

# Committee: Children and Young People Overview and Scrutiny Panel

**Date: 4<sup>th</sup> September 2012**

Agenda item: **10**

Wards: All

## **Subject: SEN Transport**

Lead officer: Yvette Stanley, Director of Children, Schools and Families Dept

Lead member: Cllr Maxi Martin

Forward Plan reference number: N/A

Contact officer: Paul Ballatt, Head of Commissioning, Strategy and Performance

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### **Recommendations:**

A. Members of the Panel note and discuss the contents of this report and comment, specifically, on the revised SEN Transport policy

B.

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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

1.1. The report outlines developments in respect of the provision of home-school transport for pupils with Statements of Special Educational Needs (SEN). It focuses on steps being taken to achieve economies in the SEN transport budget to meet savings targets.

## **2 DETAILS**

2.1. As part of the corporate medium term financial strategy to 2014-15, departments have been required to propose savings to meet targets set. In 2012-13 a savings target of £50,000 was set for SEN transport and a further £200,000 savings for 2013-14 and 2014-15 is currently under consideration by officers before formal proposals are made.

2.2. The current budget for SEN transport is £2.77 million. This sum funds the commissioning of home-school transport via council operated 'minibus' vehicles and externally commissioned taxis as well as escorts required to ensure the welfare of pupils while travelling. Over 350 pupils currently receive transport with around 185 travelling in council transport on c20 specific routes and the remaining pupils travelling in small groups or singly in taxis – currently over 130 routes are covered.

2.3. This headline data indicates the scale and complexity of providing SEN transport and the challenge, therefore, in making significant savings. In order to consider the deliverability of the savings noted above, officers have been working with colleagues providing the SEN service within CSF department, the transport service based in the Environment and Regeneration department, local voluntary sector partners and the Cabinet Member for children's services.

- 2.4. Steps have already been taken to achieve economies in the commissioning and provision of the transport service through structural changes in the E+R based transport section and through fleet transport efficiencies and retendering for external taxi provision. Additionally, the group referenced above has worked specifically on the following:
- Reviewing the SEN transport policy to consider changes in entitlement and changes in how Merton's statutory responsibilities are negotiated with parents/carers
  - Commissioning a feasibility study into 'transformational' options to meet statutory responsibilities more economically
  - Reviewing the effectiveness of a pilot 'independent travel training service' with a view to future commitment to this model

#### Transport Policy

- 2.5 Merton's existing policy had not been reviewed for a number of years. It was considered less than user-friendly for staff and for parents/carers, and lacking in flexibility. Having examined the approaches taken in other local authorities, it was considered that there could be some limited scope to tighten eligibility although statutory responsibilities are clearly prescribed. Cost savings would be more likely to be achieved, therefore, from developing a more flexible 'menu' of transport choices; from clarifying council, schools' and parents/carers' responsibilities and from managing expectations of parents/carers through clearer information. It was further considered that building understanding and confidence would enable parents/carers to be more flexible in their demands on the service.
- 2.6 The draft revised policy is attached as Appendix One. This has been subject to formal consultation with parents/carers and schools between June and August 2012 and feedback is currently being collated. These comments and any feedback from CYP Overview and Scrutiny Panel will be considered with a view to incorporation before a final draft is submitted to Cabinet for approval.

#### Feasibility Study

- 2.7 In Spring 2012, Kids First, a local parents/carers group, were commissioned to undertake a feasibility study into possible 'transformational' approaches to delivering an SEN transport service. The council was interested in examining specifically the feasibility of use of volunteers as escorts; developing remuneration options for parents/carers to provide their own child's transport; car leasing and/or sharing schemes and other potential solutions in use elsewhere. The study has involved benchmarking, consultation with other local authorities and other transport providers, significant consultation with parents/carers, research and horizon scanning.
- 2.8 At the time of writing, a detailed report is being finalised and is to be presented to the SEN Transport Project Board at the end of September. Key findings, however, are:
- Benchmarking against 19 outer London councils shows that Merton's SEN transport costs are the fourth lowest with an estimated cost of £2635 per stated pupil against a lowest unit cost of £2060 and

a highest of £6011. Although the usual caveats on the accuracy of benchmarking data should be noted, this demonstrates relatively good value for money of our existing service.

- Seeking to recruit volunteers into the roles of escorts or drivers is not a feasible option to replace a paid-for service either fully or partly. Consultation has shown that there is simply not the 'critical mass' of volunteers willing to make the long-term, regular and consistent commitment required for these roles.
- The study fed into the policy review noted above and found that through offering flexible options to parents/carers including travel passes, mileage reimbursement and direct payments, fairly significant savings could be achieved dependent on effective marketing of these options.
- Modest savings could be achieved through limited tightening of eligibility criteria – specifically in respect of parents who choose not to send their child to the nearest suitable school – already in place in SEN transport policies in some local authorities
- Flexibility of parents/carers on 'pick up' times and points could, again if well marketed and negotiated, achieve some modest savings.
- Improving information flow and processes between SEN service, schools and transport section could generate some efficiency savings
- Use of school vehicles – in particular Perseid school and Cricket Green school - may be possible and could enable the replacement of some taxi routes.

2.9 The study concludes, therefore, that there could be a 'basket' of measures which, if taken together, could make a major contribution to meeting savings targets over the next two – three years. Officers will be examining the findings closely and reporting to the Project Board noted above in respect of implementation.

#### Independent Travel Training

2.10 A further feature of the feasibility study not already noted is the significant part independent travel training can play in both 'normalising' the travel patterns of pupils with SEN and in achieving savings from the SEN transport budget. A successful pilot scheme involving Merton Mencap, Cricket Green and Raynes Park schools operated in 2011-12 and the decision has been taken to repeat this pilot for a further year. Officers will be seeking recurrent funding and considering procurement options for an independent travel training service in due course.

### **3 ALTERNATIVE OPTIONS**

3.1. None for the purposes of this report

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

4.1. None for the specific purposes of this report

### **5 TIMETABLE**

5.1. CSF department savings proposals for 2013-14 are being considered by the departmental management team in September 2012.

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

6.1. Covered in the main body of this report.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

7.1. Covered in the main body of this report.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

8.1. SEN Transport is provided to enable pupils with SEN to participate as fully in education as their peers.

## **9 CRIME AND DISORDER IMPLICATIONS**

9.1. N/A

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

10.1. None specific for the purposes of this report.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix One – Draft Revisions to SEN Transport Policy

## **12 BACKGROUND PAPERS**

None



**MERTON CHILDREN, SCHOOLS AND FAMILIES DEPARTMENT**  
**SPECIAL EDUCATIONAL NEEDS TRAVEL ASSISTANCE POLICY**  
**COVERING PUPILS WITH STATEMENTS OF SPECIAL EDUCATIONAL**  
**NEEDS**

**FROM AGES 2 TO 16**



## Introduction

This Policy will come into effect from (*date to be inserted*) and replaces the “Home to School Travel Policy” dated February 2006.

When the words “parent” or “parents” appear in this document, we mean parents or carers of children or young people.

This policy sets out:

1. Key principles
2. The Law
3. Who qualifies under this policy?
4. Who does not qualify?
5. How to apply for travel assistance
6. How travel assistance will be provided
7. What is not provided
8. Annual travel reviews
9. Commitments and responsibilities of the Council, parents and schools
10. How to appeal a decision
11. How to make a complaint
12. Key contacts

## 1. Key principles

- a) Children who have a Statement of Special Educational Needs or attend a special school do not automatically qualify for travel assistance. The majority of pupils with a statement of SEN do not request travel assistance.
- b) Parents are legally responsible for ensuring that their child attends school regularly and for doing all that is reasonably practicable to bring about their child’s attendance.
- c) Generally, when exercising their duties and powers, local authorities are required to give due consideration to the efficient use of resources.
- d) Travel assistance will be appropriate to the individual needs and circumstances of children and young people, and will encourage them to grow in confidence and independence wherever possible.
- e) In accordance with the 2006 Education and Inspections act, this Policy will encourage and promote sustainable travel options and will aim to improve the physical well-being of those who use them and/or the environment. To this end, priority will be given to walking, cycling, public transport, and shared transport.
- f) Any travel assistance offered will be the most effective and efficient available, in terms of both sustainability and cost and may include the following:
  - Reimbursement for a travel pass or rail/tube/tram/bus fares for children and/or parents

## 2. The Law

- Provision of an escort or buddy to accompany a child
- An independent travel training programme
- Paying a parent to provide travel assistance for their child
- A direct payment allowing parents to make their own arrangements for transport or for someone to accompany their child
- A minibus
- A taxi shared with other children
- A taxi not shared with other children where there is no viable alternative

The law with regard to SEN travel assistance is set out in the Education Act 1996 as amended by the Education and Inspections Act 2006. Statutory guidance is also included in the SEN Code of Practice (2001).

The Department for Education and Skills has also issued *Home to School Travel and Transport Guidance 2007* to explain the law and to assist Local Authorities when they are making decisions.

### 1. Statutory Duty

- a) The Council has a statutory duty to provide suitable travel arrangements for **eligible** children when transport is not otherwise available.
  - b) This statutory duty applies to **eligible** children of compulsory school age, normally meaning age 5 to 16.
  - c) **Eligible** children are those who meet **any one** or more of the following criteria:
    - I. unable to walk any distance to school, even if accompanied by an adult, because of the nature of their SEN or disability
    - II. live outside the statutory walking distance from home to school. Statutory walking distance is 2 miles for children aged 5 – 7 and 3 miles for children aged 8 – 16
    - III. live within walking distance but, having regard to the nature of the route, cannot reasonably be expected to walk to school
- g) It is the responsibility of the Council to decide which method of travel assistance is most appropriate in each case.
  - h) When travel assistance is approved, this means that it will be provided for the rest of the school year unless parents decide they no longer need assistance. Each year, a pupil's needs for travel assistance will be reviewed, and may be amended or withdrawn with effect from the beginning of the following school year.
  - i) Parents are encouraged to apply only for the travel assistance that they really need. If there are times in the week when parents are able to transport their own child, this will not prejudice their application or affect their child's overall eligibility.



- IV. unable to attend school due to sickness, exclusion or other reason and are receiving education provided by the Local Authority at a place other than at a school
- d)** Travel arrangements provided under this duty must be provided free of charge.
- e)** The duty applies to children who attend their nearest qualifying school (see definition below) unless they meet the criteria for a low income family (*in which case, please see the London Borough of Merton Policy for Home to School Travel Assistance, September 2011*).
- f)** Parental means do not play a part in decisions about eligibility for travel assistance.
- Notes and definitions:*
- Routes to school are the shortest routes which a child could be expected to walk in reasonable safety (accompanied or otherwise).
- The nearest qualifying school is that which provides education appropriate to the age, ability and aptitude of the child and any special educational needs the child may have, and which has places available at the time they apply.
- The nearest qualifying school will normally be the school named in part 4 of the child's statement of SEN or the nearest of two schools named in the statement. A parent might express a preference for a particular school even though there are schools closer to home that are also suitable. If the parents' preferred school is not compatible with efficient use of resources, the Council may still agree to place the child in the school as long as parents provide or pay for home to school travel.

*In accordance with section 8.87 of the SEN Code of Practice 2001, both schools would be named in part 4 of the statement along with details of the agreement made with the parents.*

## **2. Discretionary powers**

- a)** Local authorities also have discretionary powers, in appropriate circumstances, to provide assistance with home to school travel for a child or young person who is not an eligible child, if they consider this necessary.
- b)** Assistance for non-eligible children can include paying all or part of reasonable travelling expenses or making suitable travel arrangements.
- c)** Local Authorities must have regard to any parental wish for a pupil to be educated at a particular school on the basis of religion, or religious or philosophical belief (see *The London Borough of Merton Policy for Home to School Travel Assistance, September 2011*).
- d)** In relation to pupils of 6th form age or above, sections 509 AA-AC of the Act require Local Authorities to prepare a transport policy statement each year setting out what home to school travel and transport arrangements they consider it necessary to make. (Please see Merton's "Post 16 Transport Policy 2011-2012" or later versions at [www.merton.gov.uk/council/plansandpolicies/post\\_16\\_transport\\_policy.htm](http://www.merton.gov.uk/council/plansandpolicies/post_16_transport_policy.htm))
- e)** Local Authorities have the discretion to provide travel assistance for children below compulsory school age (i.e. under 5) where they deem this to be necessary or appropriate.



### 3. Who qualifies under this Policy?

- a) Children who meet statutory eligibility criteria defined in 2.1 above and who
  - i. are ordinarily resident in the London Borough of Merton
  - ii. are between ages 5 – 16
  - iii. have a Statement of Special Educational Needs
  - iv. whose parents have made an application
- b) Parents of children who attend specialist nursery provisions and are below statutory school age but over the age of 2 may apply for travel assistance. Each application will be assessed individually based on the child's specific circumstances.
- c) Children who live within the statutory walking distance from school and could walk or travel to school if accompanied, but whose parent has a disability preventing them from doing so.
- d) Children for whom the Council considers there to be exceptional circumstances that require travel assistance to be provided.

### 4. Who does not qualify?

- a) If a pupil lives within the statutory walking distance from his/her school and is able to walk but needs to be accompanied on their journey, the pupil's parent will normally be expected to accompany the pupil or arrange for another responsible adult to do so.

- b) Every application for SEN travel assistance is assessed individually on its own merits. However, the Council will not normally provide travel assistance in order that parents can take siblings to different schools or go to work at a specific time. For these things, parents are asked to make full use of extended school hours, breakfast clubs and crèches.

*Parents of children who have special educational needs but do not have a statement of SEN should refer to The London Borough of Merton Policy for Home to School Travel Assistance, September 2011 or contact the Merton Admissions Team, Home to School Travel on 020 8545 3262.*

## 5. How to apply for travel assistance

- a) All parents wishing to apply for travel assistance for the first time or whose child is moving to a new provision should complete the application form available to download from the Council website or request one from:

SEN Team, Merton SEN & Disabilities Integrated Service  
1st Floor, Merton Civic Centre  
London Road  
Morden, SM4 5DX  
phone: 020 8545 4810  
email: [sen@merton.gov.uk](mailto:sen@merton.gov.uk)

**b)** The completed form needs to be returned to the address above together with documentary proof that the parent and child live at the given home address. Acceptable documentary proof includes:

- Tenancy agreement/rent book
- Merton's Council Tax Bill
- Child Benefit letter
- NHS card for the child

**c)** Parents must also include any other evidence required to support the application for home to school travel assistance as detailed in the application form.

**d)** All applications will receive careful consideration and parents will be informed of the Council's decision in writing within 10 working days of receipt of the application.

**e)** If parents disagree with the Council's decision not to provide travel assistance, they may appeal using the process outlined in Section 10 below. Whilst an appeal is in progress, parents are expected to transport their own child to and from school.

**f)** If an application is approved, travel assistance will be provided for the remainder of the school year unless the SEN Team are advised by the parent that travel assistance is no longer required.

**g)** Parents are asked to apply for the minimum amount of travel assistance that they actually need. Some parents may be able to assist their child on certain days of the week, just mornings or afternoons, or for specific dates within the school year. Partial requests such as these are welcomed and will not have a negative effect on an application.

## 6. How travel assistance will be provided?

### 1. Initial set-up

**a)** Once an application is approved, suitable travel assistance arrangements will then be made to ensure the pupil gets from home to school safely. In most cases, this will be within 10 working days of the decision being made.

**b)** Where a child's disability or a route is particularly complex, Council may require extra time to carry out risk assessments, organise special training for staff or find a specialist vehicle and this may take up to 3 months.

**c)** Where a private company is to be contracted to transport pupils to and from school, only those companies that have completed the necessary tendering process and have been appropriately vetted will be considered.

**d)** The Council is unable to guarantee that a particular driver or escort will be on the vehicle in which a pupil is being transported.

**e)** It is for the Council to decide what arrangements are to be put in place for a pupil who is eligible for travel assistance. The method will be decided based on the needs of the child, efficient use of resources, and environmental and health considerations and may consist of any of the following:

- Reimbursement of fares or provision of travel passes for parents (and for children if travelling outside Transport for London's free travel zone)

- Reimbursement of the cost of an Oyster annual travelcard in the relevant zones for any parent wishing to accompany their child on public transport within London
  - Provision of an escort to accompany a child whilst walking to school or using public transport, possibly with other children
  - An independent travel training programme to enable a young person to travel the whole or part of a journey independently (e.g. walking, cycling or by public transport)
  - Reimbursement of fuel costs or other remuneration if parents provide travel assistance for their eligible child
  - A direct payment allowing parents to pay a friend, family member or other provider to transport their child to and from school or to make their own arrangements in any other way
  - A minibus picking up and dropping off either at a suitable pick up point or from the child's home
  - A taxi shared with other children who are going to the same or to a different school
  - A taxi which is not shared with other children, but only when there is no viable alternative
  - Any other appropriate form of assistance which enables the child to attend school
- f)** When an escort is needed to ensure a child's safety, this might be a parent, an employee of a parent using a direct payment provided for this purpose, an employee of Merton Local Authority, an employee of a taxi company, or a trained and CRB-vetted volunteer

## 2. Changing travel arrangements

- a) Parents may request changes to their child's travel days and times during the year without affecting their child's overall eligibility for travel assistance.
- b) Parents are encouraged to be flexible and offer to collect their child after school on one or more days per week if they are able to do so, or to take their child to school on certain mornings, even if only part of the year. It is always possible for parents to try partial travel assistance for a time and change arrangements later if they need to.
- f) If the Council finds a more cost effective way for a child to travel during the school year, the Council reserves the right to make such a change but will give parents as much notice as possible. Consideration will be given to the importance of consistency, especially for children who rely on routine.
- g) Merton Transport Services may make operational changes during the year such as changing drivers, escorts or taxi companies. They will try to give parents notice of changes, but this is not always possible e.g. if a driver is ill.

## 3. Weekly Boarders

If required, travel assistance will be provided at the beginning of the week from home to school and at end of the week from school to home.

## 4. Termly Boarders

If required, travel assistance will be provided at the beginning and end of each half-term.

## **5. 52 Week Placements**

If required, travel assistance will normally be provided at the commencement of the placement.

## **6. Annual Review Meetings**

In exceptional circumstances, and if a child is educated outside the London Borough of Merton, the Council may consider helping parents with travel arrangements to and from their child's Annual Review meeting.

## **7. Joint Registration**

There are some pupils with statements of SEN who are registered at more than one school. In these cases, a pupil's eligibility for travel assistance will be considered as if he or she is attending these schools separately. This may result in a pupil being eligible for travel assistance to one of his or her registered schools but not eligible for assistance to another.

## **8. Risk assessments**

It is entirely at the discretion of the Council to determine whether a risk assessment is required.

### **a) Routes**

When considering an application for travel assistance, the Council may conduct a risk assessment of the route the pupil would reasonably be expected to take.

The assessment may consist of an appropriately qualified officer of the Council or an agent thereof, accompanying the pupil to school.

The parent may also be required to accompany the pupil to school for the purposes of the assessment. The Council's decision about whether to provide travel assistance will be made within 10 days of the risk assessment being completed. Parents will be sent a copy of the risk report along with Council's decision.

### **b) Pupils**

Sometimes the Council may decide to carry out a risk assessment for a pupil if they need special care whilst travelling. The risk assessment will be carried out by an appropriately qualified officer and an individual travel plan will be put in place. This will be shared with schools, parents, escorts and drivers.

## **9. Escorts**

If an eligible child needs an escort in order to travel safely, a parent may offer to act an escort for their child and the Council will offer some remuneration.

## **10. Mileage reimbursement**

If a parent of an eligible child agrees to drive them for all or some of their journeys, they are eligible for reimbursement of mileage for the agreed distance to and from their home twice per day. The child's attendance record will be checked with the school. The rate paid will be 45 pence per mile from September 2012 but this may change at the beginning of each school year.

## 11. Other travel options

The Council will consider any package or option proposed by a parent or group of parents that enables parents to take full or partial responsibility for travel arrangements for an eligible child/children.

## 12. Transport for London

Transport for London provides all pupils under 18-years of age with free travel on buses and trams. Wherever possible, parents should ensure that their children have any necessary photocards to take advantage of free or discounted transport arrangements and use this to travel to and from school. If a parent wishes to accompany an eligible child on public transport to and from school, the Council will reimburse parents for the cost of an Oyster Annual Travelcard for travel within the relevant London zones, or may provide them directly with this card.

## 13. London Borough of Merton Freedom passes

Pupils with a statement of SEN may be eligible for a Freedom Pass allowing them free transport in London at certain times. For details and application forms see

[www.merton.gov.uk/transport-streets/train/freedompasses.htm](http://www.merton.gov.uk/transport-streets/train/freedompasses.htm)

If a parent wishes to take advantage of their child's Freedom Pass to accompany their eligible child to and from school, the Council will reimburse parents for the cost of an Annual Oyster Travelcard for travel within the relevant London zones, or may provide them directly with this card.

## 14. Moving home

Eligibility for travel assistance for pupils whose parents move home will be based on the measurement from their new home.

The Council will also investigate whether there are any other suitable schools nearer to the new family home. Where suitable schools exist nearer to the new family home and the pupil has a statement of SEN, then the Council may consider amending the statement to name a closer school.

However, the Council will not consider amending a pupil's statement of SEN to name a closer school to home where:

- The pupil is in his/her final year before transfer; or
- He /she is following a course of study leading to a major public examination (Years 10 to 13 inclusive) and has completed one term of the public examination course before moving.

## 15. Looked after children

Children looked after by the Council have the same access to travel assistance as any other children. All sections of this policy therefore, apply equally to looked after children who have statements of SEN.

## 16. Supporting independent travel

As pupils become older, a move to a more independent method of travel is an important contribution to the development of life skills.



Many pupils, particularly those with higher levels of special educational needs, will require home to school travel assistance throughout their school career. For other pupils, where the journey to school is complex, assistance will also continue to be needed.

However, the principle remains that for some pupils support should be given to work towards more independent travel.

The Council understands that independence training needs to be carried out by a finely graded programme which is part of the pupil's education.

Support for developing independent travel will involve:

- Careful assessment on a case-by-case basis. This will involve the parent, pupil, school staff and relevant professionals
- A plan for training a pupil to travel on one route only with a careful risk assessment of that route
- The development of an individual, structured travel and life skills programme
- A training programme carried out by experienced and trained staff

However, independent travel training does not remove a child's legal eligibility or affect their entitlement to SEN travel assistance.

The Council will also consider schemes where escorts or "buddies" accompany pupils to school using public transport or walking, in order to support greater independence, social skills and to promote good health.

## 17. Withdrawal of Travel Assistance for Health and Safety Reasons

The Council has a responsibility to ensure the health and safety of all pupils for whom travel assistance is provided. The Council also has an obligation to ensure the health and safety of drivers and escorts.

If a pupil behaves in a manner that places the health and safety of those on board a vehicle at serious risk, or presents a serious risk to themselves, this will result in travel assistance being withdrawn with immediate effect.

The Council will try to find a way an alternative way for the child to be transported safely but, during this process, the parent of the pupil must make suitable arrangements to get the pupil to school.

The parent will be informed of any incident that has occurred involving their child and they will be given an opportunity to make representations to the Council or appeal against the Council decision to withdraw travel assistance for their child. Details of how to appeal are in Section 10 of this policy.

## 7. What is not provided

The Council will consider making special short term amendments to transport assistance if there are exceptional circumstances.

However, assistance will not normally be provided for the following:

- to enable a child to attend an after school activity or club

- for residential pupils who, due to illness, are unable to use the scheduled transport
- for pupils who are taken ill at school and need to return home before the scheduled transport time
- to enable pupils to attend dental, GP or hospital appointments
- for pupils who are unable to be collected from school at the scheduled time due to detention or exclusion

## 8. Annual travel reviews

- Parents may discuss their need for SEN travel assistance with school staff after their Annual Review meeting. Schools will then forward any relevant details or changes to the Council.
- The Council has discretion to review travel arrangements for pupils whenever necessary. In general, this will take place once per year for each pupil receiving travel assistance. The Council may request up-to-date information from parents and/or schools in order to establish whether travel needs have changed.
- When travel arrangements are reviewed, consideration will be given to strategies for supporting pupils with independent travel.
- If the Council decides that a child:
  - no longer needs an escort in order to ensure their safety
  - is no longer an “eligible” child and travel assistance should be withdrawn,
 OR
  - no longer needs an escort in order to ensure their safety
  - is no longer an “eligible” child and travel assistance should be withdrawn,
 the Council will inform parents of its decision and the reasons for it. The changes will not take effect until the beginning of the next school year unless parents agree.

- If a parent disagrees with the decision of the Council they may appeal using the process described in Section 10 below.
- Parents in receipt of transport via Merton Transport Services will be asked to update details about their child’s transport needs and their own contact details each year. It is essential that parents return this form in order for Transport Services to be able to provide safe and appropriate transport.

## 9. Commitments and responsibilities of the Council, parents, and schools

### Council

- All vehicles commissioned by the Council will have up to date safety certification and received annual safety checks
- Council escorts and drivers will receive appropriate training including disability awareness and safeguarding
- All drivers and escorts, whether in a minibus or taxi, require enhanced CRB checks; records will be held by Transport Services and checked regularly
- Vehicles will arrive within 10 minutes of their scheduled pick-up time unless there is unusual traffic disruption
- Vehicles will normally wait for up to 3 minutes for a child to be ready to board
- Journeys will be as safe and enjoyable as possible; the Council will aim for a maximum individual journey time of 1 hour 15



- minutes for any pupil travelling within the Borough although this may vary on a day to day basis depending on traffic conditions
- The Council will use the quickest routes possible. However, Council is not obliged to provide high cost vehicles, such as black cabs, so that bus lanes can be used
- g)** Wherever possible, the Council will try to provide consistency in the service. However, this cannot be guaranteed. Where changes occur, as much notice as possible will be provided and new drivers and escorts will be asked to introduce themselves to families before their first pick up wherever possible
- i)** Where the Council has agreed that a child needs an escort in order to travel safely, and the Council has agreed that a child needs to be accompanied by a female person, a female escort will be provided. The Council will not agree to provide both a female escort and a female driver
- j)** When a pupil's behaviour is such that they cannot be transported safely to school in a minibus or taxi because either their own safety or a driver or escort's safety may be compromised, the Council may ask a parent to act as a paid escort or request that the parent takes the child to school and is reimbursed for doing so

## Parents

- a)** Parents are required to inform the Council any time there are changes in their circumstances that may affect a pupil's eligibility for travel assistance or changes that may affect the way a child should travel
- b)** Parents must inform Council immediately of any changes to their contact details
- c)** Parents must ensure that their child is ready to board a minibus or taxi at the scheduled time

- c)** Parents must bring their children out to meet vehicles so that drivers and escorts do not need to leave their vehicles
- d)** Drivers and escorts are not authorised to phone parents to alert them that they are waiting or go inside houses unless previously agreed with Merton Transport Services
- e)** Parents must be at home to receive their child after school
- f)** Parents must help the driver to ensure that their children are fastened securely and appropriately in vehicles and provide all appropriate equipment such as supports, special seatbelts etc.
- g)** Parents must return the annual information form in order that their child can continue to be transported safely
- h)** Parents will not discuss routes or pick-up times with drivers or escorts, who are not authorised to make any changes to journeys. Parents will communicate directly with Merton Transport Services about any day to day travel matters
- i)** Parents will encourage their children to move towards independent travel if this is possible for their child

## Schools

- a)** Schools will make sure children are ready to leave at the specified times and will ensure that they are safely seated and secured
- b)** Schools will help the Council to establish pupil's needs in so far as they affect travel assistance e.g. helping to identify children who may benefit from independent travel training or escorted public transport
- c)** Schools will work to minimise disruptive behaviour such that children can travel in shared transport wherever possible
- d)** Schools will encourage positive behaviour and respect for others so that SEN pupils using public transport can do so without the risk of being bullied

- e) Schools will discuss travel needs with parents after their Annual Review, if parents so wish, and communicate the outcome of these discussions to the Council
- f) Schools will provide staff to help children out of vehicles and to fasten them securely into vehicles if this is required for safety reasons

## 10. How to appeal a decision

If a parent is not satisfied with the decision of the Council they can appeal for the case to be reviewed. Appeals are dealt with in 2 stages.

Stage 1 – to be made within 15 working days of the decision

If a parent’s application for home to school travel assistance is not approved or they feel that the assistance offered is unsafe or otherwise inappropriate for their child, they may appeal.

Appeals should be in writing and must set out in detail the reasons for requesting a review of the decision. The appeal should be sent to

**The Manager of the Merton SEN & Disabilities Integrated Service**  
**London Borough of Merton**  
**Civic Centre**  
**London Road**  
**Morden SM4 5DX**

Parents may wish to access the Parent Partnership Service for impartial advice and support in preparing evidence to present in their appeal. Phone 020 8274 5819 or email [chris.wilson@merton.gov.uk](mailto:chris.wilson@merton.gov.uk)

Following consideration of the appeal, the Council will again make a determination on whether home to school travel assistance is required.

If, during an appeal, additional evidence is gathered that indicates that the pupil meets the criteria for travel assistance, then this should be presented to the Manager for SEN, within the Merton SEN & Disabilities Integrated Service, to reconsider the decision as soon as possible.

Stage 2 – to be made within 20 working days of the Stage 1 decision

If the parent remains dissatisfied with the outcome following their Stage 1 appeal, they may refer their appeal to

**The Head of Education**  
**London Borough of Merton**  
**Civic Centre**  
**London Road**  
**Morden**  
**Surrey, SM4 5DX**

The evidence presented will be reconsidered at this stage and a determination made whether the original decision by the Council was correct.

Please be advised that during an appeal, travel assistance will not be provided. However, any existing travel assistance arrangements will remain in place until the final appeal decision is made.

## 11. How to make a complaint

Where the Council provides travel assistance for a pupil, officers of the Council will do all they can to ensure that the pupil's journey to and from school is as safe and happy as possible. Parents who have any concerns or complaints regarding their child's travel should, in the first instance, discuss them with Merton Transport Services, or write to Merton Transport Services at:

**Transport Services Manager**  
**Garth Road**  
**Lower Morden, Surrey**  
**SM4 4AX**  
**Tel: 020 8545 4785**

Should the parent wish to take the matter further or the child is not transported in a vehicle, they may contact the SEN Manager at the SEN Team's address below. If parents remain dissatisfied, they should send a letter detailing their concerns to

**Customer Services Officer**  
**London Borough of Merton**  
**Civic Centre**  
**London Road**  
**Morden, Surrey**  
**SM4 5DX**

## 12. Key contacts

### Special Educational Needs Administration Team

- a) issue application forms and processes applications
- b) decide what travel assistance is appropriate for each pupil
- c) provide information and advice about SEN travel assistance
- d) manage independent travel training
- e) record essential information needed for safe travel assistance
- f) liaise with parents and aim to deal with any complaints

**SEN Team, Merton SEN & Disabilities Integrated Service**  
**1st Floor, Merton Civic Centre**  
**London Road**  
**Morden, SM4 5DX**  
**phone: 020 8545 4810**  
**email: [sen@merton.gov.uk](mailto:sen@merton.gov.uk)**

### Merton Transport Services

- a) organise minibuses and taxis
- b) liaise with parents about the day to day operation of transport including introducing replacement drivers & escorts
- c) set up and manage individual travel plans when needed

**Merton Transport Services**  
**15-33 Amenity Way**  
**Garth Road Depot**  
**Lower Morden, SM4 4AX**  
**Phone : 020 8545 4785 / 020 8545 4794**  
**Email : [transport.commissioner@merton.gov.uk](mailto:transport.commissioner@merton.gov.uk)**