



Lambeth SEND Travel Assistance Policy 2019

For children and young people of compulsory school age 5-16

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Section 1: Introduction

This document sets out the London Borough of Lambeth's policy for travel arrangements for children of statutory school age, aged 5-16 who are eligible for travel support to and from their school/place of learning (see Section 8 for details relating to other age groups)

We aim to clarify:

- Who is eligible for support with travel
- What the eligibility criteria are
- What support is available in Lambeth
- How to apply
- How decisions are made
- What to do if parents do not agree with an outcome

Lambeth Council is committed to ensuring that eligible children and young people are provided with suitable travel arrangements to facilitate their attendance at school.

Wherever possible, arrangements will aim to promote their independence and wellbeing, as well as maximising benefits for the environment.

Most children and young people living in Lambeth do not receive or require travel assistance to get from home to school or their place of learning. Generally, Lambeth Council believes that the majority of children and young people in Lambeth will be able to travel on free public transport. It is recognised however, that not all children and young people can manage public transport, even with support, and Lambeth have a legal duty to make alternative arrangements for these children and young people.

Lambeth Council provides a range of support, including various ways to support families to use London's excellent public transport links. The type of assistance provided will depend on the child's or young person's individual needs.

Section 2: Relevant legislation

Under the Education Act 1996 (“the Act”), local authorities in England have a duty to make suitable home-school travel arrangements for **‘eligible’** children of compulsory school age (5-16 years old), as the local authority considers necessary. These arrangements must be made free of charge, and the school in question must be a **“qualifying school”** (see section 4)

The law says:

A local authority in England must make, in the case of an eligible child in the authority’s area... such travel arrangements as they consider necessary in order to secure that suitable home to school travel arrangements, for the purpose of facilitating the child’s attendance at the relevant educational establishment in relation to him, are made and provided free of charge.

(Section 508B (1), Education Act 1996)

One such group of ‘eligible’ children are children with special educational needs (SEN) and/or a disability and/or mobility problems who, by reason of their SEN, disability,

or mobility problems, cannot reasonably be expected to walk to the school they are registered at, where that school is a qualifying school.

In preparing this document, we have had regard to the following legislation and guidance:

- the Education Act (1996), with reference to sections 508B, 508C, 509AA and Schedule 35, as inserted by the Education and Inspections Act (2006);
- the Home to School Travel and Transport Guidance (statutory guidance issued in 2014 and hereafter referred to as ‘the Guidance’);
- the Children and Families Act (2014);
- the Special Educational Needs and Disabilities Regulations (2014);
- the Special Educational Needs and Disabilities Code of Practice (2014);
- the Post-16 Transport to Education and Training Guidance (statutory guidance issued in 2017).

Section 3: Eligibility

Eligibility is assessed on an individual basis, and a range of factors may be taken into consideration in determining what, if any, travel assistance is appropriate. Some of the main factors we will consider in an assessment of transport eligibility are below.

Having SEN, a disability, or mobility problems does not mean that a child is automatically entitled to transport assistance. It must be unreasonable to expect them to walk to school, either because of the health and safety implications of their SEN, disability or mobility problems or because of associated mobility issues. They must also be attending a qualifying school.

There is no requirement to have an EHCP in order to be eligible for travel assistance on SEND grounds and equally many children with an EHCP are not eligible for travel assistance. Where a child has an EHCP, the issue of the nearest suitable school criteria can be an important consideration when discussing Section I of the Plan. More information about this can be found in [Section 7](#) of this document.

In cases where travel assistance is being requested for a child without an EHCP, SEND will refer to Social Care / school inclusion team to assess and, if applicable, fund arrangements.

The child's SEN, disability, or mobility problems

We will consider the child's SEN, disability, or mobility problems, and how this may affect their ability to walk to the qualifying school they are registered at. A child may have complex SEN without it impacting on their ability to walk a specific route to school. They would not be considered eligible for travel assistance. Or a child may have additional needs which do not impact greatly on other aspects of their education but do make it unreasonable to expect them to walk to school.

Walking distance and the route

The law requires free transport to be provided for not only children with SEND, but all pupils of compulsory school age if their nearest suitable school is:

- Beyond 2 miles (if below the age of 8);

- Beyond 3 miles (if aged between 8 and 16).

Many children with SEN, a disability or mobility problems will attend a school beyond the statutory distances, and so are eligible for travel assistance on these grounds.

However, where a child attends a school within walking distance – i.e. less than the stipulated 2 or 3 miles, depending on age – and they have SEN, a disability or mobility problems, they may be eligible for travel assistance. The crucial test is whether the child's SEN, disability or mobility issues make it unreasonable to expect them to walk to school. Lambeth assesses this on a case-by-case basis.

Parent/carer accompaniment

It may be unreasonable to expect a child to walk unaccompanied due to their SEN, disability or mobility issues, but reasonable to expect them to walk when accompanied by a suitable person, such as their parent. These are therefore important considerations in determining travel assistance eligibility.

Section 3: Eligibility

Lambeth will take a range of factors into account when considering the issue of parental accompaniment. However, as the Guidance states, 'The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.' If a parent believes they do have a good reason for being unable to accompany their child to school, Lambeth invites them to explain this to the appropriate officer during the transport assessment process.

Parental accompaniment and the age of the child

In assessing if accompanying their child to school is reasonable, the Guidance suggests that local authorities may consider the age of the child and whether one would ordinarily expect a child of that age to be accompanied. We would remind parents that the Guidance does not state a specific age at which one would expect a child to be able to walk to school unaccompanied. Our approach is therefore that this point will depend to some

extent on the nature of the route. This will be assessed on a case-by-case basis.

Parent disability

Where a parent/carer has a disability, which would make it unreasonable to expect them to accompany their child to school, the parent/carer would be invited to submit medical evidence of their condition or disability. Lambeth would then make appropriate reasonable adjustments based on the evidence.

Evidence should come from a hospital consultant/specialist wherever possible. GP letters alone are not usually considered as suitable supporting evidence, unless clearly detailing information relating to an ongoing disability/condition and treatment, and how this prevents X from accompanying their child to school. GP letters which simply request travel support on behalf of a parent will not be accepted.

Parents can contact Lambeth SEND travel team to discuss what might be helpful supporting evidence.

Working commitments

Where a parent or parents work, this will not normally on its own be considered 'a good reason' to provide transport. Lambeth's general approach is that all working parents are expected to make arrangements to get their child to/from school, including using wrap around services, childminders or relying on families and friends as appropriate. Working commitments will be considered in conjunction with other eligibility considerations, on an individual basis.

Siblings

We recognise that siblings at other schools may be a relevant factor, for example where a family have more than one qualifying child attending different schools. However, in the first instance, parents would be expected to make use of wrap around services provided by schools, which exist precisely to assist in such situations, or childminders and relying on families and friends.

Section 4: Qualifying schools

Lambeth is only required to provide travel assistance to a qualifying school. Qualifying schools are:

- Community, foundation or voluntary schools;
- Community or foundation special schools;
- Pupil referral units;
- Maintained nursery schools; and,
- City Technology Colleges, City Colleges for the Technology of the Arts, academies, free schools, and university technical colleges.
- Independent/ independent special school where named in Section I of a child's Education, Health and Care Plan (EHCP)

Nearest suitable school criteria

In respect of an eligible child, Lambeth will normally only provide travel assistance to the nearest suitable school – i.e. the nearest qualifying school which can meet the child's needs and offer the child a place.

Sometimes a parent's preferred school is not the nearest suitable school. In such cases, Lambeth may refuse to provide travel assistance if the cost of the placement plus transport would be significantly more expensive than the nearer placement.

Section 5: Travel assistance available for eligible children in Lambeth

If an assessment finds that a child is eligible for travel assistance to their nearest qualifying school, the next step is to determine what the most appropriate form of travel assistance will be. This will depend on the child's individual needs.

Lambeth recognises the importance of providing 'suitable' travel which, taking into account the child's individual needs, should be safe, stress-free and allow them to arrive at their educational placement ready to learn.

Journey time is a factor in this, but we would remind parents that the Guidance recognises that 'For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.' We endeavour to ensure that journey times are kept within 45-75 minutes wherever possible, this may increase particularly if schools are outside of Lambeth. Issues arising from lengthier journey's will be appropriately considered.

Where more than one mode of transport is suitable, Lambeth will choose the option which represents the most efficient

use of resources and/or the most sustainable.

Options for travel assistance can include:

- Provision of a travel card for the child to use on public transport (train, tube, and DLR in addition to the use of bus and tram currently available via Transport for London <https://tfl.gov.uk/fares/free-and-discounted-travel>)
- Provision of an Oyster card or travel card for a parent, carer or other responsible adult;
- Travel reimbursements or personal budgets to facilitate the payment of reasonable travel expenses where the parent, carer or appropriate adult arranges travel for the child;
- Independent Travel Training;
- A seat on a vehicle (suitably adapted as necessary). In most cases, the vehicle will be shared with children attending the same or nearby school;
- Any other creative and efficient suggestions made by parents or carers. An example could be for Lambeth to fund wrap around clubs for a non-eligible sibling, to facilitate

parents/carers supporting their child with SEND to/from school.

All cases will be considered on their individual merits, but Lambeth will look first at the provision of reimbursements, with the expectation that, where possible, parents will accompany their children to attend school.

Independent Travel Training (ITT)

The ability to travel independently is a vital skill that young people will need to equip them for adult life. Lambeth wants to ensure that all young people can be as independent as possible, and also have options available to them after they leave school which will help them to achieve their goals. By being able to travel independently, young people are also able to develop socially, and include themselves in as many opportunities as possible.

Independent Travel Training is a 1:1 training scheme that gives young people with Special Educational Needs the skills and confidence to make the home-to-school journey on their own on public transport. The programme takes approximately 8 weeks, but this is dependent on the young person and their needs. Parents are included and supported

Section 5: Travel assistance available for eligible children in Lambeth

through the whole process, from assessment to sign off.

For children of secondary school age or preparing to transfer to secondary school (i.e. at least 11 years old), the Panel will consider if Independent Travel Training is appropriate for the child/young person. We recognise that for many young people with SEND, independent travel may not be an option.

If the Panel considers it appropriate, then the young person will be referred for an assessment to determine if they are ready for Independent Travel Training. The assessment is usually a practical, off site journey, which will gauge a number of skills.

Lambeth consider engagement in the assessment to be compulsory, and alternative forms of support will not be provided following refusal to engage in the assessment process.

Following an assessment, if a child is deemed eligible to start ITT we expect parents/carers to support the process and allow the child to commence training. Access to transport entitlements will remain available until such time that

the young person is able and ready to be signed off as an independent traveller. Lambeth will not offer alternative forms of travel support in cases where parents do not want to accept the offer of travel training.

If a child is assessed as not suitable or not ready for Travel Training, the Panel will consider offering an alternative form of support on a case by case basis.

Although travel assistance is not normally detailed in an EHCP, Independent Travel Training may in some circumstances be considered as special educational provision. In such cases, it would be detailed in Section F (“Special Educational Provision”) of the EHCP. It would also be linked to Section E (“Outcomes”), along with expectations for independent home-to-school travel.

Timings

Transport provision will not be made other than at the beginning and end of the normal school day. In cases of exclusion, illness etc, when a child has to go home during the course of the school day the parent/carer is responsible for transport.

SEND travel assistance will not be provided to accommodate attendance at optional breakfast clubs or optional after school activities.

We expect children and young people to be attending school for a full day, and therefore transport will not usually be provided for reduced timetables. Each case will be considered individually.

Transport collection/arrival times are determined by geography in relation to the school. Individual requests for earlier/later times are not usually possible, for example, where parents need to leave for work. Each request will be considered, and Lambeth will endeavour to assist wherever possible.

Home address

Lambeth are not normally able to provide travel assistance to/from two addresses. Families of children from split parental homes will usually be required to decide which home is their chosen address for travel assistance purposes; the Council may require proof of this address. Families can contact Lambeth SEND Travel to discuss their individual circumstances as required.

‘Home-to-school’ transport is just that: transport to school,

Section 5: Travel assistance available for eligible children in Lambeth

and transport home again, i.e. only two journeys at the beginning and end of the usual school day. This will be from an agreed pick up/drop off point, normally the home address.

SEND transport will generally not be provided to and from alternative addresses, for example respite centres or relatives, if doing so would be disruptive to the route or would incur additional costs. In some cases, we are able to arrange to collect or drop children from alternative addresses which are close to home/ within Lambeth. This will be discussed and considered on an individual basis.

Lambeth will only provide travel support for Lambeth residents. In cases where families move into a different Borough, even if temporarily, Lambeth will no longer be responsible for providing travel support. An application would need to be made to the new residing Borough. Lambeth may offer temporary support in some cases (see [Section 8 Discretionary support](#))

Behavioural Issues

If a child has to be separated from a shared route due to behavioural issues, especially

when they result in health and safety issues for other children, Lambeth will usually offer a direct payment to parent to make alternative arrangements. Lambeth will not arrange a separate taxi except in the most exceptional circumstances which will be considered on a case by case basis.

Looked-After Children

For looked after children who are placed out-of-authority, the providing authority, where the child is ordinarily resident, is responsible for assessing the transport needs for the child. If transport is agreed by that authority, the local authority to which the child belongs must pay to the providing authority such amounts as agreed between them. Financial responsibility for travel support will sit with the social care team responsible for the care placement, if this placement is outside of Lambeth. Payments are made in line with the Inter-Authority Recoupment Regulations.

Sustainable Transport Duty

As a result of declaring a climate emergency, Lambeth is committed to ensuring that its operations are carbon neutral by 2030. Lambeth will significantly

reduce the use of vehicles for council business and where possible replace with sustainable travel options or use ultra-low emission vehicles.

In considering what might be the most appropriate form of travel assistance, Lambeth will have regard to the sustainable transport duty, wherever possible. This means that, where appropriate, Lambeth will offer a sustainable mode of transport, such as independent travel training, walking, or payments to facilitate use of public transport or cycling. Cycle training is available via Lambeth's road safety team. Details can be found online at <https://www.lambeth.gov.uk/parking-transport-and-streets/cycling/sign-up-for-free-cycle-training>

More information relating to Lambeth's decision to declare a climate emergency can be found here <http://moderngov.lambeth.gov.uk/documents/s107088/Climate%20Crisis%20Response%20CMDR.pdf>

More information about Lambeth's Modes of Sustainable Transport Policy can be found at this address: (Link to be updated upon completion- Nov19)

Section 6: Applications and contact

Applications should be made online via Lambeth Local Offer <https://lambeth.gov.uk/send-local-offer>

We can also email or post a copy of the application if requested.

You can contact the team using the details below:

Tel: 02079266839

Email: transport@lambeth.gov.uk

Postal Address:

SEND Travel Assistance
London Borough of Lambeth
PO Box 734
Winchester
SO23 5DG

Office Address:

SEND Travel Assistance
1st Floor Civic Centre
6 Brixton Hill
London
SW2 1EG

Applications are considered by senior officers at a fortnightly Panel, and we endeavour to consider all cases within 30 days of receipt. Decisions letters will usually be posted, up to a week following Panel. If support is agreed, a member of the team will contact you by telephone to discuss

arrangements. If you are unhappy with the decision you can follow the appeals process in [Section 9](#)

It is the responsibility of parents/carers to ensure that application forms have been completed fully and received by the SEND Transport Team. Incomplete applications may not be accepted and will cause delay to the request being scheduled for Panel.

Parents and carers will be supported as necessary to ensure the correct paperwork is received and completed as required. Please let us know if you require additional support.

At all times, including during the application process, it remains the legal responsibility of the parent/carer to ensure that their child attends school regularly.

Reviews/reapplications

Travel assistance will be reviewed regularly and changes to the offer of support may be made, in line with best value. Whilst we endeavour to maintain consistency, there may be times when the transport provider and/or staff are reviewed and may be subject to change at short notice

If you are in receipt of travel assistance and there are any changes to your child's SEN, disability or mobility, or to the usual arrangements, Lambeth SEND must be notified immediately. If there is a significant change in circumstances i.e. a change of address or change of school placement, transport will need to be reapplied for and eligibility reassessed.

Transport needs to be reapplied for prior to secondary transfer (even if there is no change of placement) and when a young person is moving into post 16 education. Applications should be made in the same way as above.

Please allow up to 30 days for applications to be processed. This is particularly important if applying for travel support to commence at the start of the academic year (September). The team have a large volume of requests at this time of year and late requests may not be processed in the desired timeframe.

Section 7: Education, Health and Care Plans (EHCPs)

Travel assistance and the arrangements made as part of an Education, Health and Care Plan are usually separate. There is no requirement to have an EHCP in order to be eligible for travel assistance on SEND grounds and equally many children with an EHCP are not eligible for travel assistance.

Transport is rarely specified in an EHCP, and there is no right of appeal to the SEND Tribunal for issues regarding travel assistance. (For further details about rights of appeal in transport matters, please refer to Annex 1 of this document).

In cases where travel assistance is being requested for a child without an EHCP, SEND will refer to Social Care / school inclusion team to assess and, if applicable, fund arrangements.

Section 8: Discretionary support and provision for other age groups in Lambeth

Children with SEN or a disability under compulsory school age

Lambeth does not have a duty to provide travel assistance for children under compulsory school age, and we do not normally do so. If you believe there are compelling and exceptional reasons for such provision to be made, please contact the SEND travel support team to discuss the matter.

Young people with SEN or a disability aged 16-18

Local authorities have different responsibilities regarding travel arrangements for post-16 learners. Lambeth is required to publish an annual policy statement for learners in this group. The current version of this document, which includes information for learners with SEN or a disability, can be found at this address: <https://www.lambeth.gov.uk/sites/default/files/pts-Lambeth-post-16-travel-assistance-policy.pdf>

Applications should be made online via Lambeth Local Offer <https://lambeth.gov.uk/send-local-offer>

Young adults up to 25

The legislation is less prescriptive for the age 19-25 age group. These applications are considered by Adult Social Care on a case by case basis. The team can be contacted on 0207 926 5555 or adultsocialcare@lambeth.gov.uk

Moving out of Lambeth

Lambeth will only provide travel support for Lambeth residents. In cases where families move into a different Borough, even if temporarily, Lambeth will no longer be responsible for providing travel support.

The SEND team in Lambeth should be notified immediately of any house move so that the child's SEND file can be transferred to the new Authority. A transport application would need to be made to the new residing Borough as soon as a move is known.

We understand that in some circumstances, housing moves are made at very short notice, particularly for those in temporary accommodation.

Lambeth may offer short term travel support, to allow time for the new Borough to process the necessary paperwork and agree support. This will be determined on a case by case basis and will be for a maximum period of 2 weeks.

Section 9: Appeals process

London Borough of Lambeth follows the appeals process set out in the Statutory Guidance.

Stage One: review by a senior officer

If a parent is not happy with Lambeth's decision regarding travel assistance, they have a right to request a review of the decision to be made by a senior officer to the person(s) who originally conducted the assessment.

The parent has 20 working days from receipt of Lambeth's decision to make a written request for such a review. In their written request, the parent should detail:

- why they believe the decision should be reviewed; and,
- any personal and/or family circumstances they believe should be taken into consideration when the decision is reviewed.

An officer senior to the original decision-maker will then review the original decision. In most cases, we would anticipate this to take place within 20 working days of receipt of the parent's written request. However, in a

very complex case, we reserve the right to take more time to conduct the review.

After reaching a decision, the senior officer will send the parent a detailed written notification of the outcome of their review. This will set out:

- the nature of the decision reached;
- how the review was conducted;
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and,
- information about how the parent can escalate their case to stage two if they are still not satisfied with the outcome of their request.

Stage Two: review by an independent appeal panel

If a parent is not satisfied with the outcome of the first-stage review, they have the option to make a written request to

escalate the matter to stage two. This must be made within 20 working days of receipt of the decision letter from the first-stage review.

Within 40 working days of receipt of the parent's request, an independent appeal panel will consider written and verbal representations both from the parent and officers involved in the case. A detailed written notification of the outcome will be provided within 5 working days of the decision. This will set out:

- the nature of the decision reached;
- how the review was conducted;
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and,
- information about the parent's right to put the matter to the Local Government Ombudsman.

Section 9: Appeals process

The independent appeal panel members will be independent of the original decision-making process. They are not, however, required to be independent of Lambeth as a local authority. They will be suitably experienced to consider the specific issues in the individual case.

Further rights of appeal

If the parent does not consider the matter satisfactorily resolved after the second-stage review, they may have further rights of appeal.

If a parent considers that there was a failure to comply with the procedural rules, or that there were any other irregularities in the way the appeal has been handled, they have a right of complaint to the Local Government Ombudsman.

If a parent considers that the decision of the independent panel was flawed on public law grounds, they may apply for a judicial review.

Section 10: Useful contacts

Lambeth SEND Travel Assistance			
02079266839	transport@lambeth.gov.uk	Postal Address SEND Travel Assistance London Borough of Lambeth PO Box 734 Winchester SO23 5DG https://www.lambeth.gov.uk/send-local-offer/assistance-with-travel	Office Address SEND Travel Assistance 1st Floor Civic Centre 6 Brixton Hill London SW2 1EG
Lambeth Adults Social Care			
02079265555	adultsocialcare@lambeth.gov.uk	Postal Address Adult Social Care PO Box 734 Winchester SO23 5DG	
Lambeth Accessible Transport Team (For blue badges, freedom passes and taxi card applications)			
02079267777	accessibletransport@lambeth.gov.uk	For information and to apply online https://www.lambeth.gov.uk/parking-transport-and-streets	
Transport For London (TFL) (For free and discounted travel on public transport in London)			
		For information and to apply online https://tfl.gov.uk/fares/free-and-discounted-travel	
Lambeth Family Action- Participation and Engagement Service (PES)			
07976201031	LambethPES@family-action.org.uk sharon.kitson@family-action.org.uk		
Lambeth Parent Forum			
07903248077	info@lambethparentforum.com	For information and to apply online https://www.lambethparentforum.com	We are 336, 336 Brixton Rd SW9 7AA
Lambeth Parent Forum			
02077372339	info@lambethparentforum.com	For information and to apply online https://www.transportforall.org.uk	We are 336, 336 Brixton Rd SW9 7AA