

General Appeals Sub Committee

Agenda

Date:	Monday, 3rd February, 2025
Time:	10.00 am
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe, CW1 2BJ

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 foot of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website

PART 1 - MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Appointment of Chair**

To appoint a Chair for the meeting.

2. **Apologies for Absence**

3. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary interests, other registerable interests, and non-registerable interests in any item on the agenda.

For requests for further information

Contact: Frances Handley

Tel: 01270 371378

E-Mail: Frances.Handley@cheshireeast.gov.uk with any apologies

4. Public Speaking Time/Open Session

In accordance with paragraph 2.24 of the Committee Procedural Rules and Appendix on Public Speaking, a total period of 15 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the body in question. Individual members of the public may speak for up to 2 minutes but the Chair will have the discretion to vary this where they consider it appropriate.

Members of the public wishing to speak are required to provide notice of this at least three clear working days in advance of the meeting and should include the question with that notice.

5. Exclusion of the Press and Public

The reports relating to the remaining items on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 as amended 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 to the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT

6. School Transport Appeals

The Sub-Committee is asked to determine the following appeals against the decision of the Council not to offer assisted school transport.

The cases will be heard at the following times:

7. Case 1 - 10.05am (Pages 5 - 76)

8. Case 2 - 10.50am (Pages 77 - 138)

Membership: Councillors S Bennett-Wake, S Edgar and E Gilman

PROCEDURE TO BE FOLLOWED ON THE DAY

1	Appellants arrive at Reception and will wait in the appointed waiting area.
2	Members assemble in meeting room. They will be joined by the Committee Officer and the Legal Clerk to discuss any preliminary issues, but not the cases themselves.
3	The Legal Clerk will then meet the Appellants and explain the procedure to them.
4	The Legal Clerk will bring the first Appellant into the meeting.
5	The Chairman will welcome all to the meeting and will invite Members and Officers to introduce themselves.
6	The Presenting Officer will present the case for the Authority.
7	The Appellant to ask questions of the Presenting Officer, by way of clarification.
8	Sub-Committee Members to ask questions of the Local Authority Presenting Officer.
9	The Appellant presents their case.
10	The Presenting Officer to ask questions of the Appellant by way of clarification.
11	Sub-Committee Members to ask questions of the Appellant.
12	The Local Authority Presenting Officer to sum up the Authority's case.
13	The Appellant to sum up their case.
14	The Presenting Officer and Appellant to withdraw from the meeting.
15	The Committee reaches its decision, advised by the Legal Clerk .

Note: Neither the Presenting Officer nor the Appellants are permitted to be in the Committee Room in the absence of the other.

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Post-16 Education Travel Policy Statement September 2024

Cheshire East Council



www.cheshireeast.gov.uk

Open

Fair

Green

Document summary

This document provides travel information for young people in post-16 education, continuing learners aged 19 and those young people aged 19 – 25 (inclusive) with an Education Health Care Plan (EHCP).

Department Responsible: Education Travel Policies

Contact details: 01270 686521

Document first release: 09 April 2024

Published version: Version 2.0 25 April 2024

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Other related education travel policies:

[Compulsory School Age Education Travel Policy](#)

[Education Travel Payments Policy](#)

[Education Travel Behaviour Code](#)

[Education Travel Appeals and Complaints Policy](#)

[Sustainable Modes of Travel Strategy](#)

Introduction

The local authority does not have to provide free or subsidised post-16 travel support but has a duty to prepare and publish an annual transport policy statement setting out the arrangements for the provision of transport, or other support, that it considers necessary to facilitate the attendance of all persons of sixth form age receiving education or training.

All young people carrying on their education post-16 must reapply for travel support.

‘Sixth form age’ refers to those young people who are over 16 years of age but under 19 or continuing learners who started their programme of learning before their 19th birthday (years 12,13,14).

Local authorities also have a duty to encourage, enable and assist young people with learning difficulties / disabilities to participate in education and training, up to the age of 25.

This policy uses the term ‘post-16’ to include both learners of sixth form age and those with learning difficulties / disabilities up to the age of 25.

This policy document specifies the support that Cheshire East Council considers it necessary to facilitate the attendance of post-16 learners receiving education or training.

Education or training refers to learning or training at a school, further education institution, a local authority maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the local authority, for example, colleges, charities and private learning providers.

1 . Aims and objectives

1.1 The post-16 Travel Policy Statement reflects the Department for Education guidance.

1.2 This statement aims to share information from the local authority, schools, colleges and other relevant sources and describes the support available to young people entering or continuing with full-time post-16 education.

1.3 The statement also gives advice on the support available to learners with special educational needs or a disability and reinforces our commitment to encouraging independent travel options.

1.4 The overall intention of the 16-18 transport duty is to ensure that:

- learners of sixth form age are able to access the education and training of their choice
- if support for access is required, this will be assessed and provided where necessary.

1.5 The policy statement takes the following into account:

- young people are now required to stay in education or training until their 18th birthday. Local authorities are responsible for promoting the effective participation in education and training of young people who are subject to the duty to participate.
- under the September Guarantee, every young person aged 16 or 17 should be offered a suitable place in education or training - further details are available at www.gov.uk/government/publications/september-guarantee-offers-of-education-or-training-for-16-to-17-year-olds

1.6 Local authorities have a statutory duty to provide free transport for children of compulsory school age¹, subject to eligibility. However, travel assistance for 16-19 year old students is discretionary. Local authorities have a duty to consider what assisted travel and support is necessary in their administrative area to facilitate a young person's participation in education and training.

¹ Compulsory school age begins at the beginning of the term following a child's 5th birthday and ceases on the last Friday in June in the school year when the child reaches the age of 16.

1.7 The policy statement applies to the academic year 2024-25.

2 . Travel assistance and transport

2.1 Travel Cheshire

Travel Cheshire is a website that provides information about local journeys – from cycling to driving and walking to public transport and includes a travel planner for working out the best way to make a journey in and around Cheshire.

www.travelcheshire.co.uk/

2.2 Public Transport

Some commercial transport operators offer discounts for regular travellers on their services. Further details about fares and concessions on commercial services can be obtained by contacting the operator direct or visiting Cheshire East Council's public transport website at www.cheshireeast.gov.uk/travel . This site is regularly updated and provides a wealth of information which will support students/families in seeking assistance to travel.

2.3 Traveline

This is a partnership of transport companies, local authorities and passenger groups that have come together to bring routes and times for different travel requirements <https://www.traveline.info/about-traveline/traveline-services/> or by telephone on 0871 200 2233. Calls are charged at 12 pence per minute from landlines and cost more from mobile phones as mobile phone companies may add their own access charge.

2.4 Rail Services

2.4.1 Young people aged 16 or 17 can enjoy 50% off standard anytime, off-peak, advance and season tickets with a 16-17 Saver, which is £30 and is valid for one year or until the young person's 18th birthday, whichever comes first. For more information see the 16-17 saver website at: <http://www.16-17saver.co.uk>

2.4.2 The Student Railcard offers considerable discounts over standard fares, but other cheaper fares are also available. For the best offers students should check with operators what choices are available for their journey at the time they wish to travel.

2.4.3 Information on student rail cards can be obtained via the Railcard website at: <http://www.16-25railcard.co.uk> . Additional information on rail fares and services can be obtained by ringing: 0870 608 2608.

2.5 Spare Seats

Where there is spare capacity on the local authority's school contracts, it may be possible for students to apply for a spare seat. The charge for a spare seat in 2024/25 is £900 per annum. Spare seat applications can be made online at www.cheshireeast.gov.uk/schooltransport or by calling Cheshire East Council on 0300 123 5012. Spare seats can be paid for on a termly or annual basis.

2.6 Bus passes for disabled persons

Cheshire East Council offers bus pass concessions to permanent residents of the borough. Eligible Cheshire East residents can apply for a disabled person's bus pass via an online portal. You can also use the portal to replace lost or damaged cards (£10 fee applies). Cheshire East Council does not provide companion or plus 1 passes. You can find further details at: https://www.cheshireeast.gov.uk/public_transport/concessionary_travel/bus-passes.aspx

3 . Travel support from schools and colleges

3.1 The 16-19 Bursary Fund

3.1.1 The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation so they can remain in education. In order to be eligible for a bursary, you must:

- be at least 16 and under 19 on 31 August 2023

- study at a publicly funded school or college, or be on an unpaid training course
- meet the residency requirements - your school or college can check this

3.1.2 There are two types of 16 to 19 bursaries:

3.1.3 Type 1: A vulnerable bursary of up to £1,200 a year for young people in one of the defined vulnerable groups below:

- in care
- care leavers
- in receipt of Income Support, or Universal Credit in place of Income Support, in their own right
- in receipt of Employment and Support Allowance or Universal Credit and Disability Living or Personal Independence Payments in their own right

3.1.4 Type 2: Discretionary bursaries, which schools and colleges award to meet individual needs, for example, help with the cost of transport, meals, books and equipment.

3.1.5 To be eligible for the discretionary bursary, each school or college will have their own criteria, but usually young people must:

- be studying a programme that is subject to inspection by a public body which assures quality (such as Ofsted), the provision must also be funded by either a government funding agency or the local authority, **AND** one of the following:
- be aged 16 or over but under 19 at 31 August 2024 **OR**
- be aged 19 or over at 31 August 2024 and have an Education, Health and Care Plan (EHCP) **OR**
- be aged 19 or over at 31 August 2024 and continuing on a study programme they began aged 16 to 18 ('19+ continuers').

3.1.6 Schools and colleges are responsible for managing both types of bursaries. Young people who want to apply for support from the bursary fund should contact their chosen school or college to make an application.

3.1.7 Further information can be found at <https://www.gov.uk/1619-bursary-fund>

3.2 Young parents / Care to Learn

3.2.1 If you are a young parent under 20, Care to Learn can help pay for your childcare and related travel costs, up to £160 per child per week, while you're learning.

3.2.2 Care to Learn can help with the cost of:

- childcare, including deposit and registration fees
- a childcare 'taster' session (up to 5 days)
- keeping your childcare place over the summer holidays
- taking your child to the childcare provider

3.2.3 Types of childcare

The childcare provider must be Ofsted registered and can be a:

- childminder
- pre-school playgroup
- day nursery
- out of school club

3.2.4 If your child needs specialist childcare, the provider must also be on the Care Quality Commission's register for specialist provision.

If you want a relative to get Care to Learn for looking after your child, they need to be both:

- providing registered childcare for children they're not related to
- living apart from you and your child

3.2.5 Payments. Childcare payments go directly to your childcare provider.

Before your childcare provider can be paid:

- your childcare provider needs to confirm your child's attendance
- your school or college needs to confirm that you're attending your course.

3.2.6 Payments for travel costs go to your school or college - they'll either pay you or arrange travel for you.

3.2.7 Attendance. Payments will stop if:

- you stop attending your course
- you finish your course
- your child stops attending childcare

3.2.8 Eligibility. You can qualify for the Care to Learn funding if:

- you're a parent under 20 at the start of your course
- you're the main carer for your child
- you live in England
- you're either a British citizen or have a legal right to live and study in England
- your course qualifies
- your childcare provider qualifies

3.2.9 Type of course. Care to Learn is only available for courses in England that have some public funding. This includes courses that take place in:

- schools
- school sixth forms
- sixth form colleges
- other colleges and learning providers, including Foundation Learning
- your community at children's centres/family hubs

3.2.10 Young parents are also entitled to apply for an Under-19 Bus Only Ticket or those aged 19 and over can apply for the 19 – 25 card.

3.2.11 For more information please visit <https://www.gov.uk/care-to-learn/how-to-claim>

3.3 The Student Bursary Support Service

The Student Bursary Support Service (SBSS) is an online service used to administer student support for the Care to Learn scheme and the 16 to 19 Bursary Fund for vulnerable students. The online system at www.gov.uk/guidance/student-bursary-support-service is for use by education institutions, childcare providers and for students. The system is easy to use, accessible and responsive. Alternatively, telephone 0800 121 8989 (NB students

with queries about the 16 to 19 Bursary fund for vulnerable students should contact their education institution).

3.4 Help students can apply for if they need to travel to a course that is outside of Cheshire East

As each sixth form or college is responsible for setting their own eligibility criteria, students should contact the establishment they wish to attend to enquire about what support is available for students travelling from outside the area.

See **Appendix A** for further information.

4. Support for students who turn 19 whilst continuing on a course

4.1 It is the responsibility of sixth forms and further education colleges to decide how best to support their students who reach their 19th birthday whilst undertaking an education course and initial enquiries should be directed to individual providers.

4.2 For students aged 19-25 with an Education and Health Care Plan (EHCP) attending sixth form, college or other training providers, the local authority will consider arrangements for the provision of assisted travel, as necessary, and in accordance with the policy for students with SEND, as set out in this statement.

4.3. How 19-25 students will be assessed for support

It will be a matter for individual sixth forms and further education colleges to determine the level of support they make available, along with any associated eligibility criteria and to communicate this to students. Eligibility criteria may differ between establishments and will depend on the level of funds made available by each provider and how they believe they can best support students travel needs.

5. Mobility/independence training for students who face difficulty with transport

5.1 Personal independence is a vital part of preparing for adulthood. All students, particularly those aged between 16 and 20 years, are encouraged to consider strategies to develop independence during their time at college. One way in which this is most effectively demonstrated is through independent travel to and from the

college. Indeed, many of the skills needed to achieve this goal are transferable and of utmost importance in everyday life.

5.2 Courses on life skills may be offered at colleges in Cheshire and a limited amount of independent travel training can be included in the syllabus. Potential students should enquire at their local college to see what is offered.

5.3 Sustainable transport: Sustrans (<https://www.sustrans.org.uk/>) is the leading sustainable transport charity that provides practical advice for parents and young people to increase confidence in walking and cycling.

5.4 Students should contact the post-16 provider to discuss options such as the provision and availability of peripatetic teachers, mobile provision and e-learning options.

6 . Travel assistance provided by the local authority

6.1 Local authority support for young people without special educational needs or disabilities

6.1.1 The provision of free or subsidised travel assistance for all post-16 learners is not a statutory duty. In Cheshire East this will not normally be provided for mainstream students or students who were not eligible for free home to school travel when they were of compulsory school age (5-16 years).

6.1.2 The policy statement, however, provides information for certain students on the process of applying for transport assistance from the local authority.

6.1.3 The policy statement also provides all Cheshire East post-16 students and their parents with information about where to access the most up to date transport and travel information, as provided by the local authority, schools, and colleges of further education, transport providers and other relevant sources.

6.1.4 Cheshire East Council will, wherever possible, promote the use of concessions when agreeing to assisted travel. In addition, some sixth forms and further education colleges may operate or contract their own transport services where concessions apply. Appendix A contains a list of post-16 education providers in the area who regularly admit Cheshire East students.

6.1.5 Travel with any discounted passes or concessions will be subject to the terms of carriage by the operator. Students should contact the operator directly to enquire about any day/time restrictions.

6.1.6 Details of routes may be available on the individual sixth form or further education college website or by contacting the establishment directly. Students may wish to make enquiries with their chosen sixth form or further education college about what support is available to them.

6.2 Local authority support for learners with special educational needs or a disability (SEND)

6.2.1 This section provides details of support available from the local authority for young people with SEND including age ranges considered, criteria for eligibility, review information and types of travel support available.

6.2.2 This policy statement provides information for Cheshire East students and their parents² about the travel assistance available to them when continuing in education or training beyond compulsory school age³. It relates to post-16 learners who are:

- aged 16-18 years of age including those with special educational needs and disabilities
- aged 19 years of age including those with special educational needs and disabilities who started a course before their 19th birthday and who continue to attend that course
- Adults under 25 years of age, including those with special educational needs and disabilities, with or without an Education and Health Care Plan (EHCP) who wish to attend an educational course.

² Includes natural parent, person with parental responsibility and a carer, as defined in Section 576 of the Education Act 1996. Further Information is published on the <https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility#whoisaparent>

³ Compulsory school age begins at the start of the term following a child's fifth birthday and ends on the last Friday in June of the school year in which they are 16.(S8, Education Act 1996)

6.2.3 The policy statement provides information for certain students on the process of accessing a financial contribution from the local authority towards travel needs.

6.2.4 When a young person starts post-16 education, local authorities no longer have to provide free travel support to their educational placement – any such provision is discretionary and will not normally be provided for mainstream students or students who were not eligible for free home to school travel when they were of compulsory school age (5-16 years).

6.2.5 As part of a young person's transition to adulthood, Cheshire East Council encourages as many young people with Special Educational Needs and/or Disability (SEND) as possible to have started to travel independently by the time they reach college age. Independent Travel Training may be available for those who may benefit, to support transition, including local schools and colleges.

6.2.6 Parents and their children are advised to consider the journey to their preferred placement when making decisions about post-16 education and training. The nearest suitable school or college is defined in section 6.11.5 of this policy statement.

6.2.7 Cheshire East Council understands that there will be post-16 students with SEND who will not be able to travel independently to their place of learning and, in such cases, the local authority may provide travel assistance primarily in the form of a personal travel budget (PTB). In cases where a PTB is not suitable, parents and carers can appeal, as detailed in section 6.3.1.

6.2.8 The local authority may arrange travel assistance from a suitable pick-up point rather than the home address. The responsibility for a young person's safety in getting to and from the pick-up point is the parents'.

6.3 Personal travel budget (PTB)

6.3.1 The local authority will provide assistance primarily in the form of a personal travel budget (PTB) to all eligible post-16 students where this is deemed to be the lowest cost option. The local authority may arrange the transport rather than offer a PTB where one or more young people are attending the same educational establishment. This is at the discretion of the local authority.

6.3.2 Exceptions to this will be considered as part of the Appeals and Complaints process and may include circumstances such as the nearest suitable school/college being a substantial distance from home, the need for a specialist vehicle, or financial hardship. It is expected that applicants on the grounds of financial hardship will have already applied for bursary assistance from their school/college before requesting additional support from the local authority.

6.3.3 A PTB is a payment made directly to a parent/carer in order to facilitate the transportation of a student to school or college.

6.3.4 The payment will be based on a mileage rate of 45 pence per mile. The total payment will be based on 2 return journeys per day of attendance with a maximum 190 days for an academic year. Please note: some schools and colleges operate a shorter academic year than 190 days, and some students do not attend 5 days per week. For example, if the distance from your home to school/college is 10 miles then the daily payment would be 2 return journeys i.e 40 miles x 45 pence per mile = £18 per day.

6.3.5 The value of a PTB can be set at a higher level in exceptional circumstances. The value of the PTB can be flexible to allow for the fact that more specialised vehicles or personal assistance may be required. The rate of payment will be determined by taking into account the personal circumstances of the family and any additional costs that may be incurred.

6.3.6 Payments will be made as per the [Education Travel Payments Policy](#).

6.3.7 Benefits of a PTB

6.3.8 A PTB provides families with the flexibility to make travel arrangements to suit their needs, for example:

- pay for the costs of driving your child to school / college
- give to a family member or friend so they can take your child to school/college
- arrange shared travel arrangements with other parents
- provide childcare facilities, such as breakfast/after school clubs for siblings to enable parents/carers to take their child to school/college
- pay for anything else that works for your family

6.3.9 The process of claiming a PTB has been simplified and parents / carers will receive regular payments over 11 months. The amount was also increased in September 2023 from 25p per mile to 45p per mile. Further details can be found below in section 7.6.

6.4 Financial contribution required

6.4.1 If the lowest cost option (as deemed by the local authority) is for the local authority to provide transport, then for students aged 16-18 year old and those aged 19 who are continuing learners, a financial contribution of £900 per annum is payable. Payment may be made termly, half-termly, for the full-year or **by Direct Debit (10 monthly instalments)**.

6.4.2 For the previous full academic year, the average cost of transporting post-16 students (16 to 25 years) was £9,840 per person.

6.5 Low income

Local authorities are expected to target any support on those young people, and their families, who need it most, particularly those with a low income. Learners, and their families, may apply for assistance via the 16-19 bursary fund, the details of which are provided in **Section 3**.

Families with low income are encouraged to contact the school/college directly and request assistance from them in relation to the 16-19 bursary fund.

6.6 Refunds

6.6.1 Where a financial contribution has been made for the full year by parents and circumstances change resulting in travel assistance no longer being required, a request for a pro-rata refund will be considered.

6.6.2 A partial refund may be made when a student leaves their educational course and no longer requires transport. The partial refund will reflect the notice period given to the local authority and the notice period required to be given to the transport operator.

6.6.3 Refunds will **not** be given in the following circumstances:

- Student does not access the transport provided by the local authority either due to sickness or non-attendance
- Where the cost of cancelling the travel assistance provided by the local authority exceeds the pro-rata refund being requested

6.7 Independent Travel training

Where the local authority deems it to be appropriate, students who have not previously accessed public transport for home-to-school travel may be offered independent travel training (ITT). The local authority will consider the learner's individual needs in making its assessment. If a student is identified as ready to undertake ITT, refusal to participate may affect any future applications for travel assistance.

6.8 Apprenticeships

The local authority does not provide travel assistance for young people participating in apprenticeships. Information on arrangements available to support learners undertaking apprenticeships and traineeships is published online at www.apprenticeships.org.uk

6.9 Not in education, employment or training (NEET)

For those young people aged 16-24 who are not in education, employment or training (NEET) or at risk of becoming so, it is recognised that travel should not be

a barrier to accessing education and applications will be considered on a case-by-case basis.

6.10 Supported Internships

For those young people who have secured a supported internship through the local authority, it is recognised that travel should not be a barrier to accessing the provision, and applications will be considered on a case-by-case basis. Travel support will only be considered to the educational element of the internship and will not be available to the workplace. Other support is available to access the workplace for supported internships. You can find further information at the following link:

https://www.cheshireeast.gov.uk/jobs_and_careers/supported_employment/supported_employment.aspx

6.11 Cared-for children

For cared for children, where Cheshire East Council is the corporate parent, eligibility for support may depend upon the type of foster care placement that the young person is residing in and the framework agreements that support those placements.

6.12 Eligibility for travel assistance

6.12.1 Cheshire East Council understands that there will be post-16 students with SEND who will not be able to travel independently to their place of learning and, in such cases, will consider assistance.

6.12.2 Students aged 16-18 with an EHCP who may be entitled to subsidised travel assistance from the local authority are those:

- that cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety concerns related to their SEN or disability
- and where no other suitable transport arrangement is already in place, such as a transport service provided by the school or college.

6.12.3 Students aged 19 with an EHCP who may be entitled to subsidised travel assistance from the local authority are those:

- that cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety concerns related to their SEN or disability
- and where no other suitable transport arrangement is already in place
- and who started a course before their 19th birthday and who continue to attend that course.

6.12.4 Adult learners aged between 19 and 25 years of age who may be entitled to travel assistance from the local authority are those:

- where the local authority considers it necessary to make travel arrangements to enable them to attend maintained or further education colleges; or
- the young person has an EHCP and is attending an institution outside the further or higher education sector and the local authority has secured the provision of that education or training and the provision of boarding accommodation in connection with that education or training.
- Where the local authority considers it necessary to make those arrangements, any transport provided will be free of charge. For all other successful applications, a financial contribution will be offered.

6.12.5 In addition, the education or learning establishment must be:

- the nearest suitable publicly funded school sixth form⁴ offering the same course or similar; or
- the nearest suitable publicly funded college of further education offering the same course or similar; or
- an establishment where the young person is receiving education outside the further and higher education sector and the course/programme of study has been secured by the local authority and includes boarding accommodation.

⁴ A local authority maintained school or an academy (including a free school, studio school or University Technical College).

6.12.6 If an eligible student or their parents choose/secure a place at an education or training establishment that does not fall within these arrangements, transport assistance may not be agreed.

6.12.7 For an application to be accepted, the student must be enrolled onto a full-time course/programme of study, scheduled to provide at least 540 directed learning hours over 30 or more weeks). In exceptional circumstances, for example where a break in learning is required for medical needs, an application will be accepted for a shorter attendance period. Details must be included in the application.

6.12.8 Travel assistance is not normally provided for part-time courses, higher education, or privately funded education.

6.12.9 For eligible young people, the local authority will provide travel assistance for the start and end of the school/college day only. Travel assistance during the day between schools or to other specialist provision is the schools' responsibility. Travel outside the usual school/college start and finish times will be the parent or young person's responsibility.

6.12.10 The student's permanent home address must be in the Cheshire East administrative boundary. The student's place of residence may be the address of the parent with whom the student is permanently resident. Supporting information may be requested to verify the place of residence. To ensure a fair process, administrative checks may be undertaken, which may include verifying addresses against council tax records. Where a student lives between two addresses, the permanent home address will be taken to be where the student wakes up for the majority of the week (Monday to Friday) and it is this address that will be used for transport purposes. If it is not possible to determine which is the permanent address by this test, then residence will be determined based on where the student is registered for purposes of child benefit (if applicable) or where the student is registered for GP purposes.

6.12.11 If you are not eligible or disagree with the type of travel assistance being offered, please refer to the Appeals and Complaints Policy

(<https://www.cheshireeast.gov.uk/pdf/schools/school-travel-policies/education-travel-appeals-and-complaints-policy.pdf>)

7. Applying for local authority travel assistance

7.1 Applications are welcomed from 1 April 2024. Applications received between 1 April 2024 and 30 June 2024 will be assessed regularly, and applicants will be notified of their eligibility for travel assistance within 4 weeks of the application being received. Successful applicants will be notified in July 2024 regarding the type of travel assistance being offered.

7.2 Applications received after 30 June 2024 will be assessed as soon as possible; however, applicants may not be notified of the decision until after the young person's educational placement for 2024/25 has started. In these circumstances, the parent/carer will be responsible for all travel arrangements and costs until the local authority has had the opportunity to review the application. Therefore, the local authority encourages applications as soon as the educational placement has been confirmed.

7.3 Online applications can be made using the following link : [Post-16 Travel Assistance Application Form](#)

7.4 If you are unable to complete the application online, please contact the Education Travel Policies team on 01270 686521 or email EducationTravelPolicies@cheshireeast.gov.uk with your name and contact number and we will call you to complete the application over the telephone.

7.5 When students should start to apply for transport support

It would be advisable to contact the preferred sixth form or further education college as soon as possible to enquire about what transport support may be available. The individual sixth form or college will be able to advise students of how and when to make an application for transport support.

7.6 Students applying to the local authority on the grounds of SEND will need to make their applications to the local authority as described in section 7.

7.7 Help available for students who attend a further education institution which is beyond reasonable daily travelling distance and they need to stay away

Where a student with disabilities and/or special educational needs is placed at an establishment providing further education which is beyond reasonable daily travelling distance, the local authority will consider applications for travel assistance to and from their residential education setting for the student, depending upon level of need. This could mean travel assistance at the beginning and end of each week, half-term or term. Any arrangements would then be regularly monitored.

7.8 Applying for Travel Assistance

7.8.1 Applications for travel assistance must be made every year using the forms available on Cheshire East Council's website at https://form.cheshireeast.gov.uk/service/Post_16_transport_application or by request to 0300 123 5012.

7.8.2 Year 11 students moving into a post-16 placement must complete an application form to request continuing support in Year 12 and 13, even if they are remaining in the same educational establishment. Students continuing on a post-16 course already in receipt of travel assistance will be required to submit a fresh application every year.

7.8.3 Where circumstances change mid-year, a fresh application will be required. A change in circumstances may be a change in course, residential address or educational establishment.

7.8.4 In every case, travel assistance will be reviewed following a house move, change in placement or course, or a change in the student's needs (condition, medication or equipment) or any other change in circumstances which may be relevant. Until the new application has been assessed, parent/carers will be responsible for all travel arrangements.

7.8.5 Parents are obliged to inform the local authority of any such changes. The local authority may undertake checks to ensure circumstances have not changed.

7.8.6 Where the change in circumstances removes eligibility for travel assistance the removal of that assistance will normally be subject to a 12 weeks' notice period. The exceptions to this notice period allowing that assistance to be withdrawn with immediate effect include:

- Change of school;
- Where the normal place of residence has changed
- Where incorrect, misleading or potentially fraudulent information has been used to determine eligibility
- Where, for any reason, travel assistance has been approved/provided in error, the local authority reserves the right to withdraw that provision.

7.8.7 All applications for travel assistance must be supported by appropriate evidence, such as medical documentation, Personal Independence Payments (PIP) or need for specialised vehicle. Each application will be considered by the local authority's Travel Assistance Panel. Applications will be assessed on an individual basis, using any evidence provided to identify particular travel requirements.

7.8.8 In all cases, specific and up to date evidence from relevant health and/or educational appropriate professionals supporting the student will be required. Other supporting evidence may be requested to assist the panel in its decision making.

7.8.9 Information about receipt of a Personal Independence Payment (PIP) must also be provided for consideration by the Travel Assistance Panel.

7.8.10 The provision of transport, rather than a PTB, will only be considered if this is the most cost-effective method of travel support or in exceptional circumstances. When reviewing exceptions, the following may be taken into consideration:

- The student's ability to use public transport, either accompanied or unaccompanied by a responsible adult;
- Need for a specialist vehicle;
- The length or complexity of the journey. Best practice suggests that a young person of sixth form age may reasonably be expected to travel up to 75 minutes each way to access learning. If parents or other family members are unable to take the student to their education/learning establishment, this must be fully explained in the application;
- The student's need for a passenger assistant to administer emergency medicine;
- Those that live in particularly rural areas where the transport infrastructure is more limited
- Financial circumstances of the family;
- Other circumstances relevant to each case including why the PTB may not be appropriate.

7.8.11 Where the decision is made to provide transport rather than PTB, the local authority will arrange suitable travel to the nearest suitable establishment, subject to a financial contribution being paid. The level of financial contribution required from parents/carers of learners aged 16-19 will be comparable to the cost incurred by other parents who purchase a spare seat on transport arranged for home to school travel. The level of financial contribution is £900 per annum. Failure to make the financial contribution or maintain the flexible payment terms may result in travel assistance being withdrawn.

7.8.12 Parents/carers have the choice to pay online for school transport, in advance, either annually, termly or half-termly. There may be the possibility of paying the financial contribution by monthly direct debit.

7.8.13 Cheshire East foster carers of eligible post-16 learners will be exempt from making this financial contribution when travel assistance is arranged by Cheshire East Council and the young person is residing within Cheshire East.

7.9 Personal Travel Budget

7.9.1 Payments will be paid by bank transfer over an 11-month period and on the 18th day of each month, or the next working day. August will be excluded due to the schools closing for the summer. Payments will not be back dated.

7.9.2 Parents/carers will be asked to sign a payment agreement, which confirms parent/carer and local authority responsibilities. On receipt of the payment agreement and Bankers' Automated Clearing System (BACS) form, the local authority will set up payment arrangements.

7.9.3 Each month the parent/carer will confirm that their child has been attending school, by completing a claim form and advising the dates on which the child has attended school. The parent/carer will submit a copy of this form via email to schooltransport@cheshireeast.gov.uk

7.9.4 Payments can be withdrawn by the local authority if the conditions within the payment agreement are not met, e.g. parent/carer fails to confirm attendance or independent checks confirm non-attendance.

7.9.5 There should not be any tax or benefit implications for parents in receipt of a payment. However, it is a parent/carers' responsibility to check that this is the case in their personal circumstances.

8. Appeals and complaints

8.1 Parents/carers and students may request a review or appeal against the decision of the local authority in relation to travel assistance, or type of travel assistance, offered to post-16 students. Details of the process can be found in the **Education Travel Appeals and Complaints Policy**

(<https://www.cheshireeast.gov.uk/pdf/schools/school-travel-policies/education-travel-appeals-and-complaints-policy.pdf>)

8.2 Any complaints in relation to the level of support available for mainstream post-16 students should be directed to the individual school or college.

9. Behaviour on transport provided by the local authority

Incidents on school or college transport will be managed in accordance with the local authority's **Education Travel Behaviour Code**

(https://www.cheshireeast.gov.uk/schools/school_transport/school-transport-policies.aspx)

Appendix A

Special Schools within Cheshire East

Adelaide School

Adelaide Street, Crewe CW1 3DT

For further information call 01270 260680 or visit

<http://www.adelaideschool.net/>

Adelaide Heath Academy

Longridge, Knutsford WA16 8PA

For further information call 01565 746946 or visit

<https://www.adelaideheathacademy.net/>

Church Lawton School

Cherry Tree Avenue, Church Lawton, Cheshire ST7 3EL

For further information call 01270 877601 or visit

<https://www.churchlawtonschool.org.uk/>

David Lewis College

Mill Lane, Alderley Edge, Cheshire SK9 7UD

For further information call 01565 640000 or visit

<https://www.davidlewis.org.uk/>

Lavender Field School

Samuel Street, Crewe CW1 3AE

For further information call 01270 439005 or visit

<https://www.lavenderfieldschool.co.uk/>

Park Lane School

Park Lane, Macclesfield SK11 8JR

For further information call 01625 801964 or visit

www.parklaneschool.co.uk

Springfield School

Crewe Green Road, Crewe CW1 5HS

For further information call 01270 691900 or visit

<http://www.springfield.cheshire.sch.uk/website/contact/>

Mainstream Schools and Colleges within Cheshire East

Mainstream schools and colleges providing post-16 education and training have supplied the following information about the travel assistance they intend to provide during the 2022-23 academic year. Additional information may be available at open evenings held at the school/college.

All Hallows Catholic College

Brooklands Avenue, Macclesfield. SK11 8LB

Sixth form students travelling to All Hallows Catholic College are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available.

For more information, access the college website or call 01625 426138.

www.allhallows.org.uk/bus-services

Alsager School

Hassall Road, Alsager. ST7 2HR

Sixth form students travelling to Alsager Sixth Form College are able to access a mixture of privately arranged, local authority or service routes depending on the location.

For more information, access the school website or call 01270 871100

<https://www.alsagerschool.org/parents/transport/>

Brine Leas School & Sixth Form College

Audlem Road, Nantwich CW5 7DY

Sixth form students travelling to Brine Leas School are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available. For more information, access the school website <http://brineleas.co.uk> or call 01270 625663

Or for information on how to access transport for the main school, please contact Cheshire East Transport Services on 0300 123 5012

http://www.cheshireeast.gov.uk/public_transport/school_transport/school_transport.aspx

Cheshire College, South and West

Dane Bank Avenue, Crewe CW2 8AB

All 16-19 year old students enrolled on a full-time course will be eligible to access free transport to and from College from a range of areas within Cheshire East and beyond including Shropshire and Staffordshire.

For more information, access the college website or call 01270 654654

<https://www.ccs.ac.uk/life-at-ccsw/support/financial-support/>

Congleton High School

Box Lane, Congleton CW12 4NS

Sixth form students travelling to Congleton High School are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat. Free travel home may be available when students attend or assist with after school activities and clubs. Applications are invited for the Transport Bursary Fund.

For more information, access the school website or call 01260 730123

<https://congletonhigh.com/sixth-form/student-support>

Crewe Engineering & Design UTC

West Street, Crewe, Cheshire CW1 2PZ

Sixth form students travelling to Crewe Engineering and Design UTC are able to access a range of public transport including buses and trains as used by younger students, either by paying a daily fare or purchasing a seat, if available.

The University Technical College does not provide any direct transport to and from the college site. Travel maybe subsidised if you are eligible for a bursary and applications for travel bursaries are invited.

For more information, access the college website or call 01270 218150

<http://www.utccrewe.co.uk/>

Eaton Bank Academy

Jackson Road, Congleton CW12 1NT

Sixth form students travelling to Eaton Bank Academy are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available. Transport home may be

available when students attend or assist with after school activities and clubs.

For more information, access the academy website or call 01260 273000

<https://www.eatonbankacademy.org/about-us/school-transport/>

Holmes Chapel Comprehensive School and 6th Form College

Selkirk Drive, Holmes Chapel CW4 7DX

Sixth form students travelling to Holmes Chapel Comprehensive School and Sixth Form College are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available.

The school also arranges transport to and from Wincham.

For more information, access the school website or call 01477 689500

<https://www.hc6f.co.uk/information>

Knutsford Academy College and Studio School

Bexton Road, Knutsford WA16 0AE

Sixth form students travelling to Knutsford Academy and Studio School are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available.

For more information, access the school website or call 01565 633294

<https://www.knutsfordacademy.org.uk/>

Macclesfield College of Further and Higher Education

Park Lane, Macclesfield SK11 8LF

Macclesfield College provides a subsidised bus service for full-time 16-18 year old students who live outside a three mile radius of the College.

For more information, access the college website or call 01625 410000

<https://macclesfield.ac.uk>

Malbank School & Sixth Form College

Welsh Row, Nantwich CW5 5HD

Sixth form students travelling to Malbank School & Sixth Form College are able to access transport to and from a number of local areas including Crewe, Wrenbury, Shavington, Wistaston and Willaston. The college does offer

financial support for travel to college, subject to means testing.

For more information, access the school website or call 01270 611009

<https://www.malbank.com/page/?title=School+Transport+Information&pid=122>

Poynton High School & Performing Arts College

Yew Tree Lane, Poynton SK12 1PU

Sixth form students travelling to Poynton High School and Performing Arts College are able to access the transport used by younger students through the guaranteed seat system, by purchasing a travel ticket via

<https://www.phs.cheshire.sch.uk/parents/transport-information> Transport is available from Disley, Bollington, Marple, Macclesfield and Cheadle Hulme.

For more information, access the school website or call 01625 871811

<https://www.phs.cheshire.sch.uk/page/?title=Transport+Information&pid=41>

Reaseheath College

Nantwich CW5 6DF

Students travelling to Reaseheath College are able to access dedicated college buses to and from locations within Cheshire East and other areas including Stoke, Staffordshire, Chester, Warrington and Ellesmere Port.

For more information, access the college website or call 01270 625131

<https://www.reaseheath.ac.uk/further-education/studying-at-reaseheath/transport/>

Sandbach School (Boys)

Crewe Road, Sandbach CW11 3NS

Sixth form students travelling to Sandbach School are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available.

For more information, access the school website or call 01270 758870

<https://sandbachschool.org/parents-students/transport/>

Sandbach High School & Sixth Form College

Middlewich Road, Sandbach CW11 3NT

Sixth form students travelling to Sandbach High School and Sixth Form College are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available

For more information, access the school website or call 01270 765031

<http://sandbachhigh.co.uk/transport/>

The Fallibroome Academy

Priory Lane, Macclesfield SK10 4AF

Sixth form students travelling to Fallibroome Academy and Sixth Form College are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available.

The school also has very limited availability on private transport to and from Wilmslow. Priority will be given to those students on bursaries.

For more information, please call 01625 827898 For more information, access the college website or call 01625 827898 <https://fallibroome.academy/transport/>

Tytherington High School

Manchester Road, Macclesfield SK10 2EE

Sixth form students travelling to Tytherington High School are able to access the transport used by younger students, either by paying a daily fare where available or purchasing a spare seat, if available.

For more information, access the college website or call 01625 610220

<http://www.tytheringtonschool.co.uk/>

Wilmslow High School

Holly Road, Wilmslow SK9 1LZ

[6th form students travelling to Wilmslow High School are able to use public transport, paying a daily fare at a discounted student rate. Wilmslow Train Station is a short walk from the school and there are a number of bus routes](#)

[that serve the local area.](#)

[For more information, access the school website or call 01625 526191](#)

<http://www.wilmslowhigh.com/about-us>

Schools and Colleges Outside of Cheshire East

The following public information has been compiled to enable ease of access for learners and their parents.

Aquinas College

Nangreave Road, Stockport SK2 6TH

For further information call 0161 483 3237 or visit

<http://www.aquinas.ac.uk/>

Aurora School - Hanley (Part of the Aurora Group)

Cambrian Way, off Eaves Lane, Bucknall, Stoke-on-Trent ST2 8PQ

For further information call 01782 973 737 or visit

<https://www.theauroragroup.co.uk/services/schools/hanley-school>

Bishop Heber High School

Chester Road, Malpas SY14 8JD

For further information call 01948 860571 or visit

<https://www.bishopheber.cheshire.sch.uk/>

Buxton & Leek College

Buxton Campus: Devonshire Road, Buxton, Derbyshire SK17 6RY

Leek Campus: Stockwell Street, Leek, Staffordshire ST13 6DP

For further information call 0800 074 0099

<https://www.blc.ac.uk/>

Cheadle College (part of the Trafford College Group)

Cheadle Road, Cheadle Hulme, Stockport SK8 5HA

For further information call 0161 486 4600

<https://cheadle.ac.uk/>

City of Stoke-on-Trent Sixth Form College

Leek Road, Stoke-on-Trent ST4 2RU

For further information call 01782 848736 or visit

<http://www.stokesfc.ac.uk/contact/getting-here/>

Greenbank School

Greenbank Lane, Hartford, Northwich, Cheshire CW8 1LD

For further information call 01606 663820

<http://www.greenbankschool.org/>

Hebden Green Community School

Woodford Lane West, Winsford CW7 4EJ

For further information call 01606 594221

<http://www.hebdengreen.cheshire.sch.uk/>

Inscape House School (part of Together Trust)

Trust Centre, Schools Hill, Cheadle, Cheshire SK8 1JE

For further information call 0161 283 4750 or visit

<https://www.togethertrust.org.uk/inscape-house-school>

The Meadows School

Springfield Road, Leek, Staffordshire ST13 6EU

For further information call 01538 225050 or 225060, or visit

<https://www.themeadows.staffs.sch.uk/>

Newfriars College (Formerly Blackfriars FE Department)

Castle Grove off Newhouse Road, Bucknall, Stoke-on-Trent ST2 8BH

For further information, call 01782 987 180 or visit

<https://www.newfriarscollege.org.uk/>

Oaklands School

Montgomery Way, Winsford, Cheshire CW7 1NU

For further information call 01606 551 048 or visit

<https://www.oaklandsschool.org.uk/>

Petty Pool College

Pool Lane, Sandiway, Cheshire CW8 2DR

For further information call 01606 889097 or visit

<https://www.pettypool.org.uk/>

Pinc College (formerly known as Project Inc.)

The Heritage Centre, Rose Street, Macclesfield SK11 6UT

For further information call 0161 667 0910 or visit

<https://pinccollege.co.uk/home/>

Seashell Trust

Stanley Road, Cheadle Hulme, Cheshire SK8 6RQ

For further information call 0161 610 0100 or visit

<https://www.seashelltrust.org.uk/>

Sir John Deane's College

Monarch Drive, Kingsmead, Northwich CW9 8AF

For further information call 01606 810020 or visit

<http://www.sjd.ac.uk/search/transport>

St Nicholas Catholic High School & Sixth Form College

Greenbank Lane, Northwich CW8 1JW

For further information call 01606 706000 or visit

<https://st-nicholas.cheshire.sch.uk>

Stockport College

Wellington Road, Stockport SK1 3UQ

For further information call 0161 296 5000 or visit

<https://stockport.ac.uk/>

Stoke-on-Trent College

Cauldon Campus - Stoke Road, Stoke-on-Trent ST4 2DG

Burslem Campus - Moorland Road, Stoke-on-Trent ST6 1JJ

For further information call 01782 208 208 or visit

<https://www.stokecollege.ac.uk/>

Tarporley High School & Sixth Form College

Eaton Road, Tarporley CW6 0BL

For further information call 01829 732558 or visit

<http://www.tarporleyhigh.co.uk/>

Trafford College

Manchester Road, West Timperley, Altrincham WA14 5PQ

For further information call 0161 886 7070 or visit

<http://www.trafford.ac.uk/>

Warrington & Vale Royal College

Warrington Campus - Winwick Road, Warrington, Cheshire WA2 8QA

Winsford Campus - Weaver Street, Winsford, Cheshire CW7 4AH

For further information call 01925 494 494 or visit

<https://www.wvr.ac.uk>

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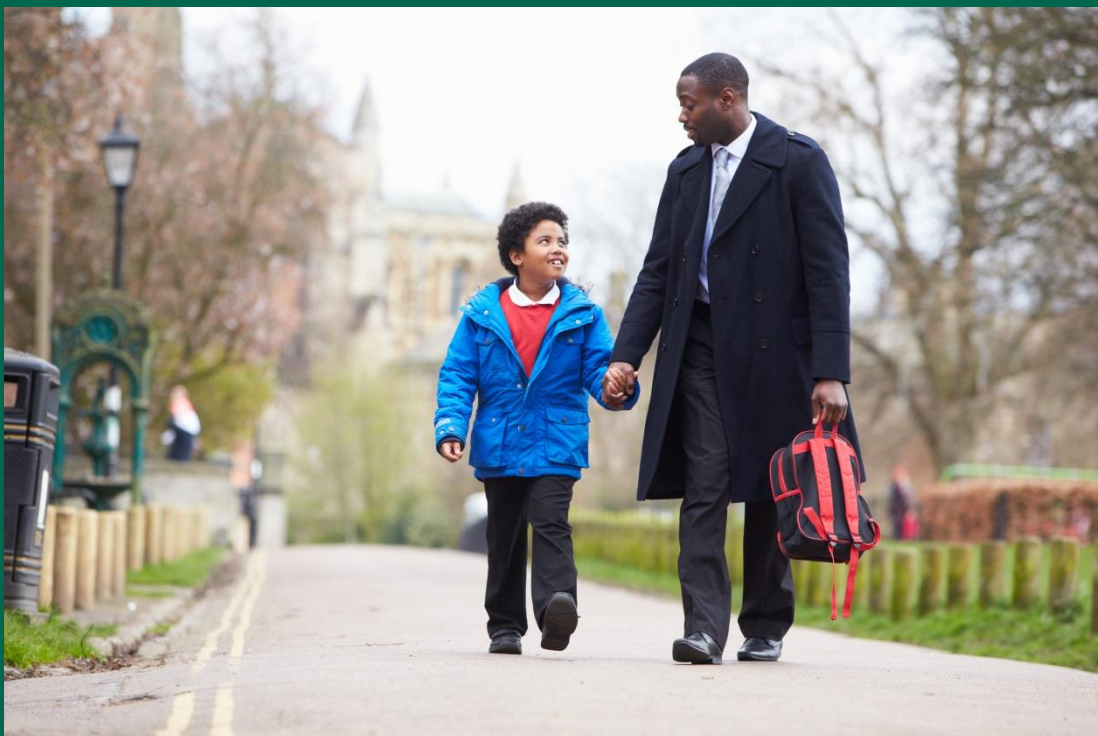
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Compulsory School Age Education Travel Policy

Cheshire East Council

1 September 2018



Document summary

This document details the Local Authority's policy on education travel assistance for Cheshire East resident children of compulsory school age¹ and those attending a reception class the term after their fourth birthday (*rising fives*).

The **Post 16 Travel Policy Statement** provides travel information for young people over compulsory school age, including the travel assistance available for post 16 learners with an Education Health and Care Plan (EHCP) setting out their special educational needs and/or disability (SEND).

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Other related education travel policies:

- Post 16 Education Travel Policy Statement
- Education Travel Payment Policy

¹ Compulsory school age begins at the beginning of the term following a child's 5th birthday and ceases on the last Friday in June in the school year when the child reaches the age of 16.

- Education Travel Behaviour Code
- Education Travel Appeals and Complaints Policy
- Sustainable Modes of Travel Strategy

1. Local Authority Education Travel Duty

1.1 Local authorities are required by both the Education Act 1996 and the Education and Inspections Act 2006 to make suitable travel arrangements for certain children to attend school. This policy sets out how the Local Authority will meet this statutory duty and provides information about the categories of eligible children, the provision offered and circumstances when assistance is not provided.

1.2 It is a parent's² responsibility to ensure that their child gets to and from school at the appropriate time each day and to put in place the necessary travel arrangements. In exercising its duty, the Local Authority has a general expectation that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.

1.3 The Local Authority has legal duties under the Education and Inspections Act 2006 to promote sustainable modes of travel for children and young people of compulsory school age³. When a child is eligible for travel support the Local Authority will provide that support using the most cost effective option available, these will include the dedicated school bus services, use of the service bus network, information on walking and cycling routes and the availability of walking buses to primary schools. Most schools produce travel plans, which include information about the different options available to parents for getting their child to school. Please see the Council's **Sustainable Modes of Travel Strategy**.

1.4 Additional provision provided by the Local Authority for children and young people who have special educational needs or disabilities (SEND) or other mobility difficulties with travel between home and school is set out in separate documents, as below:

Annex A - SEND Education Travel Policy

Post 16 Education Travel Policy Statement.

² As defined in Section 576 of the Education Act 1996. Further Information is published on the Council's website at http://www.cheshireeast.gov.uk/schools/admissions/advice_and_guidance.aspx

³ 'Child', 'compulsory school age' and 'sixth-form age' are defined respectively in sections 579(1), 8 and 509 AC of the Education Act 1996.

2. Compulsory School Age

2.1 Compulsory school age begins at the beginning of the term following a child's 5th birthday and ceases on the last Friday in June in the school year when the child reaches the age of 16. Children may, however, start school in the reception class in the September following their 4th birthday and will therefore be considered eligible children for the purpose of this policy.

3. Eligible Children

3.1 Under section 508B and Schedule 35B of the Education Act 1996 local authorities are under a duty to provide free school travel to 'eligible children'. To qualify as an 'eligible child', the child must be of compulsory school age (5—16) or, for the purpose of this policy, a rising five attending school the term after their fourth birthday, attending a qualifying school and must fulfil one of the criteria listed below:

Criterion 1 - The child is living outside of the statutory walking distance of the nearest suitable school, which is:

- Beyond 2 miles for children below the age of 8.
- Beyond 3 miles for children aged 8 – 16.

Criterion 2 - The child cannot reasonably be expected to walk the route to school because the nature of the route is unsafe to walk.

Case law has established that local authorities are required to make school travel arrangements where a child lives under the statutory walking distance to school but does not have a route available that can be walked in reasonable safety. If the nature of the route is such that the child cannot reasonably be expected to walk to school, even when accompanied by a responsible person, then the Local Authority will deem it 'unavailable'. In determining what is 'reasonable', the Local Authority will take into account the latest national guidance issued by Road Safety GB.

3.2 Issues surrounding personal security do not form part of the assessment and it is assumed the child is accompanied by a responsible adult. There is no requirement for a route to be lit and temporary closures such as road works or flooding are not taken into account.

3.3 If alternative routes are available within the statutory walking distance then assistance will not be granted.

Criterion 3 - Children from low-income groups or families are defined in legislation as those entitled to free school meals, or whose families receive the maximum level of Working Tax Credit. A child in these circumstances has extended rights to free travel if:

- The child is aged 8-11 and the nearest suitable school is beyond 2 miles; or
- The child is aged 11-16 and the nearest suitable school is between 2-6 miles and there are not three or more suitable nearer schools; or
- The child is aged 11-16 and the school is between 2-15 miles and is the nearest school preferred on the grounds of religion or belief. Religion or belief includes a lack of religion or belief and so also applies to an atheist parent's wish for their child to attend a non-faith school.

3.4 To qualify under the extended rights eligibility, the child will need to be entitled to free school meals or their parents are in receipt of maximum Working Tax Credit⁴.

3.5 Where entitlement to extended travel rights has been established the entitlement will remain for the entirety of the school year for which the assessment has been made. Proof of entitlement is required at the time of application followed by annual confirmation to confirm low-income status.

3.6 SEND Criterion - The child cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety concerns related to their SEN⁵ or disability⁶.

⁴ Paragraphs 9-14 of Schedule 35B.

3.7 This will be assessed by the Local Authority on a case-by-case basis to identify particular travel requirements as set out in the Local Authority's SEND Travel Assistance Policy. **The application of this criterion is set out in Annex A - SEND Education Travel Policy.**

4. Measuring Distance

4.1 The statutory distance referred to in this policy is measured by the shortest route along which a child, accompanied if necessary, may walk in reasonable safety. The distance between home and school is measured using a digital mapping system from the child's home gate or drive nearest to the school to the nearest available gate or entrance of the school grounds. A child's home is defined as the place where the child is habitually and normally resident. When measuring the distance to a school with a split site arrangement, the available gate or entrance on the main block (where the reception area and/or main entrance is located) will be used.

5. Nearest Suitable School

5.1 The nearest suitable school is defined as the nearest qualifying⁷ school with places available that provides education appropriate to the age, ability and aptitude of the child and considering any special educational needs that the child may have. For most children, including those who have an Education, Health and Care Plan (EHCP) in the mainstream sector, the nearest suitable school is the qualifying school that is declared by the Local Authority to be the school serving the area in which the child's home address falls – referred to as the designated catchment area school. However, it may also mean the nearest qualifying school to the home address; for example, in the absence of a designated catchment school or where that school is nearer than the

⁵ The SEN Code of Practice 2001, paragraphs 8:87—8:90 sets out the considerations for transport for a child with a Statement of SEN. The SEN and Disability Code of Practice 2015 sets out the considerations for a child with an EHCP.

⁶ As per Schedule 35 of The Act, disability is as defined in S.6 of EA 2010: a person has a disability if they have (a) a physical or mental impairment, and (b) that impairment has a substantial a long-term effect on the ability to carry out normal day-to-day activities. Therefore a chronic health condition may lead to eligibility under this definition.

⁷ Section 508B(10) of the Act.

designated catchment area school. A school allocated for a child under the Local Authority's Fair Access Protocol will also be a qualifying school.

5.2 If an application is made for the nearest suitable school but it is unsuccessful as the year group is full, the next nearest school with places available will be deemed the nearest suitable school for travel purposes. For the purpose of education travel assistance, this will be measured using the shortest route along which a child, accompanied if necessary, may walk in reasonable safety, as set out in section 4.

5.3 For Cared for Children, an exception will be applied if the Head Teacher of the Virtual School agrees that it is in the best interest of the child to continue to attend the same school. In such cases the school attended will continue to be deemed the nearest suitable school for the purposes of this policy. If the child is cared for by another local authority, the cost of travel will be that local authority's responsibility.

6. Qualifying Schools

6.1 Qualifying schools include:

- community, foundation or voluntary 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 (CCTA) or academies, including studio schools, free schools and University Technical Colleges (UTC).
- those specified in an applicable court order

6.2 It will also include an independent (fee paying) school where the Local Authority has agreed that the school is the nearest suitable school to meet the particular needs of the child and names the school in the child's Education, Health and Care Plan, or it

is the nearest of two or more schools named on the same basis. It will also include a residential placement.

6.3 A child attending a school outside the statutory walking distance will not be eligible for assistance if the Local Authority can demonstrate that there is a nearer suitable school.

7. Suitable Travel Assistance

7.1 Suitable travel assistance will be that which enables an eligible child to reach school safely and reasonably stress free and to arrive at school ready for a day of study. Best practice suggests that a child of primary school age should not travel for longer than 45 minutes and a child of secondary school age should not travel for more than 75 minutes. The Local Authority will normally expect a child to walk up to 1 mile to access travel arrangements. The first priority will be to arrange travel assistance from a suitable pick up point rather than the home address. The responsibility for a child's safety in getting to and from the pick up point is the parent's.

7.2 For eligible children, the Local Authority will provide travel assistance for the start and end of the school day only. Travel assistance during the day between schools or to other specialist provision is the schools' responsibility. Travel outside the usual school start and finish times will be the parent's responsibility.

7.3 The type of travel assistance offered is at the Local Authority's discretion and will be the most cost effective option.

7.4 Only where there is no reasonable alternative available in the opinion of the Local Authority will travel by minibus/taxi be provided.

7.5 Travel assistance will be reviewed regularly to make sure that the arrangements made continue to be appropriate for the child's needs and are the most cost effective solution.

7.6 Assistance given for one child in a family will not create a precedent for any of his or her brothers or sisters or other children living at that address. Each child's case will be treated individually and separate applications for assistance will be required for each child. If the Education Travel policy has changed since older sibling received assistance, the younger sibling will be subject to the new travel policy.

8. Hired Transport

8.1 Hired transport, such as a taxi or minibus, will only be provided in exceptional cases or where there is no suitable alternative in the opinion of the Local Authority.

8.2 Transport will usually be shared with a number of other children, unless there is clear evidence that the child must travel alone. Alternatively there may be a school coach or bus service which can be used.

8.3 The first priority will be to arrange travel assistance from a suitable pick up point rather than the home address. Parents are responsible for their child's safety in getting to and from the pick up point.

9. Spare Seat Applications

9.1 The Local Authority will accept applications for non-eligible children for 'spare seats' on contracted provision. A spare seat will be withdrawn (allowing 2 weeks notice) when the seat is required for an entitled child, or if the service is withdrawn or the seating capacity of the vehicle is reduced.

10. Behaviour Code

10.1 The Local Authority publishes an Education Travel Behaviour Code. This code sets out the expectations on children travelling to or from their place of learning and the procedure that will be implemented where there is a failure to comply. Poor

behaviour can result in the withdrawal of free travel, either for a fixed period or permanently. This code is provided at the time that travel arrangements are confirmed and parents of learners receiving travel assistance from the Local Authority must ensure that their child is made aware of these requirements.

11. Direct Payments

11.1 Where an entitlement to travel assistance exists a direct payment may be offered to parents if this is the most cost effective solution compared to negotiating a suitable transport contract or using an available public service route. This payment will be based on a mileage allowance. Payment is made on a family basis since the cost will be the same for two or more children, with changes to this cost if children are at different schools. This is not available to parents who prefer to make their own arrangements to transport their child to their designated school if public transport or a hired vehicle is available, unless this is a more cost effective method of travel.

11.2 Entitlement will be reviewed annually to allow other travel strategies to be employed, should they become more cost effective to the Local Authority.

11.3 Full details are contained within the **Education Travel Payments Policy**.

12. Children Excluded from School

12.1 Schools and Academies are responsible for arranging provision from the 6th day of a temporary exclusion and communicating these arrangements with parents, in line with DFE guidance⁸. Where a pupil who is eligible for local authority travel assistance is temporarily excluded from school, for a period of more than five days, travel assistance will continue to be provided.

⁸ Exclusion from maintained schools, academies and pupil referral units in England
Statutory guidance for those with legal responsibilities in relation to exclusion
September 2017

12.2 Children admitted to another establishment following a permanent exclusion will not receive travel assistance other than when qualifying under normal criteria. The Local Authority will, however, work with parents to identify suitable travel arrangements and where travel is arranged on behalf of the family, parents will be required to meet the full cost of travel.

13. In Year Changes

13.1 A change in circumstances in year can result in a change in eligibility.

Examples include, but are not limited to:

- A change in the child's place of residence;
- A change of school;
- A change in financial circumstances that means parents no longer qualify under low income criterion;
- A change in the length of the walking route (e.g. as a result of a new shorter route being created or a nearer pedestrian entrance to a school being opened);
- Re-classification of a unavailable route (e.g. as a result of a pedestrian crossing being installed or a road improvement which significantly lowers traffic volumes);
- An error in the calculation of distances;
- Change to the statutory walking distance from two to three miles when a child reaches the age of eight (eligibility will automatically be reviewed at the end of year three).

13.2 Where the change in circumstances removes eligibility the removal of that assistance will normally be subject to a 12 weeks notice period. The exceptions to this notice period allowing that assistance to be withdrawn with immediate effect include:

- Change of school;
- Where the normal place of residence has changed
- Where incorrect, misleading or potentially fraudulent information has been used to determine eligibility.

- Where, for any reason, travel assistance has been approved/provided in error, the Local Authority reserves the right to withdraw that provision.

13.3 Parents must immediately notify the Local Authority of any change in personal circumstances that may change their child's eligibility.

14. Appeals against Refusal of Travel Assistance

14.1 There is a right of appeal if the Local Authority refuses travel assistance. Cheshire East Council has adopted the process recommended by Government which includes a two stage process for any complaints relating to:

- The travel arrangements offered
- A child's eligibility
- The measurement of statutory walking distances
- The safety of the route.

14.2 Full details are set out in the Local Authority's **Education Travel Appeals and Complaints Policy**.

15. Applying for Travel Assistance

15.1 Applications for travel assistance can be made online at www.cheshireeast.gov.uk/schooltransport

16. Implementation Timing

16.1 All aspects of this policy will be implemented from 1 September 2018 for all new applicants for travel support. For those pupils already in receipt of some form of support on this date this will continue, normally until the next point of transition in their school career. Ultimately any existing arrangements will be reviewed through the

annual review of the Education and Health Care Plan (EHCP) or when circumstances change.

Annex A

Special Educational Needs and Disabilities

Annex summary

This annex provides additional details in respect of the Local Authority's policy on education travel assistance for Cheshire East resident children of compulsory school age⁹ and children receiving education below compulsory school age as rising fives¹⁰, with special educational needs¹¹ and/or disability¹² (SEND) or mobility problems.

The **Post 16 Travel Policy Statement** provides travel information for young people over compulsory school age, including the travel assistance available for post 16 learners with an Education Health and Care Plan (EHCP) setting out their special educational needs and/or disability (SEND) and low income families.

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⁹ Compulsory school age begins at the beginning of the term following a child's 5th birthday and ceases on the last Friday in June in the school year when the child reaches the age of 16.

¹⁰ Children may start school in the reception class in the September following their 4th birthday and will therefore be considered eligible children for the purpose of this policy.

¹¹ The SEN Code of Practice 2001, paragraphs 8:87—8:90 sets out the considerations for transport for a child with a Statement of SEN. The SEN and Disability Code of Practice 2015 sets out the considerations for a child with an EHCP.

¹² As per Schedule 35 of The Act, disability is as defined in S.6 of EA 2010: a person has a disability if they have (a) a physical or mental impairment, and (b) that impairment has a substantial a long-term effect on the ability to carry out normal day-to-day activities. Therefore a chronic health condition may lead to eligibility under this definition.

A1. Eligible Children

A1.1 Most children with SEND with an Education, Health and Care Plan (EHCP)¹³ do not require special travel arrangements. Through the EHCP process, consideration will be given in the first instance to a child's ability to walk to school, to travel on a public bus or rail service or a contract bus service or to be taken to school by their parents. Therefore, in assessing the necessary travel arrangements and regardless of any special educational need, disability (SEND) or mobility problems, the Local Authority will first consider the eligibility of children who are attending a qualifying school¹⁴ against the criteria set out in the **Education Travel Policy**, as summarised below:

- walking distance (to the designated¹⁵ school);
- unavailable routes;
- families on low incomes when the walking distance is over 2 miles (secondary pupils only);

A1.2 As required by legislation, local authorities must also make suitable travel arrangements for children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety concerns related to their special educational needs or disability (SEND). Where a child with SEND does not qualify for travel assistance under general criteria, as summarised above and set out in section 3 of the Local Authority's Education Travel Policy, travel assistance will be provided subject to the criterion outlined below:

The child cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety concerns related to their SEN or disability .

A1.3 Travel assistance is only provided to the child's nearest suitable qualifying school. This is based on the nearest qualifying school to the child's home that can meet the child's SEND. If by parental choice a more distant school is attended, any travel arrangements shall remain the responsibility of the parent.

¹³ An education, health and care (EHC) plan is for children and young people aged up to 25 who need more support than is available through special educational needs support. EHC plans identify educational, health and social needs and set out the additional support to meet those needs.

¹⁴ See section 6.

¹⁵ Nearest suitable school agreed through the SEND process.

A1.4 Where the higher rate mobility component of Disability Living Allowance is received for the child, and is taken in the form of a vehicle, it would be expected that the vehicle be used to transport the young person to their place of learning.

A2. Application Process

A2.1 Parents will need to apply for travel assistance by completing the online form found on the Council's website at www.cheshireeast.gov.uk/schooltransport

A2.2 Travel assistance is not automatically given just because a child has an Education, Health and Care Plan. Many children with SEND and mobility problems are able to travel to school without support from the Local Authority. However, some children with specific needs will require more support, often for an agreed period of time.

A2.3 If the distance to school is below the statutory distance, the Local Authority will need to see medical evidence from a consultant or community paediatrician of the child's mobility difficulties and confirming that the child cannot walk to school (accompanied as necessary).

A2.4 Eligibility is assessed by the Local Authority on an individual basis to identify particular travel requirements and evidence will be sought from relevant health professionals and from parents.

A2.5 Where relevant, a risk assessment will be carried out before the student begins travelling to make sure that the assistance provided meets their needs and safeguarding duties.

A3. Completing a Course of Study

A3.1 Some learners with an Education, Health and Care Plan will take longer to complete their course of study due to their special needs. Where the Local Authority has agreed travel assistance on the basis of the criteria set out in this policy for a child

of compulsory school age, if the learner continues to attend the same educational establishment and their travel needs remain unchanged, as agreed in the EHCP, exceptionally, travel assistance will continue. This will be subject to the outcome of the annual review. Any travel assistance agreed on this basis will be provided in accordance with the arrangements set out in the Post 16 Transport Policy Statement.

A4. Residential Schools

A4.1 Where a child attends a residential school and is entitled to travel assistance, this is provided at the start and end of each half-term or, at the start and end of each week depending on the boarding arrangements. Transport will **not** be provided at other times or for parental visits for meetings.

A5. Personal Travel Budget

A5.1 A Personal Travel Budget (PTB) is for children of compulsory school age with special educational needs and/or disability (SEND) who are unable to access public or hired transport because of their needs.

A5.2 It is provided at the discretion of the Local Authority to ensure the most cost effective solution whilst ensuring families have the opportunity for increased choice and control including supporting older children to become independent travellers. The amount received is based on the distance from the child's home to school or college.

A5.3 Full details are set out in the **Education Travel Payment policy**.

A6. Independent Travel Training (ITT)

A6.1 At secondary school (or college), independent travel training (ITT) can enable the learner to use public transport or travel independently as part of their transition into adulthood. ITT can help support independence by developing personal, social and life skills by looking at the learner's needs and capabilities.

A6.2 The Local Authority will consider the capability of a learner to travel independently. If they are assessed as suitable, the Local Authority may offer learners travel training to become independent travellers.

A6.3 The training will be given by qualified staff following an approved programme in partnership with schools and colleges and include communication with parents. Successful completion of training may result in the removal of free transport.

A7. Suitable Travel Assistance

A7.1 Suitable travel assistance will be that which enables an eligible child to reach school safely and reasonably stress free and to arrive at school ready for a day of study. A child will not therefore be expected to make several changes on public transport. Best practice suggests that a child of primary school age should not travel for longer than 45 minutes and a child of secondary school age should not travel for more than 75 minutes. The Local Authority will normally expect a child to walk up to 1 mile to access travel arrangements. The first priority will be to arrange travel assistance from a suitable pick up point rather than the home address. The responsibility for a child's safety in getting to and from the pick up point is the parent's.

A7.2 For eligible children, the Local Authority will provide travel assistance for the start and end of the school day only. Travel assistance during the day between schools or to other specialist provision is considered to be the schools' responsibility. If a child requires travel to or from school other than at the usual school start or finish times this will be the responsibility of the parent.

A7.3 The type of travel assistance offered is at the Local Authority's discretion and will be the most cost effective option. The Local Authority is under an obligation to minimise public expenditure and therefore will look at the lowest cost option.

A7.4 Only where there is no reasonable alternative available in the opinion of the Local Authority will travel by minibus/taxi be provided.

A7.5 Travel assistance will be reviewed regularly to make sure that the arrangements made continue to be appropriate for the child's needs and are the most cost effective solution.

A7.6 Assistance given for one child in a family will not create a precedent for any of his or her brothers or sisters or other children living at that address. Each child's case will be treated individually and separate applications for assistance will be required for each child. If the Compulsory School Age Education Travel policy has changed since older sibling received assistance, the younger sibling will be subject to the new travel policy.

A8. Passenger Assistants

A8.1 Passenger assistants are only provided on hired transport where the child has:

- a severe physical condition;
- a medical condition requiring immediate treatment; or
- severe behavioural difficulties meaning the health and safety of the child, driver or anyone else travelling in the vehicle would be at risk.

A8.2 The use of a passenger assistant will be reviewed regularly since the need may change.

A8.3 The passenger assistant's duty is to supervise students in a vehicle and to help with boarding and leaving the vehicle where the pupil has physical, sensory or medical difficulties. However, they are not able to collect pupils from home or take them into school if that would mean leaving other vulnerable children unattended.

A9. Reviewing Travel Assistance

A9.1 Travel assistance will be reviewed as part of the EHCP review. Parents will be informed of all decisions in writing.

A9.2 For children with an Education, Health and Care Plan, eligibility may end following the conclusion of the annual review process. If this is the case, travel assistance will be withdrawn following a 12 weeks notice period, or at the end of the summer term, whichever is sooner.

Annex B

Available Walking Routes

Annex B – Available Walking Routes to School Policy

This annex provides details in respect of the Local Authority's policy on the assessment of walked routes to school for all Cheshire East resident children of compulsory school age and children receiving education below compulsory school age as rising fives.

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B1. Introduction

This document outlines the method for carrying out the assessment of walked routes to school, which determines whether a route is assessed as available for an accompanied child to walk to and from school.

The route assessments are based on the latest version of the 'Assessment of Walked Routes to School' guidelines developed by Road Safety GB and takes into account the guidance issued by the Department for Education in their 'Home to School Travel and Transport Guidance'.

These assessments do not determine whether a route is 'safe' or 'dangerous', as all roads can present some element of road safety risk. Instead, the assessment determines whether a child should be eligible for travel assistance from the Local Authority because a particular walking route presents exceptional road safety hazards.

The method for measuring distances of the shortest walking route to school is outlined in the 'Compulsory School Age Education Travel Policy'.

The assessment of routes are carried out using a rigorous and robust assessment process as detailed in B3 and B4 of this document and are authorised by a qualified road safety practitioner and senior highways officer.

It should also be noted that a walking route is assessed to see if it is walkable, not whether it should be walked. A parent is responsible for deciding how their child travels to school whether it is on foot, cycle, bus or car.

B2. General Points

Walking routes to school are assessed as unavailable where either walking alongside the road, or crossing the road, is considered to be exceptionally hazardous. Details of the assessment are outlined in B4 of this document.

Parents are responsible in law for ensuring their children receive an appropriate education which in most cases includes regular attendance at school. Case law has also been established that it is the parent's responsibility to accompany a child, regardless of the age of that child, on their journey to and from school. The Local Authority also expects parents to make suitable alternative arrangements if they are unable to personally accompany their child.

Parents are responsible for ensuring their children have suitable clothing and footwear, reflective clothing or other visibility aids such as torches.

It is expected that traffic along assessed routes will abide by all road traffic regulations, including remaining within posted speed limits, obey one-way traffic restrictions, not park in a manner which creates an obstruction to the highway etc. The Local Authority is entitled to expect that the police will undertake enforcement action where necessary.

The Local Authority assumes that a child is accompanied as necessary on their walking route to and from school. Therefore routes are not classified as unavailable solely due to any or all of the following factors:

- Lonely routes
- Personal safety concerns
- Routes that pass close to canals, rivers, ditches, lakes, pond etc.
- Routes that require railway crossings if a suitable, authorised crossing is present.

B3. Process for assessing a walked route to school

1. A request to assess a route for availability is made to the Local Authority by either a parent or school.
2. The request is passed to an Assessing Officer, who will undertake an initial desktop evaluation of the walking route from the home address to the school. Should an available walking route be identified that is shorter than the statutory walking distance, based on the age of the child, then no further assessment is undertaken. Should one or more routes be identified, but there is doubt over the availability of those routes, then an initial assessment of the potential route is carried out.
3. Evidence already available to the Assessing Officer will be taken into account in the full assessment. Other aspects of assessment may (but will not always) include a site visit, information on traffic volumes (where required and where available) and collision data history.
4. The Assessing Officer will complete a written report, using a standard format and detail their findings whether they consider the route to be available or unavailable.
5. The route assessment will then be checked and reviewed by a qualified Road Safety Officer and Senior Highways Officer.

6. Any faults with the highway, such as overgrown vegetation or trip hazards, will be reported to the Council's Highway Service.
7. The findings of the process above will be communicated with the applicant and they will be informed of the outcome of the route assessment.
8. Parents may wish to appeal the assessment, if there are exceptional personal circumstances that they wish to be taken into consideration. However, they may not appeal the road safety decision.
9. If a route is assessed to be unavailable, then travel assistance will be arranged as soon as reasonably practicable. If a route is assessed to be available, but travel assistance had already been provided, then the Local Authority will give notice to withdraw that transport.

B4. The assessment of a walked route to school

The assessment of walked routes to school is based on the 'Home to School Travel and Transport Guidance' produced by the Department for Education (revised in 2014) and the Assessment of Walked Routes to School guidelines produced by Road Safety GB (revised in 2017), which provides guidance on the interpretation of both case law and what is generally accepted by many Local Authorities as good practice in assessing various elements of the walking route between home and school.

General

- This guidance is a general summary of the factors taken into account in the assessment of available walking routes.
- Assessments usually take place in the morning during the times that pupils will be travelling to school, but assessments may also be undertaken when returning home from school.
- The start and end points of the assessment and the details of the route taken will be provided along with a map of the route assessed. The route assessment may be split into sections if the nature of the route varies, i.e. from rural to urban and town centre.
- The time and day the assessment is undertaken will be stated.
- The weather and light conditions will be noted.
- Consideration will be given to the nature of the route at different times of the year – for example, problems with flooding or surface conditions.

- On its own the absence of street lighting does not make a route unsafe.
- A route that crosses or follows a public right of way will generally be considered as an available walking route, as long as there is a good walking surface.
- Photographs will be taken to exemplify areas likely to be of concern.

Section Characteristics

- The assessment will record any known collision data (using STATS19 data) for each section.
- The assessment will define the length of each route section (this information is not to be used in measuring a child's home to school distance).
- The assessment will name the roads on the route and any relevant characteristics, including whether the route is urban or rural, single carriageway, speed limit and whether there is any street lighting.
- The assessment will record if there is a footway and if so, it's general availability, condition and suitability. The assessment will show if it is of sufficient width and quality.
- The assessment will define road widths and any variations where there is no footway (noting locations where the footway narrows and pinch points).
- If there is no footway the volume and speed of traffic will be taken into consideration, as well as forward visibility and sighting times.
- Step-offs (this is where a pedestrian may be able to step-off the road onto a grass verge or similar) will be noted.
- Where there is overgrown vegetation that may compromise the availability of a footway, this will be reported to the Council's Highway Service.
- The assessment will consider whether there are any alternative walking routes.

Crossing Assessment

The assessment will:

- Consider whether there is a need to cross a main road or significant side road or entrance on the section of route being assessed.

- Make reference to the fact that there are side roads and entrances and specifically note any that are likely to have significant traffic movements and which need to be crossed.
- Note whether there are any formal crossing facilities in place such as a traffic refuge or signal controlled crossing.
- Outline the most appropriate location to cross the road if there are no formal crossing points.
- Consider whether there is a safe opportunity to cross the road.

Walking at the side of the road assessment

The assessment will:

- Consider whether there is a footway on the section and if there is an available walking route on both sides of the road.
- Consider which side of the road the footway is situated on whether it has a reasonable even surface and is of sufficient width.
- Consider whether availability is likely to remain the same throughout the year and in all conditions.
- Consider the characteristics (length, width and 'condition') of the verge or footway.

Traffic Counts and Gap¹⁶ Counts

- Where there is a need to walk in the road – either because of the lack of pavement, or crossing the road is required – then a traffic or gap count may be undertaken. Traffic counts and gap counts will be carried out if the sighting lines are poor and / or there is a medium to heavy traffic flow.
- Traffic counts will be carried out for a 1 hour period during the time the pupil is expected to walk to and from school.

¹⁶ A gap count records the number of opportunities to cross in each 5 minute period. Four gaps in each 5 minute period indicate a road that can be crossed without too much delay. Longer gaps are classified as multiple gaps rather than just one gap

The table below illustrates some of the factors considered; however, professional judgement will be exercised to take account of any local circumstances and the merits of any individual case, as required.

Factor Assessed	What is Assessed	Assumptions
The age of the child	<p>The age of the children using the walking route will be assessed.</p> <p>The age of the child is assessed to distinguish between the 2 maximum walking distances from home to school i.e. 2 or 3 miles.</p>	The existence of public transport (bus or rail) or fare paying places on contracted home to school transport is not taken into account when assessing a walking route.
Whether any potential risks might be mitigated if the child were accompanied by an adult	<p>The route is assessed on the basis that a responsible adult will accompany the child as necessary.</p> <p>There may be circumstances where this may not be possible i.e. because of disability. Such circumstances would be considered by means of an appeal.</p>	<p>Existing case law about adults accompanying children remains unchanged.</p> <p>It is recognised that parents may decide that accompaniment is not required as the child matures; however the legal precedent suggests that parents accompany as necessary until the child reaches normal school leaving age.</p>
The existence or otherwise of street lighting	Where crossing roads, or where there is no available footpath, the existence or otherwise of street lighting will be considered (where visibility of pedestrians at the side of the road could be compromised).	<p>The existence or otherwise of street lighting is taken into account where this will assist drivers in seeing pedestrians walking in the road or at identified crossing points where no signal controlled or Zebra crossings exist. If a continuous suitable footway exists then street lighting is desirable but may not be required for a route to be assessed as available.</p>
The condition of the route at different times of the year, at the times of day that a child would be expected to travel to and from school	<p>Site visits will cover the whole route but focus on parts of the route with potential hazards, and will take place at the time in the morning (or afternoon) when children would be travelling to school.</p> <p>Assessments when undertaken will consider seasonal variations in conditions along a route.</p> <p>Assessments may identify improvements to routes which if</p>	<p>The route will be kept well maintained by landowners and / or the Highway Authority. Where problems are identified, such as overgrown foliage and damage to footways on private land we will ask landowners to repair this, or the Council will repair this and recharge landowners as appropriate.</p> <p>Assessments will consider the condition of the route at different times of the year and in particular the effects of vegetation growth.</p>

	undertaken would make the route available, even if the route is deemed to be not available in the interim	
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B5. Withdrawal of Transport / Offers of Transport

The Local Authority will from time to time, reassess routes that have been classified as unavailable to determine whether the criteria for the route has changed. Walking routes to school, that have previously been assessed as unavailable, may become available due to improvements to the highway or public rights of way. If the criteria for a route changes from unavailable to available, then transport assistance may be withdrawn.

Where a route was previously unavailable and becomes available, reasonable notice of the transport provision to be withdrawn will be issued in writing to the parent. This period will be a minimum of a school term, or 12 weeks where shorter.

Where a parent disputes the assessment of an available route, or a request is made for an assessment where no previous assessment has been undertaken, there is a process of review outlined in B4 in this document.

Where a pupil or student has been assessed as eligible for assisted or free transport in error, reasonable notice of the provision to be withdrawn will be issued in writing to the parent.

Where information has been provided that – in the opinion of the council – is both false, and has been deliberately or negligently provided, the council reserves the right to cease transport provision with immediate effect

Where temporary factors are considered to be the reason for a route being assessed as unavailable (e.g. through significant planned roadworks temporarily rendering part of the route unavailable, ground conditions during winter months etc.) the Local Authority may exceptionally consider provision of transport for the period(s) of unavailability. In these instances, notice periods for withdrawal may be shortened from the 12 weeks previously outlined in this document.

B6. Appeals Process

Parents may not request an appeal or review on the grounds that they disagree with the road safety assessment undertaken by a qualified road safety officer. However, they may appeal if parents consider there are exceptional personal circumstances that need to be taken into consideration by the Local Authority.

There is a right to appeal if the Local Authority refuses travel assistance. Cheshire East Council has adopted the process recommended by Government which includes a two stage process for any complaints relating to:

- The travel arrangements offered
- A child's eligibility
- The measurement of statutory walking distances
- The safety of the route

Full details are set out in the Local Authority's **Education Travel Appeals and Complaints Policy**.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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