

A large, stylized green graphic of a flower and leaves is positioned on the right side of the page. The flower is at the top right, and a long, curved leaf extends from it towards the bottom left, framing the text.

School and College Transport Policy

2025/2026

Revised 19 May 2020 (amended
08/10/2021)

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Policy Details

A1. Overview

We have a legal duty to provide:

- education transport to qualifying pupils and students
- whatever additional transport assistance we deem necessary to support learners in Lincolnshire.

These elements are discretionary which we offer beyond our legal duties:

- transport support to 4-year-olds in the reception year;
- transport to a school that is within a designated transport area (DTA), which may not be the nearest school, where the distance criterion is met (Section A2);
- transport for pupils aged 8 to 11 to the nearest or designated school that is two miles away (not the three miles stated in the legislation);
- transport support for Post-16 learners;
- offering spare seats on vehicles to non-eligible pupils on a concessionary basis subject to a financial contribution (Section A9).

Our main legal duties for children of school age are defined in Section 508B and 509 and Schedule 35B of the Education Act 1996. Our duties in respect of post-16 pupils and students are published annually following guidance issued by the Department for Education (DFE). This document summarises the policy; it is not a statement of law.

We use the criteria in this policy to assess eligibility. We usually process valid applications within five working days. At busy periods (July to September) we may take longer. If transport eligibility is refused we will write to you with an explanation. You will be able to appeal.

- a. We recommend applying for transport well in advance to ensure sufficient time for transport provision. If you need further help with any part of this policy including which schools your child may get transport to please email schooltransportapplications@lincolnshire.gov.uk.

Our Going to School in Lincolnshire guide offers help in making decisions about your child's education.

This policy does not apply to independent fee-paying schools.

Our preferred method of application is online at School and college transport. Alternatively, and only where you don't have access to the internet, you can apply by calling 01522 782020.

Financial contributions

Where an annual payment or contribution is required, we must receive the payment before the transport arrangements are put in place. The contribution can be paid as follows:

- In full

- In three instalments
- In six instalments.

Transport Eligibility

Distances to school or college

We decide who can get transport, based on our legal duties by measuring the distance from home to the school or college.

We do not have to offer transport where the distance from home to school or college is:

- Less than 2 miles for pupils up to 8 years
- Less than 3 miles for pupils over 8 years

However, we provide transport to qualifying pupils to their designated suitable school or nearer if the school is over:

- two miles from home at the primary stage (ages 5 to 11)
- over 3 miles from home at the secondary stages (ages 11 to 16)

A suitable school is a school we or an academy maintain that is suitable for the child's age, ability or any special need they may have. All schools must offer teaching across the ability range.

The requirement to provide transport is not clearly defined legally for post-16 pupils and students, but they must have access to transport. We offer transport support to post-16 learners on the same distance criterion as for secondary school pupils, subject to an annual contribution.

Transport is only offered from one home address to one school or to the main college site

Special arrangements

Some areas of Lincolnshire have special arrangements for historical reasons. These do not affect the eligibility criteria already defined and cover:

- Fishtoft Parish
- William Lovell School
- Grantham area
- Lincoln
- Louth
- Stamford
- Crowland area.
-

For more information see special transport arrangements

A2. Pupils 5 to 16 years old

Home to school transport is provided free for children of compulsory school age if they:

- attend the nearest suitable or designated transport area school to their home address
- meet the distance and age criteria.

Distances to schools are measured using the shortest route available for a child to walk accompanied if necessary by a responsible adult, up to two miles (primary) or three miles (secondary). The responsible adult who goes with the child or a pick up point should be:

- someone over 18 years old, and
- must be capable of making appropriate decisions, particularly relating to road safety.

Distances to schools over two or three miles are calculated using the shortest driving route. We use a measuring system that calculates the distance from the child's home (from where the property meets the public highway) to the nearest accessible school gate.

The measures used by school admissions when calculating the distance to a school from a child's home address are different from those used by the transport eligibility team. Therefore, when applying for a school place, you are encouraged to check the transport eligibility criteria for the school with us before submitting your school application.

Secondary age children from families with a low-income may be eligible for free transport to one of the nearest three suitable schools to the home address. The school chosen must be between two and six miles from the home address.

Secondary age children from families with a low income may also be eligible for free school transport to the nearest school that they attend on the grounds of their parent's or carer's religion or belief. The school must be between two and 15 miles from the home address.

Parents should make suitable arrangements for children to get to a transport pick up point unless we have determined that the route to the pick-up point is unsuitable for walking. Parents may wish to make sure the child is accompanied by a responsible adult as necessary.

Where a school has a satellite centre transport will only be provided to where we decide is main site.

A3. Pupils and students 5 to 16 years old with special educational needs or disabilities (SENDs)

Some pupils with an Education, Health and Care Plan (EHCP) attend a special school or a mainstream school. However, they do not usually automatically qualify for education transport. Transport eligibility and provision is assessed against:

- the distance and other criteria outlined in Section A2
- any needs arising from the nature of the SENDs.

Pupils with SENDs have their transport needs assessed first against the distance criteria. To be eligible for free home to school transport the child must attend the nearest or designated suitable school over two miles (primary stage) or three miles (secondary stage) from their home address. This criterion applies to pupils with SENDs irrespective of whether they have an EHCP.

- the distance and other criteria outlined in Section A2
- any needs arising from the nature of the SENDs.

Some pupils with SENDs may, because of their needs or disability, be unable to walk even relatively short distances to school accompanied by a responsible adult. When the EHCP is written or reviewed, we will determine if the student has an exceptional transport need that needs to be included as part of the EHCP. Where such pupils attend a school within statutory walking distance and we have determined they have an exceptional transport need, they will be eligible to free home to school transport. This provision is only available to the nearest suitable school we have identified that meets their needs.

Pupils with SENDs who do not have an EHCP may also need transport assistance. Suitable medical evidence will be needed to support the application. We will consider applications on an individual basis. See Section A13.

Transport to an alternative address may be considered in exceptional circumstances for pupils with SENDs where this is deemed necessary to ensure their attendance at school.

Where a school or college has a satellite centre transport will only be provided to where we decide is the main site.

A4. Transport for secondary pupils from low-income families to a school of choice

Secondary age children from families with a low-income may be eligible for free transport to one of the nearest three suitable schools to the home address. The school chosen must be between two and six miles from the home address. If you think you may qualify for this benefit please complete an online school and college transport application form.

To qualify for free transport on these grounds, the child should be eligible for free school meals or the parent/carer should be receiving one of the following:

- Income Support

- Income-based Job Seeker's Allowance
- Child Tax Credit, with an annual income below an amount determined annually by the government
- The Guaranteed Element of State Pension Credit
- The maximum level of Working Tax Credit, as shown on the Tax Credit Award Notice (TCAN) issued in the April before the date transport is required and an annual income below an amount determined annually by the government
- Universal Credit with an annual income below an amount determined annually by the government.

Evidence of the above documents may be required to confirm eligibility. If the child is not eligible for free school meals they may still be eligible to extended transport rights. In these circumstances the parent or carer must supply evidence of their Working Tax Credit Notice or Universal Credit.

Eligibility to transport on grounds of low income is created for one school year at a time. It will be reviewed at the end of the school year.

If parents lose eligibility due to changes in their circumstances, they must make their own transport arrangements.

A5. Transport for secondary pupils from low-income families to a school chosen on grounds of religion or belief

Children from low-income families are eligible for free transport to the nearest secondary school chosen by the parents on grounds of religion or belief. The main indication of a religion is that it has a clear structure and belief system. Belief is defined as religious or philosophical belief and equates to conviction. Based upon case law it must be more than an opinion or idea. A belief must be genuinely held and the parent must show that it is the real reason for their choice.

The school must be between two and 15 miles (by the shortest available route) from the family home. The shortest available route is the shortest route a pupil or student may travel by foot or assisted transport to a school, college or pickup point in reasonable safety.

We will request to see evidence of religious affiliation or belief of the child.

To qualify for free transport on these grounds, the child should be eligible for free school meals or the parent or carer should be receiving one of the following:

- Income Support
- Income-based Job Seeker's Allowance
- Child Tax Credit, with an annual income below an amount determined annually by the government
- The Guaranteed Element of State Pension Credit
- The maximum level of Working Tax Credit, as shown on the Tax Credit Award Notice (TCAN) issued in the April before the date transport is required with an annual income below an amount determined annually by the government
- Universal Credit with an annual income below an amount determined annually by the government.

If the child is not eligible for free school meals they may still be eligible for extended transport rights. In these circumstances it will be necessary for the parent or carer to supply evidence of their Working Tax Credit Notice or their Universal Credit.

The parent or carer may be required to provide evidence to confirm eligibility. The parent or carer is:

- The mother or father of the child
- Someone who has parental responsibilities
- Someone who has care of the child under a formal or legal arrangement.

If parent or carer loses the eligibility due to changes in their circumstances, they must make their own transport arrangements.

A6. Post-16 pupils and students

We provide subsidised transport for post-16 pupils to their nearest designated school or college. The distance from home to the school or college must be more than three miles.

To qualify, a pupil or student must:

- Live in Lincolnshire
- Be at least 16 years and under 19 years of age (on 1 September in the year the course starts)
- Be attending a full time course (i.e. minimum of 12½ hours of taught study)
- Be attending their nearest or designated school with a sixth form provision, or their nearest or designated college subject to distance.

Transport must be applied for by post-16 students. Transport provision is conditional upon paying a pupil or student contribution which we determine annually. Details are available at the time of application.

Transport provision consists of one return journey a day, at the start and end of the normal school or college day (Monday to Friday), during published term dates.

Transport is not provided to:

- Induction or taster sessions
- work or work experience placements
- assessment centres
- interviews.

We will transport students to Riseholme College where they are accepted to study the following level 2, or above, courses provided the journey is over three miles but does not exceed 45 miles. Daily journeys will be arranged for the beginning and end of the normal college day on week days only. Transport may also be provided to a college nearer to the student's home address that offers one of the following courses at our discretion:

- Agriculture
- Environmental studies
- Horticulture
- Arboriculture
- Equine.

We will also transport students to Lincoln Access Creative College where they are accepted to study a level 2 or above course. The journey must be over 3 miles but must not exceed 45 miles. Daily journeys will be arranged for the beginning and end of the normal college day on weekdays only.

Where a further education college has a satellite centre transport will only be provided to where we decide is the main site.

This policy does not apply to:

- higher education courses (above level 3 or advanced level such as a degree)
- apprenticeships
- Internships
- traineeships.

Post-16 students may be expected to make their own way, up to three miles, to and from a transport pick up or drop off point. The suitability of walking routes is not considered at the post-16 phase.

If students wish to complete a third year of study they must complete a new application for transport. Transport will be subject to the eligibility criteria and the student must be under 19 years of age at the start of the course. Transport will not be provided for repeat years and evidence from the college may be required to show the course progression. Transport will only be approved for students over 19 years of age for those with special educational needs disabilities.

The post 16 provision policy statement is published each year by 31 May.

A7. Post-16 learners with special educational needs or disabilities (SENDs)

Pupils who have completed Year 11 studies may be eligible for transport support if they:

- stay on at school
- join a further education college
- go to a different school.

Transport support for learners with SENDs is available until they reach 25 years in certain cases to complete an appropriate programme of learning. Transport support beyond the age of 19 will only be provided where we have determined it is necessary.

We will provide transport or a travel pass to enable post 16 students who live in Lincolnshire to access a recognised course at their nearest or designated school or college that meets their assessed learning needs. A recognised course is a course funded by the Department for Education or local authority (such as Lincolnshire

County Council) at post-16 level. This eligibility is normally subject to the school or college being three miles or more from the student's home.

Post 16 learners with SENDs will have their transport needs assessed on an individual basis. This process is initiated during Year 11 by the secondary school the child attends, and the SENDs caseworker.

This policy is written under the Department for Education (DFE) guidance and is issued on 31 May each year. For more details see: transport for children with SENDs. We use 1 September as the notional start date for the programme of learning.

Learners with SENDs who began their learning programme before their 19th birthday will be asked to pay towards the transport. Details how to make the payment are provided at the time of the application. We use 1 September as the notional start date for the programme of learning,

Learners with SENDs, will not be asked to contribute towards the transport provision, who if they began a new programme of learning after their 19th birthday and we have determined that it is necessary to support their transport arrangements.

- Transport support consists of one return journey a day, at the start and end of the college day (Monday to Friday). Transport is not normally offered for part-time attendees.
- An initial transport entitlement will normally be given for two years. Any further applications for transport must be made annually by post 16 students, or their parent or carer.
- Transport will be provided to one establishment. Where a school or college has a satellite centre transport will only be provided to where we have decided is the main site.

A8. Concessionary transport (spare seats)

Concessionary transport is the term given to the provision of spare seats. These seats are on our contracted vehicles for school or college transport where:

- they are not needed for eligible children.
- there is no alternative fare paying service available.

You will need to pay towards the cost of concessionary seats. The annual amount is reduced in proportion to the number of school or college days remaining in the year when transport is provided.

The allocation of concessionary seats is normally made only after the main body of children's transport has been arranged.

Concessionary seats are not available if:

- The journey to or from school can be made by the local fare-paying bus services

- We would incur any additional cost in providing the seat.

We may withdraw the concessionary seat at short notice if a seat is needed for an eligible child.

If there are more applications for concessionary seats than there are places available, places will be awarded on this proviso:

- 1st pupils or students living in Lincolnshire
- 2nd pupils or students who wish to use the transport at both the beginning and end of the school or college day
- 3rd pupils or students attending the designated or nearest school or college to their home.
- 4th pupils or students who are part way through an exam course
- 5th those living furthest from their designated or nearest school or college
- 6th youngest children.

The seat is offered for the duration of the academic year subject to payment and the award proviso. You must reapply each year. Applications for concessionary transport can be made online.

A9. Appeal against a decision to refuse home to school transport

If you have been refused help with transport to school or college you may appeal the decision. The process has two stages. For further information see The appeal and review process. Appendix C.

A10. Exceptional circumstances

We will consider any exceptional circumstances parents cite in support of their application. Parents may bring forward any circumstances they consider to be exceptional and which might prevent their child from attending school. These could include:

- medical or other grounds (either of the child or the parent or carer)
- Sudden traumatic changes in the family's circumstances arising from factors outside the parents' or child's control and where children's services or health professionals support the provision of transport in exceptional circumstances.

Evidence to support the provision of transport will be required. The application is considered against the policy, which has provision for certain defined circumstances (such as emergency housing provision).

Our final decision is made by the transport eligibility team. You will be able to appeal the decision according to the review procedure.

Applications for transport in exceptional circumstances should be made by email to schooltransportapplications@lincolnshire.gov.uk. Any supporting evidence should be included with the email.

Where transport has been requested to a school which is not the nearest or designated the following may be regarded as exceptional circumstances (not an exhaustive list):

- Sudden and traumatic changes in family circumstances. This would be outside the family's control and could not have been foreseen. They prevent the family making their own transport arrangements.
- A change of school due to exceptional circumstances. We must have agreed along with the school formerly attended and the receiving school that the change of school is necessary. The application for transport would be made by the Pupil Reintegration Team. This is known as a Managed Move. See Section A21.
- Circumstances outside the pupil's or family's control which prevent them carrying out their duty to ensure that the pupil travels to school safely.

These circumstances would not normally be considered as exceptional:

- change of address
- parent(s) or carers unable or unwilling to transport child to a school or college or to a pick-up point where we do not provide transport under an eligibility.
- change of school due to alleged bullying or other problems. There may be an exception if we receive a recommendation before the change of school
- non-eligibility due to the school or college choice by the parent, carer, student or pupil
- loss of employment
- loss of private transport arrangements
- a request for transport for a sibling unless they qualify under the policy
- children subject to shared custody whose parents or carer request transport from both addresses. Please note that a court order determining contact between parents is not an order placed on us to provide transport from two addresses. Parents must collectively decide which address they wish to apply for transport from. Transport would only be agreed from either address if they were within the designated transport area and met the distance criterion.

A12. Determining available walking routes to school or to a transport pick up point or drop off point (reception to year 11)

Walking routes to a school or to a transport pick-up point are deemed available if they can be used by a pupil in reasonable safety. Pupils of school-age (Reception to Year 11) are only expected to walk routes to a pick-up point that is designated as suitable to walk.

We are not normally responsible for the safety of eligible pupils travelling independently between home, transport pick-up-point, or school. Parents or carers are expected to take responsibility for ensuring their child's reasonable safety in these circumstances. Where the parent decides a responsible adult should go with the child to school or a pick-up-point, the adult should be:

- someone over 18 years old
- must be capable of making appropriate decisions, particularly relating to road safety.

Route availability is determined according to the policy and can be reassessed at any time. We will remove the transport provision if the route is found to be suitable. If this happens, we will give you reasonable notice.

Available walking route

An available walking route is one that a child of school age (reception to year 11) accompanied by a responsible adult as the parent or carer deems necessary, may use to get to and from school.

Transport will not be provided for post-16 students for distances less than three miles even if the route is determined to be unavailable for an accompanied school child to walk.

In considering the availability of a route, we follow the Road Safety GB Group guidelines. We will consider these factors:

- If there is a footpath along the entire route it will almost always be determined as suitable.
- Absence of a footpath does not necessarily make the route unsuitable as long as:
 - there is room to step off the road to allow traffic to pass
 - the traffic flow is within our criteria based on nationally approved guidelines.
- Hazardous road conditions such as blind bends or road narrowing along with the traffic flow.
- Where there is a need to cross the road, we will assess the route against our criteria based on the Road Safety GB guidelines.

We do not consider the following factors when making a route assessment:

- lonely routes
- moral danger
- rivers, ditches, dykes and ponds
- unmanned level crossings
- absence of streetlights
- inclement weather.

Appeals

If you consider that our policies have not been applied correctly, you can appeal our decision.

All children will be treated fairly and equally throughout Lincolnshire.

A12. School transport for medical or other related reasons

Transport for medical reasons related to a child or parent, will only be considered if the pupil is attending their nearest or designated transport area school or college.

Some pupils have medical conditions or needs which are considered part of their special educational needs.

If a pupil does not have an EHCP, and has a condition preventing them from walking to school or a travel pick up point, this should be noted on the transport application form.

We will provide home to school transport in this case on production of medical evidence that walking is not possible due to:

- medical reasons
- special educational needs and or disabilities.

Such transport provision is normally reviewed at least annually, unless it is clear that the condition is to last for an indefinite or longer period.

There is no exhaustive list of medical conditions and each case is considered individually. In general, we are guided by our legal responsibility to secure the attendance of children by making whatever transport arrangements might be necessary. We do not seek to take the responsibility from the parent or guardian in this respect, where eligibility for home to school or college transport has not been established. Only where the parent or guardian cannot be reasonably expected to discharge their responsibility would we consider providing transport.

Chronic conditions such as Asthma, Autistic Spectrum Disorder (including Aspergers Syndrome) and other well-known conditions would not normally constitute a medical condition that would lead to automatic transport eligibility.

Any request for transport based on a medical condition should be noted on the application form when applying, or write to us when the condition is identified. We will always require medical or expert evidence in support of the application.

Temporary medical condition of pupil

Sometimes a pupil attending their nearest or designated school or college may develop a temporary medical condition that prevents them from walking, cycling or taking the bus. We may then provide transport on a temporary basis to enable them to continue to attend school or college.

We will review the temporary medical transport and set an end date. The review may authorise a further temporary period.

Medical condition of parent

We do not normally provide home to school transport for pupils of secondary age on account of the medical condition of the parent or guardian who would normally accompany the pupil to school or to a pick up point.

In exceptional circumstances, we may provide transport for a secondary aged child. This would be from home to school or to a pick up point. We would need evidence that the parent(s) cannot reasonably make their own arrangements, which might involve arranging for a suitable other adult to accompany their child, if this is deemed necessary. It is generally for the parent or carer to make a judgement that it is necessary for the child to be accompanied.

If the exceptional circumstances warrant we provide transport support, this will usually be given temporarily, with a review date.

If the parent(s) cannot be reasonably expected to ensure their children are accompanied to school or to a pick up point, we will need medical evidence to support this.

A13. Determining nearest or designated school or college

We provide transport to qualifying pupils and students to their designated or nearer school or college using designated transport areas (DTAs). These are areas around schools and colleges based on parish or village boundaries or postcodes. They indicate the schools or colleges to which pupils and students may receive transport if they meet the distance criterion.

Children who live where there is more than one primary or secondary school will only be eligible for transport if the nearest school with a place from the home address is more than:

- Two miles (primary stage)
- Three miles (secondary stage.)

If you need advice about the nearest and designated transport area schools please email schooltransportapplications@lincolnshire.gov.uk.

A14. Progression and number of years eligibility to transport provision or support

Primary school children

Transport entitlement is offered to qualifying children whose parents apply at the primary stage until the end of primary school (end of year 6). Transport would not normally be removed before this time unless there was:

- a change of school or a change of address requiring a new application.
- unsuitable route where the route is later deemed to be suitable to walk (see Appendix D).

Pupils who are eligible to use our transport can do so when they are able to attend school full-time. If transport eligibility is awarded in error, we reserve the right to remove the transport eligibility at one term's notice.

Secondary school children

Transport eligibility to qualifying secondary age children is normally awarded until the end of the secondary stage (the end of Year 11). Transport eligibility would not normally be removed before this time unless there was:

- a change of address or a change of school, requiring a new application. or an unsuitable route where the route is subsequently adjudged to be suitable to walk (see Appendix D). If transport entitlement is awarded in error, LCC reserves the right to remove the transport entitlement at one term's notice.
- unsuitable route where the route is later deemed to be suitable to walk (see Appendix D).

If transport eligibility is awarded in error, we reserve the right to remove the transport eligibility at one term's notice.

Further education students in sixth form or college

Subsidised home to school or college transport is available for further education after age 16 until the student is 19 years old. Eligible students are advised to apply for home to school or college transport before the start of their course. Eligibility will usually be given for 2 years. A new application will be required for a third year of education.

To qualify for home to school or college transport the student must:

- meet the distance criterion
- be attending the nearest or designated school or college
- be aged under 19 years on the 1st September of the school or college year for which transport is being applied for.

Travel arrangements are made annually following payment of the student contribution. Students are encouraged to research alternative travel options before choosing and paying for our transport. See section A7.

Post 16 students with SEND

We provide subsidised travel for post-16 students with SENDs on an annual basis, up to the age of 19 years old. Further subsidised travel support may also be provided where necessary until age 25 years old for students with SENDs who:

- need to study beyond 18 years to complete a programme of learning and
- who began this programme of learning before age 19.

Learners with SENDs, who began a new programme of learning after their 19th birthday and we have determined that it is necessary to support their transport arrangements, may continue to receive transport support until age 25. These learners will not be asked to make a contribution towards the transport. We will review this annually on an individual basis. Our policy in this respect is consistent with guidance on post-16 education travel issued by the Department for Education (DFE) provision and this will be determined on an individual basis by the council annually. LCC's policy in this respect is consistent with guidance on post-16 education travel issued by the DFE.

A15. Progression and repeat years

School and College

School and college transport eligibility is intended to facilitate progression through the educational phases. Free or subsidised school or college transport is not available for repeat years or to take courses at the post-16 phase that are not considered to be a progression from courses already taken. It is thus not normally possible to obtain transport support to take a second Level 3 course if this level has already been achieved.

This policy does not apply to students with SENDs for whom a longer period of study is sometimes necessary provided it is to facilitate progression.

A16. Alternative Provision Centres

Transport is considered to alternative provision centres in the county. These are intended to provide temporary placements for pupils at risk of exclusion or those that have been permanently excluded. Pupils are funded in these settings following negotiations between their current school, the alternative provision provider or our pupil re-integration team.

Eligibility for transport from home to the placement falls under the normal criteria. Transport will only be considered to the nearest placement that can meet the child's needs and the centre is over the distance criterion. See Section A2.

A17. Children permanently excluded from a previous school

Children permanently excluded from a school must continue to undertake full-time education. Transport may be provided to an alternative setting for the child provided

the new setting is the next nearest suitable establishment. Our pupil re-integration team will usually support the placement of pupils.

A18. Home tuition

Sometimes it is deemed appropriate for a child to receive one-to-one tuition, often referred to as 'home tuition'. It may be necessary for the learning to take place at localised centres rather than at the home. In these cases, transport eligibility from home to the placements are made against the normal criteria. Transport will only be considered to the nearest placement that can meet the child's needs and the centre is over the distance criterion.

A19. Managed moves between Lincolnshire schools

A managed move is a move by a pupil from one school to another for exceptional reasons. It is arranged and agreed by the heads of both schools involved in the move, as well as by us (the Pupil Reintegration Team) and the pupil's parents. Managed moves are arranged under the guidance issued by the Department for Education to Local Authorities on managing behaviour.

In some circumstances it is necessary to provide home to school transport for pupils subject to a managed move. In cases like this transport is normally provided only to the next nearest school with a place.

A move of school arranged by a headteacher or parents which we have not agreed is not classified as a managed move. The normal criteria for home to school transport will apply in such cases.

A20. Children in our care

Children in local authority care often experience sudden changes of placement. If a request or application is received for home to school transport the following will apply:

- Children in our care who are in a temporary placement are eligible for transport to their current school to ensure continuity of education. Transport provision will be reviewed with the responsible social worker regularly throughout the period of eligibility.
- Children in our care in a permanent placement are eligible to transport to a school that has been assessed as suitable by social care. This will be subject to the distance criterion being met as described in Section A2. Usual conditions regarding the designated transport area school and distance criterion will be considered by social care when determining the most suitable school.

When applying, social workers will be expected to provide evidence if the young person cannot:

- attend the nearest or designated school
- walk to school, accompanied as necessary by a responsible adult if transport distances are less than two miles (primary age) or three miles (secondary age).

If school transport is required in the longer term it may be necessary for the transport eligibility team to liaise with a senior social worker for more information about the child's care plan.

- Our transport manager will make the final decision regarding suitable transport arrangements following consultation with the responsible social worker or social care team manager.
- The social worker must inform transport eligibility immediately of any change in a placement that affects transport arrangements or eligibility.
- We will not charge post-16 students, in or leaving care, for transport provision.
- Children subject to a Special Guardianship Order (SGO) are not eligible for the same transport rights as children in care. Applications for transport will be assessed in accordance with this policy.

A21. Children in the care of a Local Authority outside of Lincolnshire

Children in care with another local authority will be eligible for free school transport provision only if they are attending:

- their designated transport area school or
- a nearer school subject to the distance criteria.

In all cases the home local authority must complete a transport referral form if they wish to apply for school transport. Forms can be requested by emailing transportreferral@lincolnshire.gov.uk.

A child is not eligible for transport if they attend a further distant school that is outside the designated transport area. If the home local authority still wishes for transport to be arranged, we will seek payment for the provision from the home local authority. Following receipt of a referral we will inform the home local authority of the cost of the transport. We will ask them to confirm that it is willing to meet the cost of the provision. Once a purchase order number has been provided, the transport arrangements will be made.

Children in the care of another Local Authority and who have an Education and Health Care Plan will only be eligible for school transport if the home local authority agrees to meet the transport costs and provide a purchase order number.

Post 16 pupils in further education must pay the post 16 transport contribution if they are attending their:

- designated transport area sixth form or college or
- a nearer school or college subject to the distance criteria.

Post 16 pupils who are attending a further distant school or college that is not within the designated transport area will not be eligible for transport provision unless the home local authority agrees to meet the cost of the transport and has provided a purchase order number.

Section B: Procedures, Processes and Guidelines on transport/safety and security

B1. Applying for transport

Our Going to School in Lincolnshire guide helps parents and carers make decisions about their child's education.

Where an annual payment or contribution is required, we must receive the payment before the transport arrangements are put in place. The contribution can be paid as follows:

- In full
- In three instalments
- In six instalments.

B2. Time guidelines for processing applications

We aim to process valid applications and make a decision within 5 working days.

At busy periods (July to September), this guideline does not apply. We will as far as possible, process valid applications quickly.

We recommend applying for transport well in advance to ensure enough time for transport provision.

B3. Length of journey

There are no legally-binding guidelines regarding the length of journey to and from school or college. The only requirement is we must provide non-stressful transport,

We follow guidelines of 45 minutes for a single journey at the primary stage and 75 minutes at the secondary stage. Some pupils have to make long journeys when going to special schools or a college. For these we will try, wherever possible, to meet those guidelines.

B4. Safety on school transport

Legal duties and responsibilities

We are responsible for the safety of all pupils and children on our contracted transport. We work with our transport partners and other key stakeholders to ensure our operations meet or exceed all statutory health and safety requirements and promote a culture of safe transport. These partners include:

- the police
- the Lincolnshire Road Safety Partnership (which also includes the police)
- schools
- our transport operators and contractors
- the Health and Safety Executive and others.

Seatbelts

Seatbelts are compulsory in all cars and private vehicles on public roads, including vehicles with up to 16 seats and must be worn.

Seatbelts are not compulsory on coaches or public transport vehicles and are not fitted on trains. We promote the use of seatbelts whenever they are fitted in vehicles. Where seatbelts are fitted we expect them to be used. We may refuse to provide transport if a passenger refuses to use a seatbelt.

Child Protection and Disclosure and Barring Service

We are required by law to ensure that children are protected from harm by others whilst they are in our care. This duty specifically applies when they are being transported to and from school.

All drivers and passenger assistants of children on contracted vehicles must have a Disclosure and Barring Service (DBS) check. These are checks against a police-controlled database which records convictions. All our staff and staff employed on our behalf who have significant contact with children must also have a DBS check. These checks are at the enhanced level and carried out at least every three years.

B5. Pupil conduct issues

We have a zero-tolerance approach in respect of violence or abuse. Such behaviour will result in the pupil or student being excluded from transport. Travel arrangements will then become the responsibility of the parent or carer. Further information is also available at School and college transport applications.

We use CCTV on many of the buses used for home to school transport to help ensure the safety and security of passengers. Unless the film footage is needed to verify reported incidents it is deleted shortly after being recorded.

Pupils behaving in an unacceptable manner can be issued with a warning in serious or repeated cases, to protect other passengers, they can be suspended from transport.

When a transport provider is requiring payment for the cost of damage caused by a pupil, the parent or carer must pay.

B6. Driver and passenger assistant conduct issues

Our driver and passenger assistant pack summarises the roles and responsibilities for drivers and passenger assistants. Any concerns about driver or passenger assistant conduct should be reported using the Incident Report Form.

Safeguarding

If a driver or passenger assistant has safeguarding concerns regarding a child or young person they should inform the establishment attended and report their concerns via the Incident Report form.

Further information and guidance can be found on the [THE homepage – LSCP](#). The driver should also advise the named Designated Safeguarding Lead at the child or young person's place of education. If the driver believes a crime has been committed and there is an immediate risk of danger, they should call the police on 999.

Appendix A: The statutory background to our Education Transport Policy

The national policy

The Education Act of 1996, as amended by the Education and Inspections Act of 2006, section 508, 509 and Schedule 35B puts forward the statutory requirements that all councils within England responsible for school transport must follow regardless of the circumstances.

A council has a statutory duty to make such travel arrangements as it considers to be necessary to ensure an eligible child's attendance at school. In general terms, under the 1996 Act a council must provide transport to and from school for a child aged 5 to 16 between its home address and the nearest qualifying school, under certain conditions. It states that children are eligible to free transport if they are attending their nearest qualifying school and their address is located further than the statutory walking distance (2 miles for children up to age 8 and 3 miles for children aged 8-16). The statutory walking distance is disappplied if the child could not be expected to walk a distance due to a disability or learning disability.

Furthermore, children eligible for free school meals and from low-income families are eligible to free transport if they attend a school between 2 and 6 miles and one of their three nearest suitable qualifying schools. If the child attends a faith school and they are from a low-income family, then the distance increases to between 2 and 15 miles. Children from low-income families have been defined in multiple ways within the councils' home to school transport policies, but generally they can be described as such: in order to be qualified as a child from a low-income family, the parent or carer has to be receiving either Income Support, Income-based Job Seeker's allowance, Child Tax Credit whilst having an income below a certain amount per annum as determined by the government, State Pension Credit, the maximum level of Working Tax Credit or Working Tax Credit with an income below a certain amount per annum as determined by the government, or Universal Credit with an income below a certain amount per annum as determined by the government. These children are therefore eligible for an additional level of transport assistance.

Paragraph 15 of Schedule 35B of the 1996 Education Act (inserted by the Education and Inspections Act 2006) defines the meaning of a qualifying school and lists them as:

- Community, foundation or voluntary schools;
- Community or foundation special schools;
- Schools approved under section 32(non-maintained special schools);
- Pupil referral units;
- Maintained nursery schools or
- City technology colleges, city colleges for the technology of the arts or academies

Statutory Guidance ("Home to School Travel and Transport Guidance – Statutory Guidance for Local Authorities") issued in July 2014 expands this statutory definition by stating that the duty extends to the nearest suitable school which it describes as the nearest qualifying school with places available that provides education suitable to the age, ability and aptitude of the child and any special educational needs of the child.

In law, a qualifying school is simply a school falling within the list set out in the Act.

A council has discretion to provide transport to those children who do not qualify under the statutory duties (Section 508C of the 1996 Act as amended). The guidance issued to Local Authorities gives them discretionary powers to provide transport to children who are not automatically eligible for free transport. The guidance states that it is for Local Authorities to decide whether and if it will apply its discretion and offer transport support to non-entitled learners. Discretionary transport support does not have to be provided free of charge.

The Local Policy on School and College Transport

The School and College Transport Policy is published annually by Lincolnshire County Council, in line with statutory requirements. It is amended as required by changes in the law or by decisions taken by the council to change aspects of the policy. The council may only amend those elements of the policy which are at its discretion. Statutory requirements in respect of school transport must always be met.

Entitlement to school transport in Lincolnshire is based on the statutory duties outlined above, and the council's own policy to provide free transport to a school from an address in a Designated Transport Area (DTA) for a particular school, subject to the walking distance criterion of 2 or 3 miles being met. A DTA is an area around a school, indicating a transport entitlement. The council has DTAs for:-

- Primary mainstream schools
- Secondary grammar schools
- Secondary non-grammar mainstream schools
- Sixth form centres
- Colleges of further education

Post 16 education & training

The council has a statutory duty under Section 10 of the Education and Skills Act 2008 to exercise its functions so as to promote the effective participation in education or training of persons belonging to its area with a view to ensuring that those persons participate in appropriate full time education or training, an apprenticeship, or are in full time occupation and participate in sufficient relevant training, all pursuant to section 2 of the 2008 Act.

The council also has a statutory duty to publish a Post 16 Transport Policy Statement every year, setting out the arrangements for the provision of transport or otherwise that the authority considers it necessary to make for facilitating the attendance of persons of sixth form age at schools, any institution maintained or assisted by the authority which provides further education or higher education or both, any institution within the further education sector, any 16-19 academy or any other establishment at which the authority secures the provision of education or training.

Post 16 transport to education and training statutory guidance dated January 2019 requires the council, in planning transport provision to take into account its duty to promote effective participation under the 2008 act and the duty under section 2 of that act on young people to participate in education or training up to age 18. To achieve the aim of ensuring access the council subsidises the cost of Post 16 travel in Lincolnshire to support access to education and training opportunities for learners of sixth form age. This subsidy ensures that the cost of this travel is not a barrier to

accessing opportunities, as is required in the guidance issued to Local Authorities by the department for education.

Equality Act 2010

The council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 Section 149(1) refers.
- The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149(7).

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in this section may involve treating some persons more favourably than others.

A reference to conduct that is prohibited by or under this Act includes a reference to:

- A breach of an equality clause or rule
- A breach of a non-discrimination rule

An Equality Impact Analysis (EIA) supports the conclusion that the policy does not breach equality clauses or rules or breach non-discrimination rules. In particular, the specific transport needs of all children are assessed, and a child or young person who did not qualify for transport on distance grounds, would not be expected to make use of a walking route if they could not be expected to walk even a relatively short distance to a school or other educational setting.

Human Rights

Article 2 of the First Protocol to the European Convention on Human Rights provides that "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the state shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophic aims."

However English case law establishes that this Article is not engaged in relation to considerations of school transport. The Article is concerned with access to educational institutions and the policy does not deny access to any of the educational institutions which are provided within Lincolnshire.

Appendix B: Special transport arrangements in some Lincolnshire areas for secondary schools, grammar schools and colleges of further education

Bracebridge Heath

Due to the opening of the Lincoln Eastern Bypass, the following schools are no longer a designated school for some areas in Bracebridge Heath:

- Lincoln Castle Academy,
- Lincoln Christ's Hospital Academy,
- North Kesteven Academy and North Hykeham Robert Pattinson Academy

Branston Academy, is now closer than these schools. Queries about transport eligibility should be made to schooltransportapplications@lincolnshire.gov.uk.

Fishtoft Parish

- Secondary age pupils living in the parish and whose homes are within three miles of the Haven High Academy, Boston are not entitled to transport to the Giles Academy, Old Leake.

Pupils living in some areas served by William Lovell Church of England Academy, Stickney

You may be eligible for school transport to either William Lovell Church of England Academy or the grammar stream at King Edward VI Academy, Spilsby if you live in:

- East Fen
- Eastville
- Midville
- New Leake
- Sibsey,
- Sibsey Northlands
- Stickford
- Stickney
- West Fen
- Westhouses

The distance between your address and the school must be over three miles (4,827 metres).

If you are from this area and you want our child to go to the other stream at King Edward VI Academy, Spilsby you will be responsible for any transport arrangements and costs.

Grantham area

If you live in the area served only by the secondary schools within Grantham town, you will be eligible for school transport to any school in the town. To qualify the distance between your home address and the nearest non selective secondary school within Grantham is over three miles (4,827 metres).

Lincoln

If you live within the city of Lincoln, which is served by several secondary schools, you will only be eligible for transport to the nearest school to your home_address. To qualify, the distance between home and school must be over three miles (4827 metres).

Schools that operate different year groups at different locations (such as Louth Academy, Boston Haven High)

Applications for transport to the relevant site are assessed against the school and college transport policy. When an eligible child reaches the year group where they move to an alternative site, we will reassess their transport eligibility. We will write to applicants if there is any changes to their eligibility.

Sometimes a pupil does not qualify to the lower school site, but may qualify when they go to the upper school site. You will need to make a new application for transport at that point.

Children living in areas that are served by more than one primary school

For transport purposes, primary age children would be expected to attend their nearest school.

Schools in the unitary authorities of North-East Lincolnshire and North Lincolnshire

Some Lincolnshire villages near to the boundaries of the authorities mentioned above are closer to schools in those areas than to schools in Lincolnshire. The following arrangements apply:

- Your child may be eligible for transport to Kirton Academy, Kirton Lindsey or De Aston School, Market Rasen if you live in:
 - If you live in Waddingham, Snitterby, Bishop Norton, Hemswell, Harpswell, Glentworth, Willoughton, Blyborough, Atterby, Brandy Wharf or Grayingham, your child may be eligible for transport to Huntcliff School in Kirton Lindsey.
- If you live in Scotter, East Ferry, Scotton or Northorpe, your child may be eligible for transport if offered a place at:
 - Queen Elizabeth's High School, Gainsborough
 - The Gainsborough Academy
 - Kirton Academy, Kirton Lindsey.
- Your child may receive transport if offered a place at Toll Bar Academy, Station Road, New Waltham, Grimsby if you live in:
 - Tetney

- Holton le Clay
- Waithe
- Grainsby
- North Thoresby, your child may normally receive transport if offered a place at Toll Bar Academy, Station Road, New Waltham, Grimsby.
- If you are offered a place for your child in one of the Louth secondary schools, your child may also be eligible for home to school transport.
- If you live in Keelby or Riby, your child may normally be eligible for transport to:
 - Healing School – a Science Academy, Low Road, Healing, Grimsby
 - Caistor Yarborough Academy
 - Caistor Grammar School.

Appendix C: How to appeal a refusal for transport

If you wish to appeal you should contact us within 20 working days of the refusal.

Grounds for appealing the decision would be:

- We have failed to apply our own policy or the law correctly.
- There are exceptional circumstances (see below) that you feel should be considered.
- Disputing the suitability of the walking route to school or pick up point after an assessment has been conducted.

Review of application (first stage of appeal process)

Complete this form to appeal a decision.

Appeal a decision

Alternatively you may write to us by email. You should include the pupil's name, your name and the TRA reference number from the decision letter.

At this stage the appeal will be considered by a senior officer who will not have dealt with the original application. Your application will be looked at again, and the information you have supplied in the letter of appeal considered. We will write to you within 20 working days with the outcome.

Second Review of Application (final stage of appeals process)

You may make a further and final appeal within 20 working days of your appeal stage one refusal. Grounds for appealing the decision would be:

- We have failed to apply our own policy or the law correctly
- There are exceptional circumstances that you feel should be considered.

The second appeal should be in writing, to the address on this page. The second stage appeal will be decided by an independent panel. The panel will meet within 20 to 40 working days from the receipt of your second stage appeal.

The earlier decisions will be reviewed and any new information presented in the second stage appeal will also be considered. At this stage you should expect to have to supply evidence in sufficient detail to demonstrate that:

- Our earlier decisions were wrong,
- There are exceptional circumstances which mean that we should provide the transport where there is no entitlement against the published criteria.

You can supply any information verbally, by telephone, in addition to your written information. This should be done by ringing the Customer Services Centre (01522 782020) and asking to speak to a transport officer, who will take note of your verbal information.

Following the panel meeting we will notify you of the decision in writing within five working days.

We always consider circumstances on an individual basis. You may bring forward any circumstances you consider to be exceptional and which prevent you from ensuring that your child attends school.

The following types of circumstances, which is not an exhaustive list, may be argued as exceptional:

- Sudden and traumatic changes in family circumstances, outside the control of the family and which could not have been foreseen. They prevent the family making their own transport arrangements. which prevent the family making their own arrangements.
- A change of school due to exceptional circumstances where it is agreed by the school formerly attended and the receiving school, as well as by the council, that the change of school is necessary. This is known as a 'managed move' (see Section A21). The application for transport on these grounds should normally be made **before** the change of school
- Circumstances outside the control of the pupil or the family which prevent them carrying out their duty to ensure that the pupils travels to school safely, where the school is the nearest with a place.

However the following circumstances would not normally be considered as exceptional:

- Change of address
- Parent(s) or carers unable or unwilling to transport pupil to a school or college where we do not provide transport under an eligibility, is not provided by the council under an eligibility
- A change of school due to alleged bullying or other problems. There may be an exception if we have received a recommendation before the change of school.
- Non-eligibility due to the school choice by the parent or carer.
- Non-entitlement which arises from a school choice by the parent/carers.
- Loss of employment.
- Loss or non-availability of private travel arrangements.
- A request for transport for a sibling unless they qualify under the policy.
- Children subject to shared custody whose parents or carers request transport from both addresses.

Note, a court order determining contact between parents is not an order placed on us to provide transport from two addresses. If both addresses fall within the designated transport area for the school and meet the distance criterion parents will need to decide together which address they wish to apply for transport from. However, the address will need to fall within the school's designated transport area.

Appeals/Reviews Procedure for Lincolnshire

- Application made by parent or carer
- Application refused
- We notify parent or carer in writing, giving reasons and notifying right to appeal decision within 20 working days of the letter
- Parent or carer challenges the decision within 20 working days
- Stage 1 appeal considered within 10 working days from receipt of the appeal
 - The appeal is considered by a senior officer who looks at any further evidence supporting the application for transport
 - Once a decision is made written notification of the decision is made to the parent or carer
- If transport is agreed transport will be arranged accordingly
- If the stage 1 appeal is not successful parent or carer can choose to escalate the appeal to the next stage within 20 working day
- Stage 2 appeal made – panel convened in 20 to 40 working days
 - Appeal panel (not including officers previously involved) considers written and verbal information from the parent or carer. Appeal panel members are suitably qualified.
 - Decision letter notifying of the result is sent within 5 working days, giving detailed reasons for the decision. If the appeal is not upheld, the panel will consider any other legislative duties or rights in relation to the appeal.
- Stage 2 appeal upheld
 - Letter notifies this and transport arranged accordingly
- Stage 2 appeal not upheld
 - Letter notifies of decision, giving detailed reasons and information on escalating the case to the Local Government Ombudsmen.

Appendix D: Policy on available walking routes

Home to school transport

Unless a child qualifies for transport, parents must make arrangements to get their children safely to and from:

- the school, or
- the pick up point to meet the transport

Parents are expected to determine if their child requires accompaniment on the journey by a responsible adult. They should make arrangements for this as necessary.

Is your child eligible for transport?

Parents and carers may express a preference for a school that they wish their child to attend. We will provide or pay for transport only to the school within the designated transport area, or to a nearer suitable school and if the distance between home and the school is:

- two miles or more for primary age pupils
- three miles or more for secondary pupils.

Available Walking Route

An available walking route is one that a child of school age (reception to year 11), accompanied by a responsible adult as the parent or carer deems necessary, may use to get to and from school.

Transport will not be provided for post-16 students for distances less than three miles even if the route is determined to be unsuitable for an accompanied school child to walk.

In considering the availability of a route we follow the guidelines issued by the Road Safety GB Group and will consider these factors:

- If there is a footpath along the entire route it will almost always be determined as suitable.
- Absence of a footpath does not necessarily make the route unsuitable as long as:
 - there is room to step off the road to allow traffic to pass
 - the traffic flow is within our criteria based on nationally approved guidelines.
- Hazardous road conditions such as blind bends or road narrowing along with the traffic flow.

- Where there is a need to cross the road, we will assess the route against our criteria based on the Road Safety GB guidelines.

We do not consider the following factors when making a route assessment:

- lonely routes
- moral danger
- rivers, ditches, dykes and ponds
- unmanned level crossings
- absence of street lights
- inclement weather.

If you do not agree with the decision

If you consider that our policies have not been applied correctly you can appeal. See how to do this in Appendix C.

We will then review our decision to provide transport. All children will be treated fairly and equally throughout Lincolnshire.

Appendix E: Guidelines on the allocation of spare seats

We may allocate spare seats on our contracted transport services (buses and taxis) to school or college to pupils and students who have not qualified for free or subsidised transport. These places are called concessionary seats.

The parent or student must pay a contribution for a concessionary seat. This cost is calculated on a per day basis.

Concessionary seats are not available if:

- the journey to or from school can be made by local fare-paying bus services
- we would incur any additional cost in providing the seat.

We may withdraw the concessionary seat at short notice if a seat is needed for an eligible child.

If there are more applications for concessionary seats than there are places available places will be awarded on this proviso:

- 1st pupils or students living in Lincolnshire
- 2nd pupils or students who wish to use the transport at both the beginning and end of the school or college day
- 3rd pupils or students attending the designated or nearest school or college to their home
- 4th pupils or students who are part way through an exam course
- 5th those living furthest from their designated or nearest school or college
- 6th youngest children

The seat is offered for the duration of the academic year subject to payment and the award proviso.

Applications can be made online.