 miles from the campus. From within Cheshire buses operate from Saltney, via Chester (Delamere Street), Blacon and Saughall. For further details of College services students should enquire of the Student Services at the College, tel: 01244-834511.

Email: [enquiries@deeside.ac.uk](mailto:enquiries@deeside.ac.uk) Website: <http://www.deeside.ac.uk/>

#### **Priestley College, Warrington**

The college does not operate any transport services itself. However, students who can demonstrate hardship may apply to the College's Learner Support Fund for financial assistance towards transport and other costs. For 16-18 year olds this amounts to approximately £500. For further details students should enquire of the Student Services Officer at the College, tel: 01925-633591. Email: [meryl-g@priestley.ac.uk](mailto:meryl-g@priestley.ac.uk) Website: <http://www.warr.ac.uk/>

#### **Cheadle & Marple 6th Form College, Stockport**

There is one college bus service, provided by Andrews of Tideswell, which starts in Buxton and picks up Cheshire students at the Rams Head in Disley. The contact for transport enquiries is Janet Roberts, Admissions Manager, tel: 0161-484 6605. Email: [Janet.Roberts@CAMSFC.ac.uk](mailto:Janet.Roberts@CAMSFC.ac.uk). GMPTE run a school service from Poynton to the college: the 810. The college uses Access funds to help students who satisfy the criteria in order to assist with the cost of transport. For further details, enquire of Janet Roberts, Admission Manager, at the College: tel: 0161-484 6605. Email: [info@theRidge.ac.uk](mailto:info@theRidge.ac.uk) Website: <http://www.ridgedanyers.ac.uk/>

### **South Trafford College**

The college does not operate any transport services itself. It does, however, offer *assistance to students* to cover transport costs. This is subject to means testing and depends on the number of days a student attends each week, together with the distance travelled.

For further details students should enquire of the Student Services Officer at the College, tel: 0161-952 4601. Email: [enquiries@stcoll.ac.uk](mailto:enquiries@stcoll.ac.uk)

Website: <http://www.stcoll.ac.uk/>

### **Stockport College of Further and Higher Education**

The college does not operate any transport services itself. It does, however, award transport grants to cover transport costs. This is subject to means testing and depends on the number of days a student attends each week, together with the distance travelled. Further details may be obtained from the Welfare Team at the College: tel: 0161-958 3142. Email: [bernie.cunliffe@stockport.ac.uk](mailto:bernie.cunliffe@stockport.ac.uk)

Website: <http://www.stockport.ac.uk/>

### **Stoke-on-Trent College**

Students under 19 years of age should apply to the local authority in the first instance. If they are refused assistance because it is not the nearest college, they should apply to the College's Learner Support Fund for assistance bringing a copy of their refusal letter.

At the time of printing, the upper threshold income limit for support is not known. For further information contact the College's Student Assistance Team on 01782-603604.

Information can also be obtained from the college's website: <http://www.stokecoll.ac.uk/> or by Email: [info@stokecoll.ac.uk](mailto:info@stokecoll.ac.uk) or by calling the college on 01782-208208.

### **Wirral Metropolitan College**

Students aged 16 to 19 who attend Wirral Metropolitan College and do not qualify for assistance from the LA can apply to the college for a half price travel pass. Students must be enrolled on a full-time course and must live more than three miles from the college. For further details, students should enquire of the Student Services Officer at the College: tel: 0151-551 7777. Email: [enquiries@wmc.ac.uk](mailto:enquiries@wmc.ac.uk) Website: <http://www.wmc.ac.uk/>

### **Yale College, Wrexham**

Each year a number of Cheshire students attend this former sixth form college in Wrexham.

Students requiring further information about college services should enquire of the Student Services Officer at the College, tel: 01978-311794.

Email: [college@yale-wrexham.ac.uk](mailto:college@yale-wrexham.ac.uk) Website: <http://www.yale-wrexham.ac.uk/>

## Further Information and Applications

For Council services, students should apply to the Integrated Transport Service, Rivacre Business Centre, Mill Lane, Ellesmere Port, CH66 3TL. Application can be made online at: [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk) – just click on Transport & Travel, then School Transport. Forms are available at college offices, or alternatively, please call 01244 976044.

Potential students should enquire with the Student Services Officer at the relevant college for details of any college transport services or help towards costs of other services. Details are given above under each college.

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# Under 16 School Transport Policy

## Section 1

### SCHOOL TRANSPORT POLICY FOR CHILDREN OF STATUTORY SCHOOL AGE

*(Effective from September 2008)*

#### General Statement of Policy

#### Criteria of eligibility for free home to school transport

- Children who attend their local school
- Parental choice of an alternative school
- Children who attend denominational schools
- Children in special education
- Children affected by school closures
- Children whose families move home
- Children in temporary residential circumstances
- Children with medical problems
- Children outside the 5-16 age range
- Criteria of eligibility for assisted home to school transport to denominational schools for children not 'eligible' for free transport
- 'Ineligible' children and spare seats on contract services
- General conditions
- Parental responsibilities
- Assessment of the walking route from home to school
- The nature of the transport arrangements
- Children's behaviour
- Correcting errors
- The appeals system

#### Definitions

##### 1 General Statement of Policy

This statement of policy sets out the way in which the Council has decided to exercise its powers and duties to provide home to school transport in accordance with Section 509 of the Education Act 1996 and the Education and Inspections Act 2006. Generally the Council will provide transport for pupils who are registered pupils at their local school and live more than the recognised (statutory) walking distance from it, ie 2 miles for children of primary school age and 3 miles for older children. For most children this transport is free, but there are charges for those who make use of the Council's school transport services but are not themselves entitled to free transport. The Council makes no general transport provision for children under the age of compulsory education, or those of any age who attend private schools or colleges. Generally the Council will not meet the cost of children's travel to schools or colleges other than those which are intended to serve the particular area in which they live,

eg normally the Council's zoned or catchment school. If a parent sends his/her child to another school, s/he cannot claim from the Council the money the school transport service would otherwise have been prepared to spend on transporting the child to his/her local school.

The above general statements are intended as a general guide and are without prejudice to the full policy set out below. Parents may appeal against a transport decision through the Council's formal appeals process.

## **2 Criteria of eligibility for free home to school transport**

### **2.1 Children who attend their local school**

*(Pupils attending the local school in whose catchment zone they live)*

(a) Arrangements for free transport will be made in accordance with the provisions of paragraph 5.3 of this statement, where:

- (i) the child is a registered pupil at the 'zoned' primary school and lives more than 2 miles from the school, as measured by the nearest available walking route; or
- (ii) the child is a registered pupil at the 'zoned' secondary school and lives more than 3 miles from the school, as measured by the nearest available walking route; or
- (iii) the child is from a low income family (see definition 6.3 below), is a registered pupil at an appropriate 'qualifying' secondary school between 2 and 6 miles of the home address (or 2-15 miles for a denominational secondary school); or
- (iv) the child is a registered pupil at the nearest suitable school to the home address and lives more than 2 miles (primary) or 3 miles (secondary) from the school, as measured by the nearest available walking route.

(b) Arrangements for free transport will also be made for children registered at their nearest suitable school who live less than the walking distances between home and school referred to in (i) and (ii) above respectively, where, having regard in particular to the age of the child and the nature of the route, or any possible alternative route which the child could reasonably be expected to take, free transport is considered necessary for the purpose of facilitating the child's attendance at school.

### **2.2 Parental choice of a school other than the nearest suitable school**

The Council has no general duty to provide assistance with transport for pupils other than those who attend the "nearest suitable school" (defined in paragraph 6.1). Except where specifically provided for elsewhere in this policy statement (such as at paragraphs 2.1a (iv) or 2.3) therefore, in all other circumstances the Council will not usually provide free transport or contribute towards the cost of transport.

### **2.3 Children who attend denominational secondary schools**

*(Pupils attending Voluntary Aided schools on religious grounds)*

Where a pupil attends for reasons of religious belief, a denominational secondary school between 2 and 15 miles of the home address, the Council will consider the designated Voluntary Aided school of the relevant denomination (as defined in paragraph 6.2) as the appropriate school for the purposes of 2.1a (iii) above, provided that the pupil is 'eligible' for free transport under the low income definitions

at paragraph 6.3 of this policy, and the travelling time to or from school does not exceed one and one quarter hours.

## **2.4 Children in special education**

*(Children with complex special needs)*

Arrangements for the provision of transport for pupils with special needs are set out in a separate policy statement 'CSN Transport Policy'. Briefly the position is that children with special educational needs may qualify for free transport either on grounds of distance or on the basis of their needs.

The school or unit at which the child is placed by the Council will be deemed the 'nearest suitable school' for school transport purposes irrespective of the Council's normal zoning arrangements.

## **2.5 Children in the care of the local authority (Looked After Children)**

The school at which a child is placed by the Council will be deemed the 'nearest suitable school' for school transport purposes irrespective of the Council's normal zoning arrangements in order to provide continuity of educational provision for such children. The allocation of school will be reviewed as part of the child's regular Care Plan review.

## **2.6 Children affected by school closures and reorganisations**

*(Travel arrangements for pupils displaced from their zoned school by its closure or reorganisation of schools in the area)*

(a) Pupils displaced by school reorganisation or closure who are resident in the catchment area of their former school may be awarded assistance with transport to the new designated school, irrespective of the normal distance criteria, when this is considered appropriate to aid a managed transition and has been agreed under the closure/reorganisation plan;

(b) There will be an individual review for each pupil with special educational needs to determine appropriate educational provision and associated transport.

(c) Such arrangements are time-limited, and requests for assisted transport on behalf of pupils subsequently admitted to the designated school will be determined in accordance with 2.1 above.

## **2.7 Children whose families move home**

An existing entitlement to assistance with transport does not continue regardless of a change in a pupil's place of residence. Upon a change of address a pupil's transport entitlement will be reviewed under the policy in existence at that time.

## **2.8 Children in temporary residential circumstances**

*(Arrangements for determining the entitlement to free transport on a short-term basis where families are forced to re-locate temporarily to alternative accommodation owing to circumstances outside their control)*

(a) The Council is prepared under the school transport policy to consider on their merits applications in respect of children accommodated under a temporary/emergency arrangement otherwise than where responsibility is accepted by Children's Social Care in (b) below, having regard to the usual distance criteria (though this requirement may be waived in the case of a child accommodated in a refuge, whose safety would otherwise be at risk). Any such temporary

arrangements made to provide transport will be subject to review as necessary and at least on a termly basis.

(b) Where school transport becomes necessary on social grounds as a result of the intervention of Children's Services, the cost of providing transport as requested should, where appropriate, be considered the responsibility of and re-charged to the requesting service (excluding the provisions of paragraph 2.5 above).

## **2.9 Children with medical problems**

Parents of pupils who live within the normal walking distance of their zoned school, but are unable to walk to it because of a medical condition, may apply for assisted transport there. Any such applications should be made to: The Manager, Medical Needs Service, County Offices at Ellesmere Port and will be determined in the light of the recommendation of the School Medical Officer.

## **3 Criteria of eligibility for assisted home to school transport to denominational schools for children not 'eligible' for free transport**

*(The policy for providing assisted transport to faith schools (Voluntary Aided) for pupils not 'eligible' for free transport under the Education and Inspections Act 2006)*

3.1 Pupils will be eligible for assisted (but not free) transport to the designated (see definition 6.2) local denominational school, where they attend for reasons of religious belief and they live beyond the statutory walking distance but less than 15 miles from of the school. Transport assistance will be offered subject to payment of a parental contribution to the cost of transport at a charge to be decided annually and reflecting the cost of provision. The following clauses will apply:

(i) Assisted transport will be provided subject to the statutory walking distance criteria and the maximum travelling distances (15 miles) and time (one and a quarter hours); and

(ii) Only two statutory school age children per household (see definition 6.4 for what constitutes a household under this policy) will be subject to a charge; and

(iii) A pupil attending a school prior to September 2008 and in receipt of free transport under the local authority's Home to School Transport Policy for 2007, and continuing in statutory education at the same school beyond September 2008, will remain entitled to free transport under the 2007 policy, until such time as a change of school takes place.

## **4 'Ineligible' children and spare seats on contract services**

*(Arrangements for determining the allocation of spare seats to pupils not entitled to free transport under this policy)*

4.1 Parents/carers of pupils not eligible for free transport under the other provisions of this policy may apply for a spare place on an available school contract vehicle, providing that there is no suitable public transport service. Where unallocated seats are available on school contract vehicles, they will be offered for existing routes and stops only, and at a charge to be decided annually and reflecting the cost of provision.

## **5 General conditions**

*Free transport is provided to and from school for children who qualify under this policy on the basis that parents, children, schools, Council and transport operators have a shared responsibility for its safe and secure operation in the interests of all the parties. A number of considerations are set out below:*

### **5.1 Children's behaviour**

The Council may withdraw its provision of transport facilities or employ other sanctions, as it considers appropriate, in the case of any pupil or student whose behaviour during the journey to or from school/college is not of an acceptable standard, **this includes smoking on buses as of 1 July 2007**. In addition, schools can employ a number of sanctions ranging from detention to exclusion in order to deal with persistent misbehaviour on school transport. *(There is a Code of Practice, which schools are encouraged to invoke in appropriate circumstances).*

### **5.2 Parental responsibilities**

a) It is the obligation of parents under Education law to secure their children's safe travel to and from school/college. Parents are responsible for their children until they are received onto school/college premises and after they leave.

b) Transport assistance is only provided on the basis of a formal application submitted by or on behalf of the parent. If the application is successful, assistance is effective from date of receipt of the application by the Intergrated Transport Service or as soon thereafter as practicable – assistance will not normally be provided retrospectively. The Integrated Transport Service *will aim to process your application within 14 days, but this may be longer during busy periods. If arrangements take longer than 14 days, it may be possible to claim a refund from the 15th day and until such time as transport is provided. All refunds will be based on the cheapest fare available at the time of travel and tickets should be retained as proof of purchase.*

c) Assessments regarding the safety of a particular walking route assume in each case that children are accompanied and, where necessary, therefore, it is incumbent on parents to make arrangements for their child to be accompanied to and from school by another responsible person, if they themselves cannot be available. Where accompaniment by a responsible person is not possible, such cases may be considered under the appeals procedure (see paragraph 5.6 below).

### **5.3 The nature of the transport arrangements**

a) The arrangements for assisted travel which may be made under this policy will be at the Council's discretion and are made on the most cost-effective basis. These arrangements may take the form of:-

- travel pass for use on public transport
- travel pass or other authorisation for use on private contract services

(including taxis, where appropriate)

- cash grant
- mileage allowance payable to parents

- cycle maintenance grant

- b) Cash grants and mileage allowances will normally only be paid where no suitable public transport service exists; in certain circumstances the parent of an infant pupil may be paid a cash grant on request. Cycle maintenance grants are available, if requested by parents, as an alternative to other forms of free transport provision.
- c) Where arrangements are made for transport assistance, this will be for one return journey each day at the beginning and end of the normal school day. It is the responsibility of the parent to make any necessary arrangements for his/her child to be transported at any other time.
- d) The Council will not sanction arrangements under this policy, other than to the zoned or designated establishment appropriate to the place of residence, which involve pupils or students undertaking a journey which, by public transport, would require a travelling time each way in excess of one and a quarter hours (secondary); or three quarters of an hour (primary).
- e) Section 508A of the Education and Inspections Act places a duty on local authorities to promote the use of sustainable travel and transport. See the Council's Sustainable School Transport Strategy for further information.

## **5.4 Assessment of the walking route from home to school**

The distance between home and school is measured, using digital mapping, from the pupil's home gate or drive nearest to the school to the nearest available gate/entrance of the school grounds, by way of the nearest available walking route. An assessment of the route will be made, if necessary, on the basis of appropriate professional advice on all of the relevant factors relating to distance and safety. *(The Council's guidelines for the assessment of the safety of walking routes are included in Section 6)*

## **5.5 Correcting errors**

Where, for any reason, transport facilities have been approved in error, the Council reserves the right to withdraw that provision at any time convenient to the Council, and will normally do so, after giving due notice of its intention to do so.

## **5.6 The appeals procedure**

Notwithstanding the general provisions of this policy, applications for free or assisted school/college transport are considered on an individual basis. In the case of a dispute over eligibility for free/assisted transport a parent/student may bring an appeal against the Council's decision via the appeals process.

## **5.7 Exceptions to policy**

Occasionally cases arise which are outside the policy but where the Council will take the view that transport should be provided and that it would be inappropriate or unnecessary to bring a case to appeal. For this reason the Lead Member for Children's Services decided in November 2006 that "appropriate transport may be approved by Director of Children's Services in relation to children for whom there are very exceptional personal or domestic circumstances"

## 6 Definitions

### 6.1 'Nearest suitable school'

- a) For the purposes of this policy the 'nearest suitable school' is defined as the local zoned or catchment school; or, if closer than the zoned school, the nearest maintained school that is deemed by the Council as suitable to a particular child's age and needs.
- b) A school designated by the Council as the appropriate school for a particular pupil (e.g. a permanently excluded pupil, a statemented pupil, a child in the care of the local authority and placed at a particular school or a child placed at a particular school under the Hard to Place Pupil Protocol, where normal admissions procedures have failed) will normally be deemed to be the nearest suitable school for the purposes of this policy.

### 6.2 'Designated' school

In relation to faith schools, the 'designated' school is the appropriate school as agreed between the Council and the appropriate diocesan authority. This may not always be the nearest faith school.

### 6.3 'Eligibility' for free transport for 'disadvantaged' children

*(How does the Council determine 'eligible' in relation to pupils from low income families and their entitlement to free transport under the Education and Inspections Act 2006)*

The Education and Inspections Act 2006 requires local authorities to adopt the following criteria for assessing a family as low income or 'disadvantaged':

*"The Act will place a new duty on local authorities to provide free transport for some of the most disadvantaged pupils (those eligible for free school meals or whose parents are in receipt of the maximum level of Working Tax Credit)..."*

### 6.4 'Household'

The term 'household' is intended to cover siblings – ie pupils with brothers or sisters including half-brothers and sisters, and unrelated children living together at the same address as part of one household.

### 6.5 Distances

Distance referred to in this policy include:

- a) Statutory Walking Distances: principally 2 miles for primary pupils and 3 miles for secondary pupils, except where otherwise stated;
- b) Distances within which 'disadvantaged' pupils are entitled to free transport (2-6 miles for secondary schools, or 2-15 miles for denominational secondary schools);
- c) The lower 2 mile distance referred to in paragraph 6.5b is the distance as measured by the nearest available walking route, whereas the upper 6 and 15 mile distances are not walking routes and should be measured along road routes suitable for a vehicle.

### 6.6 Definition of 'Qualifying' Schools (secondary schools only):

- 'Qualifying Schools' are the three nearest to the child's home address (and within 2-6 miles) from:
  - Community, Controlled, Foundation or Voluntary Aided schools
  - Community or Foundation Special Schools

- Non-maintained special schools
- Pupil referral units;
- Maintained nursery schools; or
- City technology colleges (CTC), city colleges for the technology of the Arts, or Academies.

In relation to a child with SEN, an independent school (other than a CTC, CCTA or Academy) will be a qualifying school if it is the only school named in the child's statement, or it is the nearest of 2 or more schools named in the statement.



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