



**Westmorland
& Furness
Council**

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Children and Young People's Home to School Travel Assistance policy - for children from Reception to Year 11 (compulsory School age)

Academic Year 2027/28 onwards

Implementation Date 1st September 2027



Contents

Background	3
About this Policy	4
Section A: Eligibility	5
1 Eligible Children	5
2 Suitable School	6
3 Statutory Walking Distances	7
4 Special Educational Needs, and/or Disability	9
5 Unsafe Walking Route	9
6 Extended Rights (Low Income)	10
7 Further Information on Eligibility	11
8 Accompaniment	13
9 Children registered at more than one qualifying school	13
Section B: How travel assistance will be provided	14
10 Facilitating Attendance	14
11 Residential Children	14
12 Travel Arrangements	15
13 Parental Travel Allowances and Independent Travel	15
14 Discretionary Spare Seat Scheme	16
Section C: Suitability of Travel arrangements	19
15 Considering the Child's Needs	19
16 Children with Medical Needs	20
17 Journey Times and Routes Taken	20
18 Safeguarding	21
19 Training	22
20 Behaviour on School Transport	22
21 Additional Information about Travel Arrangements	23
Section D: Local school travel policies	25
22 Children and Young People's Home to School Travel Assistance policy for children from reception to year 11	25
23 Transport Beyond Compulsory School Age	26
24 Exemptions	26
Section E: Transport Appeals	26
25 Appeals Procedures	26
26 Complaints Procedure	27
Section F: Sustainable Travel	27
27 Sustainable Travel Strategies	27
28 Sustainable Travel Programmes	28
Section G: Useful Information	28
Glossary of Terms	29
Appendix 1 – Examples provided by the Department for Education	32

Background

Westmorland and Furness Council is responsible for setting a Home to School Policy which ensures the equitable provision of transport to those who qualify under the Council's statutory duties and to explain when discretionary transport provision might be available.

Westmorland and Furness Council:

- Are the third largest unitary local authority area in England and the most sparsely populated
- Must always be responsible, socially, environmentally and financially. It may take time to deliver our ambition and we will have difficult choices to make

In numbers:

- 225,500 people, 34,000 in National Parks
- 55% live in rural areas
- 122, primary schools, 20 secondary schools and 3 special schools
- 107 parish councils and 9 town councils
- Additionally, we are bordered by Cumberland, Durham, Northumberland, North Yorkshire and Lancashire Councils

The current population of children at compulsory school age (5 to 16) of schools in Westmorland and Furness Council is approximately 24,715 pupils.

Westmorland and Furness Council (the Council) currently support around 3,570 mainstream pupils and 559 SEND pupils daily, to attend their place of education. In the region of 514 transport routes are either commissioned through external transport providers, or provided in-house by CTOT, the Council's transport team.

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.

About this Policy

Westmorland and Furness Council Home to School travel policy is based on the Education Act 1996 and the statutory guidance from the Department for Education, published in June 2023 (revised January 2024 and 26 May 2026).

The policy is for children and young people, parents, schools, and other professionals to inform them how Westmorland and Furness Council (the Council) has implemented the statutory guidance, when carrying out its duties in relation to:

- Arrangements for travel to school for children of compulsory school age
- Travel to post-16 education and training (Children's Duty)
- Travel to post 19 education and training (Adults Duty)
- The promotion of sustainable travel to school

Westmorland and Furness Council are required to publish, their Post 16 transport policy each year by 31st May. This is available on the Westmorland and Furness Council website.

This policy applies to residents of Westmorland and Furness Council.

Review date:

This guidance will be kept under review and updated when necessary.

Minor changes will be published alongside the guidance as an amendment to policy. Major changes will be consulted upon, and the policy amended to reflect this.

What legislation does this policy adhere to?

- This policy has regard to the duties placed on Local Authorities in relation to the following legislation governing travel to school for children of compulsory school age, in particular:
- Section 508A of the Education Act 1996: sustainable travel to school;
- Section 508B of and Schedule 35B to the Education Act 1996: travel arrangements for eligible children;
- Section 508C of the Education Act 1996: discretionary travel arrangements for other children;
- Section 509A of the Education Act 1997; travel arrangements for children attending early years settings
- Equality Act 2010
- Chronically Sick & Disabled Persons Act 1970
- The School Information (England) Regulations 2008: publication of informal arrangements.



Section A: Eligibility

1 Eligible Children

1.1 The Council must make free-of-charge travel arrangements to facilitate the attendance at school of eligible children resident in Westmorland and Furness Council.

A child is eligible if they are of

A: compulsory school age (term after the 5th birthday to 30th June in year 11) and:

B: attend their **nearest suitable school*** to their home address and:

- Live more than the statutory walking distance from that school (section 3), or
- Could not reasonably be expected to walk to that school because of their special educational needs, disability, or mobility problem, even if they were accompanied by an appropriate adult (section 4), or
- Would not be able to walk to that school in reasonable safety, even if they were accompanied by an appropriate adult (section 5).

The Council will use its discretionary powers to apply an exemption for mainstream routes which would require travel over Kirkstone Pass or Hartside Pass to access the nearest school where this is through an application for a school place. In these circumstances, eligibility to the next nearest school would be retained. This is in consideration of the potential seasonal risks associated with the high-altitude routes of Hartside and Kirkstone Passes and the duration of any alternative routes.

***Please note that this policy change effective from September 2027 for new cohorts only, catchment school will no longer apply as an eligibility criteria. Free transport will only be provided to nearest school for eligible pupils. If parents are unsure which their qualifying nearest school is, they can use the Council's "nearest school checker" which can be found at www.westmorlandandfurness.gov.uk**

No child with current eligibility will lose entitlement to free home to school transport to nearest and catchment school whilst they remain at the home address and attend the same school they did at the point of most recent transport application which resulted in confirmed eligibility.

1.2 There are 'extended rights' to free travel to school for children from low-income households (section 6) update based on new stat guidance 26 May 2026

1.3 As a discretionary element the Council will facilitate transport from the start of Reception year instead of the term after the child's 5th Birthday, **subject to parents applying for, and purchasing a discretionary spare seat**, until the point the child reaches compulsory school age at which point transport will be free. Any parent/carers choosing to make use of transport for children of non-compulsory school age will be aware that this entirely parental preference and no passenger assistant will be provided on mainstream home to school transport routes unless associated with a risk assessed SEND need for an individual pupil. An exemption will be applied to eligible families who qualify under extended rights/low income and young people with Special Educational Needs and Disabilities (SEND) directed to and attending a Resourced Provision, SEND Unit or Special School

1.4 The Council does not provide transport support for children attending Early Years settings (pre-school or nursery age). In exceptional circumstances, the council may use its discretionary powers to facilitate attendance through provision of a range of transport arrangements.

1.5 In most cases, a child's eligibility for free school travel will be assessed following the normal school admissions round once parents have been offered a place for their child to begin primary school, or transfer to secondary school.

1.6 In some cases, eligibility will need to be assessed at other times of the school year, for example due to a family moving house.

1.7 It is parents/carers' responsibility to inform the Council of any changes in their circumstances which may affect their eligibility for travel assistance. This must be done in writing, by contacting the Integrated Home to School Transport Team by email: school.transport@westmorlandandfurness.gov.uk or through re-application via the Council's citizens portal.

1.8 Eligibility will be calculated using the home address provided at the time of application for home to school transport, or re-application following a change of circumstances.

1.9 Transport will only be assessed and, if eligible, provided from one home address which should be the child's main residence. In the case of a child having more than one address, the one which receives the child benefit will be considered the main residence.

1.10 In line with the DfE statutory guidance, there is no expectation that the Council should provide travel to and from two separate addresses.

2 Suitable School

2.1 A suitable school for the purpose of applying this policy is a 'qualifying school' that is suitable for the child's age, ability, aptitude, and any special educational needs they may have. It should also be suitable for the child's sex, for example a girls' school could not be considered the nearest suitable school for a boy.

2.2 'Suitable school' does not mean the most suitable school for a child, or one that the parent considers suitable. The nearest secondary school to the home of a child of secondary school age, for example, will almost always be their nearest suitable school (provided it would be able to admit them). A nearest suitable school may also be in a neighbouring Local Authority.

2.3 Qualifying schools are:

- Community schools, foundation schools, voluntary aided and voluntary controlled schools;
- Academies (including those which are free schools, university technical colleges, studio schools and special schools);
- Alternative provision academies;
- Community or foundation special schools;
- Non-maintained special schools;
- Pupil referral units (PRU);
- Maintained nursery schools (where attended by a child of compulsory school age);
- Children receiving early years provision otherwise than at school and
- City technology colleges and city colleges for the technology of the arts.

2.4 For children with special educational needs, an independent school is also a qualifying school if it is the only school named in their Education, Health, and Care plan (EHCP). Where more than one school is named in the EHCP, the school nearest to the home address named in the EHCP will be the qualifying school.

2.5 Where a child's nearest school is oversubscribed and an application has been made for the school during the normal admissions round, and the admission authority is unable to offer them a place, then the next nearest school with places available will be the nearest suitable school for school travel eligibility purposes, subject to the child meeting relevant distance and other eligibility criteria.

2.6 When a child moves into the area, outside the normal admissions round, the nearest, suitable school for transport eligibility purposes is the nearest school to the applicant's home address, for which the child meets relevant distance and other eligibility criteria, that can offer a place subject to the LA's determination that there are no other nearer, qualifying schools.

2.7 Where an application is made to change schools during the academic year, transport eligibility will be assessed based on the child meeting relevant distance and other eligibility criteria and transport support will only be provided to the applicant's nearest, qualifying school.

2.8 Please note the nearest qualifying school for school travel purposes may not be the catchment school used for admissions purposes.

2.9. If a child is allocated a school place via the Local Authority's Fair Access Protocol, then the place allocated via this process will be the nearest, qualifying school subject the child meeting relevant distance and other eligibility criteria.

3 Statutory Walking Distances

3.1 Statutory walking distances are used to determine whether a child is eligible for free travel to school. Where a child lives within the statutory walking distance (and is not eligible for free travel on any of the other grounds set out in this guidance) the parent/carer is responsible for arranging their child's travel to and from school. There is no expectation that the child will walk, it is for the parent/carer to determine what arrangements would be suitable for their child.

A child under the age of 8 is eligible for free travel to their nearest suitable school

- If it is more than 2 miles from their home.

A child aged 8 years or over is eligible for free travel to their nearest suitable school

- If it is more than 3 miles from their home.

3.2 As a discretionary element the Council will extend the 2 miles statutory walking distance to the end of the term following the child's 8th birthday.

3.3 The Council assesses whether the distance between a child's home and their nearest suitable school is further than the statutory walking distance. Statutory eligibility distances are calculated using the shortest walking route along which a child, accompanied as necessary, may walk in reasonable safety (including footpaths and alternative entrances).

3.4 When deciding on eligibility for assistance with transport, the measurement from home to school will be taken from a fixed point at the property to the nearest entrance point/gate (not always the main entrance) to the school following the nearest available walked route, as defined by the Council's Geographical Information System (GIS). The distance is not the shortest distance by road and the route may include footpaths, public rights of way, bridleways, and other pathways as identified in the Council's GIS system at the point of assessment. This means that in some cases all pupils living in the same street or even in adjoining properties may not be eligible for free home to school transport.

3.5 Where the measurement from home to school is over the statutory walking distance, the available route will comprise footpaths, public rights of way, bridleways, and other pathways as identified in the Council's GIS system at the point of assessment and the maintained road network only for upper limits beyond the statutory walking distance.

3.6 The route measured from a home address to an educational establishment will not necessarily be the route which a bus or any other vehicle commissioned by the council to provide home to school transport to the educational establishment will take.

3.7 All routes are planned and are dependent on the pick up points of students, the size of the vehicle, the suitability of the maintained road network. Transport routes are tendered with pick up points and destinations (education establishments) specified, however the council does not specify which route should be taken, or a route timetable as this is determined by the contracted transport operator and based on their operational practices. Transport tender specifications include the earliest and latest arrival time at school in the morning, the earliest and latest departure from school in the afternoon, the maximum travel time based on the statutory guidance of 45 minutes for primary age pupils and 75 minutes for secondary age pupils, details of pick up points and number of pupils at each pick up point. The precise route to be taken is not specified and is determined by the transport provider based on the route requirements, any height or weight restrictions that may apply and the size of vehicle being used. Transport providers are required to carry out due diligence on all route requirements and carry out route risk assessments and mitigations to ensure the safe transportation of pupils.

3.8 Eligibility on the grounds of statutory walking distance will be calculated on the home address provided at the time of application for home to school transport or following a change of circumstances.

Boarding/Alighting Points

3.9 Where eligibility for home to school transport is confirmed, it is parental responsibility to take/collect pupils to/from the nearest boarding point/ alighting point. This may be up to half a mile for primary aged children and a mile for secondary pupils.

3.10 In cases where the parent/carer believes that the use of the allocated boarding point/ alighting point is unsuitable e.g. due to safety concern, the Council will, upon written request from the parent/carer consider the suitability of the travel arrangement and whether a route safety assessment to the boarding point/alighting point is required.



4 Special Educational Needs, and/or Disability

4.1 A child is eligible for free travel to school if:

- They attend their nearest suitable school, and
- It is within the statutory walking distance of their home, and
- They could not reasonably be expected to walk there because of their special educational needs, disability, or mobility problem, even if they were accompanied by an appropriate adult.

4.2 To be eligible on these grounds, a child does not need to:

- Have an Education Health and Care plan (EHC plan); or
- Have travel to school specified in their EHC plan if they have one; or
- Attend a special school; or
- Live beyond the statutory walking distance.

4.3 Not every child with an EHC plan or who attends a special school will be eligible for free travel to school. To qualify for eligibility on the grounds of special educational needs, disability or mobility problems, the Council will firstly assess against statutory walking distance. If this threshold is not met, the Council will then complete an individual assessment of the child which will take into account the child's physical ability to walk to school, and any health and safety issues related to their special educational needs, disability, or mobility problems. The Council will take into account whether the child would be able to walk to school if they were accompanied by an appropriate adult.

4.4 The Council will consider each application and case on its facts

4.5 Information the Council may consider when assessing a child's eligibility may include (but is not restricted to) the following;

- Information provided by the parent;
- Information provided by any professionals involved in the child's care;
- Information provided by the child's school;
- Any relevant information in the child's EHC plan if they have one;
- Any relevant information in their individual healthcare plan if they have one.

5 Unsafe Walking Route

5.1 A child is eligible for free travel to school if they attend their nearest suitable school, it is within the statutory walking distance of their home, and

- The nature of the route means they could not be expected to walk there in reasonable safety even if accompanied by an appropriate adult, and
- There is no alternative route within the statutory walking distance that they would be able to walk in reasonable safety, even if accompanied by an appropriate adult.

5.2 When assessing whether a route can be walked in reasonable safety, the Council will consider the whole of the route. This will include, for example, any sections that use footpaths or bridleways, as well as sections that use roads. The Council uses the 'Assessment of Walked Routes to Schools Guidelines,' published by Road Safety GB, which provides advice to local authorities on assessing the risk posed to pedestrians by traffic. These guidelines can form the basis of the assessment and are used in conjunction with local context and knowledge.

5.3 Where a child is assessed as not eligible to transport and the parent believes the route to the nearest school is unsafe they can request for the route to be assessed, by making a request by email to: school.transport@westmorlandandfurness.gov.uk

5.4 Route reviews are undertaken periodically. Should transport be given on route safety grounds and it becomes safe at a later date, transport will be rescinded with a minimum of one terms notice.

6 Extended Rights (Low Income)

6.1 Extended rights are designed to support low-income families to exercise school choice. A child is eligible for free travel to school if they meet one of the criteria below and are from a qualifying low-income household.

6.2 Low-income is defined by reference to eligibility for benefits-based free school meals (FSM).

6.3 There are two categories of benefits-based free school meals:

- Targeted FSM – for pupils who are in households in receipt of Universal Credit with annual household earnings of no more than £7,400.
- Expanded FSM – for pupils who do not qualify for Targeted FSM, but who are in households receiving Universal Credit.

6.4 Extended rights to free travel continue to apply to children eligible for Targeted FSM. This reflects existing policy, with updated terminology following changes to FSM made by the DfE from the start of the 2026/27 academic year.

6.5 Westmorland and Furness Council will use the Department for Education's eligibility checking service to determine whether a child meets the criteria for Targeted FSM and so is eligible for extended rights travel.

6.6 The criteria a child must meet are:

- Aged 8 or over but under 11, attend their nearest suitable school and it is more than 2 miles from their home; or
- Aged 11 to 16 years, and attend one of their three nearest suitable schools provided it is more than 2 miles but not more than 6 miles from their home; or
- Aged 11 to 16 years, attend a school that is more than 2 but not more than 15 miles from their home that their parents have chosen on the grounds of their religion or belief if, having regard to that religion or belief, there is no suitable school nearer to their home.

6.7 Where a child qualified for, and was receiving, extended rights travel on 31 March 2025 and continues to meet the eligibility criteria, eligibility for free travel will continue until the end of the child's current phase of education or until they leave their current school, whichever is sooner. This is because those children would have continued to be eligible until this point under transitional protection arrangements that applied prior to the expansion of free school meals and parents may have based their choice of school on this. As with other aspects of home to school transport, local authorities retain discretion to provide continued support to additional pupils where they judge this to be appropriate, taking account of local circumstances.

6.8 Where a child ceases to be eligible during the course of an academic year, the local authority should continue to provide free travel to school for the remainder of that academic year.

6.9 When a local authority assesses, for the purposes of extended rights, whether a child lives more than 2 miles from a school, the route should be measured in the way described in paragraph 3 ie using the shortest route along which a child, accompanied as necessary, may walk in reasonable safety. This is not necessarily the shortest distance by road. When assessing whether a child lives within the 6- or 15 mile upper limits, the local authority should measure road routes only. There is no expectation that a child would walk these distances and so walking routes should not be used for assessing eligibility.

6.10 Where a child attends their nearest school which may be a Westmorland and Furness Council school or in a neighbouring local authority the travel eligibility will be assessed under the criteria of extended rights on application.

7 Further Information on Eligibility

Parental Preference

7.1 Parents have the right to express their preference any school of their choice when applying for a school place, they do not however have a right to free-of-charge travel arrangements to that school.

7.2 Travel eligibility will be assessed in line with the eligibility criteria in this policy.

7.3 If the nearest school is undersubscribed with places available, then it will be the nearest suitable school for travel purposes, and free travel would not be provided to an alternative school that is further away.

7.4 If the nearest school is fully subscribed without places available, then the Council will need to assess if the child could have secured a place had one been applied for.

7.5 This will be done by comparing the child with the last child to be offered a place at the school and determining which of them would have higher priority. This will often be a straightforward matter of determining which child lives closest to the school.

Transport to other education settings

7.6 A child may be eligible for free travel to a place that is not a qualifying school:

- Where they receive education at a place other than a school by virtue of arrangements made by the Council under section 19 (1) of the Education Act 1996.
- Where they are suspended (temporarily excluded) from a school (but remain a registered pupil of that school) and attend an educational establishment that is not a qualifying school and is not within the statutory walking distance of their home, then that educational establishment will be treated as if it were a qualifying school for the purposes of eligibility for free travel.

7.7 Schools should collaborate with the Council when arranging educational provision for a child during a suspension where the pupil might be eligible for free travel to the place where they will be receiving education.

7.8 Travel assistance will not be provided to alternative provision, where the provision has been arranged by the school.

Discretionary Arrangements

7.9 Discretionary transport is a Council decision to provide travel arrangements beyond the statutory requirements. The Council provides discretionary travel arrangements in four areas

- Facilitating transport for children eligible for travel assistance who are starting in reception in September but have not reached the compulsory school age of 5 through the purchase of a seat via the Council's spare seat scheme. When the child turns 5 and reaches compulsory school age, free home to school transport will be provided for eligible children.
- Extend the 2 mile statutory walking distance to the end of term following a child's 8th birthday.
- Post 16 provision – please refer to the post 16 policy statement for details.
- Spare Seat Scheme (including spare seats extra) – where there is capacity in existing dedicated transport services provided for eligible children, it may be possible for spare seats to be purchased by parents - applications are made through the Council website. Please refer to page 16 for full details.

Exceptional Circumstances

7.10 The eligibility criteria as outlined in this policy will apply to most situations; however, the Council also recognises that at times assistance may be required where the Council considers it necessary.

7.11 In line with the statutory guidance, the Council retains discretionary powers in relation to all these matters.

7.12 The Council does not usually consider matters such as parent's working patterns, the cost to the parent of transport, or where parents have children attending more than one school, to be exceptional circumstances, although will consider such matters on a case by case basis.

Removal of Travel Assistance

7.14 If a transport entitlement is given in error and later identified as non-entitled under the council policy, then transport will be honoured with one full terms notice. After this period, the pass will be cancelled and the responsibility for transport to and from school will rest with the parent/carer

7.15 Where a child's eligibility changes on the child's 8th Birthday, travel arrangements will be removed at the end of that term, under the Council's discretionary arrangements.



8 Accompaniment

8.1 A child will not normally be eligible for free travel to school on the grounds of their special educational needs, disability, or mobility problem, or on the grounds that the route is unsafe if they would be able to walk to school if they were accompanied.

8.2 Where the Council determines, following an individual assessment, that a child would be able to walk if they were accompanied, the general expectation is that the parent will accompany them or make other suitable arrangements for their journey to and from school.

8.3 A child will not normally be eligible solely because their parent's work commitments or caring responsibilities mean they are unable to accompany their child themselves although each case will be decided on the individual circumstances and the Council will act reasonably in such cases.

8.4 There is no blanket policy and consideration will be given where parents have a disability or mobility problem that would make it difficult for them to accompany their child. The Council will consider the parents' reasons for not being able to accompany their child or make other suitable arrangements and will require evidence of the parental disability as part of the application.

8.5 Reasons such as the parent's working pattern or the fact they have children attending more than one school, on their own, will not normally be considered good reasons for a parent being unable to accompany their child. These circumstances apply to many parents, and, in most cases, it is reasonable to expect the parent to make suitable arrangements to fulfil their various responsibilities (for example, their responsibilities as an employee and as a parent).

8.6 Where the Council have determined, following an assessment, that a child could not reasonably be expected to walk even if they were accompanied, they will be eligible for free home to school travel regardless of whether their parent would be able to accompany them or make other arrangements for their journey.

9 Children registered at more than one qualifying school

9.1 Some children may be registered at more than one qualifying school, for example if they attend a hospital school or a special school on temporary basis. Children of no fixed abode may be registered at more than one qualifying school because their parent's trade or business requires them to travel from place to place. This is known as dual registration.

9.2 Children with EHC plans may have a 'dual placement' and attend more than one school.

9.3 The School Travel (Pupils with Dual Registration) (England) Regulations 2007 clarify a child's eligibility for free travel to school in these circumstances. Where a child is registered at two qualifying schools which are not pupil referral units, the local authority's duty to provide free travel to school applies to whichever of the schools the child is attending on any school day on which travel is required. Where one of the schools is a pupil referral unit, the child can only receive free travel to the pupil referral unit during the period of suspension or off-site direction.

Section B: How travel assistance will be provided

10 Facilitating Attendance

10.1 The Council will make travel arrangements to enable a child to travel to school for the beginning of the school day, and to return home at the end of the school day.

10.2 There are no requirements for the council to make arrangements:

- For children to travel between institutions during the school day; or
- To enable children to attend extra-curricular activities and other commitments outside school hours; or
- To enable children to get to and from before and after school childcare, whether formal (for example, a childminder) or informal (for example, a grandparent)
- To accommodate part time timetables

10.3 Where particular classes, year groups or pupils have a start or finish time that is different from most pupils at the school, it will not normally be possible for the Council to make separate travel arrangements. Schools may need to make alternative arrangements to accommodate these pupils.

10.4 There may be a small number of circumstances in which the Council considers it appropriate to exercise its discretion and to arrange transport at an alternative time of day, for example if a child has a medical condition which means they are not well enough to attend school for the whole day – this will be through an application, supported with evidence to request transport through exceptional circumstances.

10.5 The Council is not required to arrange travel for an eligible child where:

- Suitable free travel is provided by someone else, for example, their school or Local Transport Authority
- A parent chooses to make their own arrangements for the child's travel to and from school (this does not prevent the parent from later requesting free travel to school, consideration will need to be given for the period involved in arranging alternative travel provision)

10.6 Transport for social care purposes such as respite and after school activities are not covered by this policy.

10.7 When a child is unwell and needs collecting from school, it will be a parent's responsibility to collect them and to determine what action needs to be taken with regards to the child's illness. Transport will not be provided to facilitate work experience/placements.

11 Residential Children

11.1 Where the Council names a residential school in the EHC plan of an eligible child, the Council will provide reasonable free travel to enable the child to attend that school, for example, on a Monday and Friday for children who are weekly boarders, or before and after school holidays for children who board on a termly basis. Where the Council has named a residential school on a 52-week basis, transport will only be provided in exceptional circumstances via the social worker assigned to the family.

12 Travel Arrangements

12.1 It is for the Council to decide how to arrange free travel for an eligible child. The transport will be the most efficient, environmental, and economical method and route suitable for the child's needs. This could be

- A pass on a public service (bus or train), or
- A seat on a school bus service, or
- A direct commissioned service – taxis, minibus or coach

13 Parental Travel Allowances and Independent Travel

13.1 The Council also endorses an inclusive approach to supporting eligible families in certain circumstances to make their own transport arrangements.

13.2 The Council may also provide a parental mileage allowance (parental grant) in some circumstances and with the agreement of the parent. For example, in the event that no existing service is available to accommodate an eligible child. Allowances are paid in arrears at 45p per mile for four journeys a day for daily students, and two return journeys for residential days travelled.

13.3 Where a parent has agreed to receive a parental grant, it will be based on attendance at school, the school will need to sign and confirm attendance.

13.4 The Council may also provide a Personal Travel Budget (PTB) where this is mutually agreeable to the council and the parent/carer. A PTB is an enhanced allowance which is developed and calculated on individual circumstances based on distance and travel time and other factors. Once agreed, parents/carers can use this funding to put whatever arrangements they need to, to ensure their child's attendance at school. A PTB is primarily for circumstances where the child requires additional support with transport to meet a medical, mobility or special educational need, however the offer of a PTB is at the Council's discretion.

13.5 Regular payments including mileage allowance made by the Council to reimburse the cost incurred by a parent in providing a child's travel to school:

- Will not be taken into account in a Universal Credit assessment. (Should the Council need to pay a parent any additional amounts, for example to cover unexpected expenses relating to a child's travel to school, these would be treated as capital in the Universal Credit assessment and the parent would need to declare them)
- Should not give rise to income tax liability, but individuals should continue to satisfy themselves that they meet HMRC's requirements.

13.6 The Council has the right to revoke an allowance if a child's attendance is deemed unsatisfactory and to provide assistance through an alternative travel arrangement. A parent can surrender any agreed allowance at any time; however, consideration will need to be given for the period involved in arranging alternative travel provision

13.7 Independent Travel Training is available for students with a confirmed transport eligibility. In line with the statutory guidance, parental consent to provide Independent Travel Training is required where the pupil is of compulsory school age.

14 Discretionary Spare Seat Scheme

14.1 Parents/carers should consider very carefully if they wish to consider participating in the spare seat scheme. Following changes to the Council's home to school transport policy from September 2027 Post 16 students in Years 12-13 wishing to purchase a spare seat will take priority over students in Year 0 -Year 11.

14.2 The availability of a spare seat is dependent on the capacity of the vehicle/route, and the number of children with a statutory entitlement to home to school transport, allocated to the vehicle/route.

14.3 Parents/carers:

- **Should not base their choice of school on the hope that a spare seat will be available.**
- **Should ensure that at all times throughout the school year they are able, if necessary, to make their own arrangements for their children's school transport.**

14.4 The scheme operates to assist parent/carers who are responsible for making their children's school transport arrangements. It involves making available, at a charge, spare capacity on vehicles contracted to take children entitled to free transport to and from school.

14.5 A key consideration of the discretionary spare seat scheme is to retain access for students whose nearest school does not have a 6th Form and to continue to prioritise Post 16 spare seats above requirements of other year groups. 4 year olds, starting school in reception but who have not yet reached compulsory school age, are also a priority group for a seat, where they would become eligible for free home to school transport under the statutory walking distance when they reach compulsory school age.

14.6 Spare seat(s) can only be sold if they are available based on capacity limits of the vehicle, and if in doing so the Public Services Vehicle Accessibility Regulations 2000 are not contravened.

14.7 Whilst the Council encourages spare seats on school transport vehicles to be used, you should understand the following conditions and constraints before taking part in the Scheme:

- Children with a statutory entitlement to home to school transport to their nearest school always take precedence; This means that potentially, for joint primary and secondary school routes, Post 16 students may have their seat rescinded part way through an academic year, if a reception year child reaches compulsory school age and becomes eligible for free transport.
- Seats will only be available for as long as they are not required by children entitled to free transport;
- A seat is a concession not an entitlement;
- The availability of a seat will not be known until after the start of a school year (usually by mid-October).

14.8 The cost of a spare seat is reviewed each year as part of the Council's budget setting process. The cost for the 2027/2028 academic year will be determined in February 2027. The cost for the current 2026/27 academic year is £867.03, payable in termly instalments as set out below:

Autumn Term	Spring Term	Summer Term
£333.12	£241.85	£292.06

14.9 Pro-rata payments based on the annual cost will be required for passengers who take up a seat after the start of the academic year.

14.10 Single or one way journeys are not available at a discounted rate.

Refunds

14.12 A refund will be given on a pro-rata basis if it is necessary for the Integrated Home to School Transport Team to withdraw a Spare Seat prior to the expiry of a valid permit. The refund will be payable from the date of withdrawal.

14.13 Refunds for permits which are no longer required by the holder will not be made.

14.14 The charges are reviewed annually and any increases may exceed the current rate of inflation.

When will I know if my child can have a spare seat?

14.15 The position regarding the availability of spare seats will not be known until after the start of the academic year. This is likely to be as late as October half term. This is partly because a number of parents/ carers of children for whom the Council has a responsibility to provide transport often make a late application, despite being encouraged to apply by the end of May. (As there is a legal obligation involved, the Council cannot adhere to a fixed deadline for return of applications). Furthermore, the exam results which influence decisions regarding the continued education of Post 16 students at sixth form are not known until the end of August.

14.16 It must be stressed that, until you are advised by the Council that a seat is available, you must make appropriate arrangements to get your child to school.

14.17 Whilst a clear picture will not be known by the start of the academic year, parents/carers are still advised to make an early application for a spare seat as date of receipt may have a bearing on spare seat allocation. New applicants should not forward any payment until asked to do so. Payment for ongoing Spare Seat Scheme passengers must be made by the given deadline. If, after payment has been made it is unfortunately not possible to offer a seat, a full refund will, of course, be given.

Which spare seat applications would be offered a seat first?

14.18 New spare seat applications are allocated as follows and dependent on seat availability

Primary Transport	Secondary Transport	Joint Transport
n/a	Post-16 students in Years 12-13	Post-16 students in Years 12-13
Year 0 (reception) pupils eligible for free home to school transport when they reach compulsory school age	Year 11- in order of date received	Year 0 (reception) pupils eligible for free home to school transport when they reach compulsory school age
Years 1 to 6 – in order of date received	Year 10 - in order of date received	Year 11 - in order of date received
n/a	Years 9 – 7 - in order of date received	Year 10 - in order of date received
n/a	n/a	All other applications for Primary or Secondary pupils will be in order of date received

Boarding Point

14.19 The routes of private hire vehicles are organised to meet the Council's responsibilities for children who are entitled to free transport. Your child would therefore be collected at the nearest boarding point determined by the Council. This boarding point may be some distance from your home and it is your responsibility to ensure your child is taken to and collected from the boarding point. The Council reserves the right to alter boarding points according to circumstances.

Withdrawal of spare seat

14.20 The withdrawal of a spare seat or the provision of a less convenient boarding point, whilst most regrettable, is sometimes unavoidable. Where possible a minimum of one week's notice will be given to parents/carers. However, on occasions it may be necessary to make such changes at very short notice ie 24 hours. This is because the Council must give priority at all times to children who have a statutory eligibility to free transport.

14.21 If it is necessary to withdraw spare seats, it would be done on an individual basis in the following order:

- Last on-first off, with further prioritisation in year groups as set out in the table below.
- Post-16 students

Primary Transport	Secondary Transport	Joint Transport
Years 0 – 6 last on first off	Years 7-9 – last on first off	Years 0 – 6 last on first off
n/a	Year 10 – last on first off	Years 7-9 – last on first off
n/a	Year 11 – last on first off	Years 6, 10 and 11 – last on first off
n/a	Post 16 – Year 12 – last on first off	Post 16 – Year 12 – last on first off
n/a	Post 16 – Year 13 – last on first off	Post 16 – Year 13 – last on first off

Increase of vehicle capacity to accommodate applications for spare seats

14.22 Vehicle capacity cannot be increased or unnecessarily maintained at the Council's expense to cater for spare seat passengers.

14.23 As a direct result of changes to the Council's home to school transport policy, there will be a transitional period where eligibility to free transport to catchment schools will cease from September 2027. As a direct consequence, the availability of spare seats is expected to gradually reduce and in some cases, may disappear as routes are rationalised and reduced to reflect the needs of children who are entitled to free transport.

Spare Seat "Extra"

14.24 There may be some instances where seats can be offered but this may be at a greater cost than the standard spare seat price to ensure full cost recovery for the Council. These seats are categorised as Spare Seat "Extra".

14.25 On existing contracted runs, where reasonably possible and the increased costs are fully met by parents/carers, vehicles can be rerouted or larger ones provided to cater for pupils not accommodated on the existing provision.

14.26 Where there is demand for spare seats for non-eligible pupils and the cost of council commissioned routes would be financially detrimental to the council, or where such arrangements are impossible or impractical, parents/carers of non-eligible children may wish to enter into a private arrangement with an operator. The Council is committed to working with schools, transport operators and to reviewing scheduled bus service opportunities to look for solutions, particularly where there are areas of high demand.

14.27 The Council recognises that spare seat travel is both economic and convenient for parents/ carers and that many would like to see a more generous scheme in operation. However, the introduction of a more generous policy to extend the transport network and increase capacity across the County would have significant financial implications for the budget.

Travel Pass

14.28 Once your child has been allocated a spare seat, a travel pass will be issued provided that an application form has been completed and the appropriate payment made. The travel pass must be carried by your child and produced for the driver on each journey otherwise your child may be refused access to the 'vehicle'. The travel pass can be used only on the designated service by the named holder and must not be given to anyone else to use. If your child loses their travel pass, a replacement may be obtained from the Integrated Home to School Transport Team at a charge of £16.10 (updated annually).

Section C: Suitability of Travel arrangements

15 Considering the Child's Needs

15.1 The Council will ensure that any travel arrangements they make will take account of the needs of the child concerned. For example, it would not be appropriate to provide a pass for free travel on a service bus to a child whose special educational needs meant they would be unable to travel on a service bus.

15.2 Any travel arrangements should enable the child to travel in reasonable safety and comfort, and without undue stress, strain, or difficulty, so that wherever possible they arrive at school ready to learn.

15.3 It is not a requirement to provide all children with 'door to door' transport. Many will be able to walk to a suitable pick-up point, up to a mile, from the home or school address, provided they would be able to do so in reasonable safety, accompanied by an appropriate adult if necessary. If, following an assessment of needs, a child is not able to walk to a pickup point accompanied as necessary, the Council will provide an alternative which can meet their need.

15.4 The waiting point for transport to school or college will be a public stop or station or, in the case of commissioned transport, a named point which is deemed safe, both for children to wait and vehicles to stop. The Council's transport contractors are required to risk assess routes, including pick up and drop off points.

15.5 If the transport provided needs to meet a connecting service, the driver of the first vehicle will wait with children until the connecting vehicle arrives. The waiting time between connections will normally be no longer than 10 minutes. The meeting point will be suitable for the safe transfer of children.

15.6 When children are transported using a taxi or private-hire vehicle, that is not a public service vehicle, it must have one seat belt per seat. Where specified in a child's individual transport risk assessment, an appropriate child car seat, booster seat or other specialist equipment must be used.

15.7 Some children may need additional arrangements to be made to meet their needs. In these cases, the Council will carry out an individual transport risk assessment for the pupil, to identify risks and mitigations required whilst on transport. If children travel in a wheelchair this must be to requisite safety standards and properly fixed in the vehicle in accordance with manufacturer guidelines.

16 Children with Medical Needs

16.1 When the Council makes travel arrangements for a child with medical needs, the Council will consider if and how those needs might affect the child during their journey to and from school and, where necessary, put in place proportionate arrangements to manage those needs.

16.2 Not every child with the same condition will need the same arrangements, assessments will be undertaken on a case-by-case basis. The assessment will consider:

- The medical condition, its triggers, and symptoms; and
- The likelihood and consequences of the condition affecting the child on the journey to and from school; and
- The action that may need to be taken to manage the condition, for example whether the child may require medication and, if so, what dosage is required, how it should be administered, and by whom.

16.3 If a child has a medical need, parents must alert the Council to discuss their child's conditions, this may result in a risk assessment requirement before any transport can be arranged. This request should be made via SEND.transport@westmorlandandfurness.gov.uk

16.4 If a child has an EHC plan or individual healthcare plan, these may contain information that is relevant to the Council's assessment of medical need. There is a requirement for the school to share information from the individual healthcare plan with the Council, where it is relevant to the journey to and from school.

16.5 The Council may sometimes need to seek specialist advice about a child and their condition. A range of different health professionals may be involved in a child's care, for example a community nurse, specialist nurse or doctor. A parent/carer should be able to help the Council identify the appropriate health professional in relation to their child.

16.6 The Council will ensure the driver of a vehicle providing dedicated school transport, and any passenger assistant involved in providing the child's travel, are aware of the child's needs and how to respond to them and have received any necessary training.

16.7 There is no expectation that a child's routine/daily medication will be administered on the journey to and from school, or that routine medical procedures will be carried out. The Council operates a 999 policy unless there are specific, agreed cases where emergency medication is carried and may be required to be administered as referenced in an Individual Healthcare Plan.

16.8 Where a risk assessment recognises that it may sometimes by exception be necessary to administer a child's emergency medication, the Council will ensure that the passenger assistant receives all relevant training and the medication would be administered in accordance with instructions from a health care professional in the Health Care Plan, seizure management plan or other agreed document.

17 Journey Times and Routes Taken

17.1 The statutory guidance states that as a general guide, the maximum journey time for a child of primary school age should be 45 minutes each way, and 75 minutes each way for a child of secondary school age. However, there may be circumstances in which this is not possible, for example in rural areas where children live in remote locations, where a child needs to travel a long way to the school named in their EHC plan, or when journey times are extended by traffic delays. In such cases, arrangements and journey times will consider a child's individual needs.

17.2 Wherever possible, a child should not be expected to make several changes on public transport. Westmorland and Furness, by the nature of its geography, makes transporting within the general guidelines difficult to achieve in some cases. Whilst the Council would expect any direct journeys not to exceed the guidance, to ensure transport is provided as efficiently and environmentally as possible, and to reduce the number of vehicles required in order to meet its sustainability duty, the Council anticipate some journeys may exceed this recommendation. Where this is the case, the Council will not expect the child to make several changes on public transport.

17.3 Travel arrangements for children with special educational needs, disability or mobility problems can be particularly complex to make. Shorter journeys may be particularly desirable, perhaps because a child's special educational needs or disability mean they become distressed while travelling, but a child may need to travel a long way to the school that is able to meet their needs and one vehicle may need to collect several children. Travel arrangements may be relevant to the decision about the school that should be named in the EHC plan.

17.4 Where long journeys are unavoidable, the Council will consider whether there are measures that can be taken to minimise the negative impacts for the child, working with parents and schools to develop a plan or include mitigations in the individual transport risk assessment.

17.4 The route measured from a home address to an educational establishment will not necessarily be the route which a bus or any other vehicle commissioned by the council to provide home to school transport to the educational establishment will take.

17.6 All routes are planned and are dependent on the pick up points of students, the size of the vehicle, the suitability of the maintained road network. Transport routes are tendered with pick up points and destinations (education establishments) specified, however the council does not specify which route should be taken, or a route timetable as this is determined by the contracted transport operator and based on their operational practices. Transport tender specifications include the earliest and latest arrival time at school in the morning, the earliest and latest departure from school in the afternoon, the maximum travel time based on the age of pupils, details of pick up points and number of pupils at each pick up point. The precise route to be taken is not specified and is determined by the transport provider based on the route requirements, any height or weight restrictions that may apply and the size of vehicle being used. Transport providers are required to carry out due diligence on all route requirements and carry out route risk assessments and mitigations to ensure the safe transportation of pupils.

18 Safeguarding

18.1 The safeguarding of children is of paramount importance. The Council will ensure that:

- An enhanced Disclosure and Barring Service (DBS) check, with a check of the children's barred list, has been carried out for drivers and passenger assistants involved in providing dedicated school transport; LGA guidance for taxis
- Drivers and passenger assistants have received any training they need to perform their role in relation to safeguarding
- Drivers and passenger assistants know how to report any concerns they have about the children in their care;
- They share any concerns they have about the driver of a taxi or private hire vehicle with the authority that licenses it;
- They consider whether concerns they have about a driver should be referred to the DBS.

18.2 Where concerns are present regarding the safeguarding of a child a referral must be made via the Westmorland and Furness Council Safeguarding Children Partnership as soon as possible. wfscp.org.uk/how-report-concern. Where there are concerns around safety, these can be raised by phoning 0300 373 2724 or the website.

19 Training

19.1 Under the Home to School Transport Contract Terms and Conditions, the Council requires all transport personnel to undertake specified training which includes the following as a minimum standard

- Safeguarding
- Spectrum course
- Handling of emergency situations
- Any specific training to meet the needs of the children in their care.

19.20 Passenger Assistants who are required to administer medication will receive relevant training to ensure they are competent to fulfil that responsibility.

20 Behaviour on School Transport

20.1 The Council will collaborate with schools to promote good behaviour on school transport. Schools have the power to sanction pupils for misbehaviour outside the school premises to such an extent as is reasonable, including for misbehaviour which takes place on school transport. Unacceptable behaviour may include, but is not limited to, being rude, pushing and kicking, bullying, verbal abuse, distracting the driver, refusing to wear a seatbelt, or refusing to remain seated. It may endanger the safety and wellbeing of other people.

20.2 The Council and schools will work together to:

- Set high expectations for children's behaviour on school transport and ensure they are communicated clearly to parents and children;
- Ensure arrangements are in place to report and manage incidents of unacceptable behaviour;
- Work with operators to put in place measures to manage unacceptable behaviour where it occurs.

20.3 The Council will ensure drivers and passenger assistants where provided have received any training they need to manage children's behaviour while travelling.

20.4 Where a child's behaviour is indicative of their special educational needs or disability, for example a way of communicating they are in distress, personalised guidance or individual transport risk assessments will be provided to the transport provider, following information gathered by school and parents, on how to best manage these situations.

20.5 An eligible child's travel arrangements may be withdrawn as a last resort and, in these circumstances, the Council will meet their duty in respect of the eligible child in an alternative way.

21 Additional Information about Travel Arrangements

Provision of Passenger Assistants

21.1 There is no requirement under the statutory guidance for the Council to provide passenger assistants on home to school transport.

21.2 The Council will not provide Passenger Assistants on mainstream home to school transport routes unless they are specifically required to accompany a child with SEND and this is written into their individual transport risk assessment. Should this situation arise, the passenger assistant is only responsible for the care of the named child, not the other passengers on the vehicle.

21.3 Where a pupil's individual need identifies, through an individual transport risk assessment that support is required, this will be provided on a case by case basis. There is no formal ratio for passenger assistant to pupil support, and this will be assessed and determined by the needs of all children allocated to a specific route.

Severe weather

21.4 In circumstance where severe and adverse weather conditions are forecast, which may result in a school closure, schools will follow their emergency procedures and;

- Inform parents and staff.
- Inform home to school transport contractors.
- Inform the Council.

21.5 The Council will make suitable arrangements to provide transport to enable eligible children to return home. The arrangements may be different to the normal commissioned provision in the event of an emergency. School closures are published on the Council website and through local radio stations.

Change of school hours

21.6 If a school or academy wants to change its start and finish times it should follow best practice and, before carrying out a consultation with affected parties, advise the Council of their proposed changes so that the Council can review and advise of the implications for school transport. Any consultation should be at least three months before the planned change, and the school must include the Council in their consultation.

21.7 Good practice suggests that schools can only change the times of the school day at the start of the academic year, i.e. in September. Where a school or academy, following the consultation alters its hours, without agreement of the Council, the school will be expected to meet any additional transport costs for the remainder of the council's contract for applicable services.

Early finishes – end of term

21.8 Where schools finish earlier in the school day than normal, for example the last day of term, it will be the school's responsibility to notify the Council in a timely manner so that this request can be explored with the transport provider. It may not always be possible for the Council or the transport provider to accommodate such changes, as these are outside of contractual arrangements. If there are additional costs incurred as a result of these changes, the school is responsible for payment of these. It is also schools responsibility to ensure parents are notified of any changes to the school day. If a transport provider is unable to accommodate the early finish, it is the school's responsibility to make alternative arrangements, at their cost.

Co-ordination of training days

21.9 There are three common training (inset) days agreed across Westmorland and Furness. The agreed school term dates and training days for each academic year can be found on the Westmorland and Furness Council website. Schools with shared transport arrangements are encouraged to co-ordinate their training days to ensure the most efficient use of the transport network and reduce additional carbon emissions, in line with the Council's sustainability duty.

Federations of schools

21.10 Where a group of schools agree to a federation in which pupils may be temporarily taught on different sites, travel arrangements will only be provided in line with the eligibility criteria. Any transport between school sites is the responsibility of the school/federation.

Transition/taster days

21.11 The Council is unable to provide additional resources to cover transition days. It is the responsibility of the school and parents to enable children to participate in these activities. Schools are permitted to liaise directly with transport providers to facilitate transport in these circumstances, however transport providers are under no obligation to accommodate requests.

Transport assistance following a school closure or reorganisation

21.12 The Council's normal home to school transport policy will be followed. However, depending upon circumstances, the Council would, following a school closure consultation, have discretion to determine that alternative arrangements should apply.



Section D: Local school travel policies

22 Children and Young People's Home to School Travel Assistance policy for children from reception to year 11

22.1 The Council will:

- Publish the policy on the Council's website;
- Make available on request a paper format of the policy;
- Include information about the school travel policy in the Council's composite prospectus for school admissions (which must be published by 12th September each year);
- Include information about travel to school for children with special educational needs and disabilities in the SEND Local Offer [SEND Local Offer | Westmorland and Furness Council](#)

22.2 The Council will keep the home to school travel policy under regular review to ensure it continues to meet local needs and comply with statutory requirements. Any reviews will be completed, and the published policy will be available by 19th September each year, so that parents may take it into account when deciding which schools to apply for during the normal admissions round.

22.3 Parents should consider how their children will get to school at the time they are choosing which schools to apply for. For some, the availability of free travel to school may be a key factor in their decision making.

22.4 Information about travel to school and checking which is your nearest school can be found on the Council's website at: www.westmorlandandfurness.gov.uk

22.5 When reviewing and proposing changes to the Council's home to school travel policy which may affect children's eligibility for transport, the Council will consult locally. As a minimum:

- Schools whose pupils will be affected by the proposed changes, including those located in other local authority areas;
- Parents whose children will (or may) be affected by the proposed changes, including those whose children attend a 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;
- The local Parent Carer Forum.

22.6 Consultation will last for a minimum of 28 working days during term time. The Council will have consideration for:

- The impact proposed changes to the policy will have on parents' choice of school, particularly where travel arrangements have been made to support parents' preference for their children to attend a school with a designated religious character (some such arrangements are associated with long-standing local agreements about the siting of schools);
- The financial impact the changes will have on affected families, paying particular attention to the potential impact of any changes on children from low-income families;
- The impact the changes will have on people with protected characteristics.

22.7 Wherever possible, any changes made to the home to school travel policy will be phased in to allow children who begin attending a school under one set of travel arrangements continue to benefit from those arrangements until they leave that school or have a change in circumstances.

23 Transport Beyond Compulsory School Age

23.1 A separate policy statement will be published on or before 31st May each year outlining the Council's position and travel offer for Post 16 and Post 19 with an EHC plan. The Post 16 Policy statement including any discretionary offer is reviewed and published on a yearly basis and is valid for the forthcoming academic year only.

24 Exemptions

24.1 The Council will use its discretionary powers to apply the following exemptions.

24.2 Mainstream routes which would require travel over Kirkstone Pass or Hartside Pass to access the nearest school where this is through an application for a school place. In these circumstances, eligibility to the next nearest school would be retained. This is in consideration of the potential seasonal risks associated with the high-altitude routes of Hartside and Kirkstone Passes and the duration of any alternative routes.

24.3 Four-Year-olds who have Special Educational Needs and Disabilities (SEND), are not of compulsory school age and are directed to a Resourced Provision, SEND Unit or Special School are exempt from the charge for a spare seat as set out in para 1.3.

24.4 Four-Year-Olds who qualify for home to school transport are exempt paying for a spare seat until they reach compulsory school age as set out in para 1.3.

24.5 The Council retains discretionary powers in relation to all matters of home to school transport policy.

Section E: Transport Appeals

A transport appeal can only be made on the following grounds:

- Eligibility;
- Distance measurement of the walked route;
- Safety of the walked route;
- Transport arrangements that have been made for an eligible child.

25 Appeals Procedures

25.1 Where a parent wishes to challenge the initial decision in relation to statutory transport there is a two-stage appeal process.

25.2 Stage 1: A request for a stage 1 review must be made in writing within 20 working days of the initial decision letter. The request:

- Should clearly state the reasons for the challenge and include any new documentary evidence.
- Will be reviewed by senior officers, the original decision may be upheld, overturned or alternative solutions suggested.
- Where travel assistance is agreed the Council will make the necessary transport arrangements.
- Where transport is not agreed, parent/carer will be told in writing and parents who are not satisfied with that decision will be informed of the next and final stage of the appeal process.

25.3 Stage 2: A stage 2 appeal must be made in writing by completion of an appeal form within 20 working days of receipt of the stage 1 response:

25.4 The appeal form must clearly state the reasons why parent/carers challenge the stage 1 response and provide any new documentary evidence.

25.5 Stage 2 appeals are heard within 40 days of receipt of the appeal form by the Appeals Panel which consists of a panel of three, usually comprising a Director, representative of Legal Services, a Senior Manager. The panel is independent from any decision making or review which had taken place initially, or at Stage 1 appeal.

25.6 Parent/carers can attend the appeal hearing Each case is considered on its merits

- The Appeals Panel considers the policy guidelines but may recommend departure from those guidelines in exceptional cases
- When a decision is made, this will be communicated in writing within five working days, including the reasons for the decision. This decision is final.

25.7 Where the person is unhappy with the outcome, they will be advised how to escalate it to the Local Government & Social Care Ombudsman at, www.lgo.org.uk, who may investigate to decide whether there has been any maladministration.

26 Complaints Procedure

26.1 The Council wants to maintain high standards of reliability of the transport it provides for pupils. The Council makes sure that complaints by parents and schools are investigated and satisfactorily resolved. Where there are concerns about transport these can be raised by phoning 0300 303 1591 (option 2) or via Westmorland and Furness Council's website [Make a complaint | Westmorland and Furness Council](#)

Section F: Sustainable Travel

Changes to legislation brought about by the introduction of the Education and Inspection Act 2006 added to the Education Act 1996 a general duty on the Council to promote the use of sustainable travel and transport. Under the School Information (England) Regulations 2008 the Council is required to publish the general arrangements and policies in respect of transport for pupils of compulsory school age to and from school, sixth form centres and further education colleges.

There are four main elements to the duty:

- An assessment of the travel and transport needs of children and young people within the Council's area;
- An audit of the sustainable travel and transport infrastructure within the Council that may be used when travelling to and from or between schools/institutions;
- A strategy to develop the sustainable travel and transport infrastructure within the Council, so that the travel and transport needs of children and young people are better catered for;
- The promotion of sustainable travel and transport modes on the journey to, from and between schools and other institutions.

27 Sustainable Travel Strategies

27.1 The Council is developing a Sustainable Modes of Travel Strategy which will combine information from existing policies and aspirations. An interim document is available on the Council's website [Making school transport sustainable | Westmorland and Furness Council](#) pending further development.

27.2 The Council is committed to reducing climate change and promoting sustainable travel as set out in its priorities in the following.

[**Westmorland and Furness Climate Change Action Plan Part One and Two**](#)

[**Climate change and natural environment | Westmorland and Furness Council**](#)

[**WFC Carbon Management Strategy 2024-2029.pdf**](#)

28 Sustainable Travel Programmes

27.1 Independent Travel Training - ITT Travel Training is a step-by-step process by which a person learns to travel a specific route, between two given places, on their own and in a safe and responsible way. Information on the Council's Independent Travel Training Officer can be found on the Local Offer Home to school transport | Westmorland and Furness Council . Some schools may also offer travel training within their curriculum – please speak to your school if this is something they offer.

Section G: Useful Information

General enquiries, Spare Seat enquiries, concerns regarding transport:

[**school.transport@westmorlandandfurness.gov.uk**](mailto:school.transport@westmorlandandfurness.gov.uk)

General enquiries SEND, medical, mobility and EHCP SEND Enquiries relating to existing transport

[**SEND.transport@westmorlandandfurness.gov.uk**](mailto:SEND.transport@westmorlandandfurness.gov.uk)

Complaints, comments or compliments:

[**Making a complaint | Westmorland and Furness council**](#)

Appeals :

Please refer to page 26 [**Appeal a decision made about school transport | Westmorland and Furness Council**](#)

Useful Webpages :

[**School transport for reception to year 11**](#)

[**Apply for school transport | Westmorland and Furness Council**](#)

[**Transport to sixth form or college**](#)

[**Post-16 Transport and the 16-19 Bursary Scheme | Westmorland and Furness Council**](#)

[**Spare Seats**](#)

[**If your child is not eligible for home to school transport \(Spare Seats Scheme\) | Westmorland and Furness Council**](#)

[**Bus timetables**](#)

[**Bus services | Westmorland and Furness Council**](#)

[**Replace a school bus pass**](#)

[**Request a replacement lost or stolen school bus pass | Westmorland and Furness Council**](#)

Department for Education statutory guidance for children of compulsory school age

[**www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance**](https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance)

Parent's responsibility to ensure their child receives education

Section 7 of the Education Act 1996 requires parents to ensure their children of compulsory school age receive a suitable full-time education. If a child of compulsory school age is registered at school but fails to attend school regularly, their parents may be guilty of an offence and can be prosecuted by the local authority. Under section 444 (3B) of the same act, parents will have a defence in law against such prosecution if the child is eligible for free travel to school and the local authority has failed to make home to school travel arrangements for them.

Glossary of Terms

Accompanied: Where a child is not eligible for transport under the policy, the expectation is that a parent will accompany their child to and from school or make other suitable arrangements for their journey to and from school.

Belief: Defined by section 509AD (3) of the Education Act 1996 as any religious or philosophical belief. A reference to belief includes a reference to lack of belief.

Bulk Admission Round : The application round when children normally start at school for the first time i.e. Reception, when they transfer from an infant school to a junior school and when they start secondary school in year 7. See Normal admissions round.

Catchment Area : This is a defined geographical area that is served by a named primary and secondary school. Most home addresses fall into a catchment area for school admissions purposes. The catchment school may not be the nearest school to the home address and eligibility for free transport to that school would not apply in that circumstance.

Compulsory School Age: A child reaches compulsory school age on the prescribed day following their fifth birthday, or on their fifth birthday if it falls on a prescribed day. Prescribed days are the 31st of December, 31st of March and 31st of August. A Child ceases to be of compulsory school age on the last Friday in June in the academic year in which the reach age 16.

Dedicated School Transport: Transport which exclusively carries children and young people to and from their place of education and cannot be boarded by the public.

Designated Religious Character: Schools with a designated religious character are schools which are designated as such under section 69(3) of the School Standards and Framework Act 1998. They may deliver religious education and collective worship in accordance with the tenets of their faith. They may also prioritise admissions for pupils of their faith and recruit staff on the basis of their faith.

Disability: Defined in section 6 of the Equality Act 2010. A person has a disability if they have (a) a physical or mental impairment, and (b) that impairment has a substantial and long-term effect on their ability to carry out normal day-to-day activities. A chronic physical or mental health condition may constitute a disability. Not all disabilities are visible.

Education Health and Care (EHC) plan: An Education, Health, and Care (EHC) plan details the education, health and social care support that is to be provided to a child or young person who has special educational needs or a disability. It is drawn up by the local authority after an EHC needs assessment of the child or young person has determined that an EHC plan is necessary, and after consultation with relevant partner agencies.

Home-to-school travel arrangements are not normally considered to be special educational provision. In exceptional cases travel arrangements may be deemed to constitute special educational provision because they fulfil an education or training function. In these circumstances the travel arrangements should be recorded in section F of the EHC plan.

Travel costs can also be provided as part of a Personal Budget, where one is agreed and included in the EHC plan as part of the special educational provision. This should be recorded in section J of the plan.

Free School Meal Criteria (extended rights): The eligibility criteria is:

Extended rights are designed to support low-income families to exercise school choice. A child is eligible for free travel to school if they meet one of the criteria below and are from a qualifying low-income household.

Low-income is defined by reference to eligibility for benefits-based free school meals (FSM).

There are two categories of benefits-based free school meals:

- Targeted FSM – for pupils who are in households in receipt of Universal Credit with annual household earnings of no more than £7,400.
- Expanded FSM – for pupils who do not qualify for Targeted FSM, but who are in households receiving Universal Credit.

Extended rights to free travel continue to apply to children eligible for Targeted FSM. This reflects existing policy, with updated terminology following changes to FSM made by the DfE from the start of the 2026/27 academic year.

Geographical Information System (GIS): This is the Westmorland and Furness Measuring system which is used for measuring the home to school distances for both school admissions and home to school transport purposes. It includes footpaths, roads, and public rights of way as identified in the council's system at the time a school place is allocated or an application for home to school transport is made. This is used consistently for all measurements and the distances will vary to other measuring systems.

Home address: This is the place where a child is habitually and normally resident with their main carer/parent. There may be circumstances where a pupil has more than one home address for example where parents are separated, the address used for assessing eligibility will be the one used to apply for home to school transport. In the case of a child having more than one address, the one which receives the child benefit will be considered the main residence and the Council will not provide assistance with transport from more than one home address. There is no expectation that local authorities should provide travel to and from two separate addresses.

Individual Healthcare Plans (IHP): Drawn up by schools in consultation with parents and relevant health professionals. They capture the key information and actions that are required to effectively support a child with medical needs in school. Schools may wish their policies on supporting pupils with medical conditions to refer to home to school travel and the Council may ask for the IHP when assessing transport for pupils with medical conditions.

Licensing Authority: Taxi and private hire operators and drivers must be licensed by Westmorland and Furness licensing authority.

Medical need: A health need that has the potential to put a child's safety or wellbeing at risk while travelling to and from school.

Mobility Need: A physical impairment that impacts a child's ability to walk to school.

Normal Admissions Round: Also known as bulk rounds. This is the period during which parents apply for school places at the normal point of entry into a school i.e. reception and transfers to Year 7. The deadlines for applications are 31 October for secondary school places and 15 January for primary places. Places are offered to parents on National Offer Day. Secondary National Offer Day is 1 March, or the next working day. Primary National Offer Day is 16 April, or the next working day.

Parent: References to parent in this document include birth parents, adoptive parents, foster parents,

carers, or legal guardians with parental responsibility.

Parent carer forum: A voluntary organisation made up of parents and carers from a local area who have children with SEND. They work with local authorities, schools and other professionals to support the strategic participation of parents, carers and their families in local SEND policy service and delivery. We are currently developing a new Parent Carer Forum for Westmorland and Furness. In the interim, Contact: For Families with Disabled Children are holding our Parent Participation Grant, and are currently the point of reference.

Personal Safety: The matter of personal safety for a child who is not eligible for transport under the policy is one of parental responsibility. It is also the responsibility of the parent for the child's safety to and from the transport provision.

Private Hire Vehicles (PHV's): May carry up to 8 passengers and can only be pre-booked via a licensed private hire vehicle operator. See also the definition of taxi below.

Religion: Section 509AD (3) of the Education Act 1996 defines religion as any religion. A reference to religion includes a reference to a lack of religion.

Road route: A route passable by a motor vehicle, This excludes private/unadopted roads unless passable and mapped.

Safeguarding: Defined in Keeping Children Safe in Education Keeping children safe in education - GOV.UK (www.gov.uk) as:

- Protecting children from maltreatment
- Preventing the impairment of their mental and physical health and development
- Ensuring they grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

School day: Schools are responsible for deciding when their school day will start and end. The expectation is that the Council will arrange travel for eligible children to enable them to attend for the 'normal' school day. Schools should organise the school day and school week in the best interest of their pupil cohort. They are expected to act reasonably when making changes to their school day or week. It is unacceptable for them to shorten their day or week unless it is a direct action to enhance pupils' education.

Selective school: A school that can select all or some of the children it admits by testing for aptitude or ability, for example a grammar school. Selective schools are not normally considered when identifying a suitable school unless the child has secured a place there.

Special Educational Needs (SEN): Defined in section 20 of the Children and Families Act 2014. A child or young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her.

Taxis: Also known as Black Cabs or Hackney Carriages – unlike the definition of PHV – these can also operate on taxi ranks and can be accessed if hailed on the street. See also definition of a private hire vehicle above.

Walk: In this document, walk has its literal meaning. A child could not be considered to be able to walk to school if they would need to travel in a wheelchair, but the Council may decide for example, that suitable travel arrangements for a child would be an assistance to push them in the wheelchair.

Wheel: Refers to people who use wheelchairs and mobility scooters and may not identify with walking.

Appendix 1 – Examples provided by the Department for Education

Eligibility examples

Child A is thirteen years old. Their nearest school is a co-educational secondary school that is 3.4 miles from their home. Their parents choose to send them to a single sex secondary school that is 5.3 miles from their home. Child A is not eligible for free travel to the single sex school because the co-educational secondary school is their nearest suitable school.

Child B is twelve years old. They attend School 1, a secondary school 3 miles from their home. Their parents chose this school because it offers a choice of several modern foreign languages at GCSE. School 2 is 1 mile from Child B's home and would have been able to admit them, but it only offers one modern foreign language. Child B is not attending their nearest suitable school because School 2 would have been able to provide them with an education that was suitable for their age, ability, and aptitude.

Statutory Walking Distances examples

Child C is six years old and attends their nearest suitable school. It is 2.3 miles from their home. Child C is eligible for free travel to school.

Child D is seven years old and attends a primary school that is 2.6 miles from their home. There is another suitable primary school 1.2 miles from their home which has places available. Child D is not eligible for free travel to school, as they are not attending their nearest suitable school.

Child E is eleven years old and attends their nearest suitable school. It is 2.6 miles from their home. Child E is not eligible for free travel to school.

Special education needs and or disability examples

Child F is fourteen years old and has a disability that requires them to use crutches to walk. They need to take their time to ensure they are balanced. They attend their nearest suitable school. It is 1 mile from their home. The local authority decides that they could not reasonably be expected to walk to school. Child F is eligible for free travel to school.

Child G is eleven years old and has been diagnosed with a long-term medical condition which causes them to take a long time to recover after strenuous physical activity. They attend their nearest suitable school which is a short walk from their home. The parent applies for free travel to school on the basis that the child needs to recover for a long time after any strenuous activity. Based on the information available to them, the local authority decides that Child G would not need to recover for a long time after the short walk to their school. Child G is not eligible for free travel to school.

Unsafe routes example

Child H is twelve years old. They attend their nearest suitable school. It is 2 miles from their home. The only walking route to this school is along a busy road with no footpaths or stepping off points. The local authority carries out an assessment of the route and decides it would not be possible for a child to walk it in reasonable safety, even if they were accompanied by their parent. Child H is eligible for free travel to school.

Extended Rights examples

Child I is eleven years old and eligible for Targeted FSM. Their nearest suitable school is 2.5 miles from their home. Their second nearest suitable school is 3 miles away. Their third nearest is 5 miles away. Child I would be eligible for free travel to any of these schools.

Child J is eleven years old and eligible for Targeted FSM. Their three nearest schools are School X, School Y and School Z. School X is 1.5 miles from their home, School Y is 2.2 miles from their home, and School Z is 5.5 miles from their home. Child J would be eligible for free travel to School Y or School Z, but not to School X.

Child K is thirteen years old and is eligible for Targeted FSM. Their parents are Sikh and wish them to be educated in a school with a religious character. They attend a designated Sikh school that is 8 miles from their home. There are other schools which are nearer to their home, but none of these is a Sikh school. Child K is eligible for free travel to the Sikh school.

Parental Preference examples

Child L is eleven years old and attends School 1 which is 4.2 miles away from their home. Their parents applied for this school as their first preference. The nearest secondary school is School 2 which is 3.7 miles from their home. They chose not to apply for this school, despite information on the eligibility for free travel to school being readily available at the time they submitted their preferences. School 2 is undersubscribed, and Child L would have been offered a place there had their parents applied. Child L is not eligible for free travel to School 1 because School 2 is their nearest suitable school and has available places.

Child M is eleven years old and attends the second nearest secondary school to their home. It is 4.2 miles away. Their nearest secondary school is 3.7 miles from their home. Their parents applied for this school, but it was oversubscribed, and they were not offered a place. Child M is eligible for free travel to school as they are attending their nearest suitable school with available places.

Accompaniment examples

Child N is nine years old and has autism. They attend their nearest suitable school which is 2.5 miles from their home. They are unaware of danger and need to be accompanied even on very short journeys. They also become distressed and can act unpredictably in noisy environments. Their walk to school would be along busy roads. The local authority determines that the parent would not be able to keep them safe on this journey. Child N is eligible for free travel to school.

Child O is seven years old and attends their nearest suitable school which is 1.5 miles from their home. They do not have special educational needs, a disability or mobility problem. The local authority determines that they would be able to walk to school in reasonable safety if they were accompanied. There is no good reason why the parent could not reasonably be expected to accompany them or make other arrangements for their journey to and from school. Child O is not eligible for free travel to school.

Child P is fifteen years old and is blind. They attend their nearest suitable school which is a short walk from their home. The local authority determines that they could reasonably be expected to walk to school if accompanied. Child P's parent is a single parent with a disability which means they would not be able to accompany Child P to school. The local authority considers the individual circumstances of Child P and decides it would not be reasonable to expect their parent to make arrangements for their journey to and from school. It decides to arrange free travel to school for Child P.

Child Q is fourteen years old and is also blind. They attend their nearest suitable school which is a short walk from their home. The local authority determines that they could reasonably be expected to walk to school if accompanied. There is no good reason why Child Q's parent could not reasonably be expected to accompany them or make other arrangements for their journey to and from school.

Child Q is not eligible for free travel to school.

Travel training example

Child R has special educational needs. They live in a village 4 miles from their nearest suitable secondary school and are eligible for free travel to school. Other children living in the village attend the school. The local authority meets its school travel duty in respect of these children by providing them with a pass for free travel on the public service bus. When Child R joined the school in Year 7, the local authority determined their special educational needs meant they would not be able to travel on the bus with their peers. The local authority arranged a taxi to take Child R to school.

When Child R moved to Year 9, the local authority reassessed their needs. They determined Child R was ready for independent travel training. Child R's parent was hesitant at first, but the local authority explained the benefits and the parent agreed, knowing Child R would need the skill in adulthood.

The travel trainer helps Child R with understanding things such as where to wait for the bus, which bus to get on and what to do if they miss the bus or it is late. Once Child R has completed the travel training programme, the local authority reassesses their needs and determines they are now able to travel independently on the bus.

They withdraw the taxi and provide Child R with a bus pass.

Ways in which free travel may be provided

Below are examples of alternative ways in which local authorities might meet the duty if they have parental consent

Local authority 1 has introduced a scheme it believes will promote consistency and routine for children at a local special school. Rather than contracting a travel operator, they have leased a minibus. The local authority funds the special school for the cost of a driver and fuel. The school can use the minibus during the school day provided they also use it to provide travel to and from school. The school knows the children well and is better able to make travel arrangements that meet their needs.

Local authority 2 has received an application for free travel to school for a child with special educational needs. The child is an eligible child. The parent would prefer to take the child to school themselves, because they get distressed when travelling with anyone else, but are unable to do so because they need to take their other child to school. The other child is not an eligible child. Local authority 2 suggests to the parent that the authority should make travel arrangements for the non-eligible child, enabling the parent to take the eligible child to school. The parent is happy with this arrangement, and it does not cost them any more to take the eligible child to school than it would to take their other child.

Journey times examples

Child S is seven years old and has an EHC plan which names their nearest suitable school. This school is 20 miles from their home. The route is often very busy meaning the journey from Child S's home typically takes 45 minutes. The taxi collects one other child on the way, which adds 10 minutes to Child S's journey, meaning a total journey time of 55 minutes. Given the additional expense that would be involved in providing Child S and the other child with separate vehicles, the local authority decides it is reasonable to exceed the recommended journey time in Child S's case.

Child T is fourteen years old and has an EHC plan which names a school that is 10 miles from their home. Previously they travelled in a taxi with one other child and the journey took 30 minutes. The local authority then combined several routes into one. Child T now travels in a minibus with 11 other children. Due to the extra stops, the journey time is now 90 minutes. Child's T's school makes the local authority aware that, due to their special educational needs, they often become very distressed at being in the minibus for that length of time. On arrival at school, it takes them a long time to calm down. As a result, they miss some of the activities other children participate in. The local authority decides it is not reasonable to exceed the recommended journey time in Child T's case and reinstates their original travel arrangements.

Managing behavioural needs examples

Child U is twelve years old, has special educational needs and is eligible for free travel. They have recently moved to a new school. Having travelled quite happily in a taxi to their original school, they become distressed when travelling in a minibus to their new school. Their special educational needs mean they are unable to explain why they are distressed. The driver works with Child U's parent to resolve the issue. They identify that Child U's distress is caused by having the radio on during journeys. The driver agrees to keep the radio switched off whilst Child U is travelling.

Child V is 4 years old and has special educational needs. They are about to begin school for the first time and will be eligible for free travel. They can become very distressed in unfamiliar situations. The local authority arranges for their driver and passenger assistant to visit Child V's home to meet them before the start of term. This gives Child V the opportunity to familiarise themselves with the vehicle and sit in the seat they will use on the journey to school.

It also gives the driver the opportunity to let the parent know that two children will already be on the vehicle when it comes to collect Child V and that it will collect one further child after Child V. This enables the parent to talk to Child V to prepare them for what will happen on the journey to school. The parent is also able to let the passenger assistant know about some strategies they have found useful when Child V has become distressed when travelling.



Westmorland
& Furness
Council

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