

Mae'r ddogfen hon hefyd ar gael yn Gymraeg



EDUCATION SERVICES

HOME to SCHOOL TRANSPORT POLICY

With effect from: 1st September 2025

Policy Revisions August 2024

Paragraph	Change
Index; S2	Heading Section 2 – change “Mandatory” to “Statutory”
Throughout	“Council” changed to “Local Authority”
Throughout	“Statement of Educational Need” removed as replaced by IDPs from July 2025
Throughout	“his/her” changed to “their”
S1.2.3	Added to sentence “under statutory duties”
S3.1	Additional sentence “The statutory distance detailed in Section 2 will apply to discretionary criteria unless there is express provision to the contrary”
S3.2	Changed from “see paragraph 1.3” to “see Section 2” “schools in category 1 or 2” changed to “schools in category 3”
S3.3	Added to first sentence “that falls outside of the statutory distance criteria”
S3.4	Change “learners for compulsory school age” to learners of compulsory school age”
S3.5.3	Remove “This provision will be considered when a Medical/Disability/Learning Difficulty exemption form completed by a suitably qualified practitioner accompanies an application for transport.” Add “This provision will be considered when a request for transport on medical grounds application form is completed and accompanied by evidence from a consultant or person of similar standing (not GP, Nurse or Practitioner).”
S3.5.4	New sentence added “The Local Authority is committed to developing and supporting learners to travel as independently as possible. A review will consider the type of transport provided to the learner and, if a personal passenger assistant is provided, whether there is a continuing need. The Local Authority may make changes to transport arrangements following a review.”
S3.6b	Remove “odd”
S3.7	Remove entire Section 3.7 Learners who change address during their education
S3.8.1	Add sentence “and evidence of faith (such as a baptismal certificate, proof of faith certificate or letter from a faith leader) is provided.”
S3.9	Add “Gypsy Roma” before “traveller”. Remove sentence “This is in order to develop a pattern of regular attendance.”
S6.4	In sentence “The main residence and the secondary residence are within Conwy County Borough; “and the secondary residence” has been added. In the sentence “The statutory distance is met; and” the word “and” has been added
S10.2	“periodic statutory” changed to “annual”
S11	Reword title from “Information re Transport for post 16 learners” to “Post 16 learners”. “attending an eligible educational establishment.” change to “their nearest educational establishment (this can be either their nearest or catchment secondary school, Welsh medium secondary school or further education college)”. Remove sentence “No fee will be charged for this transport.”. Remove entire section 11.2. Add new sentence “Transport will not be provided for residential courses.” Remove “The application form for Post 16 Transport is available on the Council’s Website. Free School / College Transport - Conwy County Borough Council”
S11 moved S3	Post 16 moved from Section 11 to Section 3 under discretionary criteria and sections renumbered accordingly
S14.1	Section updated from “Accessing Conwy CBC Education Services web pages” to “Applying online via the Conwy County Borough Council website” Add “Conwy County Borough Council Education Services PO Box 1 Conwy LL30 9GN to end of sentence “By post from Conwy CBC Education Services”

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CONWY C.B.C. HOME/SCHOOL TRANSPORT POLICY

1. Background

1.1 The Law

- 1.1.1 The Education Act 1996 (as amended) sets out the law in Wales and England for the attendance of pupils at school and the Learner Travel (Wales) Measure 2008 (as amended) (the 'Measure') sets out the legal framework specifically related to travel and transport provisions for learners travelling from home to school in Wales.
- 1.1.2 "Learner Travel: Statutory Provision and Operational Guidance" (June 2014) ("the Guidance") is published by Welsh Ministers under section 15 of the Learner Travel (Wales) Measure 2008 ([Learner Travel Statutory Provision and Operational Guidance.docx \(gov.wales\)](#)).
- 1.1.3 The Local Education Authority is required to determine whether the provision of transport for pupils of statutory school age is necessary in order to facilitate the attendance of a pupil at a designated school. If such transport is deemed necessary, then the transport must be provided free of charge.
- 1.1.4 It should be noted that it is the responsibility of parents/guardians to make arrangements for the safe transport of their children to and from school (when they do not qualify for school transport) and to and from bus stops and pick-up points.

1.2 The Main Provisions of the Measure

- 1.2.1 The Measure sets out specific requirements for home to school transport in Wales. Its main provisions are:
- 1.2.2 Legal Duties of the Welsh Ministers: The Welsh Ministers must :-
- Make an All-Wales Travel Behavior Code
 - Promote access to Welsh Medium education and training
 - Promote sustainable modes of travel
- 1.2.3 Legal Duties of the Local Education Authority: Local Education Authorities must:-
- Assess the travel needs of learners in their authority area
 - Provide free home to school transport for learners of compulsory school age attending primary school who live 2 miles or further from their nearest suitable school
 - Provide free home to school transport for learners of compulsory school age attending secondary school who live 3 miles or further from their nearest suitable school

- Assess and meet the needs of children who are “looked after” in their authority area
- Promote sustainable modes of travel

Where learners are not entitled to free transport under the statutory duties, Local Education Authorities have the power to provide transport on a discretionary basis (section 3 below provides information as to how Conwy CBC has decided to exercise its discretion).

1.2.4 Legal Duties of Head-teachers: Head-teachers must:

- Ensure compliance with the Travel Code

Head-teachers should also:

- Promote knowledge and awareness of the Travel Code
- Incorporate the Travel Code into the school’s overarching school behaviour policy.

1.3 Interpretation

- *“Nearest suitable school” - means the catchment school or nearest school where the “education or training provided is suitable having regard for the age, ability and aptitudes of the learner and any learning difficulties he or she may have”.*
- *“Catchment area” - means the assigned geographical catchment area for each school that has been fixed by agreement between the Local Authority and the relevant school’s Governing Body. These are published on the Conwy website.*
- *“Suitable transport arrangements” - means suitable arrangements which facilitate the attendance of the learner each day at their nearest suitable school.*
- *“Statutory distance criteria” - means two or more miles (3.21 kilometers) in relation to learners of compulsory school age attending primary school and three or more miles (4.82 kilometers) in relation to learners of compulsory school age attending secondary school.*
- *“Children who are looked after “ means “Looked After Children (LAC)”*
- *“Passenger Assistant” means escort*

2. Statutory Provision

- 2.1 In line with legislative requirements, a learner of compulsory school age attending a primary school who resides two or more miles (3.21 kilometers) from the nearest suitable school, will be eligible for free home to school transport to the catchment school or the nearest school. (Paragraph 1.1.4 applies in relation to ‘bus stops and pick-up points)
- 2.2 In line with legislative requirements, a learner of compulsory school age attending a secondary school who resides three or more miles (4.8 kilometers) from the nearest suitable school, will be eligible for free home to school transport to the catchment school or the nearest school.

(Paragraph 1.1.4 applies in relation to 'bus stops and pick up points)

- 2.3 The home to school route will be measured using the Local Authority's preferred software solution that may from time to time be revised as technological advances are made.
- 2.4 The route shall be measured from the intersection of the nearest access point to the home premises with an adopted road to the nearest school access point.

3. Discretionary Provision

- 3.1 The Local Authority may provide home to school transport on a discretionary basis where learners meet the criteria outlined in paragraphs 3.2 to 3.9 below. The statutory distance detailed in Section 2 will apply to discretionary criteria unless there is express provision to the contrary

3.2 Welsh Medium

The Local Authority will provide free home to school transport for learners of compulsory school age who meet the statutory distance criteria (see Section 2 above) to the nearest suitable Welsh Medium School (i.e. schools in category 3. (See current School Information Document)

(Paragraph 1.1.4 applies in relation to bus stops and pick up points)

3.3 School Closure

The Local Authority will provide free home to school transport for learners of compulsory school age where the closure of a school results in a learner being transferred to another school that falls outside of the statutory distance criteria. Learners on the register of the closed school will be provided with free transport to the new catchment school or the nearest school, subject to meeting to the statutory distance criteria, until the learner finishes education in that school.

If the learner of compulsory school age leaves the receiving school to move to another school, primary or secondary, entitlement to this discretionary provision will end; the learner's eligibility for free home to school transport thereafter will be determined in accordance with this Policy.

(Paragraph 1.1.4 applies in relation to bus stops and pick up points)

3.4 Route to school is considered not available (unsafe)

The Local Authority will provide free home to school transport for learners of compulsory school age where the walking route to the nearest suitable school has been risk assessed by the Local Authority and found to be **not available** due to the nature of the route. (In accordance with the Welsh

Government Learner Travel Statutory Provision and Operational Guidance. [Learner Travel Statutory Provision and Operational Guidance.docx \(gov.wales\)](#) or any future amendments

3.5 Medical / Additional Learning Needs (ALN)

- 3.5.1 The Local Authority will consider a learner's medical conditions, disabilities and learning difficulties when assessing the travel needs of learners in the area.
- 3.5.2 If a learner has an Individual Development Plan (IDP), learner transport shall be provided in accordance with the IDP– this may include children of pre-school age. If the IDP is reviewed and the transport element is amended, the provision of transport will reflect the amended IDP.
- 3.5.3 The Local Authority may provide free home to school transport for learners of compulsory school age who do not have an Individual Development Plan (IDP) where the learner requests transport on medical grounds or grounds of disability or learning difficulty. This provision will be considered when a request for transport on medical grounds application form is completed and accompanied by evidence from a consultant or person of similar standing (not GP, Nurse or Practitioner).
- 3.5.4 The transport for a learner with Medical/ALN will depend on their individual circumstances and the route the learner must travel. The transport arrangements will be reviewed on an annual basis. The Local Authority is committed to developing and supporting learners to travel as independently as possible. A review will consider the type of transport provided to the learner and, if a personal passenger assistant is provided, whether there is a continuing need. The Local Authority may make changes to transport arrangements following a review.
- 3.5.5 In general any application for long term provision of transport would need to be certified by a consultant or specialist of similar standing. It is unlikely that applications certified by a GP would suffice for application for long term Medical/Disability/Learning Difficulty exemption.

3.6 Behavioural Criteria

The Local Authority may provide free transport for a learner of compulsory school age from their home to an educational establishment where:

- a) The learner is phobic. This means more than reluctance or refusal to attend school and transport will not normally be provided to prevent a learner truanting;
- b) The learner is vulnerable. This may be because of social/emotional immaturity, the risk of sexual, physical or emotional abuse, behaviour which attracts unhealthy attention or the dangers of engaging in aggressive, criminal or substance-related activity, that parents accompanying their

child(ren), are unable to control;

c) There is an established risk of anti-social or dangerous behaviour that parents accompanying their child(ren) are unable to control.

These situations will normally need to apply generally and not just on journeys to and from school.

Children who meet these criteria will have been individually assessed by Local Authority staff.

3.7 Post 16 learners

3.7.1 Transport will be provided for post 16 learners who live 3 miles or more from their nearest educational establishment (this can be either their nearest or catchment secondary school, Welsh medium secondary school or further education college). The learner must be studying full time and be less than 19 years of age on 1st September of the academic year in which the course is taken.

3.7.2 Learners are expected to make their own travel arrangements to the transport pick-up point. However, no learner aged 16 and over will be expected to make their own way more than 3 miles to the pick-up point

3.7.3 Transport will not be provided for residential courses.

3.8 Transport to Denominational Schools

3.8.1 Subject to the statutory distance criteria being met, the Local Authority will provide free home to school transport for learners of compulsory school age attending a denominational school provided that the learner resides within the catchment area of the denominational school in question and evidence of faith (such as a baptismal certificate, proof of faith certificate or letter from a faith leader) is provided

3.9 Gypsy Roma Traveller Children

Transport may be provided for Gypsy Roma Traveller children although they live within the statutory distance criteria from the school.

4. Concessionary Seats

4.1 The Learner Travel (Wales) Measure 2008 allows the Local Authority to provide a concessionary seat on transport for a charge where a learner of compulsory school age is not eligible for free home to school transport. Such a concessionary seats will only be offered in cases where there are surplus seats on existing transport.

However, the requirements of the Public Service Vehicle Accessibility Regulations mean that unless a vehicle complies with the Regulations, or an exemption is in place from the Department for Transport (DfT), then concessionary seats for which a fare is charged can't be offered. Conwy will apply for exemptions when they are available from the DfT.

If an exemption is in place or changes to legislation allow fares to be lawfully charged, the Authority will offer concessionary seats for a charge."

a) The charge will be subjected to annual review (check website for current charge).

(b) Seats will be allocated on the basis of availability at the beginning of term and prioritised as follows:

- Those that live the furthest from the chosen school
- Those applications that were received earliest

c) There is no guarantee of the continued availability of a concessionary seat. If the number of pupils entitled to free transport increases, it may become necessary to displace pupils who have purchased concessionary seats. In these circumstances, families will be entitled to refunds on a pro rata basis.

5. Children who are looked after

- 5.1. Under the Measure, the same age and distance criteria apply to children who are looked after as to children who are not looked after but there is no requirement that they attend the nearest suitable school to their home. The Local Authority has a responsibility as a corporate parent for children who are looked after. The Local Authority must make every reasonable effort to provide stability and continuity for children who are looked after in respect of school provision. Free transport **MAY** be provided to maintain attendance to the current school in cases where the child who is looked after is placed two or more miles from the primary school or three or more miles from the secondary school
- 5.2. Transport provision will be reviewed during the statutory reviews of children who are looked after.

6. Dual residency

- 6.1. If a learner has more than one home because the learner's parents are not living together but the learner lives for part of the school week with each parent, then both places of residence will be regarded as places of ordinary residence for the learner.

- 6.2. Only permanent established arrangements will be considered; this would include a learner who stays 2 nights per school week with one parent and 3 nights of every school week with the other parent, or alternative weeks with each parent.
- 6.3. This provision includes any person who has parental responsibility for the learner and with whom the learner lives for part of the school week.
- 6.4. Under these circumstances, free home to school transport **may** be provided from both residences to the nearest suitable school to the residence where Child Benefit is paid. (the main residence) if:
- The main residence and the secondary residence are within Conwy County Borough;
 - The statutory distance is met; and
 - The journey from the second residence is less than 10 miles to the school.

The request needs to be in writing, detailing the agreed arrangements with proof of dual residency.

- 6.5. If there are more than two normal places of residence, this will only apply to the two residences nearest their school.

7. Mode of Transport

- 7.1 In determining the mode of transport required, the following principles will apply:
- (i) The need for specialist transport;
 - (ii) The Individual Development Plan or Special Educational Needs of a pupil as defined in a learner's IDP .
- 7.2 Mobility and transport may be lifelong problems for some learners and the parents or carers. Education should be a preparation for life and transportation to and from school is a part of the preparation. For this reason the application of the general criteria and considerations will apply, wherever practically possible, for all learners.
- 7.3 In all cases, the efficient use of resources will dictate the mode of transport (subject to the above conditions). Transport may be provided by means of school contract transport services or existing public transport services which, together with the type of transport (bus, minibus, train, taxi, etc.) will be dictated by cost effectiveness. In some cases, one contract bus may transport different learners to more than one school site.

- 7.4 In particular circumstances, a cash payment in line with the HMRC approved business mileage rate may be available for transporting learners who meet all the criteria if deemed by the Local Authority to be more cost effective.

8. Length of Journey

- 8.1 It is considered that normal journey times should be no more than 45 minutes for primary school travel and 60 minutes for secondary school travel.
- 8.2 There may be some exceptional circumstances when those time limits cannot be adhered to such as delays due to heavier traffic, road works, diversions and breakdowns.
- 8.3 There may be circumstances perhaps in rural areas and in the secondary sector where the nearest suitable school may be further away than such travel times would allow. In other circumstances learners with special needs, Additional Learning Needs or children who are looked after may need to be transported to establishments some distance away.

9. Collection and Return

- 9.1 Transport will normally be to and from bus stops or pick-up points for groups of pupils. It will only be provided from door-to-door in exceptional circumstances.
- 9.2 In particular:
- i. No learner aged 11 years or under will be expected to make their own way more than two miles to the nearest pick-up point;
 - ii. No learner aged 11 or over will be expected to make their own way more than three miles to the nearest pick-up point;
 - iii. No learner who is eligible to be transported on a contract route will be eligible for transport provision outside the normal daily timetable of that contract route.
 - iv. No transport will be provided by the Local Authority during the school day to different sites
 - v. Transport will not be provided to breakfast clubs, after schools clubs, nurseries or addresses other than the learner's ordinary residence.

10. Passenger Assistants

- 10.1 In some cases, pupils with Additional Learning Needs may be provided with a passenger assistant if this is stated in their Individual Development Plan.
- 10.2 This provision will be reviewed as part of the annual reviews of the Child's Educational Needs.

11. Right to withdraw transport

- 11.1 If it is subsequently found that free transport has been provided in error, e.g. route measured incorrectly, the Local Authority has the right to withdraw the transport subject to reasonable notice (normally to the end of the term in which the error is discovered).
- 11.2 Where circumstances have changed e.g. following a review of transport provision, where new footpaths are provided etc. the Local Authority also has the right to withdraw free transport at the end of that academic year.

12. Travel Behaviour Code

- 12.1 The Welsh Assembly Government have published an All Wales Travel Behaviour Code, under section 12 of the Measure, which applies to all learners up to the age of 19. The safety of learners is dependent on the standard of behavior on school transport. Cases of minor misbehaviour, damage or injury to other passengers will be dealt with by means of Warning letters sent to the families of learners.
- 12.2 If a learner seriously or persistently misbehaves on school transport, the Local Authority reserves the right to withdraw the transport provision. This may be even if a warning letter has not previously been issued.
- 12.3 Where the transport is withdrawn, the procedures and timescales set out in the travel Behaviour Code Statutory Guidance will be followed. In particular the guidance given in Section 4 of the Travel Behaviour Code relating to pupils with special educational needs will be considered.

Notes (These are for guidance only and do not form part of the policy)

- i. The driver is responsible for the supervision of children in their vehicle during the journey to and from school.
- ii. The driver will, in accordance with the agreed procedure, report any incidents of misbehavior to the Head-teacher of the school who is empowered to deal with cases of bad behaviour on school transport and who may, if necessary, recommend to the LEA that the transport facility provided be withdrawn.

13. Application Process

13.1 Transport application forms are available by:

- Applying online via the Conwy County Borough Council website [Free School / College Transport - Conwy County Borough Council](#)
- By post from Conwy CBC Education Services, Coed Pella, PO Box 1, Conwy, LL30 9GN

14. Dispute Resolution

14.1 This part relates to disputes on eligibility grounds (including assessments of available routes) or regarding decisions to withdraw home to school transport.

14.2 Where home to school transport has been refused or withdrawn, a family has a right to dispute the decision.

14.3 Stage 1

The first stage of the dispute resolution process is a review by the relevant Service. In the first instance the parents should put in writing the details of a dispute with any supporting evidence for the dispute. The onus will be on the parents to collate the relevant evidence. The evidence should be focused on showing how the Local Authority may have made an incorrect decision.

This request for dispute resolution should be sent by letter to Site Management Division, Social Care and Education Services, Conwy County Borough Council, Coed Pella, PO Box 1, Conwy, LL30 9GN or email to education@conwy.gov.uk

A senior officer will review the evidence provided and will report back to you with the results of their review.

Confirmation of receipt will be sent within 5 working days and a formal response will be sent to the parents within 10 working days following the request for dispute resolution.

Stage 2

If the applicants are dissatisfied with the response to their stage 1 dispute resolution, they can make a second stage dispute, which will be dealt with by a panel consisting of the Head of Education Services, the Cabinet Member for Education Services and the Cabinet Member for Environment and Transport. They will consider the evidence and respond to the parents within 20 working days following receipt of the request for escalation to stage 2.

Each case will be judged on its own merits against the Local Authority's home to School Transport Policy and procedures.

The decision of the stage 2 panel is final.

15. Complaints

- 15.1 All complaints about the service received will be dealt with in accordance with the Local Authority's published Complaints Policy and Procedure.

16. Contacts

- 16.1 Parents/guardians who wish to apply for Home/School Transport may make an application on the appropriate form which is available on our website or by contacting Education Services on 01492 575595.
- 16.2 The Home to School Transport team within the Environment Road and Facilities Service are responsible for the actual transportation arrangements taking into account, cost effectiveness, existing routes and current transport contractual arrangements. Contact number - 01492 577899.