

# **Post 16 Policy on: Travel Support to Access Education and Training**

For young people with Special Educational Needs and Disabilities (SEND) aged 16 to 25 in education and training



**MANCHESTER  
CITY COUNCIL**

# Policy on: Travel Support to Access Education

## For children and young people with Special Educational Needs and Disabilities(SEND)

### Contents

<u>1.0</u>	<u>Introduction .....</u>	<u>4</u>
<u>2.0</u>	<u>Principles.....</u>	<u>6</u>
<u>3.0</u>	<u>Contributions towards the travel of young people with SEND aged 16 to 19</u>	<u>7</u>
<u>years</u>		
<u>4.0</u>	<u>Concessionary travel support.....</u>	<u>7</u>
<u>4.1</u>	<u>Transport for Greater Manchester (TfGM).....</u>	<u>7</u>
<u>4.2</u>	<u>Stagecoach .....</u>	<u>7</u>
<u>4.3</u>	<u>Travel Support from education and training providers.....</u>	<u>8</u>
<u>5.0</u>	<u>Legislation and Responsibilities .....</u>	<u>8</u>
<u>5.1</u>	<u>Parent/Carer and Young People’s Responsibilities .....</u>	<u>8</u>
<u>5.2</u>	<u>Council Responsibilities .....</u>	<u>8</u>
<u>6.0</u>	<u>Eligibility Criteria.....</u>	<u>9</u>
<u>7.0</u>	<u>Council travel support for students with SEND aged 19 to 25 years .....</u>	<u>11</u>
<u>8.0</u>	<u>Legislation and Responsibilities .....</u>	<u>11</u>
<u>8.1</u>	<u>Parent/Carer and Young People’s Responsibilities .....</u>	<u>11</u>
<u>8.2</u>	<u>Council Responsibilities .....</u>	<u>12</u>
<u>9.0</u>	<u>Eligibility Criteria.....</u>	<u>12</u>
<u>10.0</u>	<u>Travel Solutions – for both 16-19 and 19-25 .....</u>	<u>13</u>
<u>11.0</u>	<u>Types of travel solutions provided .....</u>	<u>13</u>
<u>Part B.....</u>		<u>16</u>
<u>Application, Review and Appeals processes .....</u>		<u>16</u>
<u>Application Process .....</u>		<u>16</u>
<u>Review process .....</u>		<u>17</u>
<u>Changes in Circumstances.....</u>		<u>17</u>

<u>8.1</u>	<u>Changes in circumstances include:.....</u>	<u>17</u>
<u>9.0</u>	<u>Health and Safety.....</u>	<u>17</u>
	<u>Appeals Process.....</u>	<u>17</u>
	<u>The Appeals Process has two stages:.....</u>	<u>18</u>
<u>11.1</u>	<u>Stage 1 – Appeal of the original decision .....</u>	<u>18</u>
	<u>Stage 2 .....</u>	<u>18</u>
	<u>Corporate Complaints Team.....</u>	<u>19</u>
	<u>Local Government Ombudsmen.....</u>	<u>19</u>

DRAFT

# Post 16 Travel Support for young people with Special Educational Needs and Disabilities to Access Education & Training

## 1.0 Introduction

This policy applies to young people who are resident within the City of Manchester who are above statutory school age and aged over 16 but under 25. It specifically relates to young people with SEND who are unable to travel to and from education and/or training independently at the start and end of the school and college day.

Councils must encourage, enable and assist young people with learning difficulties or disabilities to participate in education and training, up to the age of 25 years.

The Council's approach to disability, to encompass all disabled adults and children living in Manchester has at its heart a focus on the person and their family, looking at all aspects of an individual and their family's situation. Through this approach, the Council's vision is that disabled citizens should have the same life opportunities and achieve the same outcomes, across key areas such as: education, choice and control, health, employment, housing and inclusive communities, as those which are available for the wider population.

The Post-16 Transport Policy Statement is focused on a needs-led approach in which the individual requirements of each young person are assessed to inform the appropriate form of travel support for them. This involves a move away from an approach of standard provision to young people, in favour of a policy which recognises that young people aged 16 and over are, in many cases, more capable of achieving independent travel than pupils of statutory school age.

This policy statement, for ease of use, separates the support which can be offered to post-16 students into two categories, as the duties on the council to provide transport differ in these areas:

- **Post-16** includes students of sixth-form age and those with learning difficulties or disabilities up to the age of 19 (in the academic year in which they turn 19 years of age) or students aged over 19 completing programmes of learning that started before they turned 19 years of age.
- **Post-19** includes students aged 19 to 25 (inclusive) starting from the academic year after they turn 19 years of age.

This policy statement specifies the support that Manchester City Council ("The Council") considers necessary to facilitate the attendance of post-16 students receiving education or training.

The Council has a discretionary power to provide travel support to those over statutory school age. A travel solution for attending their designated/qualifying school/college which provides the desired courses will reflect individual needs. The desired outcome of

this approach is to actively encourage young people to travel as independently as possible and to develop confidence and vital travel and social skills to support options for continuing education, training and employment thereafter. This is in line with the SEND Code of Practice (2015) which states that 'providers should enable children and young people to have the information and skills they need to help them gain independence and prepare for adult life'.

All young people in Year 11 receiving special educational needs and disabilities (SEND) travel assistance must reapply for travel support for their post-16 education or training.

Education or training refers to learning or training at a school, further education institution, a council maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council: for example, colleges, charities and private learning providers.

This policy applies to children and young people who are resident within the City of Manchester and children and young people in the care of Manchester City Council. The majority of Manchester young people with special educational needs or a disability including those with an Education Health and Care plan (EHC plan) do not receive or require travel support from the Council in order to access education.

Wherever possible, it is expected that parent/carers of young people with SEN or a disability make arrangements for their child to attend education in the same way as for parents/carers of children and young people who do not have SEND. This approach, including independent travel where appropriate, is an important factor in developing the children and young people's independence, social and life skills; providing a travel support framework to enable as many parents/carers to do this as possible is a key part of this policy.

The policy has been developed in consultation with parents, carers and young people and is based on the statutory requirements placed on councils in the Education Act 1996, and the guidance in [Home to School Travel and Transport: Statutory Guidance for Local Authorities \(Department for Education, 2014\)](#), the guidance in [Post16 Transport and Travel Support to Education and Training: Statutory Guidance for Local Authorities](#) as well as the [Special Educational Needs and Disability Code of Practice: 0 to 25 years, Statutory guidance for organisations which work with and support children \(Department for Education, 2015\)](#). It takes account of the [Local Offer](#).

## 2.0 Principles

Manchester City Council's post-16 policy on Travel Support to Access Education & Training is based on providing parents/carers with a travel solution which will be founded on the following principles.

- It is committed to ensuring young people can fulfil their potential. The aim of this policy is that all young people with significant special educational needs or disability should lead lives that are as independent and as free from restriction as possible;
- Promoting inclusive opportunities to enable young people to travel to and from their place of education independently or using family based approaches similar to those used by other young people wherever possible, taking account of their age and needs;
- Promoting sustainable, safe, healthy and appropriate travel solutions by working in partnership with parents/carers to support them with their legal responsibility to make sure their children attend school;
- A commitment to equality of opportunity and the celebration of diversity and an opposition to all forms of discrimination; and
- Efficient use of public resources, delivering better outcomes and providing better value for money.

### **3.0 Contributions towards the travel of young people with SEND aged 16 to 19 years**

3.1 Councils are expected to target support to those young people, and their families, who need it most, particularly those with a low income. The statutory guidance confirms that councils may ask students themselves (if over 18 years old) and/or their parents/carers for a financial contribution to transport costs. In exercising their discretion councils should:

- ensure that any contribution is affordable for students and their parents
- ensure that there are arrangements in place to support those families on low income
- take into account the likely duration of learning and ensure that transport policies do not adversely impact particular groups, for example: as young people with SEND are more likely to remain in education or training for longer than their peers, any contribution sought from these families would need to allow for the fact they may have to contribute for a longer period.

3.2 The financial contribution will be dependent on the distance from the young person's home address to their place of education. For families on low incomes, in receipt of the maximum working tax credit, a reduced financial contribution will apply. This will be calculated based on all the circumstances and on a case-by-case basis.

3.3 If a young person's contribution has been agreed and, for whatever reason, they do not complete that programme of study, any refund for transport will be applied at the end of the academic term in which they leave that provision. The same will apply if the young person is subject to an extended period of non-attendance due to ill health; however, day-to-day non-attendance would not be subject to a refund. A refund will only be agreed in the event that the young person leaves the provision or an extended period of non-attendance due to ill health.

### **4.0 Concessionary travel support**

#### **4.1 Transport for Greater Manchester (TfGM)**

4.1.1 Concessionary fares are available to students from Transport for Greater Manchester (TfGM). This includes the Scholars Permit which if you're aged between 16 to 19, you can pay for young person fares on buses, trams and trains in Greater Manchester for travel to your place of education. There is also a [Travel Voucher Scheme](#) for those who are unable to use ordinary buses and who have serious walking difficulties or are registered blind. These vouchers can be used to buy discounted travel in taxis, private hire vehicles and community transport schemes like [Ring & Ride](#). There may also from time to time be other schemes offering discounted fares. Full details of all available options can be found on the [TfGM](#) website.

#### **4.2 Stagecoach**

- 4.2.1 Stagecoach Manchester offer a concessionary scheme to students which can save up to 50% on unlimited bus and tram travel. Full details can be found on the [Stagecoach](#) website.

### **4.3 Travel Support from education and training providers**

- 4.3.1 Students may be able to access some funding towards transport costs directly from individual education and training providers from the 16 to 19 Bursary Fund. The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation so they can remain in education. Each learning provider has some discretionary funding that can be used for this purpose, subject to their own criteria.
- 4.3.2 You have to apply directly to your school, college or training provider for a bursary. For advice speak to student support services, your tutor or go to: [www.direct.gov/16-19bursary](http://www.direct.gov/16-19bursary)
- 4.3.3 Manchester Adult Education Service (MAES) provides transport for young people with a learning difficulty and/or disability who meet their transport assessment criteria. Telephone: 0161 234 5000, Email: [adult-education@manchester.gov.uk](mailto:adult-education@manchester.gov.uk)

## **5.0 Legislation and Responsibilities**

### **5.1 Parent/Carer and Young People's Responsibilities**

A young person must stay in some form of education or training until their 18th birthday if they were born on or after 1 September 2004.

Options are:

- full-time education - e.g. at a school or college
- an apprenticeship or traineeship
- part-time education or training - as well as being employed, self-employed or volunteering for 20 hours or more a week
- an establishment funded directly by the Education Skills Funding Agency
- learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council: for example, colleges, charities and private learning providers.

A young person can leave their place of education on the last Friday in June as long as they will be 18 by the end of that year's summer holidays.

There is an expectation parents/carers will actively promote and support their young person to access and attend education and training.

### **5.2 Council Responsibilities**

- 5.2.1 Section 509 AB(1) of the Education Act 1996 imposes a requirement that the Council should set out the extent to which the arrangements specified in the EHC plan can facilitate the attendance at schools and colleges of young people with

learning difficulties and/or disabilities.

- 5.2.2 The 16-18 transport duty relates to young people of sixth form age with learning difficulties and/or disabilities aged up to 19.
- 5.2.3 The Council also has a duty under the Education and Skills Act 2008 to encourage, enable and assist the participation of young people with learning difficulties and/or disabilities up to the age of 25 in education and training.
- 5.2.4 The Children and Families Act 2014 replaces the Statement of SEN and Learning Difficulty Assessments (LDAs) for those over the age of 16 with Education, Health and Care (EHC) plans. Under the Act, the Council may continue to maintain an EHC plan for young people over 19 if a young person requires additional time, in comparison to the majority of others of the same age who do not have SEN, to complete his or her education or training. Councils may continue to provide special educational provision until the end of the academic year in which the young person turns 25.
- 5.2.5 Arrangements cannot be limited to those young people who had been assessed as having particular transport needs prior to the age of 16. The Children and Families Act 2014 also places a duty on councils to publish a Local Offer setting out their services for children and young people with special educational needs and disabilities, and this must include information on the arrangements for travel to and from post-16 institutions.
- 5.2.6 The statutory guidance from the Department for Education on post-16 transport and travel support to education and training settings (January 2019) states that the transport needs of young people with SEND must be reassessed when a young person moves from compulsory schooling to post-16 education, even if the young person is remaining at the same educational setting.

## **6.0 Eligibility Criteria**

- 6.1 In line with statutory guidance, all young people in Year 11 (aged 15 to 16), moving from compulsory schooling to post-16 education, must reapply and be reassessed. The council will exercise its discretion to provide travel assistance for students aged 16 to 19 with SEND where it considers that travel assistance is necessary to enable the young person to reasonably access the education or training provision specified in their EHC Plan. As young people with SEND approach adulthood, where appropriate, transport assistance will be provided to support independence.
- 6.2 In assessing eligibility for students entering post-16 education and training for travel assistance, particular attention will be paid to the following criteria:
- Whether the student is currently in receipt of any funding from the 16 to 19 Bursary Fund and to what value.
  - The location of the sixth form unit or college the student would like to attend. If this is not a local provision, the council would need to know that the course being taken is not available locally.
  - Whether the sixth form unit is an extension to the school previously attended by the student and named in their EHC Plan.

- The distance from the student's home to their education or training establishment and the journey time.
- Whether the young person has SEND and/or mobility difficulties which would impede their access to their educational placement, either independently or otherwise, for example, a wheelchair user.
- Whether the young person has SEND which would make it unsafe for them to travel independently.
- Whether the public transport journey to the nearest suitable placement is too complex for the young person to be expected to travel independently.

6.3 If the Council agrees to provide a travel solution to access education it will be provided in a safe and cost effective manner, taking account of the young person's specific needs and having regard to the best use of the Council's resources.

6.4 An initial assessment of the young person's eligibility for travel support to access education will be made by a Travel Officer from the Council. It is very important that parents/carers participate in this assessment to ensure the full details of their child's circumstances are clear so the right level of support can be determined. Cases are considered on an individual basis and medical or other professional evidence may be required before support is agreed.

6.5 The Council reserves the right to assess the whole family according to their circumstances, in order to offer the most cost effective travel support, using a variety of solutions. The travel solution will be young person-centred and inclusive of their needs in order to develop independence and confidence.

6.6 Taxi or minibus travel support to access education will be provided only where there is no feasible alternative.

6.7 A travel solution will only be provided for the normal start and end of the educational institution day and will not include early finish times where educational institutions close early for the end of the half term / term.

6.8 The Council is also committed to reducing traffic congestion, improving road safety and reducing the environmental impact of vehicle journeys by promoting alternative forms of travel, such as walking, cycling and use of integrated public transport. The Council works closely with post-16 education providers to develop Travel Plans that help to achieve this aim wherever possible. In the provision of travel support to access education, the Council will consider support options for eligible young people that lead to reducing the number and length of vehicle journeys.

6.9 Where a travel solution is put in place and either the young person fails to utilise the facility or their attendance falls to 85% or below, travel support may be withdrawn. In some cases a recharge for the service may be passed onto the parent/carer where there has been persistent failure to notify the Home to School Transport Team of non-attendance. Until attendance meets the desired requirements, travel support will remain withdrawn. We understand that some young people with SEND can be exceptionally unwell and in these cases once the Home to School Transport Team is notified of this, a service will only be temporarily withdrawn and will be reinstated once the individual is well enough to return to Education.

## **7.0 Council travel support for students with SEND aged 19 to 25 years**

7.1 For the purposes of this transport policy statement, 19 years refers to the end of the academic year in which the student turns 19 years of age.

7.2 This part of the transport policy statement deals with the provision of transport assistance for adults aged 19 to 25 years with an EHC Plan who live in the City of Manchester and are in education or training at a qualifying educational establishment at:

- a school (including an academy school);
- a further education institution (including a sixth-form college);
- a council maintained or assisted institution providing higher or further education;
- an establishment funded directly by the Education Funding Agency, such as an independent specialist provider for students with learning difficulties and/or disabilities; or
- a learning provider that is funded by the council to deliver accredited programmes of learning which lead to positive outcomes; this could include a college, charity or private learning provider.

7.3 The SEN Code of Practice states that 'providers should enable children and young people to have the information and skills they need to help them gain independence and prepare for adult life'. This means preparing young people and young adults, wherever possible, for independent living, employment and for being as healthy as possible in their adult lives.

7.4 The post-19 travel assistance policy will have a needs-led approach in which the individual needs of each adult are assessed to inform the appropriate form of travel support. It moves away from an approach of blanket and standard provision in favour of a policy which recognises that young people and young adults are, in many cases, more capable of achieving independent travel than pupils of statutory school age.

## **8.0 Legislation and Responsibilities**

### **8.1 Parent/Carer and Young People's Responsibilities**

8.1.1 Adults will need to be aged 19 to 25 years with an EHC Plan who live in the City of Manchester and are in education or training at a qualifying educational establishment at:

- a school (including an academy school);
- a further education institution (including a sixth-form college);
- a council maintained or assisted institution providing higher or further education;
- an establishment funded directly by the Education Funding Agency, such as an independent specialist provider for students with learning difficulties and/or

disabilities; or

- a learning provider that is funded by the council to deliver accredited programmes of learning which lead to positive outcomes; this could include a college, charity or private learning provider.

8.1.2 Additionally, if an apprenticeship is named in a young person's EHC Plan, transport arrangements to support young people with an EHC Plan to travel independently to their place of employment will be considered on the same basis as a student attending a school or college placement.

## **8.2 Council Responsibilities**

8.2.1 The council will provide travel assistance for people who meet the eligible criteria for support. Reference to 'adults' in this policy statement is a reference to both 'adults' and 'relevant young adults' as defined in Section 508F of the Education Act 1996.

8.2.2 In accordance with Section 508F of the Education Act 1996 (and subsequent amendments) the council will make transport arrangements it considers necessary to facilitate the attendance of young people and young adults aged between 19 and 25 years with an EHC Plan, where the council had secured the provision of education or training. This applies to:

- Adults (those who are aged 19 or over) for the purpose of facilitating their attendance at council maintained or assisted further or higher education institutions or institutions within the further education sector; and
- Adults aged under 25 with an EHC Plan for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors. For those young adults, the councils' duty only applies where it has secured the provision of education or training at that institution and the provision of boarding accommodation in connection with that education or training.

## **9.0 Eligibility Criteria**

9.1 The assessment of eligibility of an adult aged between 19 and 25 with an EHC Plan for transport assistance will consider the suitability and feasibility of different transport options and will take into account:

- The availability of existing transport
- The person's physical mobility
- The person's ability to travel independently
- Access to a Motability vehicle and whether it is reasonable to use it to travel to the relevant location
- Availability and willingness of family and carers to assist with transport
- Any factors that may pose an unreasonable demand or risk to health and safety when travelling

9.2 When assessing eligibility, the applicant or their parent or carer must provide evidence why it is necessary for the council and not the student to make travel arrangements. To assess this, it is necessary for the council to know the following:

- What other arrangements have been considered or tried and why they are not

suitable.

- If there is a family member or carer who is willing and able to transport the student and if not, why they would be unable to do so.
- When assessing an adult's need for travel assistance under the Care Act, the council will take into consideration DLA or PIP benefits where people receive the mobility component, a vehicle provided by the Motability Scheme and bus pass or other form of travel concessions. It is reasonable for the council to consider that by having these benefits a person's needs are in some way already being met. Vehicles provided by the Motability Scheme are done so in order for people receiving support to maintain their independence, including when this vehicle is being driven by a nominated driver, such as a family member.
- Motability vehicles are provided on the understanding that the car is used by, or for the benefit of, the disabled person. Motability vehicles can be insured by up to three people who can help support the person by driving for them. Not giving the person the benefit of the car because it is being used by someone else, is considered misuse by the Motability Scheme and can put the lease at risk. It is clear that a vehicle from the Motability Scheme is to be used for the benefit of the person for whom it is provided. Where a nominated driver is willing and able to use the car to take an eligible young person to an educational setting, the council may offer a mileage allowance in the form of a direct payment.
- Any other circumstances that should be taken into account; the council will consider any recent supporting evidence that is provided.

9.3 A post-19 student's work or childcare commitments would not normally be considered as a reason for travel assistance to be provided.

9.4 Each request will be assessed on a case-by-case basis, considering the law, council policy and any supporting information provided.

## 10.0 Travel Solutions – for both 16-19 and 19-25

10.1 Where the council agrees to provide travel assistance to a young person or adult aged between 16 and 25 the following travel solutions will be considered. The nature and mode of travel support will be determined by the Council and will be one that is consistent with the council's duty to secure value for money and the needs of the young person. The council may ask for a contribution as per 3.1

## 11.0 Types of travel solutions provided

- a. Bicycle** - A one off payment may be made when a young person, who is eligible for support under the Council's policy, would like to use or uses a bicycle to travel to their place of education. This solution can also include a programme of independent travel training to ensure the young person is able to safely cycle to and from school/college if required.
- b. Walking Bus** - The Council is keen to reduce the number of vehicle journeys in and around the City, especially at peak times and reduce traffic movements in close proximity to schools. A young person may be allocated a space on a walking bus scheme. These involve several young people walking

to and from school/college under the guidance and support of a Passenger Assistant.

- c. **Travel pass** - This is a free pass for use on public transport. This may also be provided for a parent/carer or another travel buddy to support the young person to access education.
- d. **Personal Travel Budget (PTB)** – Support for meeting the costs associated with ensuring support to access education may be provided through a Personal Travel Budget. This includes a variety of flexible support options such as: access to funds for parent/carers to enable them to drop earlier and collect later, paying for a family member, mileage and use of a befriending service. Family based travel solutions could also be supported by a Personal Travel Budget.
- e. **Supported public transport** - It may be possible for a young person to travel on public transport if the young person has some assistance. Where parents/carers are unable to accompany their son/daughter, the Council may provide a Passenger Assistant, befriending service and/or a travel buddy.
- f. **Manchester Travel Training Partnership** - The Council has a responsibility to promote appropriate independence skills. All young people will be supported and encouraged to travel independently to and from their place of education, when it is assessed as reasonable for them to do so. Where a young person is offered independent travel training the process will begin with an initial assessment of their skills and abilities. The training provided will be targeted to individual need and development. It is expected that where independent travel training is offered as a travel solution, a young person will take up this training. Further information on this Partnership can be found through clicking this link here: [Manchester Travel Training Partnership](http://www.mttp-travel-training.org) or go to [www.mttp-travel-training.org](http://www.mttp-travel-training.org).

Top-up training will be available to support young people with transition when moving educational institutes.

- g. **Driving Lessons** - The offer of funded driving lessons where the young people is the correct age and this is the most cost-efficient option. Students can drive a car when they are 16 if they have, or have applied for, the enhanced rate of the mobility component of Personal Independence Payment (PIP).
- h. **Travel Vehicles** - In exceptional circumstances the Council may provide a vehicle to transfer a young person to and from school/college. Vehicles and drivers are provided by a suitably qualified, registered, commercial provider working to contractual standards set by the Council. All drivers will all have an enhanced Disclosure and Barring Service certificate.

This could include:

Multiple pick up vehicles - Whenever possible, young people will travel together in mini-buses. These will be specially adapted to meet the needs of those young people travelling on them. Each route will be planned on the basis of school/college start and finish times and the shortest possible route for all young people travelling on a particular vehicle. A multiple pick up vehicle may include a Passenger Assistant to support passengers from point of handover to drop off destination. The

Passenger Assistant is responsible for the safe handover over to a responsible adult. Passenger Assistants will all have an enhanced Disclosure and Barring Service certificate.

Young people will be picked up and dropped off at a convenient location, within a reasonable distance from their home, in many cases from recognised bus stops. A home pick up and drop off will only be made where it is deemed essential due to the young person's significant needs.

Pupils must expect to travel to and from their place of education with other pupils unless there are exceptional circumstances where it would not be reasonable to expect a pupil to do so and increasingly they may be asked to travel to a designated collection point.

In exceptional circumstances, where there are surplus places on a multi pick-up vehicle, it may be possible for parent/carers to purchase a seat for a young person with SEND who has not met eligibility criteria. The cost will not be in excess of the cost of an annual travel pass. This would be subject to availability and/or change, as needs for eligible passengers take priority. A notice period, where possible, would begin, if the surplus place is no longer available.

Taxis and private hire vehicles - Under very exceptional circumstances, the Council may support young people to access education in separate taxis or private hire vehicles based on the assessed needs of the young person. A Passenger Assistant will not always be necessary. Where a Passenger Assistant is not deployed, a passenger must travel in the rear of the vehicle. There is an expectation that parents/carers will support their child into the rear of the vehicle. Parents/carers can act as a Passenger Assistant for their child in a taxi or a private hire vehicle.

Availability of transport is not guaranteed. For example, a case may arise where a young person is non-ambulant, but has not been allocated a crash-tested buggy or wheelchair for use on transport. Transport crews are not permitted to lift pupils onto or off transport. Parents, carers and schools are also not permitted to lift pupils onto or off transport as a situation may arise (such as a mechanical fault to the vehicle) which may require the transport crews to lift the pupil during a journey. In these circumstances, parental mileage reimbursement may be given as an alternative.

Closed-circuit television (CCTV) with audio recording or global positioning systems (GPS) may be used on vehicles. The CCTV footage will not be shared or circulated with anyone outside the Council, but, along with GPS, can help to improve the speed and accuracy of incident resolution, and also supports transport crew training.

Passenger assistants will be provided on some transport routes. The provision or non- provision of a passenger assistant on a route is based on several factors, including:

- the age of the pupil
- the distance between home and school/college
- information provided on the transport assessment form

- the SEND of the pupil
- the number of other pupils travelling on this route

There is no minimum or maximum age that determines whether a passenger assistant will be automatically provided and the Council will consider age in conjunction with all the factors listed above to make its decision.

Provision of a passenger assistant at any one time does not guarantee that this will be an ongoing arrangement nor can the Council guarantee consistency of provision. The requirement will be re-assessed in the pupil's annual review, periodically during the year, and in the event of any change in circumstances.

## **Part B**

### **Application, Review and Appeals processes**

#### **Application Process**

6.1.1 The parent/carer or young person must make a formal application for travel support to access education before any assistance is considered. Each application will be processed as quickly as possible in chronological date order of receipt. The Council may request the provision of written evidence from education specialists and/or medical experts.

6.1.2 It remains the legal responsibility of the parent/carer to ensure that their compulsory school aged child attends school regularly.

6.1.3 In most cases, travel support to access education will be co-ordinated by the Council's Home to School Transport Team. In some cases this responsibility may lie with specific named schools and/or colleges. Therefore, parents/carers and young people should check the local arrangements at their child and young person's school or college before making an application for travel support to the Council.

Once this form has been completed it should be returned to:

Home to School Transport Team  
 Access & Sufficiency  
 Directorate for Children's Services  
 Manchester City Council  
 P.O. Box 532  
 Town Hall  
 Manchester  
 M60 2LA

Email to: [hometoschool@manchester.gov.uk](mailto:hometoschool@manchester.gov.uk)

## **Review process**

As stated previously in this policy, whenever possible, travel solutions will be reviewed alongside EHC plan annual reviews and at key transition points in a child or young person's education in order to ensure the support offered continues to meet the needs of the child/young person.

## **Changes in Circumstances**

It is the parent's/carer's/young person's responsibility to inform the Council of any changes in their circumstances. A change in circumstances may mean a previously declined application may be accepted and the parent/carer/young person is able to reapply. In addition, a change in circumstances for an existing travel solution may mean it no longer meets the eligibility criteria and the travel solution could be withdrawn. The Council will decide when the withdrawal of a travel solution takes place and will take into account the term and year of education and the impact on the child/young person.

### **8.1 Changes in circumstances include:**

- A change in home address
- A move from one school to another
- Transition from primary to secondary school and transition from secondary school to college
- A change in medical and physical conditions
- A move into Council care

## **9.0 Health and Safety**

9.1 Whilst every effort is made to come up with a travel solution to meet the needs of a child/young person there will be circumstances when the travel solution will need to be reviewed as it is not working. Whilst acknowledging the impact of their SEND on the behaviour of some children and young people, where a child/young person's conduct compromises the safety of anyone travelling with them, the Council reserves the right to suspend or withdraw the travel solution.

9.2 There is an expectation that the parent/carer and/or the child/young person signs a Code of Conduct. The Home to School Transport Team reserves the right to withdraw the offer of a travel solution if the child/young person or parent/carer refuses to sign the Code of Conduct.

9.3 Parents/carers will be expected to ensure their child's and young person's continued attendance at school when a travel solution is withdrawn.

## **Appeals Process**

If an application for travel support to access education is **not** approved by the Council, a letter will be sent to the parent/carer/young person.

If the parent/carer/young person disagrees with the travel solution offered or the decision not to approve the application, there is a right of appeal.

Appeals should be made within 20 working days of the decision being received by the parent/carer/young person. The appeal should be made in writing, setting out the exact nature and grounds of the appeal. The appeal should include the details of personal and or family circumstances the parent/carer/young person believes should be considered. The parent/carer/young person can appeal against the travel solution offered, the child/young person's eligibility, and/or the safety of the route.

## **The Appeals Process has two stages:**

### **11.1 Stage 1 – Appeal of the original decision**

The A senior officer in the service will consider the appeal. The Appeals Form is available from the Council's Customer Service Centre 0161 219 6400, by writing to:

Home to School Transport Team  
Access & Sufficiency  
Directorate for Children's Services  
Manchester City Council  
P.O. Box 532  
Town Hall  
Manchester  
M60 2LA

Email to: [hometoschool@manchester.gov.uk](mailto:hometoschool@manchester.gov.uk)

The parent/carer/young person will receive confirmation the appeal is being considered. Further evidence may be requested to support the appeal and consultation with Education officers and professional bodies may be required. A decision and notification will be made within 20 working days from receipt of the appeals form.

The notification will include the nature of the decision reached, how the appeal was conducted and information about other agencies and departments that were consulted as part of the appeal process. An overview will be given of the factors that were considered, the rationale for the decision reached and information of how to proceed to Stage 2.

11.1.3 If the parent/carer/young person remains dissatisfied with the outcome, they should notify the Council in writing within 20 working days of receiving the appeal decision. If the parent/carer wishes the matter to be considered further, the parent/carer/young person should request the matter proceeds to Stage 2.

## **Stage 2**

11.2.1 If the parent/carer/young person is dissatisfied with the outcome of the appeal at Stage 1 the appeal moves to Stage 2. The appeal will be heard independently by

a minimum of two Reviewing Officers who are independent from the Home to School Transport Team. Parents will have the option to attend the appeal if requested.

- 11.2.2 A Stage Two appeal will consider the evidence gathered and the reasons for the decision being made at Stage 1. A decision will be made within 40 working days. The parent/carer/young person will be notified 5 working days after the decision for the Stage 2 appeal. In some cases a meeting with the parent/carer/young person may be necessary.
- 11.2.3 The notification to the parent/carer/young person will include the nature of the decision reached, how the appeal was conducted, information about other agencies/departments that were consulted as part of the appeal process and what factors were considered and the rationale for the decision reached.
- 11.2.4 During the appeal stages, travel support to access education will not be provided or a change to an existing travel solution will not be instigated. A Stage 2 decision is final.

### **Corporate Complaints Team**

If the parent/carer/young person is dissatisfied with the way in which the appeals procedure has been managed they have the right to make a formal complaint to the Corporate Complaints Team.

This is not an additional stage to the appeals process. Corporate Complaints

Team

Manchester City Council, PO Box 532 Town Hall, Manchester,  
M60 2LA

Email: [csfeedback@manchester.gov.uk](mailto:csfeedback@manchester.gov.uk)

Telephone: 0161 234 3012

### **Local Government Ombudsmen**

- 13.1 A complaint to the Local Government Ombudsmen can be made by the parent/carer/young person only if there has been a failure to comply with the procedural rules or there has been maladministration of the policy.

Telephone: 0300 061 0614. Alternatively, you can write to:

The Local Government Ombudsman PO Box 4771

Coventry CV4 0EH Fax: 024 7682 0001

You can also text 'call back' to 0762 481 1595.