

The background of the slide features a large, faint, light blue watermark of the City of Vancouver coat of arms. The crest includes a crown at the top with four maple leaves, a shield divided into four quadrants (top-left: a cross, top-right: a tree, bottom-left: a ship, bottom-right: an eagle), and a banner at the bottom with the motto 'CITY OF VANCOUVER' in Latin. The text 'AGENDA ITEM' is centered over the upper part of the shield.

# **AGENDA ITEM**

**6**

## **Children's Services Transport Policy**

**Falkirk Council**

**Title:** Children's Services Transport Policy  
**Meeting:** Education Executive  
**Date:** 21 March 2017  
**Submitted By:** Director of Children's Services

**1. Purpose of Report**

- 1.1. This report seeks to update the Education Executive on the work that has been undertaken to review the existing operating arrangements for providing transport within both the Education and Social Work functions and to present a new integrated Children's Services Transport Policy to the Executive for approval.
- 1.2. The report also proposes the transfer of the responsibility for the existing Social Work transport provision (for children and young people) to the Transport Planning Unit in Development Services. This move will ensure that all Children's Services transport provision is co-ordinated and managed by Development Services Transport Planning Unit, which will ensure consistency of approach and a more efficient process of delivery.

**2. Recommendations**

**2.1 The Education Executive is asked to:-**

- (1) agree the new integrated Children's Services Transport Policy (as per Appendix 1);**
- (2) note the draft operational guidance that underpins the policy (Appendix 2)**
- (3) agree that overall management of all transport provision defined within this Policy is to be provided by the Transport Planning Unit in Development Services including the management of Transport Assistants, once the necessary staff transfers and a service level agreement have been agreed.**

**3. Background**

**School Transport**

- 3.1 The eligibility criteria, authorisation protocols and arrangements for home to school transport provision are currently defined within Service Circular 23 (The Transport Policy). This Policy was last updated in November 2014 prior to the formation of the new integrated Children's Services.

- 3.2 During the current school session 2016/17, home to school transport is being provided for over 4,000 primary and secondary pupils at a total cost of £3.66m.

### **Social Work Transport (Looked After Children)**

- 3.3 Children's Services also provide transport (and assistance with transport) for Looked After children, young people and their families not otherwise eligible. Requests for transport are carefully considered and only approved following an assessment.

Although eligibility criteria and guidance on authorisation protocols have been in place for some time, they have not been formally agreed within a Council Policy.

- 3.4 As at 31/1/2017, Falkirk Council was responsible for 381 Looked After children and young people; and in Financial Year 2015/16, £267,183k was spent on Social Work transport in this area.

### **Integrated Children's Services Transport Policy**

- 3.5 Following a detailed review of Education and Social Work transport provision, a new integrated Children's Services Transport Policy has been developed (Appendix 1).

This Policy will replace the current Transport Policy (that specifically refers to Home to School Transport) with one that incorporates all Children's Services Social Work transport functions that currently exist. It will provide Social Work teams in Children's Services with an agreed framework to deliver this service.

### **Revised Management Arrangements**

- 3.6 Transport for children and young people is currently arranged as follows:

#### **(1) Home to School Transport**

Provision of home to school transport is currently managed by the **Transport Planning Unit in Development Services**. The only area not managed in this way is the management of Pupil Transport Assistants, which is currently managed within Children's Services.

#### **(2) Looked After Children**

Provision of transport for Looked After children, young people and their families is currently provided via taxis and volunteer drivers and managed by the **Social Work Transport Team**, who also manage transport for Adult Services clients.

Following an independent review of transport arrangements across Social Work and Education in 2014, it was recommended that all Council transport should be organised by one Service. The new integrated Children's Services Transport Policy and the proposal to transfer responsibility for the overall management of this, including the

management of the Pupil Transport Assistants and volunteer drivers, to the Development Services Transport Unit will ensure full compliance with this recommendation.

## **4 Considerations**

### **Social Work Transport (Looked After Children)**

- 4.1 The Policy affirms the responsibilities of those caring for Looked After Children in providing transport, including foster carers and residential care staff, both employed by Falkirk Council and externally commissioned.
- 4.2 The Policy describes eligibility criteria for Looked After Children for assistance relating to
- school transport
  - secure care
  - attendance at Children's Hearings and Looked After Children's Reviews
  - contact between Children and their parents/siblings or significant others
  - essential health appointments, and
  - respite care

Exceptions to eligibility are also described.

- 4.3 The promotion of the welfare of children in need and the circumstances where children who are not Looked After may be provided with transport assistance are also described.

### **Home to School Transport**

- 4.4 There have been no significant changes to the eligibility criteria for home to school transport. This new integrated Policy has been updated to reflect current working practices, changes in service structures and recent legislative changes.
- 4.5 The main changes can be summarised as follows:
- An update of authorisation protocols to streamline decision making and reflect recent changes in service structures.
  - Eligibility for placing requests has been rewritten to reflect changing practice following the Education (Additional Support for Learning) (Scotland) Act 2009.
  - Further clarification on eligibility in a number of areas including
    - children transferring schools under Service Circular 33
    - medical transport where a parent/carer is temporarily incapacitated
    - children offered Alternative Placements.
  - An improved framework for parental conveyance contracts whereby parents are reimbursed for transporting their children to school.
  - Removal of a number of sections in the Policy that no longer apply or are deemed no longer necessary.

- A separate operational guidance document providing additional detail to parents and staff, making the Policy easier to reference.

## **5 Consultation**

### **Social Work Transport**

- 5.1 Children's Services staff and foster carer representatives have been consulted on the Policy and the draft operational guidance.

### **Home to School Transport**

- 5.2 There are no significant changes to eligibility criteria proposed so consultation has been restricted to Children's Services and Transport Planning Unit staff to ensure the revised Policy reflects current practice.

Wider consultation will take place in relation to the draft operational guidance to address the complexities involved in decision making.

## **6 Implications**

### **6.1 Financial**

#### **Home to School Transport**

The revised Policy reflects current Policy, practice, and the budget will remain with Children's Services and the costs of home to school transport and Transport Assistants will continue to be recharged by Development Services. The budget for a part time Transport Officer post will be transferred to Development Services.

#### **Looked After Children**

Increased emphasis on carers providing transport and specific eligibility criteria should assist in reducing overall costs.

The cost for a transport assistant is £11 per hour, including employer on costs. Increased costs associated with the provision of transport assistants will initially be met within existing resources. The sustainability of this position will be reviewed.

The budget will remain with Children's Services and cost of transport and Transport Assistants will be recharged by Development Services.

### **6.2 Resources**

The resources currently available within Children's Services to manage Social Work transport volunteer drivers and Transport Assistants will transfer to Development Services. The timing of the transfer will depend on staff moving from Social Work Transport Team who are also responsible for Adult Social Work Transport and on the recruitment of an additional part time post (referenced in 6.1) to manage the 90 Transport Assistants.

### 6.3 **Legal**

The proposed integrated Children's Services Transport Policy is in accordance with all relevant legislation.

### 6.4 **Risk**

The safety of children on transport provided by Children's Services is paramount and the new integrated Transport Policy addresses all currently identified risks

### 6.5 **Equalities**

An EPIA will be completed to take account of the impact of the clarified eligibility criteria and exceptions to eligibility

### 6.6 **Sustainability/Environmental Impact**

No change.

### 6.7 **Conclusions**

Moving forward, the Children's Service Transport Policy will integrate both Education and Social Work functions. Greater efficiency should also be achieved with the management of all transport functions managed by one service.

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Director of Children's Services

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Date: 27 February 2017

**Appendices:**

Appendix 1: Children's Services Transport Policy – March 2017 (proposed)

Appendix 2: Transport Policy Operational Guidance – March 2017 (proposed)

**List of Background Papers:**

None



**Falkirk Council**  
*Children's Services*

# **Transport Policy**

## **March 2017**



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# 1. GENERAL POLICY

## THE OBJECTIVE OF TRANSPORT PROVIDED BY CHILDREN'S SERVICES

- 1.1 The objective for transport provided by Children's Services is to provide entitled children/young people with transport which is:
- Safe
  - of high quality
  - responsive to changing circumstances and
  - best value
- 1.2 Children's Services **will** provide assistance with the cost or the provision of transport in the following circumstances:
- (a) Where children/young people are eligible for school transport under the distance/safety entitled criteria.
  - (b) Children/young people with additional support needs who meet the criteria for transport provision.
  - (c) Children/young people who are classed as 'continued attenders' and who are in a critical school year.
  - (d) Children/young people who are made homeless and are now entitled for school transport due to distance/safety.
  - (e) Children/young people, not otherwise eligible, who are looked after at home or away from home continuing to attend school where no other arrangement is viable or safe.
  - (f) The parent/carer of a looked after child/young person attending Looked after Reviews or Children's Hearings where no other arrangement is viable or safe.
  - (g) Looked after children/young people attending contact with family members who they do not live with when no other arrangement is viable or safe
  - (h) Looked after children attending essential health appointments when no other arrangement is viable or safe
  - (i) Transport for children/young people placed in secure care.
- 1.3 Transport **may** be provided at the discretion of the Director of Children's Service based on assessed need in the following circumstances:
- (a) Children under 16 who are attending both school and college.
  - (b) Children/young people attending other schools and college as part of the "Consortia" arrangements".
  - (c) Children/young people attending other schools under a "Circular 33" transfer.
  - (d) Pre-school children who qualify for school transport on grounds of additional needs, accessibility or on account of being "looked after"
  - (e) Children/young people who qualify for school transport on "medical" grounds.
  - (f) Children/young people who have been granted a concessionary place.

## 1.2. REVIEW PROCEDURE

- 1.2.1 Where a parent/carer asks for a review against an initial decision not to award transport, the parent/carer should make a written request to the Director of Children's Services for a reassessment of the decision. The review procedure is detailed in Appendix 2.

## **2. ELIGIBILITY**

### **2.1. DISTANCE ENTITLEMENT TO SCHOOLS**

2.1.1 Legislation places the responsibility on the local authority to provide transport to school for children who

- a) are under 8 years of age and live more than 2 miles from school; or
- b) are 8 years of age or older and live more than 3 miles from school;

Falkirk Councils' existing provision exceeds this requirement.

2.1.2 Children's Services currently provide home to school transport for.

- (a) Any child under the age of 8 years in full-time education who lives more than one mile from their catchment area school by the nearest available safe walking route.
- (b) Any child who has reached the age of 8 years during a school session and is in full-time education who lives less than two miles but more than one mile from their catchment area school by the nearest available safe walking route. Those children/young people will be granted free transport until the end of the school session.
- (c) Any child who is aged 8 years or over in full-time education who lives more than two miles from their catchment area school by the nearest available safe walking route.

### **2.2. CHILDREN/YOUNG PEOPLE WITH ADDITIONAL SUPPORT NEEDS INCLUDING LOOKED AFTER CHILDREN/YOUNG PEOPLE**

2.2.1 For those not already eligible for school transport, provision will be based upon an assessment of the identified additional needs of each child, undertaken by Children's Services.

2.2.2 How additional needs transport is provided can be subject to individual arrangements as recommended by the headteacher/social work team manager. This can include a season ticket, a taxi, contract bus, voluntary driver or a parental conveyance contract.

2.2.3 The child/young person's requirement for additional needs transport should be regularly reviewed. A Co-ordinated Support Plan does not guarantee eligibility for additional support needs transport.

#### **2.2.4 Nominated Childcare Facility Transport**

Transport will be provided to Children/young people who have recognised Additional Support Needs who cannot access local childcare and need to travel from school to a nominated childcare facility or child minder. The parent/carer would be responsible for collecting the child from the nominated childcare facility or child minder.

## 2.3. **CONTINUED ATTENDANCE**

- 2.3.1 This applies to young people in secondary education who have begun working towards national qualifications (from June in S3 up to end S6).

These young people are entitled to transport assistance if their family moves out of the school catchment but remains within Falkirk Council's boundary.

## 2.4. **HOMELESS ACCOMMODATION TRANSPORT**

- 2.4.1 Where a family become unintentionally homeless, Corporate and Housing Services will normally provide alternative temporary accommodation within the catchment of the school attended by any child, children or young people living in the household and distance entitlement eligibility will apply.
- 2.4.2 In exceptional circumstances where the family are temporarily housed outside of the catchment area, Children's Services will provide home to school transport costs for the first 4 weeks. Thereafter, the Homeless Coordinator, Corporate and Housing Services may fund school transport up until the family are housed permanently.

## 2.5. **LOOKED AFTER CHILDREN/YOUNG PEOPLE (AND THEIR PARENTS OR CARERS)**

Before transport is arranged for looked after children and their parents/carers the following should be considered:

- (a) Where it is compatible with their Child's plan, children/young people who are looked after will be encouraged to travel independently and use transport available to all children/young people.
- (b) Children/young people who are looked after by Falkirk Council Carers including residential care staff will be transported by their carers unless exceptional circumstances evidence that this is not viable or safe (e.g. conflicting transport needs of other children/young people in placement)
- (c) Children/young people placed with agency foster carers will be transported by their carers for all journeys up to a 25 mile radius of their placement.
- (d) Children/young people placed in external residential homes and residential school placements will be transported by their carers unless otherwise specified in the placement agreement

### 2.5.1 **School Transport**

Children/young people placed permanently with foster carers and in children's homes will usually transfer to the nearest suitable school as soon as possible following the permanence decision. Normal eligibility will apply. Where a child is assessed by Children's Services needing transport assistance to attend a particular school transport will be provided regardless of distance entitlement.

### 2.5.2 **Secure Care**

Transport for children/young people placed in secure care will be provided subject to risk assessment by the Social Work Area Team Manager. Where it is considered unsafe to transport a child via mainstream transport provision, the Team Manager will seek authority from a Service Manager (Children's Services) to commission specialist secure transport provision.

### 2.5.3 **Attendance at a Children's Hearing/Looked After Review**

The costs arising from the attendance of a parent/carer or guardian of a looked after child at Children's Hearings/Looked after Reviews will be reimbursed on provision of tickets/receipts. Transport may be provided where this is a more cost effective option.

### 2.5.4 **Contact**

Transport assistance will be provided to enable a looked after child and/or parent/carer to attend contact with a family member they do not currently live with, when no other arrangement is viable or safe. The distance travelled for contact by a Looked After Child will be minimised where possible.

### 2.5.5 **Health Appointments**

Transport assistance will be provided to enable a looked after child to attend essential health appointments when no other arrangement is viable or safe.

### 2.5.6 **Respite Care**

Transport assistance will be provided where a child travels to a respite care facility arranged by Children's Services where no other arrangement is viable or safe.

### 2.5.7 **Exceptions to Eligibility**

Parents and carers of looked after children/young people will not be provided with transport assistance where they are already in receipt of transport assistance by other means, for example via mobility component of Disability Living Allowance.

## 2.6. **CHILDREN UNDER 16 ATTENDING COLLEGE**

2.6.1 Where children in S4 are entitled to transport assistance and where they are eligible for Exceptional Entry to College, transport will be arranged by the Transport Planning Unit.

2.6.2 Where entitled pupils who gain Exceptional Entry to College and are eligible for Educational Maintenance Allowance (EMA) transport costs will be met by the school until EMA is received to ensure no gap in funding.

2.6.3 Once entitled children receive EMA, they will become responsible for paying for transport. Transport will continue to be arranged by the Transport Planning Unit.

2.6.4 Where entitled pupils who gain exceptional Entry to College are not eligible for EMA, transport will be arranged by Transport Planning Unit and funded by school up to the child's 16<sup>th</sup> birthday.

## 2.7. **CONSORTIA TRANSPORT ARRANGEMENTS**

2.7.1 Where pupils from S4 upwards attending a school in the Falkirk area, attend another additional approved education provider to study subjects under consortia arrangements, the following will apply:

(a) If the "home" school of the child is less than two miles from the approved provider the child will normally be expected to walk between the two. However, transport may be provided between the two if there are time or other constraints. Children's Services will advise the Transport Planning Unit in such cases and approve transport provision.

(b) For homeward travel, standard distance/safety criteria will apply from the 'host' school/establishment to the child's home address. If other arrangements are required these will be requested and approved by Children's Services.

- (c) Where entitled, secondary pupils with additional support needs who attend specialist provision or undertake learning at Falkirk College or another approved establishment, transport will be arranged by the Transport Planning Unit.

## **2.8. TRANSFER AGREEMENTS BETWEEN SCHOOLS**

Service Circular 33 sets out the arrangements for the transfer of pupils between schools.

If the Circular 33 transfer is initiated through receipt of a Placing Request, transport assistance will be offered for the initial 6 or 12 week period. If the transfer becomes a permanent placement, the pupil will not be eligible for transport assistance.

## **2.9. NURSERY TRANSPORT**

Pre-school nursery transport may be provided in the following circumstances:-

- (a) children/young people with additional support needs;
- (b) children/young people who are living in isolated rural areas and who may otherwise not benefit from pre school education;
- (c) looked after children/young people.

## **2.10. TRANSPORT ON MEDICAL GROUNDS**

Transport can be provided on medical grounds if a child has a condition/illness which causes mobility difficulties in getting to their catchment school.

Transport can be provided at the request of the parents/carers for children/young people who have either short-term or long-term medical conditions. This is offered initially on a four week basis, with a possible two weeks extension, if agreed. After a maximum allocation of six weeks, a letter will be required from a GP or consultant, before the allocation of transport can be extended any further. If deemed necessary, long-term transport on medical grounds can be provided until the end of the current school session. A new application must be made during the summer holiday period if transport is necessary in the next session.

A parent/carer can apply for transport to cover periods where they will be temporarily incapacitated and unable to get their child/children to their catchment school, and where no other arrangement is viable or safe. If agreed, this is offered to parents/carers on the same basis as above.

The final decision on all transport on medical grounds will be made by the Director of Children's Services.

## **2.11. CONCESSIONARY PLACES**

Parents/carers can request a concessionary transport place on private hire contract vehicles.

## **2.12. ALTERNATIVE PLACEMENTS**

An alternative placement occurs when a child moves into a school catchment area and no place is available in their year stage. The child's name is put on the waiting list for the catchment area school.

Children's Services will specify the alternative school placement they consider appropriate and transport costs will be met if the child is distance/safety entitled or if there are exceptional circumstances (including being Looked After), subject to the discretion of the Director of Children's Services.

In the case of children/young people who are not Looked After, transport assistance will cease when a place becomes available at the catchment area school.

If parents choose to enrol all of their children at an alternative school to keep their children together, even though one or more siblings could enrol at the catchment school, transport may be offered on a concessionary basis to the other siblings that enrol at an alternative placement school.

#### **2.13. PRIMARY 1 CHILDREN LUNCHTIME TRANSPORT**

Where a child qualifies under the eligibility criteria and finishes school early, they will be entitled to free transport for homeward journeys until full-day attendance begins.

#### **2.14. PROMOTION OF THE WELFARE OF CHILDREN/YOUNG PEOPLE IN NEED**

Legislation provides that a local authority shall "safeguard and promote the welfare of children/young people in their area who are in need".

Where a child has been assessed by Children's Services as being a 'child in need', decisions about transport will be made by Children's Services on that basis.

### **3. AUTHORISATION**

#### **3.1. The Transport Planning Unit will authorise transport in relation to:**

- Children eligible on the grounds of distance and safety
- Children eligible under continued attendance criteria

Distance entitlement will be calculated using digital mapping systems.

#### **3.2. Children's Services will authorise transport for children not otherwise eligible based on assessment of need in relation to:**

- Additional support needs
- Looked After Children
- Children assessed as being a "child in need"
- Children subject to "consortia arrangements"
- Transport on medical grounds
- Children and young people under 16 years attending college
- Transport assistants

#### **3.3. Corporate & Housing Services will authorise transport in relation to:**

- Children deemed unintentionally homeless

## **4. ARRANGEMENTS**

### **4.1. ADDITIONAL NEEDS TRANSPORT**

When requesting transport the head teacher/manager should provide a review date, to give an indication as to the possible length of the contract. Normally seven working days are required to arrange new transport. However, in an emergency it may be possible to decrease this time.

Parents/carers or other family members are not permitted to travel with their children/young people unless agreed by the Transport Planning Unit and the Individual and Additional Support Team. They are not permitted to travel in taxis with other children/young people in any circumstances.

### **4.2. TRANSPORT ASSISTANTS**

Transport assistants are employed by Children's Services to ensure safe travel where required.

Transport assistants are provided for some children/young people with additional support needs and some looked after children/young people.

The headteacher/manager in consultation with Psychological Services, Social Work or health personnel, as appropriate, is responsible for determining whether a child requires a Transport assistant. Consideration must be given to the following:

- (a) evidence that the child presents a risk to him/herself or to others if the child is unsupervised; and/or
- (b) a medical condition which requires supervision at all times; and/or
- (c) the requirement of the assistance of more than one adult to board/dismount from the transport.

In vehicles which regularly carry more than six children/young people (additional needs transport only), a transport assistant will be present.

Transport assistants on duty must display their Falkirk Council identity badge at all times.

Unless instructed to the contrary, transport assistants will sit in the rear of the vehicle where they can best supervise the child(ren)/young people in their care.

Other children/young people who do not require a transport assistant may also be placed on these runs, subject to a risk assessment.

Parents/carers are responsible for accompanying their child(ren) to and from the vehicle.

Looked after children/young people, who require transport provision will normally be escorted by their carer. Where it is not considered safe for a young person to travel without escort and their carer is not available, a transport assistant will be provided.



#### **4.3. USE OF VOLUNTEER DRIVERS**

For looked after children/young people age 5 and under, volunteer drivers will be used in preference to taxis where transport cannot be provided by the parent/carer.

Volunteer drivers will be used, where available, for all looked after children/young people where the parent/carer is unable to provide transport or escort the child.

#### **4.4. TIMING OF JOURNEYS**

Transport for children/young people should not arrive more than 20 minutes before school begins and departure should not be more than 20 minutes after school finishes unless children/young people are supervised.

The contractor should ensure that the transport is undertaken regularly within the time frame specified in the contract. This may only be altered with prior agreement from the Transport Planning Unit in consultation with headteacher/manager.

If a child/young person is late and misses the contracted vehicle, no reimbursement of fares will be made.

In exceptional circumstances the vehicle will, on the first occasion, wait for 5 minutes before leaving if the child has not arrived on time (except for timetabled school buses). It is then the responsibility of the parent/carer to make alternative transport arrangements and meet any additional costs involved on that day. Any further delays may necessitate the parent/carer taking responsibility for transporting the children/young people to and from school.

#### **4.5. UPLIFT/SET-DOWN ARRANGEMENTS (e.g. farms and private road ends)**

For children under 8 years of age, transport will uplift or set down at the private road end of the home, or at the nearest bus stop thereto unless the distance from the home to the agreed pick up point is more than one mile.

Where the distance from the home to the private road end or the bus stop is more than one mile and the child is less than 8 years of age, the transport will uplift or set down at the home location.

If the private road is not acceptable to the transport operator, the parent/carer is responsible for ensuring the child is at the agreed pick up point at the appropriate time.

The above conditions apply to children with additional support needs.

#### **4.6. SCHOLAR'S TRAVEL VOUCHERS**

Secondary Schools are supplied with First Scholar's Travel Vouchers. These are for entitled school children/young people to allow them to travel to and from school for educational purposes, where timing precludes the use of their normal school transport.

#### **4.7. ISSUE OF SEASON TICKETS AND BOARDING PASSES**

The names of new P1 and S1 pupils are provided to the Transport Planning Unit by the school and parents/carers do not normally have to apply. Parents/carers of children in other year groups should submit a completed School Transport Application Form to the Transport Planning Unit as early as possible.

#### **4.8. MISBEHAVIOUR/EXCLUSION FROM TRANSPORT USE**

Reasonable behaviour is expected from children/young people travelling to and from school. Parents/carers are responsible for ensuring appropriate behaviour.

Reasonable behaviour is expected of parents/carers in their contacts with transport providers and transport assistants. Where parental/carer behaviour is unreasonable, threatening or abusive, transport may be withdrawn. If transport is withdrawn it is the parent/carer's responsibility to ensure attendance at school.

#### **4.9. INFORMATION TO PARENTS/CARERS**

Parents/carers of children/young people who are entitled to free school transport should receive an information leaflet from the Transport Planning Unit (also available in all schools and on the Council website). This leaflet includes contact telephone numbers for the School Transport Helpline should parents/carers have any queries or issues with school transport.

#### **4.10. PARENTAL CONVEYANCE CONTRACTS**

Parental Contracts for reimbursement of mileage expenses can be offered to parents of children who are ordinarily entitled to free home to school transport.

Where there is no current bus or taxi provision, parents may be offered a parental contract to transport their children to school.

Parental mileage expenses will be paid where:

- (a) The contract is agreed prior to transport commencing.
- (b) Where children are entitled to transport assistance.

Parental contracts will be reviewed on an annual basis prior to the start of each school session.

#### **4.11. PARENTAL/CARERS RESPONSIBILITIES**

Parents/Carers should:

- (a) Have the child ready at the agreed place and time of uplift.
- (b) Make arrangements for conveying their children/young people to/from the nearest private road end, bus stop or agreed uplift/set down point for the school journey unless that portion of the route is more than one mile for children under 8 years of age or is more than two miles for children/young people aged 8 years or over, or the condition of the road is deemed unacceptable by the operator (see section 4.5).

- (c) Inform the school, operator and/or transport assistant if the child will not be attending school and will not be requiring Transport.
- (d) Provide the school with the name of an emergency contact person.
- (e) Advise the transport assistant, driver or school, as appropriate, if their child has a particular difficulty that day.
- (f) Advise the transport assistant or driver, as appropriate, if the person receiving the child at the end of the day is to be different from usual .
- (g) Advise the school of any respite care.

Parents/carers, drivers, transport assistants and schools have a role in ensuring good behaviour of children/people using school transport. Parents/carers are primarily responsible for ensuring good behaviour and safe travel, e.g. the need to wear a seatbelt where fitted.

If the child needs to return home during the school day, the parent/carer is responsible for arranging alternative transport. If the parent/carer is unavailable, the emergency contact person should be contacted. If no one is available, the child will have to stay in school until the end of the school day.

## **APPENDIX 1: BEHAVIOURAL AGREEMENT**

In order to maintain standards within our school we request that parents/carers sign this behavioural agreement to encourage their child to comply with a minimum standard of behaviour both when in school and when travelling to and from school.

### **When In School**

**I will co-operate with the school to ensure that my child will:**

1. Be punctual for the start of school and for all classes
2. Access school premises by the agreed entrance
3. Conform to the school's dress code
4. Work to the best of his/her ability
5. Complete homework on time
6. Conform to the school's code of conduct
7. Behave responsibly throughout the school, in class, the playground and the dining hall
8. Respect all teachers, school staff, helpers, adults and fellow pupils at all times
9. Not bully or intimidate another person
10. Use his/her study time effectively
11. Work as part of an effective team with teachers, school staff and other pupils

### **When Traveling Between Home And School**

**I will co-operate with the school to ensure that my child will:**

1. **Conform to the school's dress code**
2. **Behave in a responsible manner**
3. **If travelling by school transport they will:**
  - Not disturb the driver
  - Not interfere with emergency equipment or doors
  - Remain seated throughout journey
  - Not be involved in any fighting, bullying, smoking, spitting, vandalism, swearing or verbal aggression
  - Report any misbehaviour to the driver or teacher as soon as possible.
  - Wait for the bus in an orderly manner
  - Take care when getting on or off vehicles

**4. If travelling by foot or cycle they will;**

- Follow the highway code
- Use public footpaths and roads only
- Use school crossing patrols where provided
- Not take shortcuts through private property
- Ensure their cycle is roadworthy and has correct lights
- Avoid cycling in large groups
- Respect other people's property
- Not go with strangers

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

Parent/Carer of: \_\_\_\_\_

## **APPENDIX 2: REVIEW REMIT & PROCEDURE**

**Any parent/carer can request a review of a decision in relation to the award or refusal of transport by Children's Services.**

**There are two circumstances where a review is not available:**

- **Where a child or young person attends school because of a successful placing request.**
- **Where Corporate and Housing Services have decided about funding transport for homeless accommodation.**

**The request for a review must be submitted in writing within 28 days from the date of the decision. It should be addressed to Director of Children's Services, Sealock House, Inchyra Road, Grangemouth FK3 9XB.**

**The review will be considered by the Director of Children's Services or by a nominated manager who is at least equivalent in seniority as the original decision maker.**

**The manager undertaking the review can investigate and obtain more information.**

**The review should consider whether the original decision was reasonable and whether it was consistent with this policy. The review can take into account any new information which is relevant.**

**Ordinarily the review decision should be issued within 20 working days but this time can be extended if needed. There is no further right of appeal thereafter.**



**Falkirk Council**  
*Children's Services*

# **Transport Policy Draft Operational Guidance**

**March 2017**

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## **1. DISTANCE ENTITLEMENT TO SCHOOLS**

- 1.1 The Transport Planning Unit determines distance entitlement using digital mapping systems and the following criteria:

The legislation refers to the nearest available safe walking route. The nearest safe walking route will be the shortest route suitable for a child accompanied by an adult, from their home gateway nearest to the school to the nearest designated school gate(s).

- (a) If there is no home gateway, then the measurement for the distance entitled criteria will be taken from the bottom step of the main entrance of the house/ block of flats.
- (b) A school gate or gates is designated as suitable for children and young people's use by the headteacher/manager in conjunction with advice from the Director of Children's Services. A gate assessed as unsuitable will not be used as a designated school gate for the purpose of distance measurement.
- (c) If the shortest walking route is deemed unsafe, the next nearest safe walking route will be used in the calculation of distance entitlement.

- 1.1 Within this policy, a child's 'home' is considered to be their place of residence. Where a child has more than one residence, for example when parents/carers live separately, transport will only be considered from the address which is registered with the school as the home address, or prior to admission, the address used on the enrolment form.

- 1.1 The Transport Planning Unit will authorise all transport for pupils eligible on grounds of distance or safety.

## **2. REQUESTS & AUTHORISATION (CHILDREN'S SERVICES)**

### **2.1 PLACING REQUEST [check consistency in this section]**

- 2.1.1 Where a child living within the Falkirk Council area attends a Falkirk Council school as a result of a successful parental placing request, transport assistance is not provided, regardless of distance.
- 2.1.2 Cross-boundary placing requests both into and outwith the Falkirk Council area receive no help with transport, with the exception of some pupils with Additional Support Needs and Looked After Children/young people.
- 2.1.3 Some children/young people with Additional Support Needs attend a specialist educational provision outwith the Falkirk Council area. Where Children's Services has placed the child, transport will be provided. Where the attendance is the result of a successful parental placing request, transport may be provided at the discretion of the service manager Individual and Additional Support.

## **2.2 ALTERNATIVE PLACEMENTS**

The Transport Planning Unit will be advised of Alternative Placements by the Forward Planning Team and transport will be offered to pupils that qualify according to the normal distance/safety criteria. Award of transport in any other (exceptional) circumstances will require authorisation by the relevant Service Manager, Children's Services.

## **2.3 SCHOOL TRANSFERS (CIRCULAR 33)**

The sending school can authorise and should request the necessary transport arrangements by contacting the Transport Planning Unit directly. The Transport Planning Unit will advise the Forward Planning Team in Children's Services of all transport arrangements for Circular 33 transfers.

## **2.4 PRIMARY 1 CHILDREN/YOUNG PEOPLE (LUNCHTIME TRANSPORT)**

- 2.4.1 Parents/Carers of entitled P1 pupils must apply to the Transport Planning Unit (TPU) for lunch time transport. Transport Planning Unit and Children's Services will liaise accordingly to ensure appropriate transport is arranged and schools/parents/carers are notified.
- 2.4.2 For pupils with Additional Support needs and Looked After Children/young people, head teacher/managers request transport directly to the appropriate Service Manager.
- 2.4.3 Transport will be arranged by Transport Planning Unit. Any alterations to such arrangements will require to be approved by Children's Services and notified to the Transport Planning Unit.

## **2.5 TRANSPORT ON MEDICAL GROUNDS**

- 2.5.1 Parents/carers of pupils who would not otherwise be entitled to free school transport must apply in writing to Children's Services who may authorise transport on medical grounds.
- 2.5.2 Parents/carers of pupils who are already entitled to school transport must apply in writing directly to the Transport Planning Unit who can authorise the necessary changes in transport provided.

## **2.6 OPERATIONAL GUIDANCE LOOKED AFTER CHILDREN/YOUNG PEOPLE**

- 2.6.1 Authorisation for transport for looked after children/young people (not otherwise eligible for school transport) will be provided by the Social Work Area Team Manager responsible for the child.
- 2.6.2 Eligibility for looked after childrens' transport will be determined through application of the Child Placement Risk Assessment. This will also determine use of transport assistants/volunteer drivers.

## **2.7 PROMOTION OF THE WELFARE OF CHILDREN/YOUNG PEOPLE IN NEED**

- 2.7.1 Requests for transport will be made by the headteacher or manager to the appropriate Service Manager for Children's Services.

## **2.8 HOMELESS ACCOMMODATION TRANSPORT**

- 2.8.1 The Homeless Officer can authorise and should request the necessary transport arrangements by contacting the Transport Planning Unit.
- 2.8.2 Where children/young people are escaping domestic abuse and there is Social Work involvement, the request can also be made directly by the Social Work Area Team Manager.

## **2.9 ADDITIONAL SUPPORT NEEDS TRANSPORT**

Requests for Additional Support Needs transport and Additional Support Needs (Nominated Childcare Facility Transport) should be made by the headteacher/manager. The request will be sent to the Service Manager for the Individual and Additional Support Team who will make a decision based on the advice of the professionals involved with the child.

## **2.10 RE-INTEGRATION OF ENHANCED PROVISION TO CATCHMENT PRIMARIES**

- 2.10.1 When a child in enhanced provision is reintegrating to their catchment primary, the enhanced provision school should submit transport requests as detailed in 2.9. The relevant travel claim form should also be submitted in respect of staff travelling to support the children/young people.

# **3. PARENT/CARER INFORMATION**

## **3.1 CONCESSIONARY PLACES**

Parents/carers should contact the Transport Planning Unit to discuss the availability of a place. If a place is available it will only be awarded on receipt of a written request. Concessionary places will not be awarded on fare paying school buses.

Concessionary transport can only be granted for the current or forthcoming school session. A new application is required for each school session.

Where a vacant place is available on a private hire contract vehicle and at no additional cost, then a concessionary place may be offered to the child. Any arrangements made will only be valid until a change of circumstances, e.g.:

- change of contract specification;
- when an entitled child requires the place; or

- if a child using a concessionary seat causes any disruption by unacceptable behaviour or late arrival the concessionary place will be withdrawn.

Where a child entitled to transport requires the seat, this concessionary place will be withdrawn, even at short notice.

Requests for concessionary places will be prioritised by age, with the youngest children given priority.

If the contract incurs extra costs due to a concession, the parent/carer will be liable for the additional amount.

## **3.2 SEASON TICKETS/TRAVEL PASSES**

- 3.2.1 Parents/carers of children/young people awaiting travel passes must make their own arrangements until the pass arrives. Ten working days after receipt of the application, parents/carers will be allowed to claim for reimbursement of any further transport costs, provided valid bus tickets are submitted.
- 3.2.2 Full-time and part-time season tickets can be offered to looked after children/young people and those with Additional Support Needs.
- 3.2.3 If a season ticket is lost, then the parent/carer is responsible for in obtaining the replacement. One Scholar's Travel Voucher may be issued to enable the child to travel home. No further vouchers will be issued.
- 3.2.4 Schools must advise the Transport Planning Unit of any child who is no longer entitled to a season ticket, on a month-to-month basis.
- 3.2.5 Schools must ensure season tickets are withdrawn and returned to the Transport Planning Unit. If not, the Transport Planning Unit must be informed immediately.
- 3.2.6 Lists of children/young people currently using transport which are forwarded to schools from the Transport Planning Unit should be checked and returned by the date requested with any additions, deletions and amendments made.

## **3.3 BEHAVIOUR**

- 3.3.1 Where a child/young person behaves in such a way as to cause concern including concern about the safety of others the operator should contact the headteacher/manager. The young person may be banned from transport on a temporary basis. If concerns persist the headteacher/manager will require the parents/carers and child to sign the Behavioural Agreement.
- 3.3.2 A permanent ban from transport may be considered where there are persistent behavioural issues and the child has been subject of a Behavioural Agreement. Any decision about the withdrawal of transport will be made by Children's Services in consultation with Transport Planning Unit. The Transport Planning Unit will inform the parents/carers and the Director of Children's Services of the decision in writing.
- 3.3.3 If the reasons for exclusion from provided transport are related to the child's additional support needs, the headteacher/manager should call a review to provide advice to Children's Services and the Transport Planning Unit.

### 3.4 PARENTAL CONVEYANCE CONTRACTS

- 3.4.1 Parents can apply for re-imbursement of mileage expenses at the end of each term using the “Parental Contract: Mileage Claim Form”

A contract of agreement will be issued by the Transport Planning Unit specifying:-

- (a) the pupils and journeys covered by the contract.
- (b) The start and end date. A single school session (August to June) will be the maximum duration for a Parental Conveyance Contract.
- (c) The approved mileage rate

Claims submitted can only include the days that pupils attend school.

A maximum of one return journey to school can be claimed for each school day.

3.4.2 Calculation of Mileage Payable:

The rate offered will be according to the current HMRC “Approved Mileage Rate” (currently 45p per mile (March 2017)).

- 3.4.3 The distance for mileage payable will be calculated as the shortest driveable route from the pupil's home to their school. The distance will be calculated using the Falkirk Council digital mapping software and based on the public road network. Private roads, such as long driveways and farm tracks, will not be included in the calculated mileage.

- 3.4.4 This distance will be payable twice for each school day, once for the morning drop-off and once for the afternoon pick-up.

- 3.4.5 Payment will only be made for the one-way journeys where a pupil is the passenger, home to school in the morning and school to home in the afternoon. Return mileage home (AM) or to school (PM) cannot be claimed.

- 3.4.6 Distances will be calculated from and to the address where the pupil(s) is/are normally resident

- 3.4.7 Only 1 mileage will be payable per household (i.e. where more than 1 pupil attends the same school).

- 3.4.8 Additional mileage can be claimed for another child in the same household if they attend another school and it is further away, requiring a longer journey.

- 3.4.9 Additional mileage cannot be claimed for temporary road closures or bad weather conditions that result in a longer journey.

- 3.4.10 Permanent road closures or road network changes will require a re-assessment of the shortest driveable route. Once validated, payment will be back-dated to the date a claim for additional mileage is received.

## **4. INFORMATION FOR HEAD TEACHERS/MANAGERS**

### **4.1 CONSORTIA TRANSPORT FOR PUPILS WITH ADDITIONAL SUPPORT NEEDS**

- 4.1.1 Requests for transport under Consortia arrangements for pupils with additional support needs should be made by the Headteacher/manager. The request will be sent to the Service Manager for the Individual and Additional Support Team who will make a decision based on the advice of the professionals involved with the child.

### **4.2 NOMINATED MEMBER OF STAFF WITH RESPONSIBILITY FOR ADDITIONAL NEEDS TRANSPORT**

- 4.2.1 The school will provide the Transport Planning Unit with the name of a nominated member of staff who will ensure that:
- (a) a copy of the essential information form, including emergency contact details, is completed and updated for all children/young people using additional support needs transport;
  - (b) specific details of all transport requirements are provided to the Individual and Additional Support Team;
  - (c) procedures for emergency school closures are followed
  - (d) subject to parental consent, transport assistants are provided with relevant information regarding the child and family/carers. This should be carried on all journeys by the transport assistant;
  - (e) at the time of leaving the school grounds, agreed safety arrangements are adhered to.

### **4.3 CONSORTIA TRANSPORT**

- 4.3.1 Each 'home' school should submit a list of children/young people intending to participate in the scheme to the Transport Planning Unit who will make the necessary arrangements. Transport Planning Unit must be informed immediately by the host school of any pupils who withdraw from the scheme.

### **4.4 TRANSPORT ENQUIRIES**

- 4.4.1 Headteachers/managers should deal with initial enquiries about transport and provide parents/carers with an appropriate application form.
- 4.4.2 Headteachers/managers should deal with initial complaints but after this stage, parents/carers should be referred to the Transport Planning Unit.
- 4.4.3 Any permanent changes to transport arrangements should be submitted in writing to the Transport Planning Unit.

#### **4.5 OUT OF SCHOOL HOURS LEARNING TRANSPORT**

- 4.5.1 Subject to specific, individual requests, looked after children and children/young people who are normally distance/safety entitled may be provided with Scholar's Travel Vouchers to use on bus journeys home after an out of school hours learning activity has finished.
- 4.5.2 Schools will arrange distribution of these Scholar's Travel Vouchers to entitled children/young people, subject to needs assessment.
- 4.5.3 Taxi transport will only be provided if the child normally travels by taxi and the taxi can operate at the later time at no additional cost. The individual school will be liable for any additional transport cost.

#### **4.6 AD HOC TRANSPORT ARRANGEMENTS IN SCHOOLS**

- 4.6.1 When schools require transport on an ad hoc basis, they should contact the Transport Planning Unit for guidance on using operators
- 4.6.2 All coaches, buses, minibuses and taxis that are used on private hire school outings must be fitted with seatbelts.

#### **4.7 TRANSPORTING OF OTHER CHILDREN BY PARENTS/CARERS**

Due to PVG and insurance requirements, parents are not to be used to transport children other than their own.

#### **4.8 TRANSPORT PROVIDED BY STAFF**

- 4.8.1 Children's Services staff who use their own car to transport children/young people require private car insurance covering them for business use. The relevant travel claim form should be submitted to reclaim the mileage costs.
- 4.8.2 The Falkirk Council Driving at Work Policy applies to all members of staff transporting children/young people in their own vehicles.

#### **4.9 SCHOOL MINIBUSES AND PTA MINIBUSES**

- 4.9.1 Any person who drives a minibus, either owned by Falkirk Council or a Parent Teacher Association or similar should have a valid and appropriate driving licence for the class of vehicle and have a valid MiDAS (Minibus Driver Awareness Scheme) driving certificate. Reassessment under the scheme is required every 4 years. The vehicle must be appropriately insured, licensed, and have a current MOT certificate. Checks should be made before taking the vehicle out to ensure that there are no faults.
- 4.9.2 The log book should be completed at the end of the journey so that the driver can detail any faults with the vehicle. The School/PTA must also ensure that the vehicle is regularly serviced and inspected by a qualified vehicle engineer.
- 4.9.3 The Falkirk Council Driving at Work Policy applies to all members of staff driving school (or PTA) minibuses.

4.9.4 All drivers of minibuses should be PVG registered.

#### 4.10 **Volunteer Drivers**

Falkirk Council will ensure the suitability of volunteer drivers via the following measures:

- All volunteer drivers should be PVG registered.
- All volunteer drivers should have written confirmation of fitness to drive from their GP.
- All volunteer drivers should provide 2 character references.
- All volunteer drivers should attend induction training and Child Protection Awareness training provided by Falkirk Council.

### 5. **HEALTH AND SAFETY**

#### 5.1 **Operator Compliance**

5.1.1 All transport operators should comply with the appropriate insurance requirements as set down in the conditions of contract.

5.1.2 All transport operators should comply with current health and safety legislation and may be required to submit evidence of compliance if requested by Falkirk Council.

5.1.3 All transport operators must comply with the statutory obligations under the Equality Act 2010 and will be required to make a statement to that effect.

5.1.4 All transport operators must adhere to the following safety issues covered in the appropriate Conditions of Contract:

- (a) seatbelts for all children/young people (except on registered local bus services)
- (b) appropriate seats for all children/young people
- (c) wheel clamps fully operable
- (d) no smoking policy
- (e) agreement on authorised number/names of children/young people/passengers to be transported
- (f) agreement on routes and pick up/drop off at arranged times
- (g) PVG registration is required for all drivers.

#### 5.2 **SEATBELTS AND CHILD RESTRAINTS**

5.2.1 Statutory guidelines and approved codes of practice must be followed by all contractors providing school transport for Children's Services .

5.2.2 In vehicles of seven or fewer passenger seats, it is the driver's responsibility to ensure that where seatbelts are fitted to a vehicle, the seatbelts are used by the children/young people and fastened properly. No child should be permitted to travel in such vehicles without wearing a seatbelt where these are fitted, without special exemption sanctioned by the Director of Children's Services.



- 5.2.3 In all other vehicles with eight passenger seats or more, where seatbelts are fitted, the children/young people must be made aware of the belts but it is the parents/carers responsibility to encourage their use. If a pupil transport assistant is present on the vehicle they can assist in the use of the belts but cannot enforce their use.
- 5.2.4 Current legislation should be referred to for guidance in specific cases.
- 5.2.5 In cars or taxis with seven or fewer passenger seats, the rear doors must be fitted with child proof locks and these should be used to ensure the safety of the children/young people where appropriate.
- 5.2.6 All transport for school trips should only use seatbelt fitted vehicles.
- 5.2.7 Where needed to comply with current legislation, car seats or booster seats should be used by pupils/young people.

### **5.3 WHEELCHAIR ACCESSIBLE TRANSPORT**

- 5.3.1 When specified all vehicles used on Children's Services contracts which are wheelchair accessible must be equipped with wheelchair restraints, and fully functional lap and diagonal wheelchair passenger restraints. All restraints must be secured to the vehicle.
- 5.3.2 Contractors, drivers and transport assistants must know how to use all specialist equipment. Where a transport assistant is employed, it is the duty of the transport assistant and the driver to ensure that specialist equipment is appropriately used. The driver has sole responsibility for this where there is no transport assistant.

### **5.4 SAFETY OF DROP OFF/PICK UP POINTS**

- 5.4.1 The arrangements at drop off/pick up points at educational establishments vary depending on a variety of factors:
  - (a) Volume of traffic on roads outside educational establishments.
  - (b) Percentage of parents/carers dropping off/picking up children.
  - (c) Ability of roads near the educational establishment to cope with the increase in traffic including school transport taking into account width of roads, cul de sac etc.
  - (d) Ability of children/people to have clear, safe and supervised access to school transport.
- 5.4.2 In order to ensure safety headteachers/managers must consider the following:
  - (a) Supervision of children/young people boarding school transport
  - (b) Segregation of school transport from parents/carers car parking areas
  - (c) Agreement with the Transport Planning Unit about safe times for school transport to arrive and leave

- 5.4.3 Risk assessments should be carried out at each school boarding and alighting point to ensure the safety of children/young people using school transport. Responsibility for this lies with the headteacher/manager. If necessary, the school must ensure that there is a responsible person present to supervise pupils boarding and alighting school transport.

## **5.5 EMERGENCY SCHOOL CLOSURES/ADVERSE WEATHER**

- 5.5.1 Headteachers/managers and the Transport Planning Unit are responsible for making transport arrangements when there is an emergency closure. If the contractor cannot provide the journey, they must inform both the school and Transport Planning Unit.
- 5.5.2 In adverse weather conditions the contractor must liaise with the headteacher/manager and/or the Transport Planning Unit regarding travel decisions.
- 5.5.3 It is the contractor's decision as to whether a road is passable or not. If a morning or inward journey is abandoned, all the children/young people must be returned home and into the care of the parent/carer or emergency contact. If weather conditions deteriorate during the day, contractors should also liaise with the school/Transport Planning Unit regarding an early closure.
- 5.5.4 If in adverse weather conditions, contractors cannot set children/young people down at their normal drop off point, children/young people will not be allowed to walk home without being accompanied by a responsible adult. If this is not feasible, the contractor should return the children/young people to the relevant school and place them into the care of the headteacher/manager who will make appropriate arrangements.
- 5.5.5 In the event of transport being immobilised by weather conditions or blocked roads, children/young people should be instructed to remain in the vehicle until rescue can be organised. If the circumstances are deemed to be dangerous, the pupils should be guided in a safe and orderly manner to a place of safety.

## **5.6 NO-ONE AT HOME OR PARENT/CARER DEEMED UNFIT**

- 5.6.1 In the event that the parent/carer is not at home, the driver/transport assistant must place the child into the care of the emergency contact person. If this is not possible, the driver/transport assistant must consult with the appropriate headteacher/manager to consider returning the child to school. In the case of Looked After Children, Children's Services must be contacted for advice.
- 5.6.2 If the parent/carer is deemed by the transport assistant or driver to be unfit to care for the child, the Transport Planning Unit and Children's Services should be contacted immediately.
- 5.6.3 Where a child is not returned to their normal address, parents/carers should be informed at the earliest opportunity of the location of the child.

## **5.7 PLANNED EARLY CLOSURES**

- 5.7.1 When schools close early on the last day of term, headteachers/managers must provide transport operators with sufficient notice to re-arrange transport. Priority will be given to primary schools and then secondary schools that have no suitable commercial buses available.

Other planned closures should be notified to the Transport Planning Unit one month in advance. The Transport Planning Unit will advise the school of the operators to be contacted.