

This document sets out the policy of Manchester City Council in relation to the provision of free travel for children of compulsory school age in Reception – Year 6 at primary school. These arrangements will apply to pupils who will be starting in these year groups from 1 September 2020.

This policy reflects the current up to date eligibility for free travel to school which is set within a framework of statute (the Education Act 1996 and the Education and Inspections Act 2006) and associated statutory guidance (Home to School Travel and Transport Guidance, July 2014).

<https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>

Introduction

A parent or guardian has the legal responsibility for ensuring their child's attendance at school.

A local authority is only under a statutory duty to provide transport assistance if the nearest qualifying school is not within statutory walking distance of the child's home by the nearest available as set out in the Education Act 1996 (as amended) or to certain children whose families are on a low income (Schedule 35B to the 1996 Education Act). Otherwise the provision of transport is at the local authority's discretion.

Only where children meet the criteria in this policy will they be entitled to transport assistance between their home and school. This policy does not apply to children with Statements of Special Educational Needs/ Education Health Care Plans.

Primary Arrangements

Free transport assistance will be provided for primary children who reside in the borough of Manchester City Council who meet one of the following criteria:

Group 1 – Looked After Child (LAC) and previous LAC

- A child aged 4 – 11 years old and looked after by Manchester City Council or previously LAC; **and**
- attending a primary school or academy beyond 2 miles from their LAC placement.

Previously looked after children are children who were looked after, but ceased to be so because they were adopted, became subject to a residence order or special guardianship order immediately following having been looked after. Previously looked after children returned to the care of their parents must have a residency order in place to qualify under this criteria.

Group 2 – Distance/ nearer provision

A child who is aged between 4 - 7 years old and living in Manchester

- who is attending a primary school beyond 2 miles from home; **and**
- where nearer provision in Manchester is not available.

A child who is aged between 8 – 11 years old and living in Manchester

- who is attending a primary school beyond 3 but less than 15 miles from home; **and**

- where nearer provision in Manchester is not available.

Under group 2 nearer provision in primary schools is defined as any primary school (other than the school the applicant currently attends) which may be closer to the applicant's home address. It will also include any school placement or alternative school placement offers in conjunction with any school application. If a pupil is attending a faith or single sex school, this will not solely be taken into account when looking for other available schools nearer to the home address. A school's performance and Ofsted rating are not applicable when assessing for nearer similar provision.

A school is defined as any maintained school, Academy or Free School.

When assessing for nearer similar provision for group 2 and Group 3 the following dates will be used:

When defining nearer/similar provision for children entering Reception in Sept 2020 and the application is received by the LA before the start of the academic year	Availability during the offer process for national offer day - 16 April 2020
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All other In Year applications (Primary)

When defining nearer/similar provision for applications received before the start of Autumn term 2020 for Year 1 – Year 6	Availability on 10 th July 2020 (used for summer processing period only)
When defining nearer/similar provision for applications received in the Autumn term 2020 for Reception – Year 6	Availability on 11 th September 2020
When defining nearer/similar provision for applications received in the Spring term 2021 for Reception – Year 6	Availability on 8 th January 2021
When defining nearer/similar provision for applications received in the Summer term 2021 for Reception – Year 6	Availability on 23 rd April 2021

Group 3 – Low income. Free school meals/Universal Credits/maximum Working Tax Credit.

A child aged between 4 - 11 years old and living in Manchester who is:

- attending a primary school beyond 2 from their home address; **and**
- who receive free school meals; **or**
- Universal Credits **or**
- whose parents receive the maximum working tax credit award; **and**
- nearer similar provision is not available.

The parent must supply a full copy of their Tax Credit Award Notice for the relevant year as evidence that they are in receipt of the maximum entitlement of Working Tax Credits.

Exceptions

- (a) a primary aged child living within 2 or 3 miles (dependant on age) walking distance from their school where the nature of the route is unsafe or such that the child could not be expected to walk.

- (b) a child living in temporary or homeless accommodation:
- which is more than 2 or 3 miles (dependant on age) from their current school; **and**
 - evidence of temporary/homeless accommodation is provided
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Child's home address

All applications will be assessed from the address where the child permanently resides. Parents are required to submit any evidence requested by the Local Authority in connection with the application. This may include proof of residence.

Siblings

There is no sibling category and all applications are assessed individually.

Shortest walking route

For all free travel applications the distance between the child's home address and the school will be measured by the shortest walking route using the local authority's GIS computerised measuring system.

The processing of applications

For applications received after 31 July 2020, the service will aim to issue and make the Free Travel pass available for collection from the child's school approximately 4 weeks (20 working days) after the form arrives at the School Admissions office.

Eligibility

Travel passes will only be issued if the application fulfils the criteria as set out within this policy. Eligibility is reviewed annually and the parent or carer is required to complete a new application form on an annual basis. The Local Authority reserves the right to withdraw a travel pass where the applicant has given fraudulent or deliberately misleading information to obtain the pass.

If you have been refused a Free Travel Pass, you cannot apply again in the same academic year unless you have had a change in circumstances, for instance a change of address.

Refunds

Where School Admissions has been unable to process the application within a four week period (20 working days), a refund may be issued for travel expenses incurred for travel after the 4 week processing period and up to the time the pass arrives at the child's school.

Any refund will only be issued on receipt of evidence of the child's travel expenses, therefore only the original bus/tram/train tickets will only be accepted as evidence. The refund will not include school holidays and where a pupil is absent from school.

A refund will not be issued where the application was delayed after the 4 week processing period due to the parent failing to provide the necessary or correct information and documentation to support their free travel application. For example evidence of Working Tax Credits maximum entitlement or a photograph.

The Appeal Process

A parent or carer who wishes to appeal against a decision not to provide a free travel pass may do so through Manchester City Council's appeal procedure:

- Stage 1 – this is a review of the parent's case by the Director of Education and Skills.
- Stage 2 – this is a review of the parent's case by panel of 3 Senior Officers who are independent from all Admissions and Free Travel processes.

Parents have the right to submit an appeal against the initial decision where they believe the application was not considered correctly on the basis of one or all of the following:

- Entitlement
- Distance measured
- Route safety
- Consideration of exceptional circumstances that was submitted along with the original application.

The parent must submit a Stage 1 appeal within 20 working days from the date of the original refusal decision letter along with the appeal reasons and any supporting evidence. The information received will be considered as a formal stage 1 appeal and a reviewed decision of the case will be made within twenty working days of receipt of the appeal request.

Written appeals should be sent to the following address:

Free Travel Appeals (Stage 1)
The Corporate Complaints Team
PO Box 532
Town Hall Extension
Manchester
M60 2LA

Alternatively parent's appeal and supporting documents can be emailed to school.admissions@manchester.gov.uk

If the parent's Stage 1 appeal is not upheld, a letter will be sent to the parent within 5 working days from the date the appeal was heard. The parent will have the opportunity to submit a further appeal to Stage 2 of the appeal process within 20 working days from the date of the refused Stage 1 letter. A panel, independent to Education & Skills, will review the parent's appeal reasons and the Stage 1 appeal. Stage 2 appeals should be sent to the following address:

Free Travel Pass Appeals (Stage 2)
The Corporate Complaints Team
PO Box 532
Town Hall Extension
Manchester M60 2LA
Email school.admissions@manchester.gov.uk

The information received will be considered as a formal stage 2 appeal and a reviewed decision of the case will be made within 40 working days of the receipt of the appeals request.

If the Stage 2 appeal is not upheld, a letter will be sent to the parent within 5 working days from the date the appeal was heard. If the parent feels that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal has been handled, the parent can submit a complaint to Local Government Ombudsman. All correspondence should be sent to the following address:

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Telephone: 0300 061 0614 (local call charge from a land-line or mobile)
Text: 0762 480 4299
Fax 024 7682 0001
Email it to www.lgo.org.uk/making-a-complaint