



# **SEND Travel Assistance Guide for Parents, Carers and Young People**

**A Guide to Home-to-School or College Travel Support for  
Children and Young People with Special Educational  
Needs and Disabilities (SEND) and or Mobility Difficulties**

**April 2025**

# Contents

<b>1. Introduction.....</b>	<b>3</b>
<b>2. Whose responsibility is it to get my child to school?.....</b>	<b>3</b>
<b>3. Who is eligible for Travel Assistance?.....</b>	<b>4</b>
Look After Children (LAC).....	6
Discretionary Support.....	6
<b>4. How to apply for Home to School Travel Assistance.....</b>	<b>6</b>
The Application Process.....	6
How we assess who is eligible for Travel Assistance.....	7
Regular Review.....	8
Appeals.....	8
<b>5. Types of Travel Assistance on offer.....</b>	<b>8</b>
Independent Travel training.....	8
Personal Travel budgets.....	9
School Bus or Minibus.....	9
Private Hire Taxis.....	9
Post 16 Travel Offer.....	10
<b>6. The Journey to School or College.....</b>	<b>10</b>
Setting Up.....	10
Passenger Assistants.....	10
Pick Up Points.....	11
On the bus or in the taxi.....	11
Journey Times.....	11
Safeguarding.....	12
Training.....	12
<b>7. If you are not happy with the service.....</b>	<b>12</b>
<b>8. Service Contact Information.....</b>	<b>12</b>

## 1. Introduction

This guide sets out the key eligibility criteria, the application process and the appeals process for those with a special educational need, disability (SEND) and or mobility difficulty who wish to apply for Home-to-School or Post 16 travel support in Hackney.

The Council **must** provide free home-to-school travel for children who qualify if they are of compulsory school age (5-16 years old).

The Council **may** provide travel assistance for other groups of young people - mainly for students aged 16 -19 years who have special needs and adult learners aged 19-25 who must have an Education, Health and Care Plan; and also for children under 5 of pre-school age who have significant special educational needs (SEN).

Hackney Council's travel support aims to help children and young people with SEND, to become as independent as possible when traveling. This support also seeks to maintain and improve school attendance and encourage young people to develop their independent travel skills because this will have a positive impact on their lives as adults.

For information on the Council's Home-to-School Travel Assistance for children and young people who **do not** have a special educational need (SEN), disability or mobility problem, please [see the Council's Pupil Benefits Policies on the Hackney Education website here](#).

## 2. Whose responsibility is it to get my child to school?

The legislation says:

- The Council has a duty to make travel arrangements in relation to the child under section 508 B (1) of the Education Act 1996 “for the purpose of facilitating the child's attendance at the school.”
- But it is the responsibility of parents and guardians to make sure that children attend school regularly (under section 444 of the Education Act 1996), and this includes making the necessary travel arrangements to and from school.
- However, section 444 (3B) of the Act provides that a parent will have a defence in law against a prosecution by a local authority for their child's non-attendance at school where the local authority has a duty to make travel arrangements in relation to the child under section 508 B and has failed to discharge that duty.

The legislation governing travel to school for children of compulsory school age (5-16) lays out those responsibilities and includes:

- Section 508 A of the Education Act 1996: covering sustainable travel to school (for children of compulsory school age and for those of sixth form age);
- Section 50 8B of and Schedule 35 B to the Education Act 1996: covering travel arrangements for eligible children;
- Section 508 C of the Education Act 1996: covering travel arrangements for other children;
- The School Information (England) Regulations 2008: covering the publication of information about travel arrangements.

We use government guidance on home to school travel that tells local councils what they **must do** or **must not** by law to provide home to school travel, and what they **should do** by way of good practice to develop home to school travel.

- For children of compulsory school age, the current guidance is [Travel to school for children of compulsory school age, January 2024, Department for Education](#).
- There is separate [Guidance on Travel to Post-16 Education and Training](#).
- [The Council's current Home-to-School Travel Policy](#) was approved by the Council's Cabinet in September 2024. This policy gives due regard to the Education Act 1996, Children and Families Act 2014, Equality Act 2010 and relevant regulations, the SEND Code of Practice 2015 as well as the statutory guidance and regulations.

### 3. Who is eligible for Travel Assistance?

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

The Council's home to school travel policy says that : Free home to school travel for eligible children of compulsory school age (aged 5-16 years), who live within the borough to get to and from school each day will be provided to the nearest suitable school that has a place available for:

- **Children who live beyond the statutory walking distance**, where:
  - The child is under the age of 8 and the distance to the nearest suitable school is more than 2 miles from home;
  - The child is aged 8 or over and the distance to the nearest suitable school is more than 3 miles from home.
- **Children whose route to school is unsafe**: If the walking route to the nearest suitable school is unsafe and there is no reasonable alternative within the statutory walking distance to that school which would be safe to walk.
- **Children with SEN, Disability or a mobility difficulty**: The child attends their nearest suitable school, it is *within* the statutory walking distance from their home and they cannot reasonably be expected to walk there because of their SEN, disability or mobility difficulty.

- **Children from low-income families** (extended rights): There is free home to school travel if the child is eligible for free school meals or if a parent with whom they live gets maximum Working Tax Credit and:
  - They are aged 8 to 10 years, attend their nearest suitable school and it is *more than 2 miles* from their home; or
  - They are aged 11-16 years and attend *one of their three nearest* suitable schools which is between 2 and 6 miles from their home; or
  - They are aged 11-16 years, attend a school that is between 2 and 15 miles from their home that their parents have chosen on the grounds of *religion or belief* and there is no suitable school nearer to their home.'

In London, free home to school travel for children aged 5-16 years of age is provided by TfL (Transport for London). So, most people don't need to apply to the Council for travel assistance. (If you lived outside London and qualified for travel support on grounds of distance from school - the first category, above - your child would probably get a bus pass or a seat on a 'dedicated' school bus).

If you live in London and are applying to the Council for help with travel, it is likely that you will be applying for support under the third category, above. That is, you have a child of compulsory school age who cannot be expected to walk (or wheel) to and from their school because of their SEN, disability or mobility problem. For the same reasons, they may not be expected to use public transport.

Nearly everything Hackney Council spends on home to school travel is in support of children and young people with SEND and mobility problems. You don't need an Education, Health and Care Plan (EHCP or EHC Plan) to qualify for travel assistance if you are of compulsory school age. And most children and young people who have an EHC Plan don't require or receive help with 'organised' transport ( a seat on a bus or in taxi or a personal travel budget). Under a quarter of children and young people with EHC Plans in Hackney have organised transport.

Where the Council does offer support with travel:

- Travel support is only provided for journeys to and from the home where the child is normally resident and the child's school where they are registered
- Travel support is to the 'nearest suitable school' - that is usually the school that is 'named' in Section I of the EHC Plan. That school can be one that is close to home, or one that is in another council's area (including residential schools)
- Travel support is only provided at the beginning and the end of the school day (or week or half term if the school is residential)
- Travel support is not provided to and from any other address or destination, or to and from out-of-school activities
- Travel support can be to more than one school destination, if both those placements are approved by the Council (dual placements).

We will provide home to school travel during the school day only in exceptional circumstances.

### Look After Children (LAC)

Travel assistance for looked after children with SEN, disability and / or mobility difficulties will also take into account the care arrangements for the child. This can be extended to Hackney's looked after children with SEND who are resident in the area of another local authority and for whom Hackney Council is financially responsible, up to the age of 18 years.

### Discretionary Support

The Council is also able to use its discretion to provide some support with travel for other groups of children and young people with SEND, not just those of compulsory school age (5-16 years). These are:

- Children with significant SEND who are of nursery school age (under 5 years of age)
- Young people with SEND who are of sixth form age (aged 16-19 years) on an approved course of study and who have an EHC Plan
- Adult learners with SEND (aged 19-25 years), who are starting an approved course of study following their 19th birthday and who have an EHC Plan.

Applicants aged 16 or over **must** have an EHC Plan to qualify for travel assistance. Children under 5 may have an EHC Plan or may be attending a setting for assessment purposes.

Post 16 students or their families will need to show why they can't get to school or college by using public transport or with support from their family. Similarly, parents of children under 5 will need to show why they can't get their child to the school or the school setting themselves.

## 4. How to apply for Home to School Travel Assistance

### The Application Process

Information on how to apply for SEND travel assistance is available on the Hackney 0-25 SEND Local Offer website.

You must apply for travel support if you are beginning at a new school. You must let us know if you change address or change school as you may need to re-apply for travel support.

The application for travel assistance for **5–16-year-olds** with SEN, disabilities and mobility issues is an online application. [Find forms and information about Home-to-School Travel assistance applications on Hackney's 0-25 SEND Local Offer website here.](#)

Parents/carers of children with SEND who are of pre-school age (under 5 years) should use this form too. The application form for **Post 16** travel support is also available on the same page of Hackney's 0-25 SEND Local Offer website.

You must apply for travel support if you are post 16, even if you are planning to stay at the same school. Applications should be made as soon as possible after your place at school, 6th Form or College has been agreed.

All applications must be received by **17 July** at the latest to guarantee an assessment for travel support for the start of the autumn term in September of that year.

Awards of travel assistance cannot be backdated.

Applicants must provide all evidence listed or requested by the Council. Where a form is incomplete and/or evidence is not provided as requested, within any given time limit, no award can be made.

For children and young people *without* SEND, there may be some [support with travel as part of the Council's Pupil Benefits policy which you can find here](#). There is a separate application process for these applications.

### **How we assess who is eligible for Travel Assistance.**

Each application is assessed individually.

Among the information we ask for are two different emergency contact names and contact details within the London Borough of Hackney (or in neighbouring boroughs and a reasonable travel distance from Hackney) so that, in the event of a parent/carer not being at the drop off address in the afternoon at the specified time, there is an alternative safe drop off address for the child or young person. Parents should make sure that emergency contact details are kept up to date and must let us know of changes as a safeguarding priority.

The assessment process for pupils with SEN, disability or mobility needs involves getting all the information we can about the needs of the child or young person that will help us reach a decision. The application form asks parents to tell us about their child's special educational needs and why they feel their child is unable to walk (or wheel if a wheelchair user) to and from school, or use public transport. We will look at the child's EHC Plan, we may ask for medical information and we may well contact the school for more information. Where appropriate, further evidence may also be requested from the parents or carers.

The forms also ask for information about family circumstances such as; how many adults are in the family (who may be able to support the child) and other children, particularly those of school age. We ask about disabilities in the family as we realise that disabilities may make it more difficult for those parents to get their child to school themselves. In making a decision on the award of travel support, we cannot take account of parents'/carers' working arrangements. Also, home to school travel only covers the journey between home (where the child normally lives) and the school at which they are registered (and back home again).

For some children who live close to school, the distance between home and school may not matter. Their SEN or disability or mobility problems mean that they can't be expected to get to school themselves, with or without parental support, or use public transport. And that is the test of the assessment process. It is one of 'reasonableness' - is it reasonable to expect a child to walk,

accompanied or not by an adult, along a safe walking route, to get to and from school? For some children, the answer will be that it *is* reasonable; for others, because of their individual special needs, it *is not* reasonable to expect them to walk, regardless of the distance to school. In which case, travel support will be awarded.

Once the completed application form has been received, it will be assessed by an authorised officer or a panel to determine whether the pupil meets the eligibility criteria for help with travel and, if so, the type of travel assistance to be provided. The outcome of the application will be provided to the parent or carer, or young person in writing.

## **Regular Review**

The transport and travel arrangements for children and young people with Education, Health and Care Plans may be reviewed at each annual review. Some pupils with specific needs will require some form of assisted transport throughout their education and training. Others may not always require travel assistance. As the young person becomes older, where possible, a move to a more independent method of travel is an important life skill to develop. We can also review the travel arrangements of individual pupils or groups of pupils at any time.

## **Appeals**

In line with National guidance, there is a two stage appeal process in place to allow parents/carers or young people to appeal a decision not to award travel assistance on the following grounds:

- The transport arrangements offered
- Their child's eligibility
- The distance measurement
- The safety of the route

The Appeals process is set out in the Appendix on pages 15 and 16 of this document.

Parents must make their written request for a review within 20 working days of receipt of our decision.

## **5. Types of Travel Assistance on offer.**

Our travel offer for children with SEND (age 5-16 years) who qualify for travel assistance following assessment might be one of the following:

### **Independent Travel training.**

Preparing for Adulthood (PfA) is a key outcome for children with SEND. It is important for education, employment, independent living, community participation and good wellbeing and adult health. We offer Independent Travel Training to pupils with SEND of secondary school age upwards. We assess pupils first and offer the training only where we believe that a pupil can complete the programme. We will discuss the benefits of travel training with parents and reassure them that their child will not lose any travel entitlements until they are confidently able to travel independently. The programme is



personalised to meet the needs of the child. Travel Training is delivered by members of the Council's transport team or by appropriate external organisations.

### **Personal Travel budgets.**

The Council offers Personal Travel budgets to parents or groups of parents to enable them to make their own arrangements to get their children to and from school, but only if parents agree to it. Two return journeys a day are paid for plus an allowance to cover the costs of a passenger assistant if one would have been required. The mileage rate is 50 pence per mile. We may also offer a 'taxi rate' - a sum of money based on the costs of a typical journey by a black cab or private hire taxi. These are contributions towards the cost of travel; they are not reimbursements for the actual costs of travel.

The basic calculation for a personal transport budget is outlined below. The total termly amount is then transferred before the term starts via BACS to a bank or building society account the parent/carer provides details of when signing the service level agreement for the Personal Transport Budget.

A Personal Travel Budget (PTB) can only be spent on the costs of getting a young person to and from school, although we don't ask to see fuel receipts. We monitor the PTB by checking the pupil's attendance at school. If the pupil's attendance falls below 95%, we will recover the appropriate amount of the PTB or carry it forward to the following term.

We offer a PTB where it makes financial sense for the Council to do so. If, following a review, we find there is a more cost effective travel solution to a PTB (such as transferring the pupil to a bus), then we will suggest that we take away the PTB. Similarly, if parents decide a PTB is no longer suitable for themselves, they can give it up and we will make other travel arrangements.

Personal Travel Budgets are quite popular in Hackney. Around 130 families in Hackney have them - that's nearly 20% of the number of pupils transported.

### **School Bus or Minibus**

A seat on a bus or minibus that is either provided by the Council or is contracted by the Council to provide a service to the nearest suitable school, sometimes picking up pupils and setting them down at collection points close to home.

The Council has its own fleet of over 20 school buses. These are 16 and 32 seater buses in the Council's white and green colour scheme. They are fully accessible to passengers with disabilities and will have a crew of a driver and at least one passenger assistant (PA) per bus. They mainly go to Hackney's three large special schools - Ickburgh, The Garden School, and Stormont House - but also go to the college and other special schools in Hackney and in neighbouring boroughs.

### **Private Hire Taxis**

In some cases, a seat in a taxi (either a shared taxi or a solo taxi) is offered where this is either because of the child's particular SEN or behavioural difficulties or where it is the only practical solution.

Private hire taxis and minibuses go to x schools and colleges in Hackney and in other boroughs. They carry about y pupils on z routes or 'rounds'. There are six private contractors providing a service at the

moment. All contractors must pass a series of tests (commercial and quality) to become approved contractors before they can provide a service. Contracts are awarded on a competitive basis.

## **Post 16 Travel Offer**

For post 16 students with EHC Plans who qualify for travel assistance (and adult learners with EHC Plans, aged 19-25 years), the travel offer is as follows:

- Independent Travel training.
- Personal Travel Budgets, including cash payments towards the costs of public transport.
- Supported public transport (e.g., accompanied by a travel buddy).
- A seat on a bus, minibus or, only where the Council thinks it is necessary, a taxi organised by the Council.

The Council's policy is that post 16 students with SEND will travel independently wherever that is possible, rather than on transport that is organised by the Council. Support will be provided through travel training and buddy schemes and through personal travel budget payments that cover the use of private vehicles, taxis or through cash payments that cover any additional costs of public transport. Travel assistance will be provided free of charge to those who qualify.

## **6. The Journey to School or College**

### **Setting Up**

Once your application has been approved, we will let you know of our decision and of the mode of transport for your child's journey.

If you have opted for a personal travel budget, we will send you the details and an agreement form for you to return to us. Your first payment will follow within 2 weeks of the account being set up.

If the young person is to travel on a school bus, then we will let you know the route (or 'round') number and the pick up and the return home time for the days the young person will be travelling. Pick up locations and times for the child or young person will be set based on the most efficient route.

If the young person is travelling to school on a private hire minibus or taxi, we will let you know of the name of the taxi company and the pick up time (and the return home time) for the days on which the young person will be travelling. The taxi company and ourselves will let you know the names of the driver and the passenger assistant typically on your round. Drivers and PAs must carry and display photo identification which you can ask to see.

### **Passenger Assistants**

Passenger Assistants (PAs) are provided on vehicles where there are individual children and young people who have severe physical or learning difficulties and/or challenging behaviours, where the child's safety requires it and as determined during the assessment phase. They are provided where

they are necessary for the safe operation of the vehicles and/or the care of a child or young person. All Travel Assistants (including those provided by a contractor) will carry an identity card. They are subject to DBS (Disclosure and Barring Service) checks and will receive appropriate training. Parents/carers may act as passenger assistants.

## Pick Up Points

On some rounds, we have pick up points where more than one child gets on the bus or minibus. These are a short distance from home. Parents are responsible for taking their child to the pick up point and for collecting them when the bus returns in the afternoon. Parents must make sure that they or another responsible adult stay with the child at the pick up point in time for the scheduled collection. The bus will wait for up to 2 minutes past the scheduled time. If you have not arrived before the 2 minutes is up, the bus will leave to keep to the schedule for the other passengers and to get to school on time. The 2 minute rule applies to pick ups from home as well.

If the bus is running more than 15 minutes late, we will phone or text you.

## On the bus or in the taxi

The drivers and passenger assistants:

- Cannot allow parents or carers to enter a vehicle or travel unless they are authorised to do so.
- Are not allowed to administer medication on a parent's request
- Are not allowed to leave the bus to collect or deliver your child or enter your home.  
Parents/carers must get their children to and from the vehicle.
- Will not hand over the child to anyone other than the parent, unless they have personally told us in advance, together with their contact details
- Are not allowed to convey money between parents and the school. Also:
- Children are not allowed to eat or drink whilst travelling unless a medical condition dictates otherwise.

Parents should let us know a day in advance if their child is not travelling the following day. If the child has been ill and has been away from school, parents should let us know no later than the day before that they need transport again.

## Journey Times

Travel arrangements should be suitable, safe and reasonably stress free. As a rule, the maximum journey time should be 45 minutes for a child of primary school age, and 75 minutes for a child of secondary school age, including any time taken to walk to a pickup point, bus stop or train station. Sometimes, however, especially for children with complex needs and for those with school placements outside Hackney, journeys need to be longer than this.

Our aim is to get children to school - *Safely, On-time and Ready to Learn*.

## **Safeguarding.**

The Council ensures that the required safeguarding and suitability checks are carried out on the drivers of vehicles providing organised home to school transport and on any passenger assistants that are employed.

Where parents, carers, schools or other professionals have safeguarding concerns in relation to SEND travel assistance and transport services, they should contact the Hackney SEND Travel Assistance Service immediately and provide details of the concerns so that we may investigate and ensure procedures for safeguarding are adequately applied.

Hackney Education's Safeguarding Statement outlines the procedures to be followed by all Hackney Education staff. Furthermore, staff are also advised of, and expected to follow, the rules and regulations surrounding confidentiality and data protection.

## **Training.**

The Council ensures that drivers and passenger assistants on organised transport have undertaken the appropriate training and that this is kept up to date. The training includes the handling of emergencies, an awareness of disabilities, including hidden disabilities, an awareness of discrimination, of safeguarding and of recognising, supporting and managing children with a range of disabilities and SEN.

## **7. If you are not happy with the service.**

We want to provide you with the best possible service and welcome your feedback.

If you have a concern regarding any aspect of the SEND travel assistance services, please contact the SEND Travel Assistance Service by email at [transport@hackney.gov.uk](mailto:transport@hackney.gov.uk) by phone on 020-8558-4283 or by writing to: The Head of the Hackney SEND Travel Assistance Service, 40 - 43 Andrews Road, E8 4RL.

The service will try to resolve your concerns with you directly and informally. However, if you are unhappy with their response, you may want to raise this more formally through Hackney's complaint process.

Formal complaints about the service provided by the Council relating to home to school transport can be made by using [the Council's complaints procedure available here](#).

If, having completed Hackney's formal complaints procedure, you remain dissatisfied with our response, you can ask the [Local Government Ombudsman \(LGO\)](#) to investigate your complaint.

## **8. Service Contact Information**

Queries regarding applications or appeals :

SEND Business Support Team, Floor 3. 1 Hillman St, London E8 1DY1

Tel: 020 8820 7000 (Option 4)

Email: [SEnDBusinessSupport@hackney.gov.uk](mailto:SEnDBusinessSupport@hackney.gov.uk)

Queries regarding transport of children and young people with SEN or mobility or disability difficulties:  
SEND Travel Assistance Service can be made in writing to the Head of the Hackney SEND Travel Assistance Service, 40-43 Andrews Road, E8 4RL.

Tel: 020 8558 4283

Email [transport@hackney.gov.uk](mailto:transport@hackney.gov.uk)

## **Appendix A**

### **Appeals.**

#### **How to request a review/appeal of a decision about travel assistance:**

With regard to-

- travel arrangements offered
- their child's eligibility
- the distance measurement in relation to statutory walking distances; and
- the safety of the route.

#### **Stage one: Review by a senior officer.**

A parent has 20 working days from receipt of the local authority's home to school travel decision to make a written request asking for a review of the decision.

The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.

Within 20 working days of receipt of the parent's written request a senior officer reviews the original decision and sends the parent a detailed written notification of the outcome of their review, setting out:

- the nature of the decision reached
- how the review was conducted (including the standard followed e.g., Road Safety GB)
- 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 appropriate).

#### **Stage two: Review by an independent appeal panel.**

A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.

Within 40 working days of receipt of the parents request an independent appeal panel considers written and verbal representations from both the parent and officers involved in the case and gives a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached
- how the review was conducted (including the standard followed e.g., Road Safety GB)
- 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 and Social Care Ombudsman.

The independent appeal panel members are independent of the original decision-making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the Council), to ensure a balance is achieved between meeting the needs of the parents and the local authority, and that road safety requirements are complied with, and no child is placed at unnecessary risk.

#### **Further action following a review.**

There is a right of complaint to the Local Government and Social Care Ombudsman, but only if there has been a failure to comply with the procedural rules or if there are other irregularities in the way the appeal has been handled.

Information can be found on the [www.lgo.org.uk](http://www.lgo.org.uk) website.

It may be possible to ask a court to judicially review a decision of the independent panel if it can be shown that this was flawed on public law grounds.

