



Westmorland
& Furness
Council

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Public Consultation Document - Proposed Home to School Transport Policy Changes

Consultation Period 27 February 2026 to 21 April 2026



Version : February 2026



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This document should be read in conjunction with:

- The proposed [Children and Young People's Home to School Travel assistance policy - for children from Reception to Year 11](#)
- The department for education statutory guidance for [Travel to school for children of compulsory school age](#)
- The current home to school transport policy [Home to School Transport 2026/2027 Academic Year](#)
- Proposed [Post 16 Transport Policy Statement](#) (2027/28 academic year)



1. Introduction

Westmorland and Furness Council is seeking residents' and stakeholders' views on proposed policy changes relating to home to school transport eligibility and support. This consultation pack has been developed to support this. Regardless of any decisions made as a result of this consultation, the council will continue to meet its statutory requirements in relation to home to school travel.

As the council faces difficult financial challenges due to rising costs and growing demand for services all our Council budgets are under increasing pressure. Becoming a new unitary council in 2023 has given us the opportunity to review policy areas and areas of considerable spend. We have taken the difficult decision to consult on some key areas of provision which we have continued from legacy Cumbria County Council which provide a level of provision that is above statutory requirements.

The Council is required by law to consult on any changes to its Home to School Travel Policy. The proposed Children and Young People's Travel Assistance Policy (formerly known as the Home to School transport policy) sets out the legal responsibilities that the Council has in order to provide assistance with transport to school or another education setting for children living in the local authority area. The Council also understands that some children's needs will mean they will always require travel assistance whilst they are in education or training up to the age of 25.

The new policy constitutes a significant re-write of the current policies into a comprehensive document, more closely aligning with the language, style and content of the department for education statutory guidance. This consultation also includes a review of the discretionary areas of the council's current home to school transport policy which are above and beyond the statutory requirements of the statutory guidance.

Any agreed changes to policy would apply to new admissions and/or transport applications received on or after 19 September 2026 and would affect new entrants to schools (Reception and Year 7) with effect from September 2027. Changes to transport support, including the introduction of charging young people eligible for support with SEND Transport would apply to those commencing their Post 16 education in Year 12 from 1 September 2027.

The consultation is open from 25 February 2026 and closes on 19 April 2026.



2. Background and context

Westmorland and Furness Council Home to School Transport Service

The current population of children at compulsory school age (5 to 16) of schools in Westmorland and Furness Council is approximately 24,715 pupils. The Council currently support 3,570 mainstream pupils and 559 SEND pupils daily, to attend their place of education with 3,221 accessing free home to school transport and 349 students purchasing a spare seat. This equates to approximately 16.7% of the total pupil population age 5-16 who are accessing home to school transport.

514 transport routes are either commissioned through external transport providers, or provided in-house by CTOT, the Council's transport team and where appropriate, the Council purchases train and bus passes for eligible students on the public transport network.

Overall, transport is currently provided to 117 educational establishments/multiple sites, comprising Primary & Secondary Schools, Colleges and specialist provision in special schools and Pupil Referral Unit (PRUs) and Resourced Provision. The largest number of routes are associated with providing transport to secondary schools, primarily serving rural communities. In the case of pupils with special educational needs and disabilities (SEND), transport serves pupils living in a wide geographical area, and in some cases with significant travel time.

Transport support is also provided to a small number of children and young people through parental grants, personal travel budgets, independent travel training or a pass to travel on the public transport network. The Council is committed to providing an efficient, integrated service whilst ensuring that its statutory duties are met.

Current policy position

The council sets out its current home to school transport policies, details of the transport offer, eligibility criteria, and the application process at:

www.westmorlandandfurness.gov.uk/schools-and-education/apply-school-transport

The key document is called the [Home to School Transport 2026/2027 Academic Year](#) (Information Sheet for Parents and Carers including "How to Apply".)

These documents reflect the legacy arrangements of the former Cumbria County Council which have been adopted and updated by Westmorland and Furness Council, following Local Government Reorganisation in April 2023.

Please Note: References to "parent" in this and associated documents include birth parents, adoptive parents, foster parents, carers or legal guardians with parental responsibility. References to "child" or "children" in this document includes all children and young people from 0 -18 years (and young people up to 25 years where the young person has a disability).

Statutory framework for home to school transport and travel

School travel is an integral part of the school system. It ensures no child of compulsory school age is prevented from accessing education by a lack of transport or the cost of transport.

Parents are responsible for ensuring their child attends school. This means they must take all actions necessary to enable their child to attend school. For most parents, this includes making arrangements for their child to travel to and from school. Local authorities must make arrangements, free-of-charge, for eligible children to travel to school and there are also extended rights to free travel to school for children from low-income households.

Children and young people are of compulsory school age from the beginning of the term following their fifth birthday (or from their fifth birthday if it falls on 31 August, 31 December or 31 March) until the last Friday in June of the academic year in which they reach 16 years of age.

It is important that local authorities take travel costs into account when planning the supply of school places. Capital expenditure, revenue costs and travel costs need to be considered together to ensure financial sustainability.

The legislative framework for home to school travel is set out within: Section 508A of the Education Act 1996 (a general duty is imposed on local authorities to assess the school travel needs of their area and to promote the use of sustainable modes of travel). Section 508B of the Education Act provides a statutory duty on local authorities to provide home to school travel arrangements for “eligible children”. Eligible children are defined in Schedule 35B of the Act; to qualify as an “eligible child”, the child must be of compulsory school age (5-16).

In addition to the Education Act, the department for education published revised statutory guidance in June 2023 for local authorities to follow, with further minor revisions in January 2024 covering travel to school for children of compulsory school age [**Travel to school for children of compulsory school age**](#).

The revised statutory guidance is not a change in legislation but has provided clarity on areas which had been considered open to interpretation and also further direction to local authorities to ensure they should deliver additional requirements for eligible children. There is separate guidance [**Post-16 transport and travel support to education and training**](#).

Local authorities are responsible for deciding what travel arrangements to make, provided they are suitable for the needs of the children for which they are made. They must provide and publicise a school travel policy, an up-to-date version of which must be made available by 19th September each year, so that parents may take it into account when deciding which schools to apply for during the normal school admissions round.

Post 16 Transport

The statutory responsibility for transport for 16–19-year-olds (who have started a course before their 19th birthday) rests with local authorities but includes some local discretion as to what measures are implemented.

At present, the law is different in relation to school travel based on the differing ages of children and whether they are of compulsory school-age. Local authorities have a number of legal duties and powers related to home to school transport support, including a duty under Section 508A Education Act 1996 to promote sustainable modes of travel.

Westmorland and Furness Council have a duty to review, prepare and publish an annual Post 16 Transport Policy statement by 31st May specifying the arrangements for the provision of transport, or otherwise, that the local authority considers necessary to facilitate the attendance of all persons of sixth form age receiving education or training.

For the purposes of this consultation, proposed changes to Post 16 transport policy are being considered for implementation from 1st September 2027.

The Council does not specifically commission home to school transport for young people attending Post 16 education unless they are eligible under extended rights or SEND. For young people choosing to attend 6th Form at a mainstream secondary school, often where they have attended up to the end of Year 11, where it is available, the Council sells spare capacity on contracted routes to students in Year 12 and 13 under the “Spare Seat Scheme”.

Young people choosing to attend a College or educational establishment where there is no spare seat available to purchase must make their own arrangements, and the Council has historically been able to support the cost of this through the 16-19 Education Travel Bursary Scheme.

There are legacy arrangements relating to schools with no sixth form where contracted routes are extended to facilitate travel for pupils to schools with a sixth form (Samuel Kings (Alston), Settlebeck (Sedbergh) and John Ruskin (Coniston)).



Breakdown of home to school transport expenditure

The overall cost to the council of the provision of home to school travel is significant and steadily increasing. Like councils across the country, Westmorland and Furness Council spends an increasingly significant amount of its core budget on home to school transport support. The Council does not receive any ring-fenced funding from central government for home to school transport expenditure. We have seen this area of spend increase over recent years, particularly for special educational needs and disabilities (SEND) transport and this demand is anticipated to continue increasing.

The table below shows the cost of home to school transport separated out by mainstream and SEND since April 2023. Comparison data prior to this cannot easily and accurately be disaggregated due to it being legacy Cumbria County Council data. These figures indicate the steadily increasing costs associated with school transport provision, which are forecast to continue increasing, and necessitate the Council implementing cost mitigation measures which include this consultation relating to discretionary areas of provision.

Financial Year	Mainstream Transport Expenditure	SEND Transport Expenditure	Total	% increase year on year
2023/2024	£7,218,460	£8,114,449	£15,332,909	--
2024/2025	£8,414,469	£9,640,900	£18,055,369	17.75%
2025/2026*	£8,788,691	£10,811,377	£19,600,068	8.5%

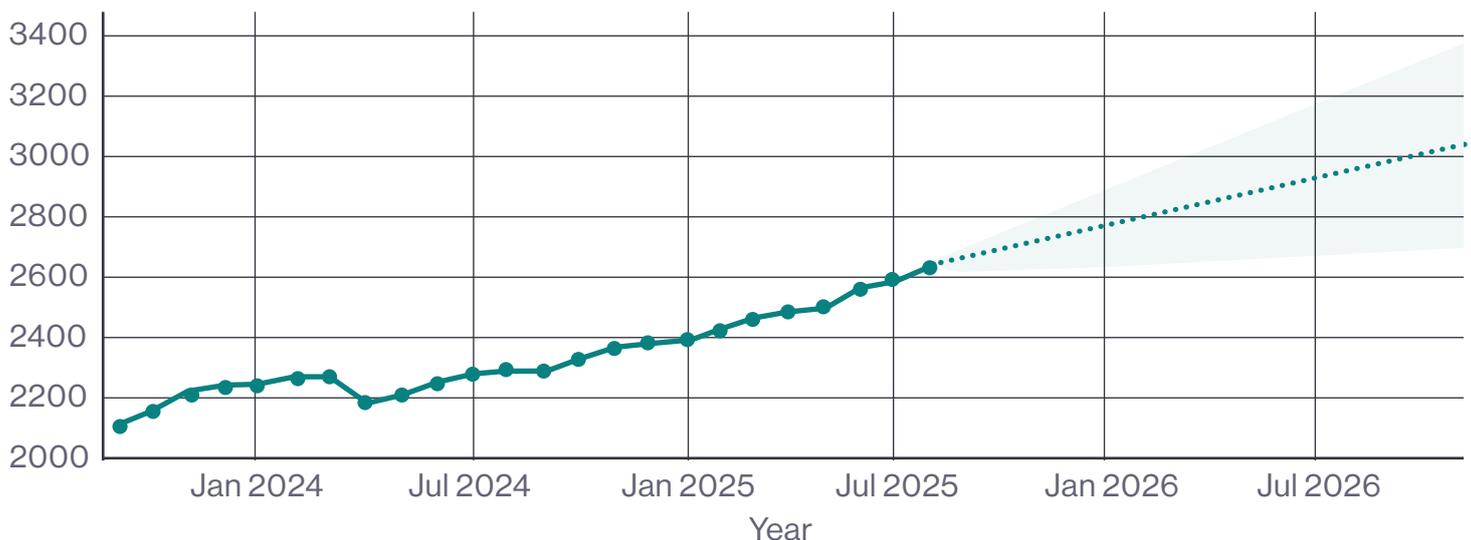
*projected outturn

SEND Demand Forecast

The number of children and young people with an EHCP as at August 2025 is 2,606. Approximately 21.45% of these children and young people are eligible for home to school transport assistance.

The graph below shows the trend forecast for EHCPs since January 2025 and potential future growth which is anticipated to impact significantly in future years on home to school transport demand.

EHCPs over time and forecast



3. Proposed changes or clarifications to policy and provision

The proposed new Children and Young People's Travel Assistance Policy document can be found [here](#) for review.

This consultation seeks your views on a range of proposed policy changes which will assist in ensuring service sustainability and value for money. The proposals are designed to provide added flexibility in the way the Council fulfils its statutory responsibilities and are aimed at ensuring the service continues to be sustainable and resilient into the future.

The table below summarises the key areas where we are consulting on changes to our current provision or clarifying our provision and position.

Changes in Provision

Area of Provision	Current Arrangements	Proposed changes	Rationale
Statutory School Age	We provide free transport for eligible children from the start of reception year rather than the statutory requirement of statutory school age which is the start of the term following 5th birthday	There will be no automatic entitlement and any provision for 4 year olds will be discretionary and subject to a spare seat charge	Non statutory provision being provided at cost to the Council Concern expressed regarding 4 year olds being unaccompanied on transport routes
Statutory entitlement to home to school travel assistance to nearest/catchment school	Provision of transport to nearest suitable or catchment school for eligible children	Travel assistance will only be provided for eligible pupils to nearest suitable school	Non statutory provision, at cost to the Council
SEND Post 16 Travel Assistance (sixth form duty eligibility) - applies to pupils who have started their course prior to 19th birthday	This is currently provided free of charge	A) Introduction of a means tested charge aligned with charging for mainstream home to school transport based on the spare seat charge B) Clarification that travel assistance will be provided to eligible students in the following order: Bus or rail pass, Independent Travel Training, Personal Travel Budget (PTB). A seat on shared dedicated transport is provided by exception only and centralised pick up points may be used.	Non statutory provision currently being provided at cost to the Council Equity in terms of charge applied to mainstream pupils accessing transport Reduction in expenditure and targeted direct support of transport provision only in exceptional circumstances. Promotion of independent travel

Area of Provision	Current Arrangements	Proposed changes	Rationale
Spare Seat Scheme	<p>Spare Seats are made available on all contracted routes where there is capacity. In some, historic cases, additional capacity has been procured to facilitate attendance at neither nearest or catchment school.</p> <p>Spare seats do not cover full cost recovery and significant administration time is spent managing the scheme</p>	<p>a) Spare Seat scheme – retain but only where there are genuinely spare seats - at the discretion of the LA where there is no detriment financially</p> <p>b) Post 16 transport – where there are genuinely spare seats – retain the spare seat offer, including the current extended routes to facilitate access -at the discretion of the LA where there is no detriment financially</p> <p>Applying this strictly, in line with the nearest/catchment policy change if implemented would result in reduction and change in spare seat availability and routes.</p>	<p>Clarification of policy</p> <p>Ensuring the benefits of the existing Spare Seat Scheme are retained but that it is managed in a way that is not at detriment to the LA financially</p> <p>Facilitating access to 6th form provision</p>

Policy Wording Clarification

Area of Provision	Current Arrangements	Proposed changes	Rationale
Statutory Walking distance at age 8	We provide free transport for eligible pupils up to 2 miles to the age of 8, this changes to 3 miles from the age of 8 when transport is reassessed	Travel assistance continues until the end of the term the pupil turns 8. No change proposed apart from clarification in policy.	Clarification of policy wording
Extended Rights: entitlement to home to school travel assistance	Provision of transport to three nearest schools based on age and distance	Clarification in policy that eligibility will be assessed on nearest school only based on age of pupil and distance.	Clarification of policy wording

Area of Provision	Current Arrangements	Proposed changes	Rationale
Passenger Assistants	Passenger Assistants are not provided on mainstream routes with the exception of one legacy arrangement inherited from Cumbria County Council which will cease at the end of the 2026/27 academic year. We don't include a clear policy statement on this currently, and their use is only referenced for children with EHCPs determined by an individual transport risk assessment.	Clarification of position in Policy that Passenger Assistants will not be provided on mainstream transport routes unless agreed by exception at the discretion of the LA	Clarification of policy wording Non-statutory provision for mainstream routes and not something done in other LAs other than by exception Only required based on individual pupil's EHCP or medical needs.
Nursery Transport	Policy does not explicitly refer to Nursery transport being discretionary and not something which the council provides – in practice we do not provide this	Policy will clarify that there is no statutory requirement to provide transport support for nursery age pupils whether mainstream or SEND	Clarification of policy Non-statutory provision.

In the drafting of the policies, the Council considered the lessons learned from councils that have completed their policy review processes and paid due regard to lessons from the latest Local Government Ombudsman reports into school transport decisions, best and local practice for home to school travel as highlighted in reports such as [County Councils Network](#) report 2023:

[ADCS ADEPT Home to School Transport paper 2023.pdf](#)

[ADCS Response to National Audit Office Report on Home to School Transport – ADCS.](#)

A summary of other council's current policy positions can be found below:

Local Authority	Free transport to Nearest and Catchment (eligible students based on mileage)	Free transport to Nearest Only (eligible students based on mileage)	Provision of Nursery Transport	Transport for 4-Year-Olds (from the start of the academic year in which they	Charge for Post-16 SEND	Post 16 SEND Transport standard offer is PTB or ITT - transport provided by Exception	Notes
Westmorland & Furness	Yes	No	No	Yes	No	Yes	Consultation Proposed
Bedfordshire	No	Yes	No	Yes	Yes	Yes	Currently consulting on policy changes/ adjustments
Cornwall	Yes	No	No	Yes	Yes	Yes	"Designated" School is used for transport eligibility
Cumberland	Yes	No	No	Yes	No	Yes	Policies under review
Derbyshire	Yes	No	No	No	Yes	No	"Catchment" is not used as a term - nearest & "normal area school" is criteria
Durham	No	Yes	No	Yes	Yes	No	Post 16 SEND Transport considers a variety of solutions
Lancashire	No	Yes	No	Yes	Yes	No	n/a
Lincolnshire	No	Yes	No	Yes	Yes	No	Post 16 SEND Transport considers a variety of solutions
Norfolk	No	Yes	No	Yes	Yes	No	All SEND students are assessed aprior to Post 16
Northumberland	No	Yes	No	Yes	No	No	Post 16 SEND Transport considers a variety of solutions
North Yorkshire	No	Yes	No	Yes	Yes	No	Major Policy change Sept 2024. Ongoing review
Oxfordshire	Yes	Yes	No	No	No	No	SEND Post 16 charging is under review. Transport support is considered on an individual basis
Shropshire	Yes	No	Yes	No	Yes	No	n/a
Warwickshire	No	Yes	Yes	Yes	Yes	Yes	Currently consulting on policy changes/ adjustments

4. Information regarding policy implementation

Existing travel commitments are always key considerations when reviewing any policy changes. The statutory guidance for Travel to school for children of compulsory school age clarifies the position for school travel policies: ‘wherever possible, local authorities should phase in changes so that children who begin attending a school under one set of travel arrangements continue to benefit from those arrangements until they leave that school.’

The proposal is therefore to honour existing commitments for transport through a phased transition period over 5 – 7 years and the revised policy amendments will apply only to new applications for home to school transport. Some parents may, however, wish to explore using the alternative approaches that will form part of the revised policy.

This policy consultation and publication is linked to the school admissions round, therefore the new Children and Young People’s Travel Assistance policy would apply to new admission and/or transport applications received on or after 1 September 2026 and would affect new entrants to schools (Reception and Year 7 with effect from September 2027. This includes existing pupils who access Home to School transport assistance who have a change in circumstances requiring a new application (such as house move) mid-year. They will also be reassessed in line with the new proposed policy.

Any change to transport policy does not mean any change to the use of school catchments for admissions purposes, which would need to be consulted on separately as part of school admission processes. Parents making an application for a school place would need to be mindful of any change in transport policy and it will be important for admissions an application for a school place documentation to be very clear for parents when they are making applications.

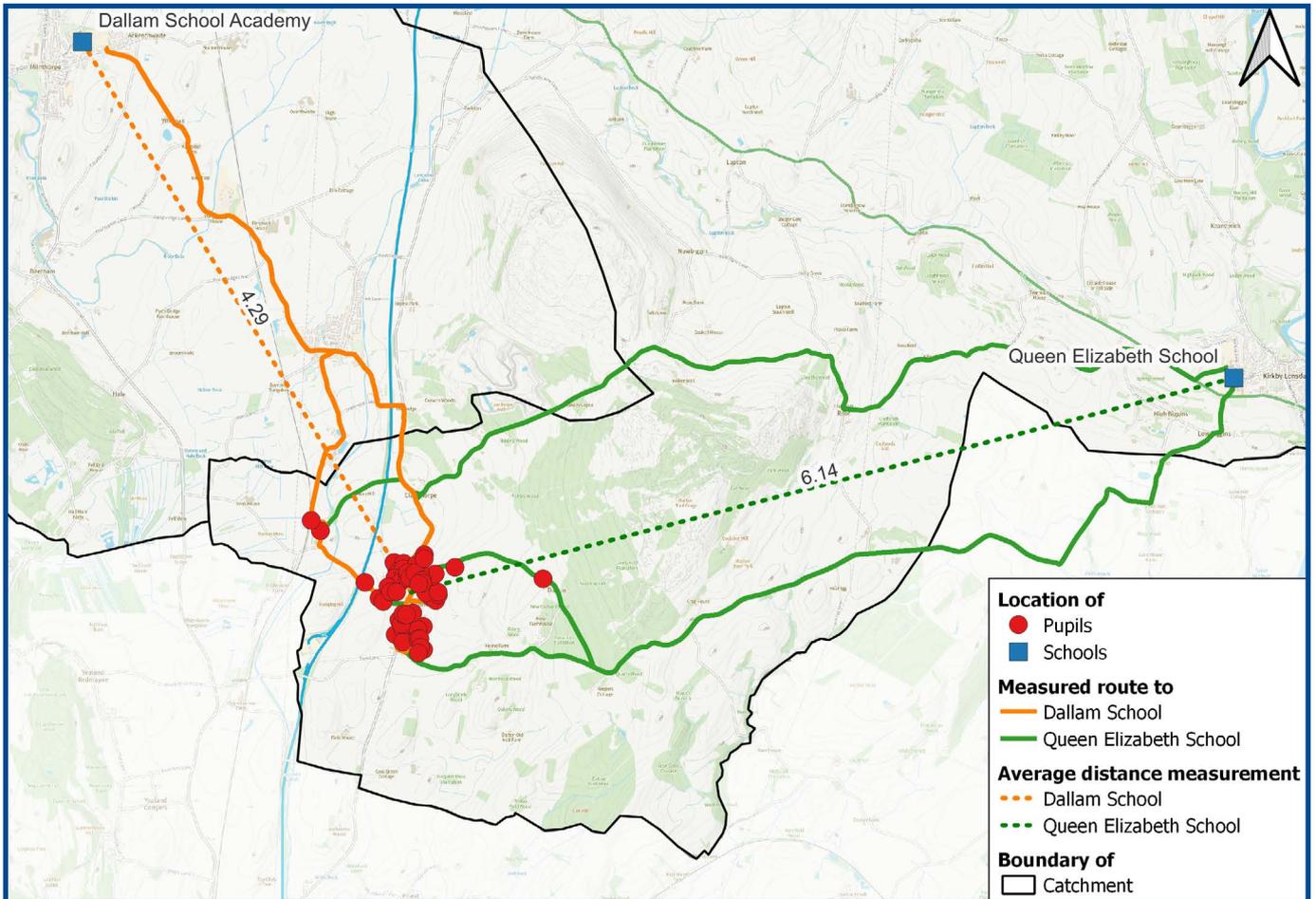
Charging for young people eligible for support with SEND Transport would apply to those commencing their Post 16 education in Year 12 from 1 September 2027.

Assessment of Impact

Initial modelling has been carried out using transport eligibility data for Reception Year 0, Year 7 and Year 12 which has highlighted a small number of communities which would be impacted should the change in policy be approved. These are primarily communities who live on current, historical catchment boundaries and where Westmorland and Furness Council currently contract transport to both the nearest and catchment schools. By assessing eligibility to facilitate attendance at nearest school only, if parents wanted to express their parental preference and send their child to attend the historically “catchment” school, they would need to make their own transport arrangements, although there may still be transport eligibility to their nearest school.

The examples below are not exhaustive, however aim to illustrate examples of policy change.

Fig 1: Pupils living in the Endmoor area would have transport entitlement to Dallam as “nearest” school and would no longer have transport entitlement to Queen Elizabeth School, Kirkby Lonsdale.



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Fig 2: Pupils living in the highlighted locations would have transport entitlement to Dowdales School, Dalton-in-Furness as “nearest” school and would no longer have transport entitlement to Ulverston Victoria High School as “catchment”.

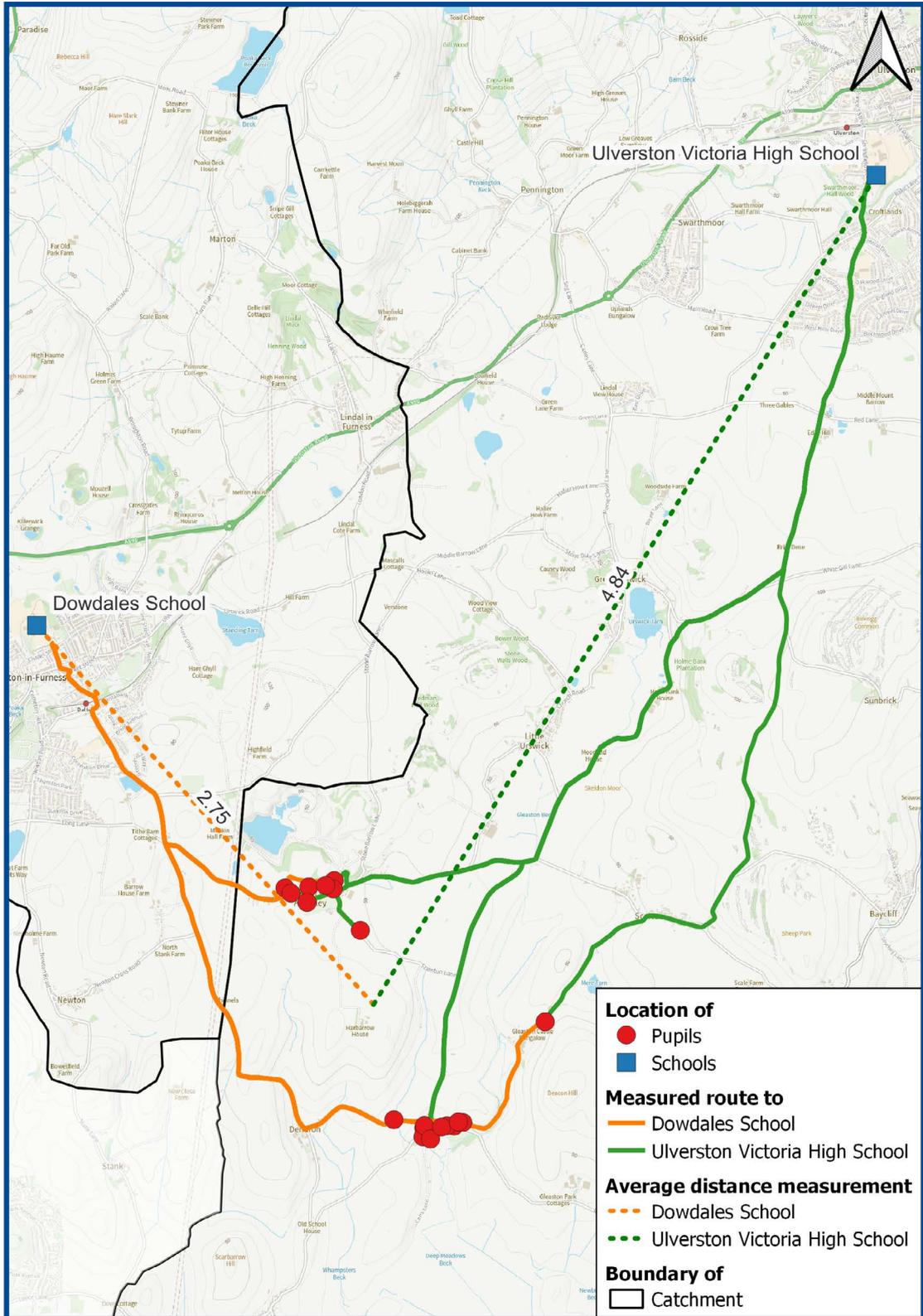


Fig 3: Pupils living in the highlighted locations would have transport entitlement to Lakes School, Windermere as “nearest” school and would no longer have transport entitlement to Ullswater Community College or Queen Elizabeth Grammar School as joint “catchment”.

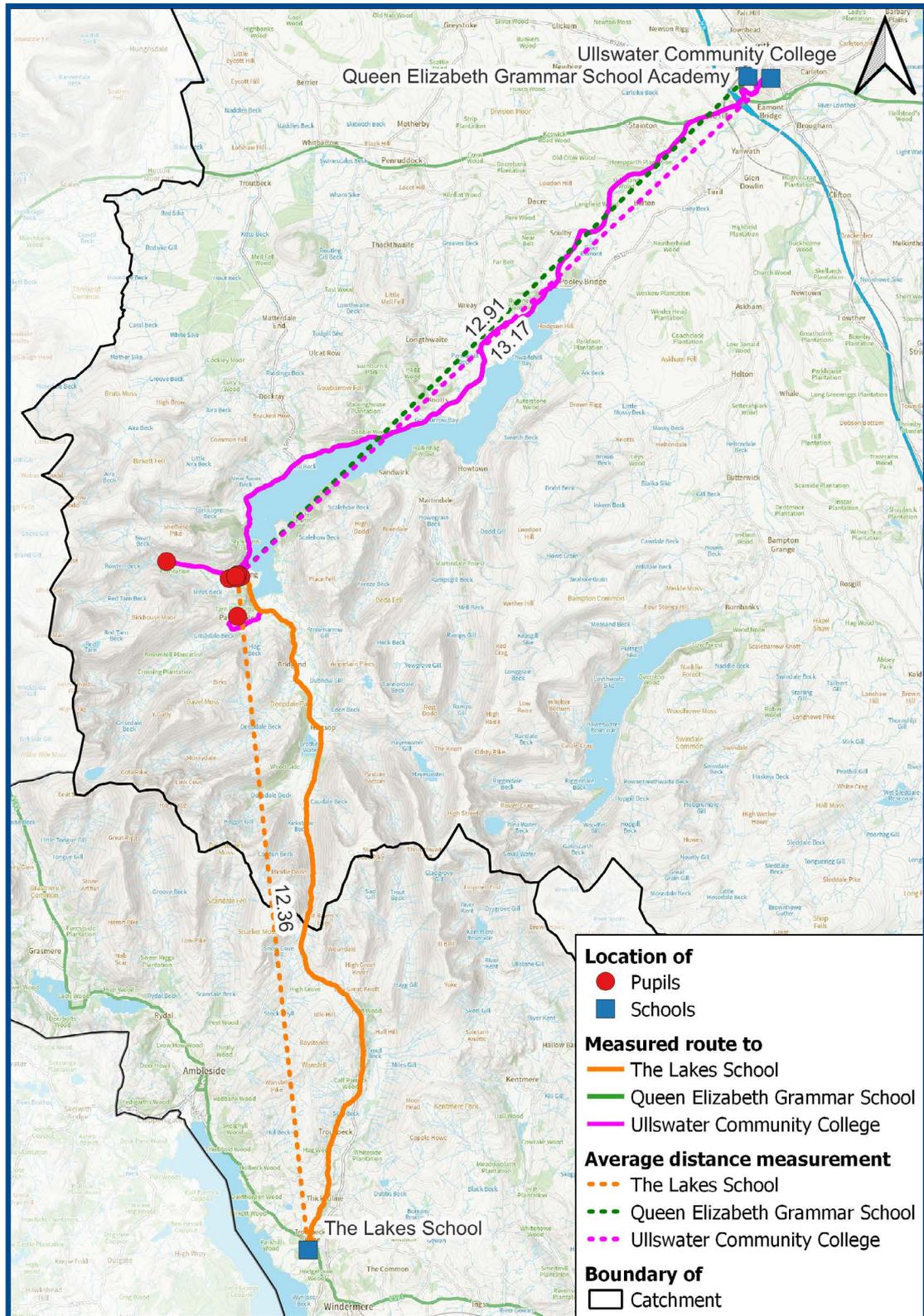


Fig4: Pupils living in the highlighted locations would have transport entitlement to Samuel Kings School, Alston as “nearest” school and would no longer have transport entitlement to Ullswater Community College or Queen Elizabeth Grammar School as joint “catchment”.

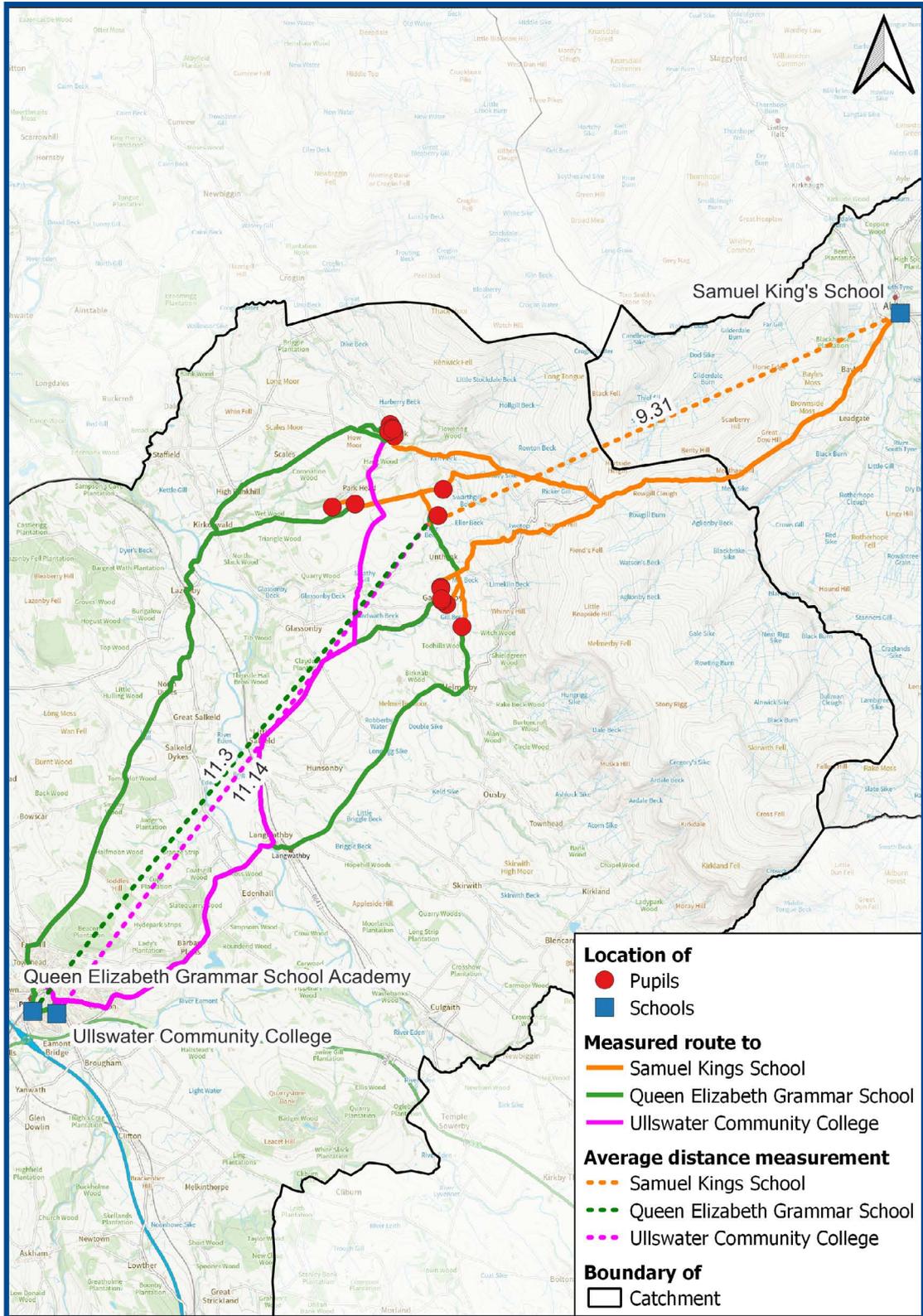


Fig 5: Pupils living in the highlighted locations would have transport entitlement to Settlebeck School, Sedbergh as “nearest” school and would no longer have transport entitlement to Kirkby Stephen Grammar School as “catchment” School.

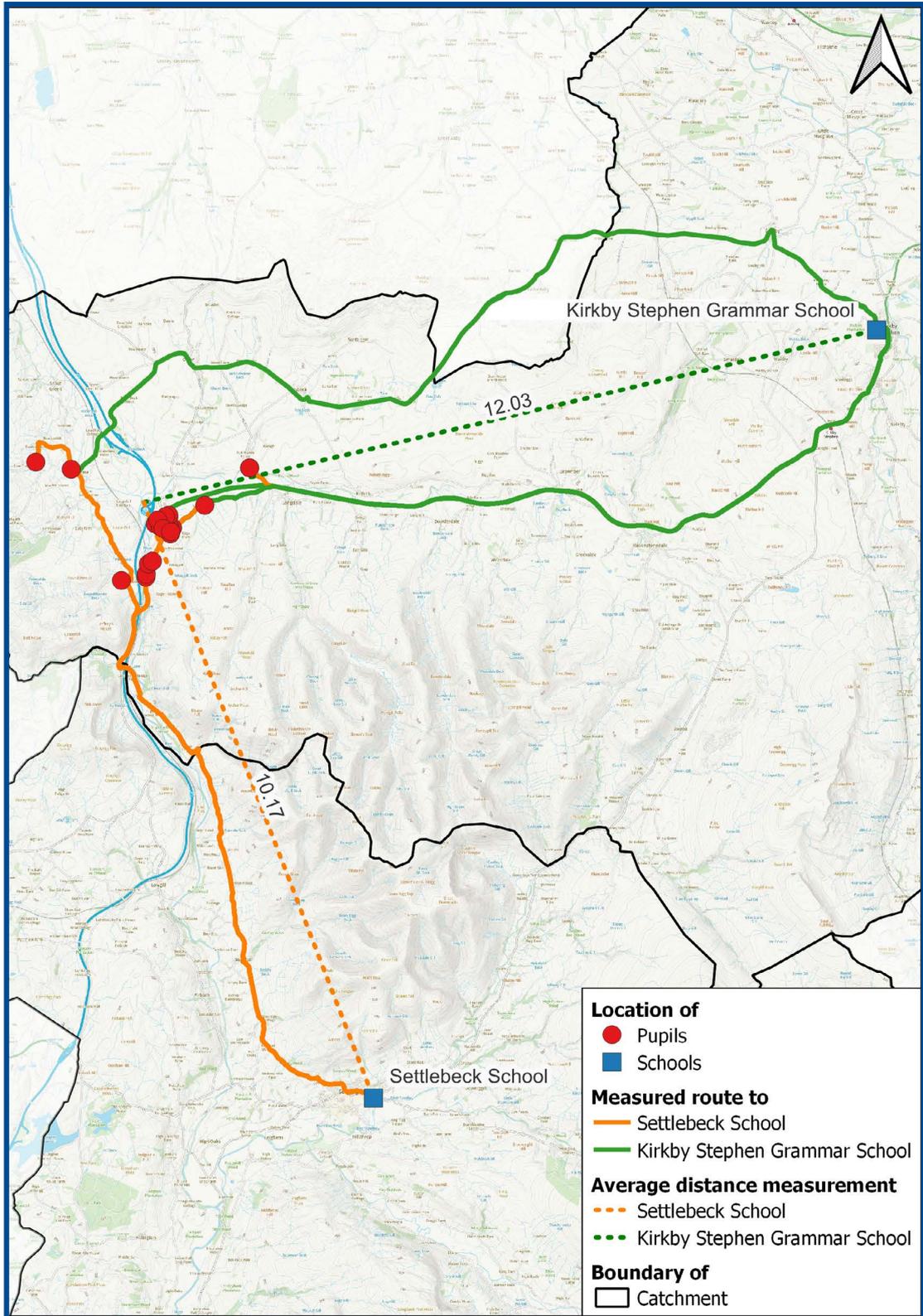
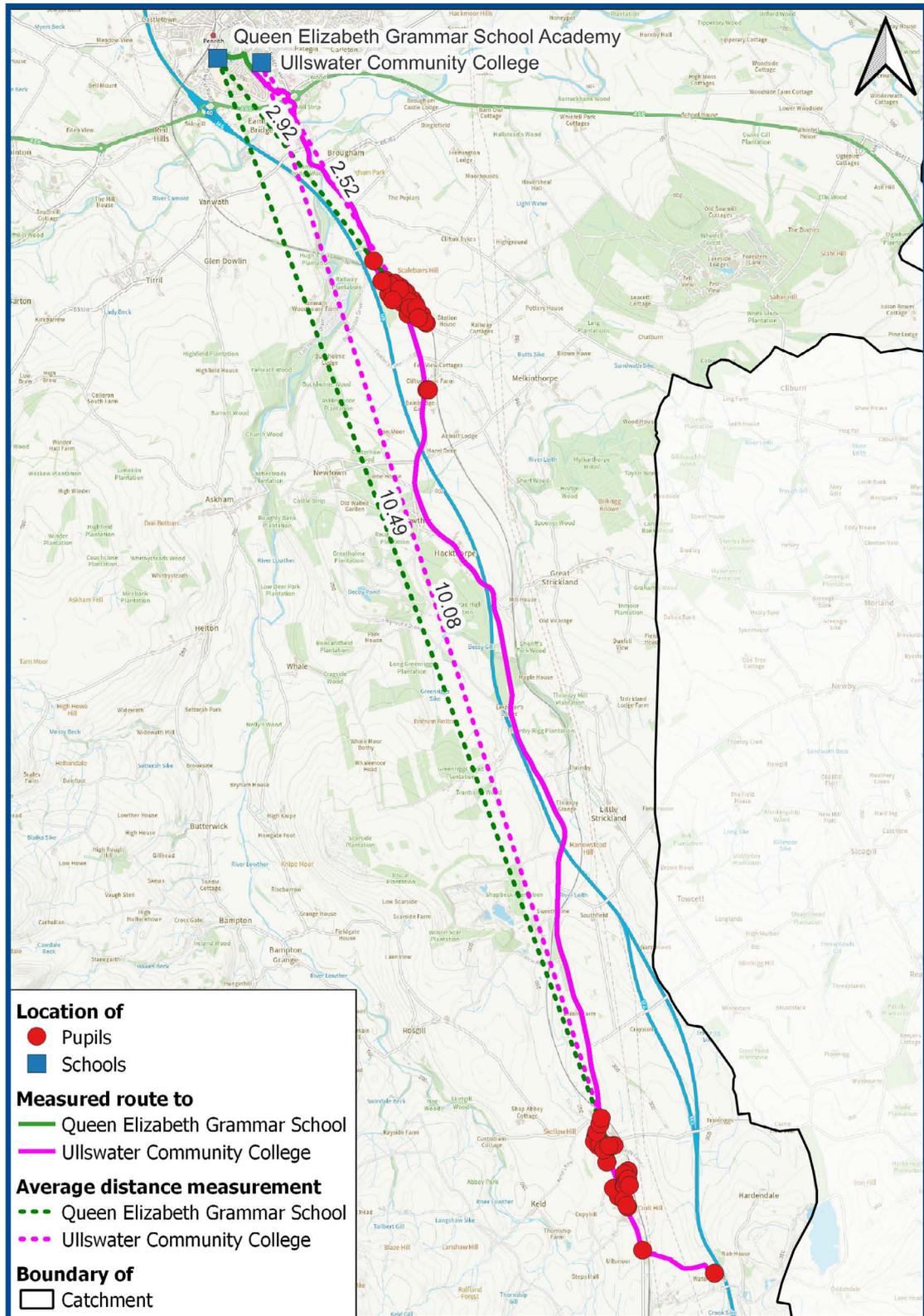


Fig6: Pupils living in the highlighted communities would have transport entitlement to Ullswater Community College as “nearest school” only. There would be no entitlement to home to school transport to Queen Elizabeth Grammar School.



The table below summarises the areas of policy which are being consulted on, and potential impact on pupils.

Policy Change Proposed	Impact on current entitlement	No of students impacted in 2027/2028*	Estimated no of students impacted once policy is fully embedded	How many years will the policy take to become fully embedded	Range of potential financial "cost avoidance"	Additional comments/ Complicating Factors
Nearest Catchment Eligibility	No entitlement to transport due to 'nearest' school being under statutory walking distance	2 Primary	14 Primary	7 years	£0	Negligible impact only 1 or 2 pupils per route. No other complicating factors identified at this stage
Nearest Catchment Eligibility	No entitlement to transport due to 'nearest' school being under statutory walking distance	10 Secondary	50 Secondary	5 years	Included in figure below	Marginal impact, low numbers of students per route affected. No other complicating factors identified at this stage.
Nearest Catchment Eligibility	Pupils who chose to attend a school which is not their nearest school would lose entitlement (modelling based on current pupils attending catchment school which is not nearest)	7 Primary	49 Primary	7 years	Could generate £1m over 5 year period	Modelling is complex as pupils may still have eligibility to nearest school depending on location, but may be shorter route and would allow for route rationalisation. Parental choice also a factor Consider routes travelling over "passes" eg Hartside or Kirkstone; impact adverse weather or incidents on routes. (see examples)
Nearest Catchment Eligibility	as above	120 Secondary	600 Secondary	5 years	Could generate £1m over 5 year period	as above

Policy Change Proposed	Impact on current entitlement	No of students impacted in 2027/2028*	Estimated no of students impacted once policy is fully embedded	How many years will the policy take to become fully embedded	Range of potential financial "cost avoidance"	Additional comments/ Complicating Factors
Nearest Catchment Eligibility	Reduction of availability of spare seats (Reception to Year 11) as a result of routes no longer serving catchment school	29	145	n/a	Reduction in income received would be mitigated by reduction in route contract costs and overall budget spend	n/a
Nearest Catchment Eligibility	Reduction of availability of spare seats Post 16 mainstream as a result of routes no longer serving catchment school	40	80	2 years	Reduction in income received would be mitigated by reduction in route contract costs and overall budget spend	Detailed modelling required. Consideration of communities where the "school bus" provides a solution to a 6th Form, which isn't available to young people wanting to attend College or other establishment.
Post 16 SEND Changes	Introducing charging for Post 16 SEND pupils**	37	87	2 years	Potential cost avoidance of up to £0.094m based on test cohort	Discretionary policy area. Charging has already been adopted by many LAs in England. No other complicating factors identified at this stage
Post 16 SEND Changes	Introducing hierarchy of transport assistance for Post 16 SEND pupils**	37	87	2 years	Potential cost avoidance of up to £0.100m per year	Variable to individual need, education establishment attended and accessibility by public transport (journey time and location). Would need to be assessed on a case by case basis

Policy Change Proposed	Impact on current entitlement	No of students impacted in 2027/ 2028*	Estimated no of students impacted once policy is fully embedded	How many years will the policy take to become fully embedded	Range of potential financial "cost avoidance"	Additional comments/ Complicating Factors
Compulsory School Age	Removing free transport for children who are not yet compulsory school age (4 year olds)	64	448	7 years	£6k in year one of implementation rising to £42k after 7 years	Assumption is that average income will be 50% of annual spare seat charge, and 25% of parents chose to pay for a seat. The Council would still need to provide capacity on the transport for pupils to ensure statutory duties were met once they reached compulsory school age

*estimated based on initial modelling of current cohort in year O (Reception) , year 7 and year 12

5. Information about the Equality Impact Assessment

An initial equality impact assessment was included in the report dated 10th February 2026 that secured approval for this consultation to proceed. This EQIA will be updated in light of comments received as part of the consultation process and considered further by Cabinet before a final decision is made.



6. Engagement, consultees and timescales

This is an open consultation, and it is important to the Council that the views of parents and children who may be affected by the proposals are carefully considered to ensure that the service balances meeting the needs of its users whilst ensuring compliance with statutory responsibilities. Feedback is also sought from Westmorland and Furness residents and other interested stakeholders.

In line with statutory guidance, we will ensure that, as a minimum, the following groups are contacted directly:

- Schools whose pupils will be affected by the proposed changes, including those located in other local authority areas; including governors and staff
- Parents whose children will (or may) be affected by the proposed changes, including those whose children attend school in a neighbouring authority, and those whose children may be affected in the future – for example, because they live in the catchment area of, or attend the feeder school of a school affected by the proposed changes; and
- The local Parent Carer Forum
- Other neighbouring local authorities with responsibility for Education and Home to School transport (Cumberland Council, Northumberland County Council, Durham County Council, North Yorkshire Council, Lancashire County Council)

All responses received by the closing date will be evaluated, anonymised, grouped into themes or categories and presented to Westmorland and Furness Council Cabinet on 14 July 2025 for consideration to support their decision on recommendations for the council's new Children and Young People's Travel Assistance policy.

Feedback will help to inform any decision by the Council on the proposed changes to the Children and Young People's Travel Assistance policy and how travel assistance is delivered.

Stakeholders and consultees have the opportunity to respond in a number of ways:

- Complete a form online at www.westmorlandandfurness.gov.uk/your-council/have-your-say/ongoing-consultations/home-school-transport-policy-changes-consultation
- Send a completed feedback form to FREEPOST Westmorland and Furness Council
- Attend one of the consultation information face to face drop-in events or on-line sessions as set out on the consultation page

The Information Pack and Response Form are also available to download and print from the consultation webpage. Easy read versions are also available. If you require a paper copy of the Information Pack or the Response Form or if you have any queries about the consultation, please email school.transport@westmorlandandfurness.gov.uk with 'Children and Young People's Travel Assistance policy 2026' as the subject.

Please note that the council cannot enter into individual correspondence regarding eligibility of individual pupils.

The consultation is open from 25 February 2026 and closes at midnight on 19 April 2026.

Please note that responses received after this date will not be considered as part of the consultation.

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