

Home to School Transport

Guidance 2018/19



Introduction

This guidance sets out Kent County Council's (KCC) obligations to provide Home to School Transport to children living in Kent who are eligible to receive transport assistance. If you do not pay Council Tax to one of the borough councils located within the Kent boundary, you should not apply to KCC. Please contact your own Local Authority to find out details of their Transport Policy and how to apply.

When considering whether to assist with home to school transport, Local Authorities are under a statutory duty to have regard to the Education Act 1996 and Schedule 35B of the Act which was inserted by Part 6 of the Education and Inspections Act 2006.

Sections 508B and 508C of the Act makes provision for Local Authorities to ensure that suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school. Kent County Council has developed its transport guidance in accordance with this legislation and equalities legislation to ensure it is able to meet its statutory duty.

The Transport Eligibility team is responsible for assessing applications for all children in accordance with Kent's Transport guidance. Please be aware that Transport Officers are unable to assess transport requests over the phone and all applicants will have to complete a formal application form.

Free transport is only available where a student fulfils strict criteria, so most applications for free transport last year were unsuccessful. It is important that parents understand whether they meet the criteria for free school transport before taking the time to make an application. In most instances, children will not meet the statutory conditions for further support. For those children not entitled to free transport to school, KCC also offers the Young Person's Travel Pass and the Kent 16+ Travel Card, which are discretionary passes subsidised by KCC and which many children use to access their school.

These schemes are the subject of a separate application and if you think that you may not be eligible for free transport to school then you may also want to apply for one of these passes at the same time. Further information on these schemes is also provided within this guidance. If you have previously had your application for free home to school transport refused, **do not reapply for free transport again, unless your circumstances have changed** (e.g. changed schools, moved address or because the needs of the child have changed), as it will be refused again.

It is **strongly recommended** that all parents read this guidance carefully.

The information given in this guidance relates to the 2018 – 2019 school year and the details are correct as at January 2018.

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Kent County Council's Transport Guidance for Parents

All applications are assessed on an individual basis in accordance with Kent County Council's (KCC) Transport Criteria.

To qualify for free school transport a child must attend their nearest appropriate school for transport purposes **and** for that school to be over the statutory distance from their home. Free school transport will not be provided where a child only fulfils one of these criteria.

Nearest appropriate school

While parents are free to name any school they wish during the admissions process, their child will only be eligible for free transport where the school selected is their nearest appropriate school for transport purposes. In other words, whilst the Council are happy for parents to exercise parental choice in their selection of schools, this may mean forgoing your entitlement to free transport.

When considering which school is a child's nearest appropriate school for transport purposes, KCC's transport criteria only considers the following two points:

- i) Age appropriate – relating to attendance at a Primary or Secondary school
- ii) Ability appropriateness – relating to attendance at a mainstream or special school

The nearest appropriate school for transport purposes is the nearest school that is considered suitable by the Department for Education to provide education for the child's age and ability. This includes all Academies, Free schools and faith schools, even if a family is not of the same faith. In some areas of the county, a child's nearest appropriate school may be located in another educational authority, outside of Kent.

When deciding which is the nearest appropriate school for transport purposes, KCC does not take into account parents preference for a single-sexed, mixed, specialist or particular type of school. This means that children will not automatically receive transport assistance to any school that may offer them a place. Where parents name schools outside of their local area, in most cases it will be their responsibility to ensure their children can access their preferred school.

Children assessed suitable for a Grammar school do not automatically secure eligibility for transport assistance to a Grammar school. A Grammar school is a parental choice and where it is not the nearest school, there may be no eligibility to receive transport. All mainstream schools are required to be able to meet the educational needs of children across the mainstream eligibility range including those in the top 25% of the ability range. Just as a Grammar school assessment does not guarantee entry into a Grammar school, an offer of a place at a Grammar school does not determine that transport will be provided if an alternative mainstream non-selective school or Academy is closer to a child's home address.

While a Grammar assessment in the Kent Test will allow a child to apply for a place at any Kent Grammar school, some Kent Grammar schools also offer their own test. Children can take these school specific tests and a "Grammar assessment" will allow them to apply for that school only. If a child has been assessed suitable for a specific Grammar school and it is not the nearest Grammar school to their home, they will only be eligible for free school transport if they have also taken the Kent Test and received a "High school assessment" and no other mainstream or Academy school is closer to their home.

Unlike other Secondary mainstream schools that are able to cater for children across the entire ability range, Grammar schools are not able to accommodate pupils below the top 25% of the ability range. Consequently where a child's nearest school to their home is a Grammar school but they have not been assessed suitable for any Grammar school, for transport purposes, the Grammar school will not be considered as the nearest school.

Where a younger sibling will attend the same school as an older sibling, who currently receives transport assistance, the younger sibling will not necessarily receive transport assistance just because the older one does. Each child is assessed in accordance with Kent's Transport guidance on an individual basis at a given time.

No transport will be provided for a child attending a fee paying mainstream independent school.

Statutory School Distance

Statutory school distance is set in legislation and is different depending on the child's age. A child's school must be over the statutory school distance for them to be considered for free school transport. For a child under the age of 8, the school must be over 2 miles from their home. For children over 8 years of age, statutory distance increases and the school must be over 3 miles. This means that where a child lives between 2 and 3 miles from their nearest school, they will only be eligible for free school transport assistance until the end of the term after they turn 8 years of age.

Distances are normally measured by the shortest available walking route. This may take into account public footpaths, bridleways, other footpaths as well as recognised roads where they are available. Where the distance to a school is over 6 miles, vehicular road routes may be used where they are shorter than walking routes.

The shortest available walking route is one where a child can walk safely accompanied as necessary by a responsible adult. While KCC uses this criteria to assess a route, parents must decide if they wish for their child to travel to school on their own and make appropriate arrangements if they do not feel that this is appropriate.

If parents consider the route to their child's school to be hazardous, they can request for it to be assessed by KCC Transport Officers. To be eligible for a review, children must be attending their nearest appropriate school for transport purposes.

Where multiple routes are available within the statutory minimum distance, the shortest safe route will be considered for transport purposes. Where all routes to a school are considered hazardous, the shortest route will normally be used for distance calculations.

If a route is considered hazardous even if a child is accompanied by a responsible adult, free transport assistance will be granted if a child is attending their nearest appropriate school, even if it is under the statutory distance.

All distances between children's homes and schools are measured using Kent County Council's own software and not any other internet measuring devices. In this way, all children are assessed consistently in the same way under the distance criterion and conditions.

Low income criteria

KCC's Transport criteria assesses applications from families with a low income background in a different way. A child will be assessed under Low Income criteria if they are entitled to receive free school meals or where their parents are in receipt of one of the following benefits:

- Income Support.
- Income based jobseekers allowance.
- Child Tax Credit (without Working Tax Credit and with an annual income of no more than £16,190).
- Guaranteed element of state pension credit.
- Income related employment and support allowance.
- Maximum level of Working Tax Credit.

When parents receive Child Tax Credit but not Working Tax Credit, the level of yearly income (currently £16,190) would be taken into account when assessing the child's eligibility.

If parents receive both Child Tax Credit and Working Tax Credit, then the Working Tax Credit element overrides the Child Tax Credit element and parents must be in receipt of the maximum level of Working Tax Credit to qualify for transport assistance on Low Income grounds.

Changes to eligibility when assessed under Low Income criteria

Low Income children who attend a Primary school and who are aged 8 years and over but less than 11 years, and who attend their nearest appropriate school as outlined above, will be eligible for free school transport as long as they live between 2 and 6 miles from the school. In most cases this means that a Low Income child would not lose free transport eligibility when they turn 8 years of age and live less than three miles from their nearest school.

Low Income children over 11 years of age but under 16 years are given eligibility to one of their three nearest appropriate schools as outlined above, where their home is between 2 and 6 miles from the school.

Low Income children aged between 4 and 16 years old who are attending the nearest church school between 2 and 15 miles from their home, will be eligible for free school transport where they can produce an application form signed by a vicar/priest of the same denomination

as the school stating that the child is a regular and practising member of a church of the same denomination as the school.

Low Income children will also receive transport assistance to their nearest Grammar school where they have met the entry requirements and been offered a place there and it is between 2 and 15 miles from their home. If a child has been assessed suitable for a specific Grammar school and it is not the nearest Grammar school to their home, they will only be eligible for free school transport if they have also taken the Kent Test and received a "High school assessment".

Transport that is granted under the Low Income criteria is reviewed on an annual basis. Renewal forms are sent out in April to remind families to re-apply.

Parents should return the renewal form to KCC as soon as possible with proof of benefit and no later than **13 July** to ensure their pass is available at the beginning of the new school year.

Children in Care

KCC's transport arrangements make additional provisions available to children in the care of Kent County Council. Children in Local Authority Care are children under the age of 18 years who are (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989). This applies equally to children who immediately after being looked after by the Local Authority became subject to an adoption, child arrangements, or special guardianship order.

Changes to eligibility for Children in Care

Children in the care of Kent County Council will receive transport assistance to their nearest Grammar school where they have met the entry requirements and been offered a place there and it is between 2 and 15 miles from their home. If a child has been assessed suitable for a specific Grammar school and it is not the nearest Grammar school to their home, they will only be eligible for free school transport if they have also taken the Kent Test and received a "High school assessment".

Children in the Care of Kent County Council do not have an automatic right to free home to school transport, they are assessed in accordance with Kent's Transport policy in the same way as any other child. Children in Care and Young Carers can however, apply for a Young Persons Travel Pass. This pass is free for all children in care and young carers until the age of 21. The application form will need to be endorsed by the child's case worker confirming that they are in care.

Children in the Care of other Local Authorities residing in Kent

It is for the corporate parent of a Child in Care to assist with transport arrangements for the child. KCC makes discretionary provision for children for whom it is the corporate parent, other children in care would need to seek assistance from their own corporate parent authority where there is no statutory entitlement to assistance.

Children with an Education, Health and Care Plan or Disability

There is no guarantee that a child with an Education, Health and Care plan (EHCP) or disability will receive home to school transport. All children will be assessed in accordance with Kent's Transport guidance, regardless of whether they hold an EHCP or not. Parents of children with an EHCP or disability must therefore apply for free school transport in the same way as other parents.

Where a child has an EHCP, their nearest appropriate school will be the closest school to their home via the shortest available walking route that can support their specific needs. The Transport Eligibility Team will work with colleagues in SEN to identify which school is considered a child's nearest appropriate school. Where a parent has expressed a preference through the EHCP process for a school that is not their nearest, it is highly unlikely that their child will be eligible for free school transport and parents must plan to make their own arrangements for their child to access school.

Parents should attach a copy of their child's EHCP and any further information or evidence in relation to a disability that supports their application for transport assistance. This may include information from the child's consultant. This evidence is to support the parent's request for transport where their child's needs may inhibit their ability to walk to and from school or where they cannot access public transport. It is assumed that a child would travel to and from school, accompanied as necessary by a parent or responsible adult.

If parents have difficulty completing the forms, they should seek support from the Area SEN teams who will help gather the necessary information.

For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible if their nearest appropriate school with a vacancy is a considerable distance away.

Medical conditions

To qualify for assistance on medical grounds, the child must be attending their nearest appropriate school.

If a child's medical needs affect their ability to travel to and from school, accompanied as necessary by a responsible adult, parents must provide the Transport Eligibility team with evidence from their child's consultant to demonstrate the difficulties they have in walking or travelling by public transport.

If transport is granted on medical grounds, the child's case will be reviewed on an annual basis and up to date information on their medical condition will be required at each review.

If a parent has medical problems that prevent them from taking their Primary aged children to and from school, transport assistance may exceptionally be granted. The child must attend their nearest appropriate school and parents must provide evidence of their medical need from their consultant.

As with a child's medical condition, transport granted because of a parent's medical condition will be reviewed on an annual basis and up to date evidence will be sought in order for the transport assistance to be renewed.

School preference selection

A transport application begins when a parent applies for a child's school place through the admissions application process, as preference selection plays an important part when KCC considers if a child is attending their nearest appropriate school. KCC would not refuse transport where a parent has applied to their nearest appropriate school, but the school was unable to offer their child a place. It will then look to see if the next nearest school was named. The rationale behind transport eligibility assessment requires that parents must have tried to access their nearest schools and where this has not been possible through no fault of their own, then the council may assist with transport support.

Main Admissions Process

Where parents are applying for a school place through the main admissions round (where a child is starting school for the first time or transferring to Junior or Secondary school), admissions legislation makes clear they are free to name any maintained school that they wish. Parents are not required to name schools in distance order from their home, but it will likely impact their child's eligibility for school transport if they do not. Transport eligibility remains where there is no school that could have been named as a higher preference closer to the family home than the school they have been offered.

Parents are also not required to make use of all available preferences when completing their child's school admissions application, but where a parent chooses not to, they are limiting the KCC's ability to offer their child a school close to their home. Parents should therefore make use of all available preferences on their child's school admissions application if they wish to be considered for free school transport.

Where it is not possible to offer any of a parent's school preferences through the main admissions round, KCC will allocate a place at the next nearest school with an available space. Where this occurs, children will be eligible for free school transport to the allocated school, where it is beyond the statutory distance, if their parent has named their nearest schools, making use of all available preferences.

If parent's admission preferences are not expressed in the order outlined above, Kent County Council will not be responsible for providing transport assistance.

The examples in the following pages have been provided to aid parents in understanding how their preference selections may impact their child's eligibility for free school transport.

The first column shows the school preference ranking that the parent named the school as on their child's school admissions application.

The second column shows how that school would be considered when assessing the distance criterion (e.g. 1st means that this school is the closest school to the child's home via the shortest walking route, 2nd means that it is the second closest school etc).

The third column describes whether the child would be eligible for free school transport if that school was offered to them on National Offer Day (e.g the description in the row for the first preference school explains what would happen if the first preference school was offered. The description in the row for the second preference school explains what would happen if the first preference school could not be offered, but the second preference school could etc).

The final row in each example shows if a child would be eligible for free school transport if none of their preferred schools could be offered and KCC was required to allocate them an alternative school and that school is over the statutory distance.

Where a child is assessed as not suitable to attend Grammar school through the Kent Test or school's own test or where a child has failed to take the Kent Test, but a parent decides to name Grammar schools to allow them to appeal following the refusal of an offer on National Offer Day, their Grammar preferences will be ignored when assessing transport eligibility. These cases will be assessed in line with the examples laid out below where parents have failed to make use of all available preferences.

This is not an exhaustive list of all possible permutations, but is intended to help parents understand how the transport guidance will be applied.

Named nearest schools in distance order

Preference Number	Distance order from home	Eligibility if offered this school preference
1	1st	Eligible – Nearest school
2	2nd	Eligible – Nearest school named higher but couldn't be offered
3	3rd	Eligible – Nearest schools named higher but couldn't be offered
4	4th	Eligible – Nearest schools named higher but couldn't be offered
Allocated school	N/A	Eligible – Named all four nearest schools

In this example, the applicant would be eligible for free to school transport if they were offered any school, as long as it was over the statutory distance from their home. As the schools are in distance order from their home, if one school cannot offer the child a place, the next preferred school would become the nearest. If KCC had to allocate the child a place at an alternative school as all of their preferred schools were full, they would be eligible for free transport assistance as they have made use of all of their preferences and named their nearest four schools.

Named four nearest schools but not in distance order

Preference Number	Distance order from home	Eligibility if offered this school preference
1	2nd	Not Eligible – Nearer school not named as higher preference
2	3rd	Not Eligible – Nearer school not named as higher preference
3	4th	Not Eligible – Nearer school not named as higher preference
4	1st	Eligible – Nearest school
Allocated school	N/A	Eligible – Named all four nearest schools

In this example, the applicant would not be eligible for free school transport if they were offered any of their top three preferences, as there is a nearer school to their home that could have been named as a higher preference. They would be eligible if they were offered their fourth preference school as it is their nearest school provided that it is over statutory distance. As the parent has named their four nearest schools, they would be eligible if KCC had to allocate them an alternative school over the statutory distance, even though their preferences were not in distance order, as the four nearest schools had still been considered during the admissions process and been unable to offer the applicant a place.

Not named all nearest schools - Example 1

Preference Number	Distance order from home	Eligibility if offered this school preference
1	2nd	Not Eligible – Nearer school not named as higher preference
2	3rd	Not Eligible – Nearer school not named as higher preference
3	4th	Not Eligible – Nearer school not named as higher preference
4	5th	Not Eligible – Nearer school not named as higher preference
Allocated school	N/A	Not Eligible – Did not name all four nearest schools

In this example, the applicant would not be eligible for free to school transport to any school, including an allocated school where no preferred school was available, as they failed to name their nearest school as any of their preferred schools.

Not named all nearest schools - Example 2

Preference Number	Distance order from home	Eligibility if offered this school preference
1	5th	Not Eligible – Nearer school not named as higher preference
2	1st	Eligible – Nearest school
3	4th	Not Eligible – Nearer school not named as higher preference
4	2nd	Eligible – Nearest school named higher but couldn't be offered
Allocated school	N/A	Not Eligible – Did not name all four nearest schools

In this example, the applicant would not be eligible for free to school transport to their first preference school, as it is not the closest school to their home. They would be eligible if they were offered their second preference school as it is the closest school to their home provided that it is over statutory distance. If they were offered their third preference school, the applicant would not be eligible as there are other schools closer to their home, but they would be eligible if offered their fourth preference school as it is the second closest to their home and they named their closest school as a higher preference. While the applicant has named all four preferences, they would not be eligible for free school transport to a school KCC was required to allocate them if all of their preferred schools were full, as they named their fifth closest school as a preference instead of their third closest school.

Not named all preferences - Example 1

Preference Number	Distance order from home	Eligibility if offered this school preference
1	1st	Eligible – Nearest school
2	2nd	Eligible – Nearest school named higher but couldn't be offered
3	No school named	Not Eligible – No school named
4	No school named	Not Eligible – No school named
Allocated school	N/A	Not Eligible – Did not name all four nearest schools

In this example, the applicant would be eligible for either of their preferred schools as long as they are over the statutory distance, as they are the closest schools to their home, in distance order. They would not be eligible if KCC had to allocate them an alternative school if their two preferred schools were full because they have not made use of all available preferences.

Not named all preferences - Example 2

Preference Number	Distance order from home	Eligibility if offered this school preference
1	2nd	Not Eligible – Nearer school not named as higher preference
2	1st	Eligible – Nearest school
3	No school named	Not Eligible – No school named
4	No school named	Not Eligible – No school named
Allocated school	N/A	Not Eligible – Did not name all four nearest schools

In this example, the applicant would not be eligible for free to school transport to their first preference school, as it is not the closest school to their home. They would be eligible if they were offered their second preference school provided that it was over the statutory distance, as it is the closest school to their home. They would not be eligible if KCC had to allocate them an alternative school if their two preferred schools were full, as they have not made use of all available preferences.

In Year Admissions Process

Where parents have moved home and secure a new school place for their child through the In Year admissions process, outside of the normal admissions round, transport eligibility will only be granted where their child is attending the nearest appropriate school that has a space at the time that they apply for free school transport.

If a child changes their school through an In Year admissions application, but the family has not moved home since the child last applied through the main admissions process, the child's eligibility for free school

transport will be assessed on the basis of the preferences that their parents named during the last main admissions round in which they took part.

Parents should ensure that they advise KCC in advance of any change of circumstance, to allow time for a new pass or alternative transport arrangements to be made available, if they are still deemed eligible to receive transport assistance. Parents will be responsible for making their own arrangements to transport their children to and from school until a reassessment has been completed.

Applying for free transport assistance

Applications for free school transport can be made online at www.kent.gov.uk/schooltransport or by completing a T1 paper application form. This form is available at www.kent.gov.uk/schooltransport or can be requested by contacting KCC's Transport Eligibility team.

The Transport Eligibility team cannot accept applications or inform you of the outcome of an assessment over the telephone.

Where parents apply for transport to coincide with a new academic year, they should ensure that applications are made as soon as possible after receiving their child's school offer. The Transport Eligibility Team receive a considerable number of applications and many parents wait until shortly before the beginning of the new school year before applying for free school transport. This can lead to a significant backlog in processing applications and can increase the time it takes for parents to receive an assessment decision.

While assessment work will start on these applications as soon as they are received, the Transport Eligibility team will not start to send out assessment decisions until the end of May, to allow applications for the current school year to be completed in a timely fashion. **Parents should therefore expect to wait up to 6 weeks from the end of May to receive the outcome of their transport application when applying for a new academic year.**

Mainstream applications for the following school year should be received **no later than 13 July** to ensure a pass for the child on the first day of term, however, parents are advised to submit their applications much earlier than this to avoid unnecessary delay.

Due to the specialist nature of commissioning SEN transport, parents of children attending a special school the following school year should ensure their application is received **no later than 30 March**.

Every effort will be made to issue a pass for a child for the first day of term where applications are received after these dates, however, this cannot be guaranteed.

If you are concerned that you may not be entitled to free transport to school then parents should also consider applying for a Young Person's Travel Pass which can then be cancelled if it hasn't been collected from the school. Entitlement to

free transport to school does not provide you with a Young Person's Travel Pass which is subject to a separate application. At busy times of the year, applications for a Young Person's Travel Pass can take up to 6 weeks to process and therefore need to be received **no later than 13 July** if the pass is going to be ready for the start of term.

Parents that apply for free school transport at any other time of the year can be expected to wait up to 6 weeks to receive a decision, although this time may be exceeded where we do not have sufficient information to process your application.

Until transport is in place, it will be the parent's/carer's responsibility to make the necessary arrangements for their child to attend school.

Mode of transport

If a child is deemed eligible for free transport to school, the Transport Eligibility team will advise parents by email or post. The child's details will then be passed to KCC's Public Transport department who will identify the most appropriate mode of transport. Once this task has been completed, the Public Transport department will contact parents to advise them of the arrangements and how any pass will be provided.

Children who are eligible to receive transport assistance will usually be given a pass for public transport or where this is not appropriate, a seat on a vehicle such as a coach or minibus.

As a general guide, transport arrangements should not require a child to make several changes on public transport resulting in an unreasonably long journey time. Best practice suggests that the maximum individual journey length for a child of Primary school age should be no longer than 45 minutes each way. For Secondary school children, the length of a journey should be no more than 75 minutes each way.

For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.

Unfortunately, parents are not able to choose which form of transport or specific vehicle their child will travel on. The routes and types of transport are determined by the KCC's Public Transport department. They will determine the mode of transport that delivers the best value for money for Kent tax payers, taking into account any special arrangements needed to support the child's particular needs.

Where children with an EHCP are provided with transport assistance, no guarantee can be given that the arrangements e.g. passenger assistant/driver, will stay the same throughout the child's academic career. KCC's Public Transport department will always try to provide as much notice as possible when making changes to your child's transport arrangements.

If the child requires more than one type of transport to travel to and from school, several passes may be provided (e.g. bus and/or train pass) in order that they are able to complete their journey.

Transport assistance is only provided at the start and end of the school day. Where children start school on a part time basis (e.g. school day starts/ finishes at mid-day), parents would be responsible for making the necessary transport arrangements. Transport will not be provided on a flexible basis as vehicles often have to accommodate other learners or duties procured by KCC.

Additional journeys

Transport assistance is only provided from the child's home to the main school at which they are on roll. The child's home will normally be the address where they reside for the majority of the school week, and any transport arrangements to or from an alternative address would be the responsibility of the parent to arrange. If they attend another school or establishment for off-site provision, it will be the responsibility of the parent or school to arrange travel to and from the other site.

Transport assistance would not be provided for any medical appointments or any other domestic arrangements for the child to go to or from a different address other than their main residence.

Transport will not be provided for breakfast or after school clubs or activities outside of normal collection times.

Personal Transport Budgets

A Personal Transport Budget (PTB) may be available to children who have been assessed as eligible to receive home to school transport. It is granted at the discretion of the Local Authority and only provided where it is the most cost effective option for KCC to meet its statutory duties. It will therefore not automatically be given and is unlikely to be available where existing suitable transport is in operation locally.

The PTB is a payment designed to help parents make any arrangements needed, and can be used in any way to facilitate their child's access to school. It is paid over 11 months directly in to a parent's bank account. It is based on a child's proximity to school and therefore bears no relationship to the actual costs associated with a child accessing school. Where a child receives a PTB partway through the school year, the total payment will be offered on a pro rata basis to account for the reduced timescale that the parent will be responsible for transport arrangements.

To ask to be considered for a PTB, parents should tick the relevant box on their child's application for free school transport or apply online at www.kent.gov.uk/personaltransportbudget where further information is also available.

Home to school transport appeals

Parents are entitled to appeal against decisions by the County Council to refuse their application for free or subsidised transport for their child. This appeal process has two stages and parents should complete the first stage before moving on to the next.

Stage 1

Procedure for Appeals to the Transport Eligibility Team - Officer Review

Applications for free transport are only refused where a child is not eligible under KCC's transport criteria. Where parents receive a refusal to their application, the first step is to carefully read the outcome letter that has been sent to you by KCC's Transport Eligibility team. It will explain to you why transport cannot be offered to your child. This is usually because they are not attending their nearest appropriate school and/or the school is under the required statutory distance.

Parents may have their own reasons why they feel that their child should be given free school transport. These may include:

- Their child was assessed as eligible for Grammar school through the Kent Test, but their nearest school is not a Grammar school and they cannot apply under low income criteria.
- They would prefer for their child to attend a faith school, but their nearest school is not a faith school and they cannot apply under low income criteria.
- Parents do not like a particular feature of their nearest school (faith school, non-Grammar school, elements of the curriculum, mixed/single sex) and so did not name it as a preference.
- KCC was unable to offer their child one of their preferred schools and was required to allocate their child a place at another school, but their initial preference selection means that their child is not eligible for free school transport.
- Their child is not attending their nearest appropriate school for transport purposes, but there is no public transport to get their child their preferred school.
- The route a child's offered school is hazardous, but it is not their nearest appropriate school for transport purposes.
- Another child in the same village is eligible for transport, but their child is not.

- A parent is just above the threshold to be considered under low income criteria.

While parents may feel strongly that they should be given free school transport in these and similar circumstances, it is highly unlikely that transport will be approved following an Officer Review. There is no discretion for Officers to deviate from strictly applying the transport eligibility procedures when considering spending from the public purse.

In most circumstances, Officer Reviews will only result in a decision being overturned where:

- A parent failed to indicate that an application was being made under low income criteria, or did not provide sufficient evidence and that evidence can now be made available.
- An application is being made for a child that has an EHCP or disability, or where a parent of a Primary aged child is applying on the basis of their own disability, but did not provide sufficient evidence and that evidence can now be made available.
- Parents are aware of an alternative route to the school that was not included in KCC's distancing software and can provide evidence.
- KCC has made a genuine mistake in the assessment and the child is attending their nearest appropriate school and it is over the statutory distance.

Parents should carefully consider before submitting an Officer Review whether they are likely to have their decision overturned, in light of the information above. If parents feel that they can submit sufficient additional evidence to show that their application was assessed incorrectly, they should email it to **homeschooltransport@kent.gov.uk** along with their child's full name, school, date of birth and an explanation as to why they feel that their application should be reassessed. Transport Officers cannot discuss a parent's reasons for requesting a reassessment over the telephone. It is important that Officers maintain a written audit trail of their assessment decisions. Parents will be responsible for any costs that they incur arranging alternative transport while their application is being reassessed, but every effort will be made to complete this as expediently as possible. Making telephone contact to seek an update on the processing of an application is likely to result in further delays.

Stage 2

Procedure for Appeals to Members of the Transport Regulation Committee Appeals Panel

Where an applicant's Offer Review is not upheld, if they wish, they are then able to appeal to Members of the County Council's Regulation Committee Appeal Panel (Members). Parents must put all the reasons which support their appeal in writing and send it to the **Transport Appeals Team at Democratic Services Room 1.99, Sessions House, County Hall Maidstone, ME14 1XQ** or at appeals@kent.gov.uk

Grounds for appealing

Parents can appeal for any reason or combination of reasons that they wish, but should carefully consider if they have sufficient additional evidence to support a case where their child is not eligible for free school transport as a result of selecting a school that is not their nearest appropriate school for transport purposes.

In the letter of appeal, parents must include:

- reasons for appealing
- parents full name and address
- contact telephone number and if possible an email address
- their child's name and date of birth
- the name of the school to which parents would like free/subsidised transport to
- all evidence that supports their appeal. (For example letters from doctors, social workers and schools).

There is no charge to parents for the appeal but they must meet any costs they incur for preparing their appeal or attending the hearing, such as photocopying or transport costs.

Once the appeal has been received by the Transport Appeals Team in Democratic Services, parents will receive an acknowledgement in writing.

The Appeals Team will then offer a date and time to hear the appeal. If parents wish to, they can, for a good reason, reject the first hearing date. If the second hearing date is also rejected or if parents fail to attend a hearing on

a date that has been accepted they will not, except in exceptional circumstances, be offered a further hearing. The Members will, however, consider the appeal in their absence, based upon the information that has been provided in writing. Please note that it is not possible to hold appeals in the evenings or at the weekend.

At least 5 days before the hearing date, the Appeals Team will send parents and the Officer presenting the Council's case a copy of each other's written case and supporting documentation.

Witnesses

Parents are welcome to bring a witness, but they must advise the Transport Appeals team at least one day in advance who this will be. Parents may wish to provide a written summary of the witnesses' evidence on the day of the hearing as this may be helpful to the Members considering the case.

Please note that the Members hearing the appeal have the right to refuse to listen to witnesses produced by parents or by the Officer presenting the Council's case if they believe that the evidence given is irrelevant to the appeal.

No fees, expenses or allowances will be paid to the witnesses by the Council under any circumstances.

Parents can have a friend to accompany them or represent them at the appeal and must provide the Appeals Team with his or her identity at least 1 day prior to the hearing date. If the friend is a lawyer, they cannot act as one as part of a lawyer/client relationship.

If parents are appealing because they are on a Low Income and have been refused transport to a church school, they may wish to provide evidence with their appeal letter that they hold that religious or philosophical belief (for example a supporting letter from a priest, vicar or cleric).

Legal presentation is not allowed and the Officer presenting the case on behalf of the County Council will also not be allowed to have legal representation. The Members deciding your appeal does have the right to have a legal adviser if they so wish.

There will be an official note taker at the hearing provided by the Council and any video or attempt by parents to record the hearing will lead to its immediate termination and the dismissal of the appeal.

As far as possible parents should send all evidence with their appeal letter. Any additional evidence should be sent to the Transport Appeals team at least 2 days before the appeal hearing. Written evidence produced on the day of the appeal hearing will be considered at the absolute discretion of the Members hearing the appeal and may lead to the hearing being adjourned to a later date.

The appeal hearing

There will normally be a panel of between 3 - 5 Members considering the appeal. There will also be a clerk to advise Members and take notes of the appeal hearing. At the beginning of the appeal hearing the Chairman elected by the Members will introduce everyone present at the hearing and explain the procedure. The procedure is as follows:

1. A Presenting Officer will explain the reasons that have prevented the County Council meeting parent's wishes up to this stage.
2. Parents and the Members may then ask the Officer questions.
3. Parents and/or their representative (who can be a Member of the County Council) will explain the grounds of the appeal and its desired outcome.
4. The Presenting Officer and the Members will ask parents and/or their representative questions.
5. The Presenting Officer is asked to summarise the case for the Council.
6. Parents and/or their representative will then be asked to summarise the grounds of the appeal.
7. Parents and the Presenting Officer will be asked to leave the room and the Members will make a decision.

The Members may ask anyone questions at any time or may alter the order of steps 3 and 4 at any time. Members may agree to consider only written evidence for either or both parties.

The decision

In reaching their decision the Members must have regard to the County Council's policy on Home to School Transport. They will need to satisfy themselves that the policy has been applied correctly. They will then look at the specific circumstances to determine whether they are sufficiently strong to enable them to use their discretion to make an exception. The Members have a responsibility to consider the most cost effective and appropriate mode of home to school transport taking into account the family circumstances at the time of the appeal.

The Members may decide to:

- uphold the appeal in all respects
- not uphold the appeal
- partially uphold the appeal.

This can include meeting parent's wishes in part or for a time limited period. At the end of the time limited period the Members can review the circumstances again and may ask that additional information such as up to date medical records or school attendance records be made available at the time of the review.

Parents will receive a decision in writing within 5 working days of the appeal hearing. Decisions cannot be given over the telephone.

There is no further appeal within the Council's procedures. If parents believe that they have suffered injustice as a result of maladministration by the Panel then they do have the right to pursue a complaint with the Local Government Ombudsman.

This is not a right of appeal and relates only to issues such as failure to follow correct procedures, or failure to act independently and fairly. If the person making the complaint simply disagrees with the decision there is no recourse. If parents have a complaint of a procedural nature, they should refer it direct to the Local Government Ombudsman PO BOX 4771, Coventry, CV4 0EH.

Parents will not be able to make any further applications for free or subsidised transport in relation to the same child at the same school unless:

Young Persons Travel Pass

- they can demonstrate a significant and material change in circumstances since the previous appeal was decided
- the County Council changes the criteria for offering free or subsidised transport under the Council's published Home to School Transport Policy and that change is relevant to the case
- the County Council changes the criteria for offering free or subsidised transport under the Council's published Home to School Transport Policy and that change is relevant to the case
- there is a relevant change to the law

If any of the above grounds apply parents will need to write a fresh appeal to the Transport Appeals Team below, setting out the reasons in detail. Parents will then be informed whether the Council will be prepared to consider the new application. There is no appeal against this decision under the Council's policy.

The Young Persons Travel Pass (YPTP) is a bus pass scheme that supports the parents of children not entitled to free transport to school with the cost of bus travel to and from school. To be eligible a child must live in Kent and be of Secondary school age.

A pass costs £280 for a full year's pass or £140 for half a year (subject to change). Costs are reduced for children from Low income households and passes are issued for free for children in KCC Care. The pass provides free at the point of use bus travel on Mondays to Fridays between 6am and 7pm all year round, excluding August. The Young Persons Travel Pass is not valid on hired school taxis, minibuses, coaches or trains.

Full details and terms and conditions, including a list of participating bus operators and service exceptions, are provided at www.kent.gov.uk/youngpersonstravelpass

Applications need to be made separately to free transport applications and can be made from early June for the new school year. The majority can be made online at www.kent.gov.uk/youngpersonstravelpass although some reduced and free passes will need to be applied for in the post using the application form. Forms can be downloaded from the website

Vacant Seat Payment Scheme

If you are not eligible for free school transport, you may be able to receive transport assistance through our Vacant Seats Payment Scheme.

If there are empty seats on the vehicles we hire to transport children who are eligible for free travel, we can offer these seats to other children. This is only available on existing transport where there is a space and we cannot make any special arrangements in terms of routes or times. There is a fee and seats are offered on a first come, first served basis at the council's discretion.

We offer this scheme annually, so you must re-apply each year. There is no guarantee that the scheme will always be available and even if you are offered a seat when you apply, it may not be possible to offer a seat to you in subsequent years. Where seats are no longer available, parents will be given notice until the end of that academic year, after which they will have to make their own arrangements.

It is parental responsibility to arrange transport for your child while awaiting the outcome of your application. Seats can only be offered after the start of term and once children who are eligible for free school transport have been allocated a seat. This may take a number of weeks and it is unlikely that we would be able to offer a seat before the end of September.

The scheme currently cost £490 per annum, however, KCC is currently consulting to reduce the price to £400 for 2018/19. Please see www.kent.gov.uk/post16transport for the latest information.

Payment can only be made by cheque or postal order - made payable to Kent County Council.

Apply

If you want to be considered for the scheme, please complete the application form which can be found at www.kent.gov.uk/vsps. This form will also need to be completed if you have not applied for free school transport but still wish to be considered for the scheme. Please send completed forms to either Public Transport, PO Box 441, Aylesford, Kent, ME6 9HJ or emailed to mainstream.transport@kent.gov.uk

If you have any questions regarding the scheme please call the relevant school area below:

- East Kent (Ashford, Dover, Shepway)
03000 41 45 71
- East Kent (Canterbury, Swale, Thanet)
03000 41 35 14
- West Kent (Dartford, Gravesham, Sevenoaks)
03000 41 85 15
- West Kent (Maidstone, Tonbridge and Malling, Tunbridge Wells)
03000 41 35 8

Further information can be found at

www.kent.gov.uk/vsps

Lost passes

If a child loses their transport pass, parents should contact the Public Transport Team at public.transport@kent.gov.uk or 03000 418484. It can take up to 10 working days to receive a replacement pass and parents will be responsible for any costs that result while this pass is being produced.

Replacement passes cost £10 and children can receive up to 3 replacement passes per year. If children require further replacement passes, they will be required to re-apply for transport and pay the full cost of that pass.

Transport for young adults (aged 16 and over)

Kent 16+ Travel Card

The Kent 16+ Travel Card is a discretionary scheme provided by Kent County Council to support students aged 16 – 19 and who are in fulltime education or undertaking work based learning or an apprenticeship. The scheme offers free at the point of access travel on most public buses in Kent and can be secured by applying directly to KCC. The normal cost of the pass is £400 per annum but learning providers are encouraged to use Bursary Funding that they receive for students to subsidise the cost of the pass.

The criteria to apply for a Kent 16+ Travel Card are:

- the student must be over 16.
- live in a house that pays Council Tax to a borough located within the Kent boundary
- attend a recognised school, college or work-based learning provider.

The pass will be available direct to learners for an annual fee of £400.

Children who may be eligible for bursary funding will need to contact their school or college directly to secure financial support for their pass.

The cost may be further subsidised by the education and training providers for their registered students and they may choose to use Bursary Funding for this. It is expected that schools and colleges, who will have benefited from the government's new 16-19 Bursary scheme, will use elements of this funding for Low Income families to further support the cost of their students' travel.

If bus travel is not the most appropriate form of transport for a learner, the learning provider may facilitate alternative support if it wishes.

Any learner in education or training who is not eligible for a contribution from their provider or employer is expected to pay the full cost of the Kent 16+ Travel Card at £400. KCC provides no direct support with transport assistance for Post 16 learners, other than in exceptional circumstances and where there is a statutory duty to do so. This is normally in relation to a learner's special educational needs.

If the student is in the care of Kent County Council or a recent care leaver, the student can apply for a Young Persons Travel Pass, which is free to all children in care aged between 16 – 21 years. The application form will need to be endorsed by the student's case worker confirming that they are in care until the age of 16 and for students aged 17 and over, the endorsement can be made by Catch 22 (formerly known as Rainer Kent Services).

If parents feel their child qualifies for assistance because of their exceptional circumstances, they may write to the Head of Fair Access for further consideration. It will be for learning providers to determine the level of subsidy they wish to introduce, however KCC recommends that providers model their support structures based upon the guidance set out below:

Eligibility criteria for financial support

- a)** A learner whose family income is not more than £16,190 who is on Income Support, Income Based Job Seekers Allowance, Guaranteed Element of State Pension Credit, Income Related Employment and Support Allowance or Child Credit, but not Working Tax Credit; it is recommended that they receive a contribution of not less than 50% for the Pass.
- b)** A learner whose family income is between £16,190 and £20,818; it is recommended that they may receive a learning-provider contribution to the cost of the Pass, at a level set by the learning provider. This is to be in addition to the KCC subsidy.
For example, learners may benefit from a further subsidy payable by, and at the discretion of, their learning provider, reducing the cost to the learner of their Pass.
- c)** A learner whose family income is above £20,818, it is recommended that they pay the full cost.
- d)** Where a 16-19 year old apprentice falls outside these criteria, but can demonstrate hardship caused by travel-to-learn and travel-to-work pressures, then they can be treated as category (b) above. Training providers and employers should be approached for additional funding support.
- e)** All eligible learners must demonstrate to their institutions that they have a genuine travel-to-learn need.

- f)** While the learning-provider funding or employer funding that could be used to further subsidise each Pass is entirely discretionary, the guidance in (a) to (e) above is designed to assist in ensuring a standard level of subsidy for all learners in Kent.

To access the Kent 16+ Travel Card parents should contact KCC and if they consider they may be eligible for bursary support they should contact their school or college directly.

Or go to: www.kent.gov.uk/kent16plustravelcard

You can also **email: kent16plustravelcard@kent.gov.uk**

SEN 16+ students attending school, college or work based learning providers

SEN students who are transferring onto further education, have an Education Health Care Plan (EHCP) and are able to access public transport, must in the first instance, apply for a Kent 16+ Travel Card.

If the student's needs are such that it inhibits their ability to walk to and from their place of learning or they are unable to access public transport, then parents or carers can apply for transport through the Local Authority by completing the AW3 application form. This should be returned to the Transport Eligibility Team who will assess the application in accordance with Kent's transport guidance. SEN learners, like mainstream learners, will need to attend their nearest school or college offering the learning or courses required in order to be eligible to receive transport and live the statutory distance from their school or college.

The Local Authority will assess the student's application and if the student is eligible to receive transport assistance, there are several options that can be considered:

1. The Local Authority may also consider (with the school/college's recommendation and the parents' approval) Independent Travel Training (see below).
2. The Local Authority may consider granting a student a Personal Transport Budget at its discretion.
3. The Local Authority may consider the direct provision of transport where there is a particular need and/or disability.

Independent Travel Training

Independent travel training helps young people with special educational needs to travel independently to school or college. Being able to access public transport provides important life skills for students.

It will help students make their own decisions about how they live and what they want to achieve, develop an important skill for life and open up educational, social and employment opportunities.

Young people are trained to travel safely from home to their place of learning and back again, promoting their independence. The training aims to provide the skills and knowledge that is needed to be able to complete journeys safely, confidently and successfully.

The training is delivered by a professional team and available for all age groups who meet the eligibility criteria for transport assistance and who have an EHCP. The training and support is delivered on a 1:1 basis and is tailored and delivered at the pace suitable for the young person.

The young person is allocated a travel trainer, who will work with them until they feel confident. The travel trainer will then carry out a final assessment. On 'sign off' the young person will be issued a bus pass (or train pass if this is the appropriate route) for the remainder of the academic year.

Parents can apply online for their child to be considered for Independent Travel Training at www.kent.gov.uk/independenttraveltraining

Alternatively parents can email the team at ITT@kent.gov.uk for further information.

Transport related responsibilities

Parents

As a minimum, parents are expected:

1. To ensure child is taken to the appropriate drop off or collection points, these may be bus stops/train stations etc for journeys to and from the school.
2. Should the mode of transport be a taxi, to ensure that a responsible adult or parent is at home, or at a predetermined boarding/alighting point, to place the child into the vehicle and to be available upon their return from school.
3. To make own transport arrangements should a child finish school before the normal departure time.
4. To make own transport arrangements should a child make use of breakfast clubs or after school clubs.
5. To make own transport arrangements if a child is on work experience.
6. To make own transport arrangements if a visiting relative or foreign student stays with the family.
7. To ensure sufficient notice is provided to the Transport Eligibility Team to reassess their child's eligibility and to receive transport if the family move home or child changes schools.
8. To make own transport arrangements for transport if the family should move home or the child change schools until the reassessment of the child's eligibility has been undertaken by a Transport Eligibility Officer.
9. Should the mode of transport be on a hired service, to contact the identified transport provider to make the necessary arrangements.
10. If the child is eligible to receive transport, parents are responsible for making their own arrangements until such time as the transport is arranged.

Fair Access – Transport Eligibility Team

Responsibilities include:

1. Assess transport applications in accordance with Kent County Council's transport guidance.
2. Provide publications with appropriate information for parents to be aware of eligibility criteria and on how to apply for transport assistance.
3. Advise parents of the decision to grant or refuse transport assistance and the reason why.
4. Assess the route taken between a child's home and a school against Kent County Council's guidelines.
5. Arrange and reassess any review of transport assistance made under the Low Income criteria and the appropriate mainstream or SEN Home to College guidance.

6. Assess a child's eligibility with an EHCP to receive a Personal Transport Budget.
7. Provide Independent Travel Training to children/ students who are eligible and who are able to be trained to use public transport.
8. Process appeals for parents who are in dispute with a decision refusing their child transport assistance.
9. Remove transport assistance in the event of reports of misbehaviour on transport.
10. Inform parents on the outcome of those investigations and the sanctions taken to address the behaviour.
11. Manage parents claims for Fuel Allowance.

Public transport

Responsibilities include:

1. Plan and procure hired transport.
2. Negotiate contracts and ticket discount prices for the bulk purchase of season tickets from commercial public transport.
3. Arrange re-tender of existing contracts.
4. Undertake regular surveys of children carried on school transport services.
5. Undertake regular checks on vehicle provision and time keeping.
6. Maintain a record of licensed and approved operators for use as transport contractors.
7. Maintain records of insurance for approved operators and police checks for their staff acting as Passenger Assistants.
8. Receive approved transport applications from Admissions & Transport and to determine the mode of transport and allocate children to the appropriate route.
9. Advise parents of their child's transport arrangements.
10. Order/issue appropriate passes.
11. Investigate complaints from parents regarding operational issues.
12. Investigate reports of misconduct with operators and schools and report back to The Transport Eligibility Team.
14. Obtain reports from operators of accident or damage and to forward any letters or claims to the Insurance Section.
15. Determine mode of transport and allocate children to routes under the Vacant Seat Payment Scheme.
16. Undertake regular reviews of the transport network ensuring the services are efficient and the best value for money.
17. Support school let transport initiative as appropriate.
18. Maintain data and reporting mechanisms to inform future transport initiatives and policy development.

School transport and the environment

Using some of the ideas explained below, parents and their children can help to tackle congestion on the school-run and help to create a cleaner, greener, healthier school and community.

Walk to school

KCC enjoys a unique partnership with Medway Council and the Kent and Medway Charity Team in promoting and encouraging walking to school. The Charity organises a range of activities to help the charitable sector with its fundraising and supports initiatives to promote health and wellbeing, particularly amongst Primary school children. The charity works in partnership with the KM Group, Kent's biggest media organisation. Parents can find more information about Walking Buses and walk to school incentive schemes on the charities website at www.kmwalktoschool.co.uk

Even if parents and children can't walk to school every day or live too far away, they could consider walking just once a week or 'park and stride' by parking a short distance from the school and walking the last bit of the journey.

Cycle to school

Cycle training is a very important way to increase confidence and safety. We deliver Bikeability, the National Standard Cycle Training. There are 3 levels of training that aim to give people the skills and confidence to ride their bikes on today's roads. We deliver Level 1 and 2 training to Primary schools. In addition, we deliver Level 3 training to Secondary school children. Bikeability will either be provided by KCC, or if the school is part of a School Games Organisation, training will be arranged via School Games Organisers (SGOs). We are working with SGOs to make sure every year 6 child has access to level 2 training.

Children will need to:

- be at least 10 years old for level 2 training
- be able to ride their bike
- have an appropriate cycle helmet
- have a bike that is roadworthy.

Level 1 and 2 training costs £10 per student with KCC. However, this may vary in some schools because they are part of a School Games Organisation. Level 3 training with KCC is £5 per student.

For more information including how to book can be found at www.kent.gov.uk/bikeability

We are working hard to improve cycle routes across the county. For information about cycle routes in your area visit www.kent.gov.uk/cycling

Printed maps are available for some locations and can be found in libraries, Gateways and Tourist Information Centres.

Public transport

Buses and trains may prove to be a good option for some pupils. For information about available services in your area, together with discounted tickets and incentive schemes visit www.kent.gov.uk/publictransport

Car sharing/buddy scheme

Parents can reduce the cost and time involved in the school-run by sharing cars with friends and neighbours. They can find out more about sharing cars in Kent on the website www.kentjourneyshare.com, or ask their chosen school if they can match them with parents travelling from the same area. If half of UK motorists received a lift one day a week, congestion and pollution would be reduced by 10%.

Responsible parking

Inconsiderate parking and manoeuvring in the vicinity of school entrances can present a significant safety hazard. Parents should support their school, other road users and local residents by avoiding parking on 'Keep-Clear' markings and, where possible, park or drop-off at a safe distance from the school and encourage pupils to walk to the school gates.

KCC work with schools, Kent Police and Local Civil Enforcement teams to take action against inconsiderate and dangerous parking. For further details and access to our online toolkit and resources please go to: www.responsibleparking.co.uk

Code of conduct for students when travelling

Many thousands of pupils and students in Kent will receive transport or help with travel costs from Kent County Council each year. Many of them will travel on public transport services and will therefore travel with large numbers of other young people, as well as members of the general public.

There is a responsibility on students to behave appropriately whilst travelling. Where any behaviour falls short of the required standards, the Council has mechanisms to work with parents, school and transport providers to rectify problems and it retains the right to suspend or remove transport or passes where this is deemed appropriate.

It is the responsibility of students to:

- Arrive for their transport on time and with a valid travel pass for travel
- Behave in a safe and responsible way at all times
- Get on the first available vehicle they have a valid pass for
- Show their passes to the driver or other officials when asked
- Follow all instructions from the driver, inspector or other official at all times especially in an emergency
- Wear seatbelts at all times (if they are fitted)
- Get off safely at the right stop and cross roads carefully

The following behaviour is not acceptable and if reported, parents will be contacted by the Local Authority as to the appropriate action that will be taken.

Nuisance or offensive behaviour (Category 1)

This includes irritating and unpleasant behaviour which, whilst not necessarily a threat to safety, may impair the comfort of others. Such behaviour includes:

- Failing to respond to the driver or inspector appropriately. For example, not showing a valid travel pass.
- Eating or drinking on the vehicle
- Smoking
- Spitting
- Using bad or abusive language
- Making excessive noise
- Placing feet on the seats of the vehicle

Dangerous behaviour (Category 2)

This includes behaviour which may present some potential or actual threat to the physical safety of the child and others and includes:

- Standing on the vehicle steps or in the doorway
- Leaning out of the window or door
- Harassing or verbally abusing other passengers or the driver
- Bullying
- Running around inside the vehicle or climbing on the seats.

Destructive or very dangerous behaviour (Category 3)

This category includes behaviour which causes or has the potential to cause physical injury to others and damage to the vehicle and includes:

- Fighting
- Threatening physical violence
- Breaking windows
- Interfering with the opening of the doors or emergency exits
- Causing graffiti including scratching glass
- Spraying aerosols
- Damage to seats, seatbelts or other equipment.

Extremely dangerous or life threatening behaviour (Category 4)

This category includes behaviour which is likely to cause serious injury to others and includes:

- Physical assault on the driver or other passengers
- Lighting fires including igniting aerosols
- Threatening physical violence with a dangerous weapon
- Interfering with the vehicle controls.

