



# All Age Travel Assistance Policy

April 2020

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## 1 Introduction

- 1.1** This policy sets out the travel assistance offer provided by the City of Wolverhampton Council (the Council) for children, young people and adults.
- 1.2** Travel Assistance is the way the Council helps people to get to a school or a day care centre. The policy refers to these places as educational establishments or social care venues.
- 1.3** The purpose of this document is to clearly explain what the Council will and will not do to help people get to these places. What is described here is based on what the law says a Council must do.
- 1.4** The Council is determined to see that people in our City live independent and healthy lives, whilst supporting the most in need and providing the most sustainable and efficient travel-assistance option.
- 1.5** This policy aims to do this by supporting individuals to access educational establishments and social care venues based upon their individual needs.
- 1.6** This policy applies to the following:
- Pre-school age children 0-4
  - Pupils of compulsory school age 5-16
  - Pupils aged 16-19
  - Adult Learners aged 19-25
  - Adults with care and support needs

## 2 Principles

### 2.a Promotion of independence

The Council wants to help people live independent lives and ensure they get the best travel assistance option to meet their individual needs.

### 2.b Safeguarding

The Council will make sure that all decisions made about travel assistance uphold our safeguarding duties to promote wellbeing and protect people from harm.

### 2.c Sustainable Travel

In line with the Council's climate commitment<sup>1</sup> this policy will seek to ensure the most sustainable mode of travel and transport<sup>2</sup> is used when providing travel assistance, which will cause the least impact on the environment.

## 3 Legal duties

**3.1** This policy is written in accordance with our statutory duties including:

- To promote the use of sustainable travel and transport in accordance with section 508A of the Education Act 1996<sup>3</sup>.
- To make travel arrangements for children receiving early years' education under section 509A of the Education Act 1996.
- To make travel arrangements for eligible children to get to an educational establishment in accordance with section 508B of the Education Act 1996.
- To publish an annual post 16 transport statement in accordance with the Education Act 1996.
- To publish general arrangements and policies for home to school transport for children of compulsory school age which should be easy to understand in accordance with the Education Act 1996.

<sup>1</sup> <https://www.wolverhampton.gov.uk/environment-and-climate/climate-change-and-sustainability>

<sup>2</sup> Section 508A of the Education Act places a general duty on local authorities to promote the use of sustainable travel and transport.

<sup>3</sup> <http://www.legislation.gov.uk/ukpga/1996/56/contents>

- To publish information known as a “Local Offer” about support provision available for children and young persons in its area with special educational needs and disabilities under Section 30 Children and Families Act 2014.<sup>4</sup>
- To provide support for adults with care and support needs in accordance with the Care act 2014.<sup>5</sup>

3.2 The policy is framed by the government’s statutory guidance regarding home to school transport<sup>6</sup> and SEND Code Of Practice 0-25 years.<sup>7</sup>

## 4 Pre-school age children (0-4)

4.1 The Education Act 1996 does not place a legal duty on local authorities to provide transport for children below compulsory school age. The Council will not normally provide travel assistance for children before the start of the academic year in which they turn five.

4.2 The Council recognises that in exceptional circumstances children with an assessed special educational need may be eligible to access travel assistance. Exceptional circumstances are covered in section 19 of this policy.

## 5 Pupils of compulsory school age (5-16)

5.1 For eligible pupils of compulsory school age at the nearest suitable school travel assistance will be provided from ‘reasonably near to home to reasonably near to the school’ and will be provided for the journey to school in the morning

and the return journey at the end of the school day. Travel assistance will not normally be provided at other times such as outside of normal school hours.

5.2 The Education Act 1996 states that parents are responsible for ensuring that their child attends school. For families accessing travel assistance under this policy, this includes the expectation that parents are responsible for ensuring their child gets to and from transport. This may mean accompanying them to and from a pick-up point if required. Reasonable consideration and adjustments for the parent’s needs will be taken into account at the point of when the pupil receives an individual assessment.

5.3 Travel assistance will be provided for pupils using the most efficient use of Council resources and appropriate method that meets the pupil’s needs. The assessment will look at the pupil’s age, needs, ability and the journey they will be making to decide what type of travel assistance is most appropriate to meet their needs.

5.4 The Council will endeavour to ensure that the total journey time does not exceed 45 minutes each way for a pupil of primary school age or 75 minutes each way for a pupil of secondary school age as set out in the government’s statutory home to school guidance<sup>8</sup>.

5.5 Pupils may qualify for free travel assistance based on the outcome of assessment if:

- they are ordinarily a resident of the City of Wolverhampton; **AND**

<sup>4</sup> <http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>    <sup>5</sup> <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

<sup>6</sup> <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>

<sup>7</sup> <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

<sup>8</sup> <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>

- they are under 8 years and their home address is more than 2 miles from the nearest suitable school; *OR*
- they are aged 8-16 years and their home address is more than 3 miles from the nearest suitable school; *OR*
- they are aged 8-11 years, eligible under the low-income criteria in section 5.6b and their home address is more than 2 miles from their nearest suitable school; *OR*
- they have been assessed as needing travel assistance due to eligibility arising from a special educational need or disability set out in section 6 of this policy.

**5.6 In addition to the above criteria additional considerations are made in line with statutory duties in the following circumstances:**

**5.6a Unsafe Walking Route**

The Council has a duty to make transport arrangements for all children who cannot reasonably be expected to walk to the nearest suitable school because the nature of the route is considered unsafe to walk. The Council will assess if the route would be made safe if the pupil could be accompanied by a parent or an alternative safe walking route is available.

Pupils may qualify for free travel assistance based on the outcome of assessment if:

- they are ordinarily a resident of the City of Wolverhampton; *AND*
- they are aged 5-16 years and attending their nearest suitable school; *AND*
- live within walking distance but all

assessed available walking routes are deemed unsafe for a pupil taking into account their age and ability.

**5.6b Pupils from low-income families**

Pupils from low-income families may qualify for free home to school travel assistance based on the outcome of assessment if:

- they are ordinarily resident of the City of Wolverhampton; *AND*
- they are eligible for Free School Meals (FSM); *AND*
- they are aged 5-11 years and their home address is more than 2 miles from the nearest suitable school; *OR*
- they are aged 11-16 years and the school is between 2-6 miles away from their home address and there are not three or more suitable nearer schools; *OR*
- they are aged 11-16 and live 2-15 miles away from their school where this is the nearest suitable school preferred on grounds of religion or belief.

## **6 Children of compulsory school age with Special Educational Needs and/or Disabilities**

**6.1** Pupils with special educational needs and/ or a disability or mobility problem may qualify for free travel assistance based on the outcome of assessment if:

- they are ordinarily a resident of the City of Wolverhampton; *AND*
- they are aged 5-16 years and attending the nearest suitable school; *AND*
- cannot reasonably be expected to walk to school because of their

mobility issues or because of associated health and safety issues related to their special educational needs and/ or disability.<sup>9</sup>

- 6.2 Usual transport requirements (e.g. the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to special education needs and/ or disability.
- 6.3 For a pupil with an Education and Health Care (EHC) Plan the parent or pupil's preferred school might be further away from their home address than the nearest suitable school that can meet their needs. In these cases, the Council can name the nearer school if it considers it to be appropriate for meeting the child or young person's needs.
- 6.4 If a residential school is named in the pupil's (EHC) Plan as being the most appropriate to meet needs, the pupil will be provided with a maximum of six return journeys between home and school per academic year.

## 7 Children and young people of compulsory school age with medical or mobility needs

- 7.1 Children and young people of compulsory school age who have mobility problems/ medical conditions that prevents them from walking may be eligible for travel assistance to help them get to their educational establishment.
- 7.2 The Council will make a personalised assessment, based on supporting medical information, to decide the most appropriate method of travel assistance,

as well as how long this should be provided for.

## 8 Post 16 travel assistance

- 8.1 The Education Act 1996 requires councils to publish an annual 'Transport policy Statement for young people of sixth form age' which sets out what travel assistance is available, from the Council and other bodies, to facilitate the attendance of young people of sixth form age receiving education or training at schools, FE colleges/institutions, 16-19 Academies, and certain other institutions maintained or funded by the Council. This statement is published annually and is available on the Council's website linked here.
- 8.2 Councils are not required to provide any free or subsidised post 16 travel assistance and most student's do not receive or require travel support from the Council, unless the circumstances are exceptional. Students should in the first instance apply to their school or college for bursary funding to help with their travel costs.
- 8.3 The Council can offer support to those students whose ability to attend or to complete a course may be affected by travel assistance not being arranged (please see eligibility criteria set out in section 8.7).
- 8.5 Continued provision of travel support will be focused on preparing students for adulthood and will consider building a capability to access employment, live independently and participate in society. Therefore, it may be assessed as appropriate for the Council to provide independent travel training for the young

<sup>9</sup> <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>

person for which the Council will request a charge.

**8.6** All young people carrying on their education post 16 must reapply for travel assistance.

**8.7 Post 16 pupils may qualify for travel assistance based on the outcome of assessment if:**

- they are ordinarily a resident of the City of Wolverhampton; *AND*
- over compulsory school age but under 19; *OR*
- continuing to attend a course which started before they were 19; *AND*
- attending a full time (a minimum 15 taught hours per week) course at the nearest suitable educational establishment; *AND*
- it would not be reasonably practicable for them to attend an educational establishment if no arrangements were made; *AND*
- they are able to demonstrate other arrangements have been considered or tried and why they are not suitable; *AND*
- they are willing to pay a contribution towards transport.

**8.8** If a student is eligible for travel assistance and it is assessed that they require a seat on a vehicle, they will be charged a contribution towards the cost of this. The level of contribution is set at £600 per academic year or £300 for students from low income families, save in exceptional circumstances. Any parents who considers there are exceptional circumstance that apply to them, with the result they should not be charged (or should not be charged in full), are encouraged to make that

information known to the Council so their representations can be considered. If a parent is not satisfied with the Council's decision on the provision of travel assistance based on this policy, they can appeal (please see section 21 of this policy). The level of contribution will not vary according to what type of educational establishment they are attending e.g. mainstream, special or specialist post-16 education provisions, independent schools or further education colleges or other suitable training establishments.

**8.9** The student's travel assistance needs will be reviewed annually on the basis that their needs may change as they get older.

**8.10** Transport is normally only provided for the start and end of the educational establishment day, but adjustments may be made in exceptional circumstances.

## 9 Children in Care

**9.1** Children and young people living with a foster carer are eligible for travel assistance under the criteria of this policy set out in sections 3-8. For details of other support available for foster carers please refer to the Allowances for Foster/Family & Friends (Connected Person) Carers' Allowance policy 2020.

## 10 Adult Learners aged 19-25

**10.1** The Council actively encourages young adults to participate in education and training to maximise their independence. However, it is expected that most adult learners will make their own travel arrangements and meet the cost of these arrangements.

- 10.2** In exceptional circumstances the Council may decide that it is necessary to provide travel assistance to students with an (EHC) Plan, who are aged 19-25 years, when they begin a new course of education.
- 10.3** In considering whether it is necessary for the Council to make arrangements for the provision of travel assistance, the Council will make a decision based on:
- The individual's age, ability, aptitudes and special educational needs and/ or disabilities; *AND*
  - The nature of the route or alternative routes the applicant could reasonably be expected to take.
- 10.4** In deciding whether it is appropriate for the Council to provide travel assistance, the Council will also consider on an individual basis why the Council and not the individual or their family should be responsible for making travel arrangements. The Council's considerations will be based on whether an individual is:
- ordinarily a resident of the City of Wolverhampton; *AND*
  - continuing to attend a course which started before they were 19, until either it's completed, or they reach 25 years old (whichever is sooner); *AND*
  - attending a full time (a minimum 15 taught hours per week) course at the nearest suitable educational establishment; *AND*
  - it would not be reasonably practicable for them to attend an educational establishment if no arrangements were made; and they are able to demonstrate other arrangements have been considered or tried and why they are not suitable

Further consideration will be made if the individual is:

- in receipt of the higher rate mobility component of Personal Independence Payments, this would be taken into account as a means of securing independent travel assistance. If there are any exceptional factors limiting its' use applicants will need to provide details of them
- in receipt of a 'Motability' vehicle of which they will directly benefit. If a decision has been made not to use the 'Motability' vehicle to enable the individual to attend their post 19 educational placement, the individual or their family will normally be expected to make their own appropriate alternative arrangements or provide details as to why that is not possible or reasonable.

## **11 Adults with care and support needs**

- 11.1** The Council may support adults with care and support needs to travel to social care venues.
- 11.2** The Council expects adults with support and care needs to manage their own travel requirements. Individuals who can travel to a community activity, either independently or with assistance from family, friends or support providers are encouraged to do so.
- 11.3** Travel assistance is only available for people who have been assessed as having eligible social care needs as set out in the Care Act 2014. Any need for travel assistance will be determined during an assessment of the individual's care and support needs carried out by a social care practitioner.

- 11.4** Part of an individual's assessment will identify their potential to be independently travel trained in order to travel to and from community activities and services.
- 11.5** If an individual is assessed as needing travel assistance, pick-up points may be used.
- 11.6** If an individual chooses to attend a community activity outside of their identified locality and a local service is available to meet their assessed need, the additional cost of any transport must be met by the individual.

## 12 Nearest suitable school

**12.1** A nearest suitable school is the closest school at which the Council can make arrangements for a place which provides education that is suitable for the child's age, ability, and any special educational needs and disabilities they may have. In the following cases the Council is not responsible for the cost of travel assistance:

- The parents' or young person's preferred school or college might be further away from their home than the nearest school or college that can meet the child or young person's special educational need and/or disability. In such a case, the local authority can name the nearer school or college if it considers it to be appropriate for meeting the child or young person's special educational needs and/ or disability. If the parents prefer the school or college that is further away, the local authority may

agree to this but is able to ask the parents to provide some or all of the transport funding.<sup>10</sup>

- Where the parent's preferred school is further away from their home than the nearest suitable school that can meet the child's special educational needs, the Council can name the nearer school if it considers it to be appropriate for meeting the child's special educational needs. Alternatively, they may agree to name the preferred school but can ask the parent to provide some or all of the transport funding
- In deciding if to name the nearest or preferred school in the plan, the Council will consider whether transporting the child to the preferred school would be compatible with the efficient use of the Council's resources
- To a school maintained by another Council where the admission to that school is as a result of parental preference, other than in cases where the Council could not secure a place at an alternative school regardless of whether this alternative school falls inside the City boundary
- An individual who resides outside the City, but who receives education in one of the City's schools. In these cases, it is for the home Council to make appropriate arrangements
- Where the destination is a work-experience placement or other off-site activity arranged by the school travel assistance will not be provided

<sup>10</sup> Relevant legislation: Section 30 of the Children and Families Act 2014 and Schedule 2(14) of the SEND Regulations 2014 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

## 13 Distance

- 13.1** The distances referred to in this policy are the statutory walking distances as defined under section 444(5) of the Education Act 1996.
- 13.2** The distance for qualifying purposes is measured by the nearest available route. The route is not necessarily the shortest distance by road. It is measured by the shortest route along which an individual, accompanied as necessary, may walk with reasonable safety, as determined by the Council. The route measured may include footpaths, bridleways and other pathways as well as recognised roads. The Council will consider any relevant disabilities related issues as they are related to the journey for this measurement and mitigate any risks.
- 13.3** Distance is calculated through the Council's route-planning software.

## 14 Home address

- 14.1** An individual's home address is their regular residential address.
- 14.2** Transport will normally be from pick-up points near the individual's home, unless a home pick-up and drop off is essential due to the individual's needs.
- 14.3** If a pick-up from the home is assessed as appropriate, the address from which travel assistance is given is the home address at which the individual normally resides unless there are exceptional circumstances.

## 15 Acceptable behaviour

- 15.1** As a responsible employer, the City of Wolverhampton Council has a duty of care towards its staff and responsibility

to ensure publicly funded assets are treated reasonably. Therefore, people receiving travel assistance under this policy will be expected to adhere to the Council's acceptable behaviour process.

- 15.2** The Council recognises that it has a responsibility under the Equality Act 2010 to make reasonable adjustments and considerations for children, young people and adults with special educational needs or learning disabilities. These will be taken into consideration in the application of the acceptable behaviour process.

## 16 Vacant seats on contract routes

- 16.1** The Council will not normally provide or subsidise the journeys for those that are not eligible for travel assistance. The Council will make sure that vehicles are filled to capacity to ensure the efficient use of Council resources, however, any vacant seats may be used to carry other individuals that the Council considers requires assistance.
- 16.2** A seat may be given to another individual travelling to the same destination which the Council will charge for. It will be made clear that the arrangement could be terminated at a week's notice if the seat is required by an individual that is eligible for travel assistance.

## 17 Travel assistance assessment process

- 17.1** An application can be made using the City of Wolverhampton Travel Assistance application process for assessment by a suitably qualified professional to determine what travel assistance an

individual is eligible for. The application process can be found on the Council's website and the travel assistance assessment process can be found in appendix 1.

- 17.2** Please note that during the application process, if the individual is of compulsory school age, parents remain under their legal duty to ensure that they attend school regularly.

## **18 Travel assistance review process**

- 18.1** The Council is responsible for deciding the most suitable travel assistance for an individual and will review this on a regular basis to ensure that it continues to meet the needs of the individual.
- 18.2** This review is part of the annual review for children with an (EHC) Plan and for pupil's with special educational needs every 12 months, the first review being 12 months after assistance starts.
- 18.3** Pupils without an EHC plan will be reviewed annually by a suitably qualified professional.
- 18.4** For adults with care and support needs, the ability of the individual to travel or access appropriate travel assistance will be reviewed by the relevant social care practitioners at annual reviews or earlier through reassessment of the individual's needs.

## **19 Exceptional Circumstances for children, young people and adults**

- 19.1** The Council may choose to provide travel assistance for an individual in exceptional circumstances.

**19.2** Exceptional circumstances are by definition exceptional and there is no 'fixed' set of exceptional circumstances in which the Council will provide travel assistance for an individual.

**19.3** The Council will consider each case individually, taking into account the exceptional circumstances involved. The following situations (which are not intended to be exhaustive) may be considered exceptional:

- if an individual has more than one address, the Council will consider the family's circumstances and may provide travel assistance if the request is considered as reasonable
- when school closure results in pupils being transferred to another school, children on the register of the closing school will be entitled to free of charge travel assistance to the receiving school if this would make them an eligible child
- if a pupil is undertaking examinations in year 10 or 11, moves over 3 miles from current school and wishes to remain there to avoid disruption to studies
- child or adult safeguarding issues
- if the individual is in receipt of short-term respite care agreed with the Council at an alternative address
- when education may be severely disrupted for example, because of the effect of being taken into the care of the Council, or if a pupil's home life has been very severely disrupted or if not receiving travel assistance will prevent them from accessing education
- in exceptional cases where an additional activity is considered

central to meeting the needs as stated in the individual's EHC Plan, the Council may consider the practicality of extending travel provision to facilitate this.

- 19.4** Applications for travel assistance in exceptional circumstances must be supported by evidence and will be subject to regular review.

## 20 Types of Travel Assistance

- 20.1** The Council aims to promote the independence and well-being of all children, young people and adults through a range of travel options. The type of travel assistance an individual receives will be the most appropriate based on an individual assessment.
- 20.2** If an individual is assessed as being eligible the Council will decide between the following travel assistance options including:
- bus pass
  - independent travel training
  - personal transport budget (including mileage allowance)
  - shared vehicle (including minibus, coach, taxi)
  - individual taxi
- 20.3** The Council will also agree whether the individual requires extra space for equipment and/or luggage.
- 20.4** Travel assistants/ escorts and care during home to school transport will be considered as part of an individual's individual assessment. Travel assistants are issued with a photo ID badge, which must be worn at all times, to indicate they are undertaking this work for the City of Wolverhampton Council.
- 20.5** All travel assistance provided on behalf of the Council adheres to the Council's conditions of contract, and all staff undertaking travel assistance contract work will have been subject to criminal background checks and will undertake any relevant training.
- 20.6 Bus pass**
- 20.6.1** A bus pass can be provided for use on public transport for individuals to travel to their educational establishment or social care venue.
- 20.7 Independent travel training**
- 20.7.1** Individuals that are eligible for travel assistance will be assessed for independent travel and will be expected to undertake travel training to help develop their confidence to travel independently, unless they are assessed as being unlikely to benefit from such training. The process for independent travel training is outlined in appendix 2 'A young person's journey through independent travel training'.
- 20.7.2** Individual travel training will be a one-to-one flexible bespoke programme specifically designed to meet each individual's needs. This will be delivered by a qualified travel trainer following robust risk assessments. Support will be gradually phased out until the individual feels confident and capable enough to do the journey alone.
- 20.7.3** Once an individual has been signed off as an independent traveller, the Council will no longer provide another form of travel assistance and a bus pass may be provided.
- 20.7.4** If an individual is assessed as being appropriate for travel training and the offer is refused by the individual or

parent, then no other form of travel assistance will be offered.

**20.7.5** Where an individual has been assessed for travel training, but they are on a waiting list they will be provided with another form of travel assistance (e.g. seat on a vehicle) until travel training becomes available.

## **20.8 Personal Transport Budget (PTB)**

**20.8.1** The Council will consider a Personal Transport Budget (PTB) including a mileage allowance when making an assessment on an individual for travel assistance if it is the most efficient use of Council resources.

**20.8.2** For reimbursement of mileage costs for transportation, the route will be calculated based on the shortest driving distance based on the tax-free approved mileage allowance of two return journeys from home to destination.

**20.8.3** To ensure consistency and fairness the measurement is calculated using the Council's route planning software.

**20.8.4** Payment of PTB's will be dependent on the regular attendance of the individual at their place of education or care.

## **20.9 Provision of a place in a vehicle**

**20.9.1** A place on a vehicle (either shared coach, minibus or taxi) will be provided for an individual following a personalised assessment process. This will usually be from a designated pick-up point near the individual's home, unless a home pick-up and drop off is required due to the individual's assessed needs.

# **21 Appeals concerning travel assistance to Educational Establishment**

**21.1** If a parent is not satisfied with the Council's decision on the provision of travel assistance based on this policy they can appeal. Parents can do this by following the two-stage appeal process which can be found on the Council's website. The Appeals process for travel assistance to an educational establishment is outlined in appendix 3.

**21.2** During the appeals process no new travel assistance will be provided or in the case of existing arrangements, no change will be implemented. A parent will be responsible for ensuring that the pupil attends the educational establishment until the outcome of the appeal is determined.

## **21.3 Stage 1: Review by a Senior Officer**

- A parent has 20 working days to make a request to appeal the decision<sup>12</sup>
- The appeal should provide the reasons for challenging the Council's refusal of assistance or changes to proposed arrangements and include any supporting evidence
- Within 20 working days of receipt of a parent's appeal the appeal application is reviewed by a Senior Officer at the Council<sup>11</sup>
- The original decision may be upheld or overturned
- Written notification of the decision will be sent out within 5 working days of the decision being made

<sup>11</sup> As with the whole appeals process the timings are recommended and not compulsory. The council will work to ensure appeals are dealt with sooner, particularly those which have a time pressure, whilst complex cases may take longer.

<sup>12</sup> Details of how to appeal can be found on the Council's website

#### 21.4 **Stage 2: Review by an independent appeals panel**

- A parent has 20 working days from receipt of the Council's stage 1 decision to make a request for a stage 2 appeal
- This appeal should provide the reasons for challenging the decision and any new supporting evidence if applicable
- Stage 2 appeals are heard by an appropriately trained independent panel which will be convened within 40 working days of receipt of the parents request for an appeal
- The parent will be invited to attend the hearing and will be informed of the final decision in writing within 5 working days.

#### 21.5 **Complaints to the Local Government Ombudsmen**

21.6 If an applicant considers that there is a failure to comply with procedural rules or if there are any other irregularities in the way the appeal is handled, they have a right to complain to the Local Government Ombudsman. The Local Government and Ombudsman Advice team can be contacted:

*By telephone:* **0845 602 1983**

*Or in writing to:*

**Local Government Ombudsman**  
PO Box 4771, Coventry, CV4 0EH

21.7 If an individual considers the decision of the independent panel to be flawed on public law grounds, they may be able to apply for judicial review. The Council would respectfully remind those feeling aggrieved have the right to seek independent legal advice.

## 22 **Complaints concerning travel assistance for adults receiving care and support**

22.1 Assessments regarding travel assistance for adults are undertaken as part of an individual's overall assessment of support needs carried out by a social care practitioner. There is no formal appeal process against the travel assistance assessment for Adults with care and support needs.

22.2 Where people are unsatisfied with the outcome of an individual assessment, they can make a complaint in accordance with the Council's complaints procedure.

22.3 If people remain dissatisfied after pursuing the Council's complaints procedure, they can appeal to the Local Government and Ombudsman:

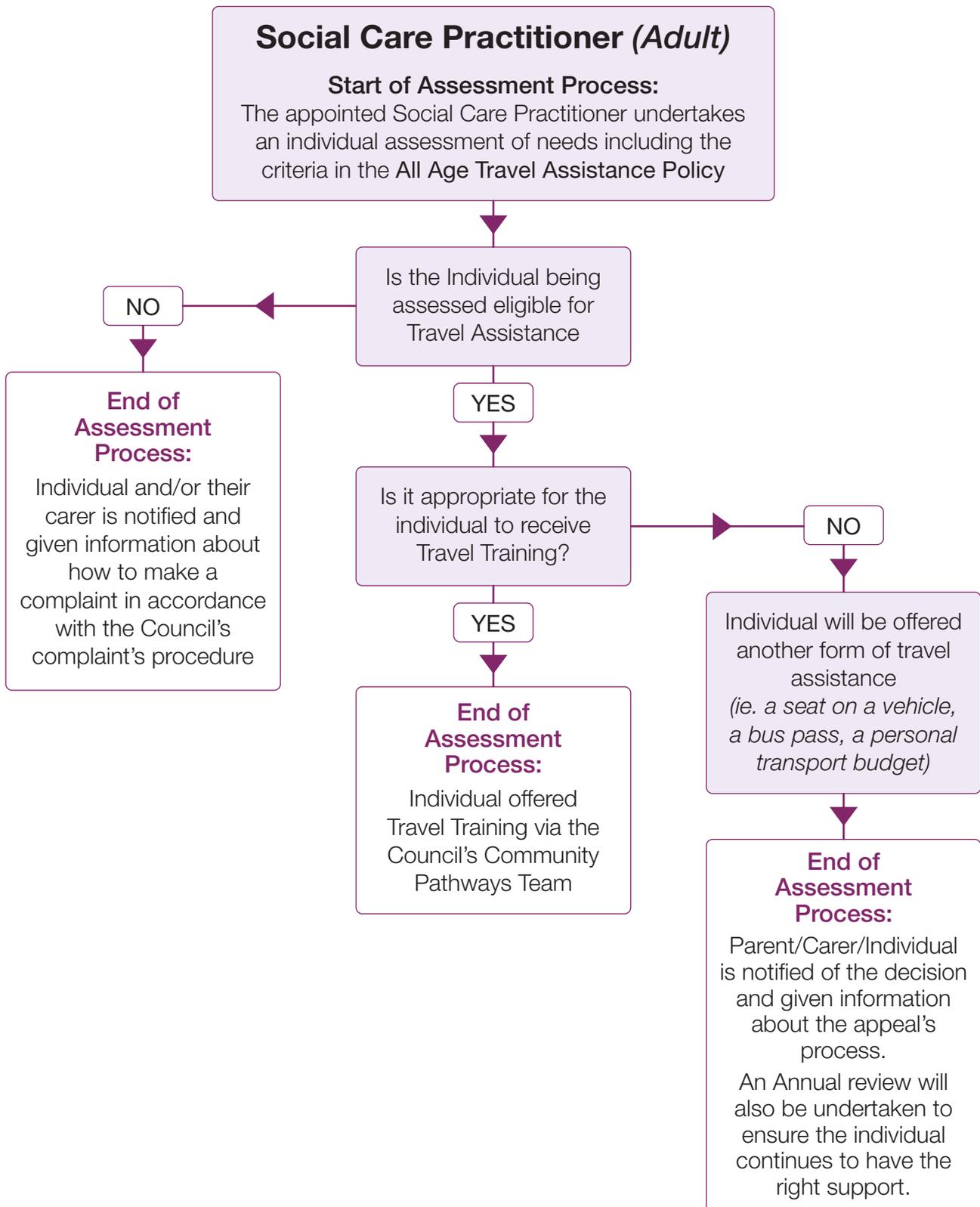
*By telephone:* **0845 602 1983**

*Or write to:*

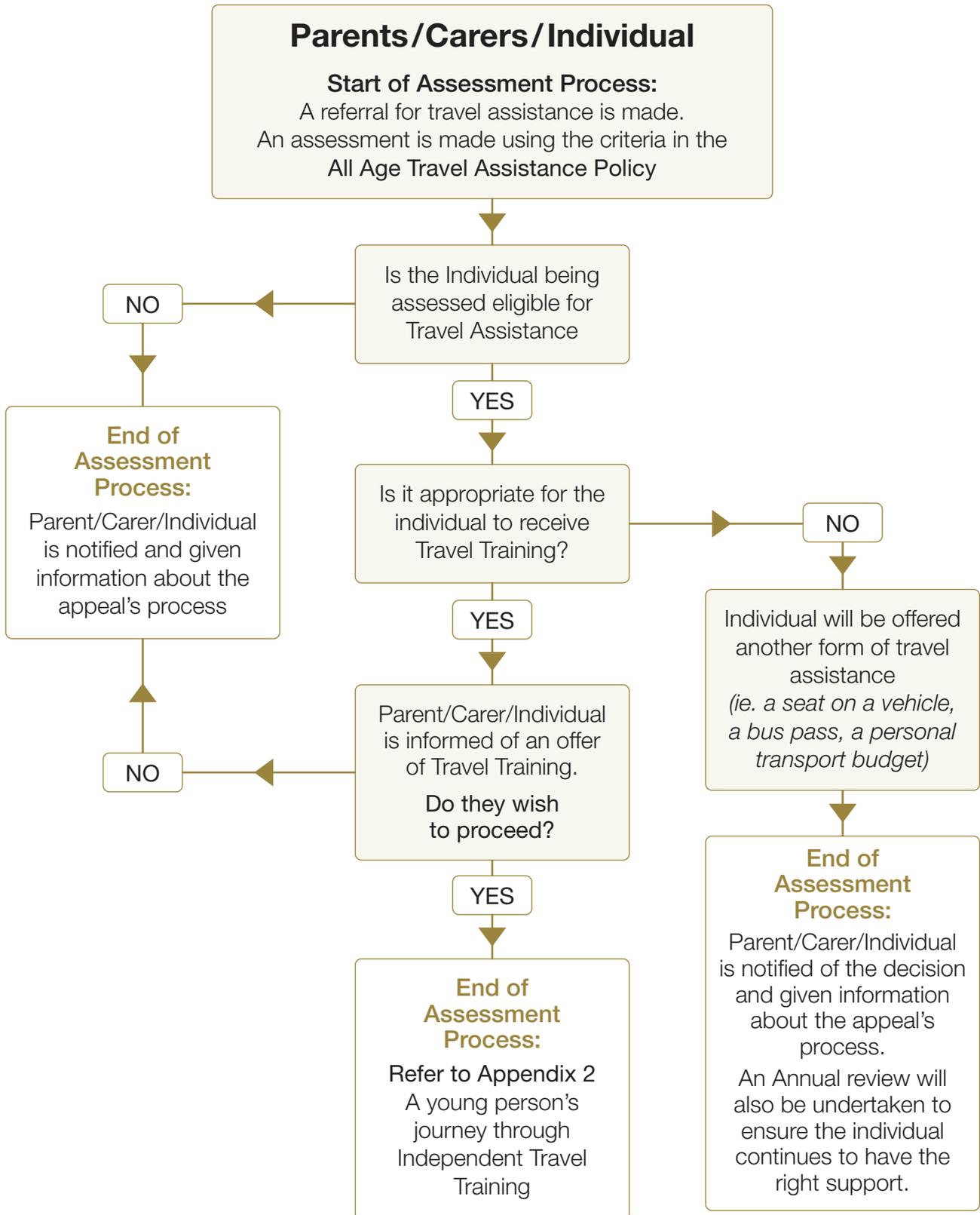
**Local Government Ombudsman**  
PO Box 4771, Coventry, CV4 0EH

22.4 If an individual considers the decision of the independent panel to be flawed on public law grounds, they may be able to apply for judicial review. The Council would respectfully remind those feeling aggrieved have the right to seek independent legal advice.

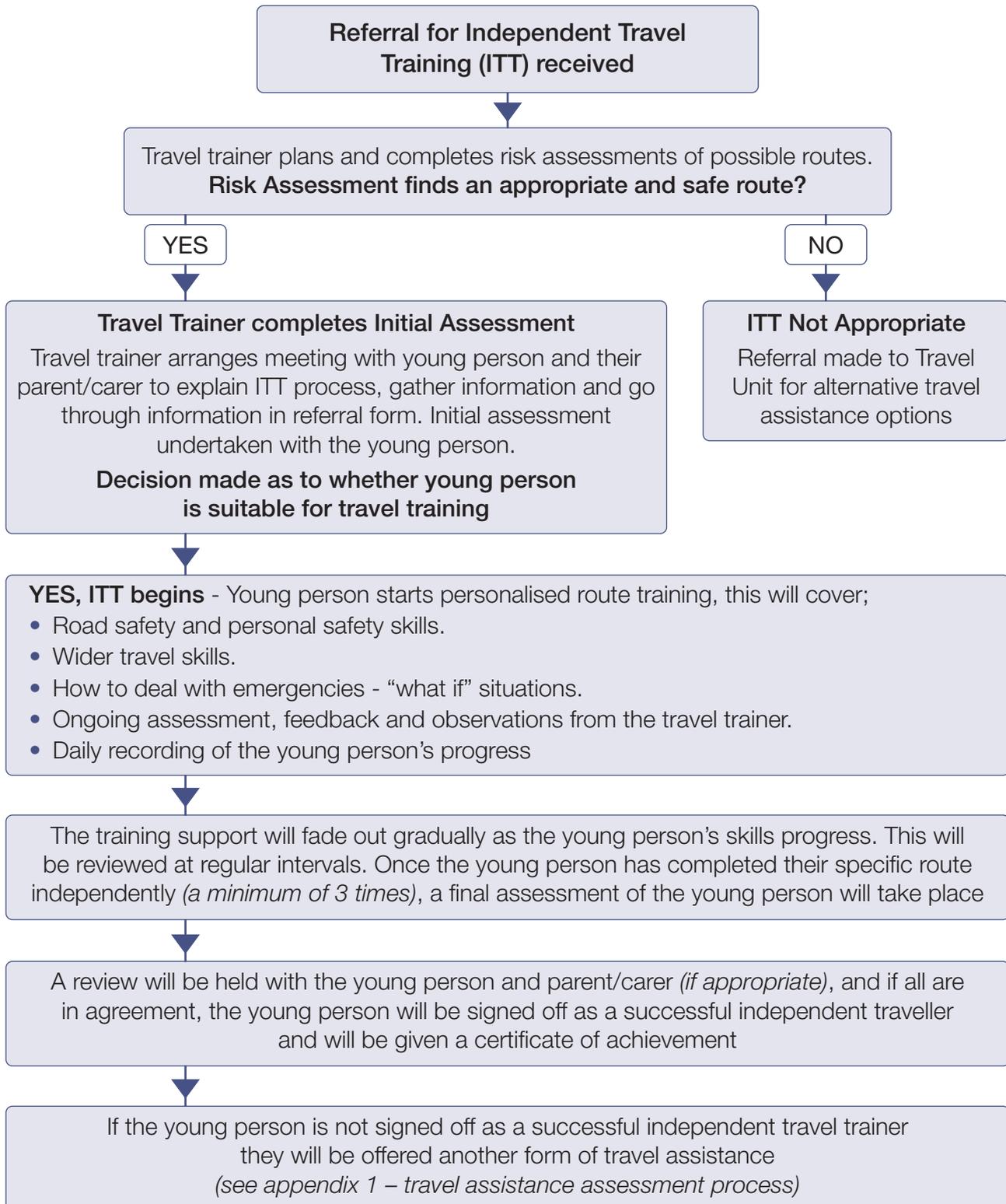
## Appendix 1: Travel assistance assessment process



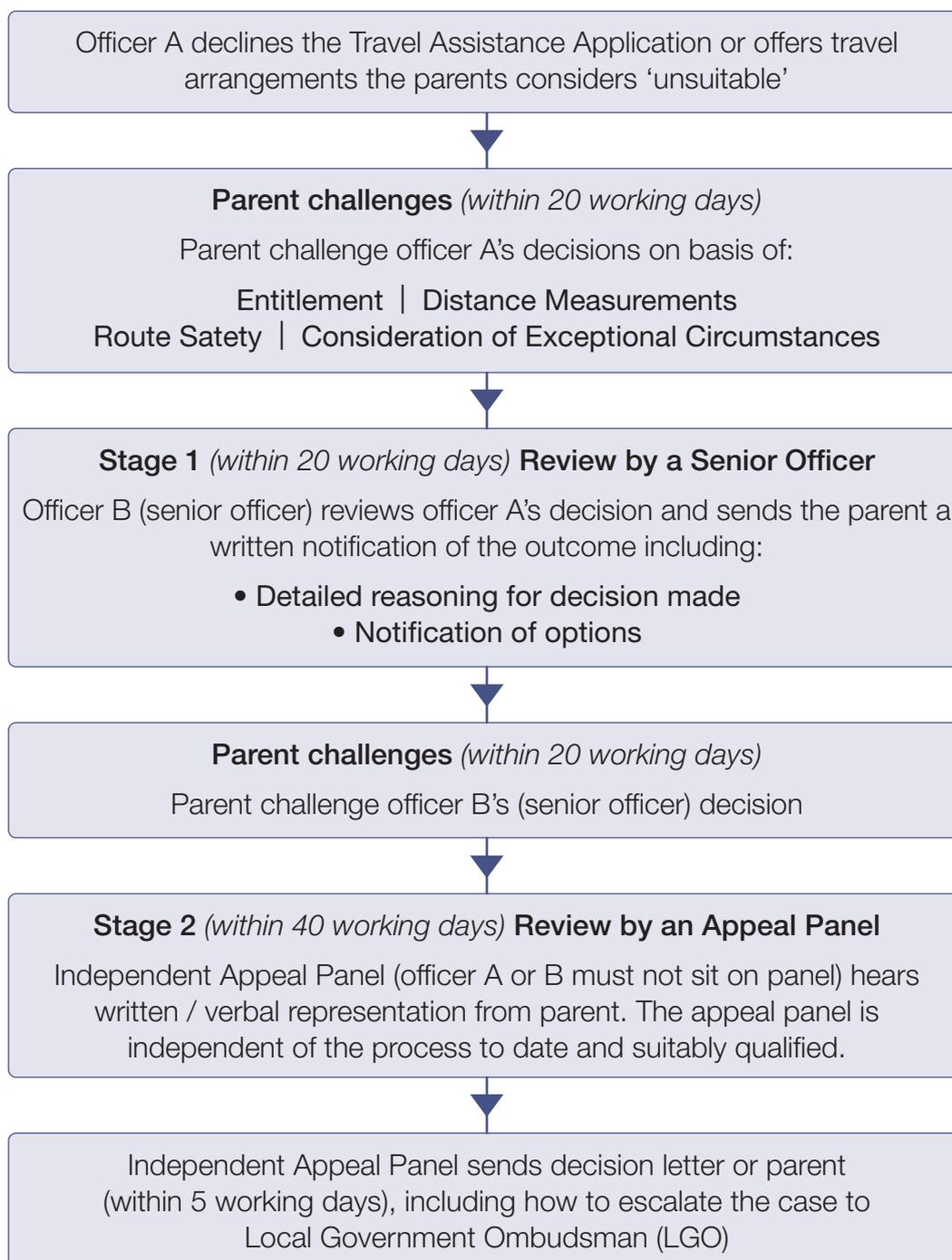
Appendix 1: continued on next page



## Appendix 2: A young person's journey through Independent Travel Training



## Appendix 3: Appeals process for Travel Assistance to Educational Establishment



## Appendix 4: Glossary

<b>Appeal</b>	An application to a senior decision maker to review and change an earlier decision about travel assistance or an application to an independent appeals panel for review
<b>Bus Pass</b>	A card, ticket, or permit allowing the holder to travel by bus, for a particular period of time or within a particular area
<b>Compulsory School Age</b>	<p>A child begins to be of compulsory school age on the start date of the term following their fifth birthday, or that day if their fifth birthday falls on the day term starts.</p> <p>A child ceases to be of compulsory school age on the last Friday in June in the academic year in which they reach the age of 16 or if they reach 16 after the last Friday in June but before the start of the new school year.</p>
<b>Education and Health Care Plan (EHC) Plan</b>	A document setting out the education, health and care needs of a child or young person and provisions required to meet those needs.
<b>Educational Establishment</b>	<p>Educational establishments may include but not limited to:</p> <ul style="list-style-type: none"> <li>• maintained schools</li> <li>• voluntary controlled (VC)</li> <li>• voluntary aided (VA)</li> <li>• trusts</li> <li>• academies</li> <li>• free schools (studio schools and university technical colleges included)</li> <li>• Nursery</li> <li>• further education colleges</li> </ul>
<b>Eligible Child</b>	Pupils who are unable to walk to school by reason of a disability, mobility difficulties or because of the nature of the route being unsafe, who live outside the walking distance or who are from a low-income family.
<b>Independent Travel Training</b>	Independent travel training helps young people with special educational needs learn how to travel to school or college by public transport. Independent travel training is also for adults who have additional needs who want to learn to travel more independently.

<b>Low-income Families</b>	Students or families are considered to have a low income if they are eligible for free school meals or pursuant to the Government Guidance for post-16 students in education or training as may be in force from time to time would be eligible for financial assistance/free meals.
<b>Medical Condition</b>	A permanent or temporary condition which requires medical assistance, and which prevents the individual or family making their own travel arrangements.
<b>Ordinarily a Resident</b>	Somebody who reasonably would be considered to be normally living in the City of Wolverhampton.
<b>Personal Independence Payments (PIP)</b>	Personal Independence Payment (PIP) is a benefit that helps with extra costs of disability or long-term health conditions for people aged 16 and over.
<b>Parent</b>	A person who is the child's natural parent, adoptive parent or, is not the natural parent but has parental responsibility for the child, or who has care of the child.
<b>Pick-up Point / Drop off</b>	Where transport is allocated, excepting extraordinary circumstances, individuals are expected to make their own way to and from a safe pick-up and drop-off point at the beginning and end of their journey.  Parents, guardians and carers are responsible for arranging accompaniment to and from the pick-up and drop-off point where they deem this necessary on safety grounds.
<b>Religion or Belief</b>	The main indication of what constitutes a 'religion' is that it must have a clear structure and belief system. 'Belief' is defined as 'a religious or philosophical belief' and equates to 'conviction'. It must be genuinely held and be more than an opinion or an idea. The burden of proof rests with any parent to showing that 'belief' is the real reason for their action/preference.
<b>Mobility Problems</b>	Motility problems are when an individual has difficulty in walking and moving. According to the 2010 Equality Act it is a disability that defined as affecting the person's mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects.

<b>Shortest Walking Distance</b>	<p>The distance from the entrance to the child's home to the nearest recognised entrance of the school along which a child may walk, without trespass, with reasonable safety, accompanied by an adult as necessary. The route may include footpaths, bridleways, and other pathways as well as recognised roads.</p> <p>This is calculated using the Council's route planning software.</p>
<b>Shortest Driving Distance</b>	<p>The distance from the entrance to the child's home to the nearest recognised entrance of the school by car.</p> <p>This is calculated using the Council's route planning software.</p>
<b>Social Care Venue</b>	<p>A place where people are supported regularly to access interests and activities in the city. These may be Council properties or community-based facilities.</p>
<b>Special Educational Needs and Disabilities</b>	<p>A child or young person has special educational needs if they have a learning difficulty or disability which calls for special educational provision to be made for them. They have such a learning difficulty or disability if they;</p> <ul style="list-style-type: none"> <li>(a) have a significantly greater difficulty in learning than the majority of others of the same age, or</li> <li>(b) have a disability which prevents or hinders them from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.</li> </ul>
<b>Travel Assistance</b>	<p>The way in which the Council will help an individual get to an educational establishment (schools, colleges etc.) or social care venue (day care centres) if an individual is assessed as needing this support.</p>
<b>Travel Assistant (Escort)</b>	<p>A Travel Assistant helps the child / young person, aiding them to get on and off the vehicle, ensuring their safety and comfort and supporting them during the journey to and from school.</p>
<b>Travel Unit</b>	<p>The Council Team which organises travel assistance for those who are entitled under the Council's All Age Travel Assistance policy.</p>

<b>Walking Distance</b>	Defined, for the purposes of assessing home to educational establishment travel assistance, as either two miles for children of primary school age or three miles for children of secondary school age as measured by the nearest available walking route.
<b>Wolverhampton Local Offer</b>	A website created and maintained by the Council which provides information for children and young people with special educational needs and/ or disability and their parents or carers in a single place.

If you require assistance or need this information in large print, Braille, audio/CD or in another language, please use the contact details below.

*By email:* [travelunit@wolverhampton.gov.uk](mailto:travelunit@wolverhampton.gov.uk)

*By phone:* 01902 554881

**wolverhampton.gov.uk 01902 551155**

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