

# **Medway Council**

## **Education Travel Assistance Policy**

**2025-2026**

**for children of compulsory school age 5 to 16 in  
mainstream schools**



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## 1. Introduction

This is the education travel assistance policy for Medway Council. **It applies to pupils who are between 5 and 16 years-old who live in Medway.**

There is a separate policy for pupils with Special Education Needs or Disabilities. If your child has an Education, Health and Care Plan or specific additional needs, please refer to the SEND policy.

Medway Council has a statutory duty to provide free home to school travel assistance for eligible children of compulsory school age.

This means we must provide assistance for children to travel to and from their school if they live in Medway and are deemed eligible. The Department for Education defines the term "eligible child". We use that definition in this policy.

## 2. General

Parents and carers are legally required to ensure their child attends school. This means they must take all the action necessary to enable their child to attend school. This includes making arrangements for their child to travel to and from school

Where travel assistance is provided by the council, this is for attending the normal school day. The council is not responsible for travel between institutions during the school day, for part time timetables or to enable children to attend extra-curricular activities and other commitments outside school hours.

This includes, where a child may be directed off site by their school, e.g. to attend alternative provision.

We support schools and families by encouraging sustainable travel to and from school. Most children and young people can travel by foot, bicycle or on public transport. These methods improve health and well-being and are better for the environment.

We are committed to making the streets outside our schools safer and healthier for our children. To help us do this, we have introduced School Streets across Medway. More information about school streets scheme is at [School Street Scheme](#)

The Sustainable Modes of Travel Strategy, which can also be found on our website.

We aim to provide clear and accurate information. In writing our policy, we have referred to the current Department for Education Statutory Guidance published in January 2024. Department for Education Statutory guidance for local authorities – [Home to school travel and transport guidance](#)

### 3. Eligibility

#### 3.1. Eligibility criteria for travel assistance for pupils

A child is eligible to travel assistance if they are:

- of compulsory school age (5-16 years) and **attend their nearest** qualifying school
- live beyond the **statutory walking distance** from that school
- could not reasonably be expected to walk to that school in reasonable safety, even if they were accompanied by their parent or carer

Children may be eligible under the 'Extended Rights' criteria. Please see **section 3.7** for further information.

A child **is not** eligible for travel assistance because their parent or carer's work commitments or caring responsibilities mean they are unable to provide the travel assistance.

#### 3.2. Home address

The address that must be used for the assessment of eligibility for education travel assistance is the **child's main place of residence**.

If a child resides at more than one address during the week, only the main place of residence will be considered for education travel assistance purposes (e.g. where the pupil is registered as living for GP's, child benefit, etc). Where this is disputed, the council will not provide assistance until all parties agree or there is a court ruling.

The council will only provide travel assistance from one address and will only assist for one return journey from the child's home address to school each day.

It is the responsibility of the parents or carers to inform the council should the home address change. Any change in circumstances requires a new application for travel assistance and a re-assessment of eligibility.

### 3.3. Nearest suitable qualifying school

The nearest suitable qualifying school is the nearest school where a place could have been secured that is suitable for the child's age, ability and aptitude. this includes non-Medway schools.

Qualifying schools include any state funded school. The council does not provide travel assistance to privately funded mainstream education provision.

For secondary age pupils, the council takes into account whether a child is eligible for a Grammar School (under the Medway Test procedures or admitted to a Medway grammar school following an independent admission appeal). In these circumstances, the nearest grammar school will be considered as the nearest suitable qualifying school.

Individual preferences, e.g. single sex, mixed or preference for a school because of its specialism or because it teaches certain subjects do not count when determining the nearest appropriate school.

### 3.4. Expression of school preferences

Parent and carers are advised to consider how their children will get to school at the time they are choosing which schools to apply for.

The list of school preferences made in the normal admissions round, does not alter the nearest available school determination. This means that the council will consider a local school, with a place available at the time of application, as nearest available even if it isn't one of your preferences, and your child may not be eligible for travel assistance.

School admissions will use 'national offer day' to determine whether a child would have been offered a place at their nearest school to determine eligibility for travel assistance.

Admissions criteria for a school place measure distance to school using straight line (as the crow flies).

Travel Assistance eligibility is measured by the shortest walking route.

### 3.5. Statutory walking distance

Medway Council, in accordance with its statutory duty, will provide home to school travel assistance for children of compulsory school age to the **nearest available school\*** to their home address who meet the 'statutory walking distance' criteria which are:

- 2 miles or more for children below the age of eight.
- 3 miles or more for children aged eight and above.

\*An available school is determined to be a school where the child would have been offered a place on national offer day, had the parent or carer applied for the school as a preference on the original admission application.

### **3.6. Unsafe walking route**

A child is eligible for travel assistance if:

- they attend their nearest available school, and;
- their school is within the statutory walking distance of their home, and;
- they cannot reasonably be expected to walk because the nature of the route means it would be unsafe for them to do so, and;
- there is no reasonable alternative route within the statutory walking distance that would be safe for them to walk

When assessing whether a route can be walked in reasonable safety, the council will consider the whole of the route. This will include, for example, any sections that use footpaths or bridleways, as well as sections that use roads. They should consider a range of risks such as canals, rivers, ditches, speed of traffic and fields of vision for the pedestrian and motorist.

### **3.7. Eligibility for extended rights: Low-income eligibility**

A child's eligibility for travel assistance is extended if they are from a low-income family. The extended eligibility, means that the child is:

- aged 8 or over but under 11, attending their nearest suitable school and it is more than 2 miles from their home
- aged 11 to 16 years and attend one of their three nearest suitable schools provided it is more than 2 miles but not more than 6 miles from their home

A low-income family is one where a child receives free school meals because of the family's income, or their parent or carers receive any of the benefits listed below:

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- The maximum level of Working Tax Credit
- Child Tax Credit – and have an annual gross income of no more than £16,190
- Universal Credit with an annual earned income of £7,400 or less
- The guaranteed element of Pension Credit
- Support under Part VI of the Immigration and Asylum Act 1999

**Please Note:** This definition is prescribed by Central Government and may be subject to change.

In order for the relevant assessment to be made for low-income education travel assistance, applicants must complete the relevant details on the application so that the claim can be verified. If the claim cannot be verified, acceptable proof of benefit will be requested. No low-income education travel assistance can be provided without suitable evidence of receipt of a qualifying benefit.

Where transport assistance is granted under this criterion, it will be assessed on an annual basis to determine whether the pupil remains eligible.

If a child is no longer eligible for free school meals or if the parent or carer stops receiving universal credit, travel assistance will continue to be provided until the end of the academic year.

### **Denominational (faith) travel assistance**

**NB: For Medway Children in Care and low-income families only**

An application can be considered to certain faith schools where the pupil is attending the faith school, it was chosen because of its faith status and the pupil is of the same faith/denomination as that of the school (e.g. for a Catholic school the child is of the Catholic faith).

In these cases, the Council will consider the school as the nearest suitable qualifying school to the home address where it is one of the three nearest suitable qualifying schools of the relevant faith.

To qualify on this basis a child must:

- be aged 11 to 16 years, attend a school that is more than 2 but not more than 15 miles from their home that their parent or carers have chosen on the grounds of their religion or belief if, having regard to that religion or belief, there is no suitable school nearer to their home, and;
- evidence provided from the relevant church authority that the child is a regularly practising member of a church of the same faith/denomination as the school concerned.

Proof of faith/denomination is required, and the application must be countersigned by the appropriate church authority, verifying that the pupil is a regularly practising member of a church. If such proof is not provided, the application cannot be considered on faith/denomination grounds.

## **4. How we assess eligibility**

### **4.1. Measurement of distance to nearest school**

For travel assistance, we assess distance between a child's home and their nearest school by measuring the shortest route along which a child, accompanied as necessary, may walk safely. This is not necessarily the shortest distance by road.

The route may also include footpaths, bridleways and other pathways.

We measure distance between home and school using the Medway Council's spatial data analysis software. This gives accurate shortest walking distances from the gate of the parent or carer's home to the main gate of child's school.

The same method of measurement and route calculation is used for all applications to ensure that the nearest qualifying school can be identified. All distances are calculated to four decimal places in miles and metres.

Ordnance Survey states that co-ordinates of a point on the map will be subject to a measure of accuracy. The absolute accuracy, which is the accuracy to a point originally surveyed at 1:1250 will be +/- 0.9 metres at a 99% confidence level. As home to school distance calculations deal with a home address and a school address, it is considered that any measurements made to route a child from home to school are given an overall accuracy of +/- 1.8 metres. This is the tolerance allowed for in all distance and route calculations.

The measurements produced by **Medway's spatial data analysis software** are the distance calculations that the council will use to determine transport eligibility. Distances from other measurement systems will not be considered.

## **4.2. Unsafe walking route and assessing route safety (refer to section 3.6)**

As stated in section 3.6; to be eligible under the unsafe walking route criteria, a child must be attending their nearest suitable school.

Using the Road Safety Great Britain (RSGB) 'Guidelines on Assessment of Walked Routes to School' we consider a range of risks such as paths, canals, rivers, ditches, speed of traffic and fields of vision for the pedestrian and motorist. We will consider whether the pupil could reasonably be expected to walk, **accompanied as necessary**, by a responsible person, such as a parent or carer or another adult.

The safety of a route is considered, and the relevant route assessment focuses primarily on identifying the road safety risks observed along the route.

Guidelines produced by RSGB in 2012, states, "Case law has found that assessments must look at the relationship between pedestrians and traffic only. Personal safety issues of children travelling alone are not considered. Local authorities are not legally obliged to provide free transport just because parent or carers perceive the route to be unsafe on the grounds of personal safety and security."

When assessing the shortest walking route and that route or part of a route is considered to be unsafe to walk, and where there is no alternative available walking route that can be used that is less than the qualifying distance criteria, travel assistance will be provided.

Where a route previously considered to be unsafe, becomes safe – for example, through the provision of a new footpath – transport will no longer be provided to any new applicants for transport assistance. Those applicants who have been entitled to transport due to an unsafe route will be provided with transport until the end of the current academic year before transport will be withdrawn. However, the council reserves the right to withdraw transport before the end of the academic year if it has good reason to do so.

## **4.3. Parents and carers accompanying their children**

Where a child does need to be accompanied, the expectation is that they will be accompanied by a parent or carer unless there is a good reason why it would not be reasonable to expect a parent or carer to do so. For example, the parent or carer's disability may prevent them from accompanying their child along a walking route.

Medway Council will work with families to promote and ensure equality of opportunity for children whose parents or carers have a disability which prevents them from accompanying their child along a walking route and will consider relevant up to date medical information, when assessing an application, as long as it is provided at the time of application and is from a GP, consultant or medical practitioner.

If a parent or carer is unable to accompany their child, due to being disabled or has a medical condition that prevents them from accompanying their child, we will ask the parent or carer for proof of their medical condition. The council may make an exception and use its discretion and make reasonable adjustments to provide travel assistance.



#### **4.4. Limitations and situations that are not considered in travel assistance assessment**

Situations where we do not provide travel assistance include:

- children in Reception, but below compulsory school age
- travel to and from school extra-curricular activities or childminders address for example, activities taking place before or after the school day (e.g. breakfast and after school clubs)
- travel to and from any educational provision at weekends or bank holidays or any link courses, elective lessons, etc. that take place outside of the normal school day
- Year 6 induction, transition days and other induction days
- travel to and from different sites of the same mainstream, alternative or specialist provision
- travel to and from off-site provision that has been directed by the child's school
- travel to and from work experience placements
- travel to and from any address other than the home address. This includes any address used for childcare/childminder arrangements
- travel to and from school because the parent or carer is unable to take their child to school due to work commitments
- travel to and from school because a parent or carer/carers has children in more than one school.
- travel to and from parent or carer preference schools out of area – this includes grammar or selective schools, unless it is deemed the nearest suitable school.

### **5. Applying for travel assistance**

Once a parent or carer has received an offer of a school place, if they believe their child is eligible for transport, the relevant application form is available on the website.

#### **5.1. Applications, awards, and assessment outcomes and reviews**

##### **How to apply**

The application form for travel assistance is available online at [www.medway.gov.uk/applyfortravelassistance](http://www.medway.gov.uk/applyfortravelassistance)

Requests for a paper form can be emailed to the Mainstream Transport Team at [schooltransport@medway.gov.uk](mailto:schooltransport@medway.gov.uk)

The application process commences in April each year, in readiness for September of the next academic year.

Parents and carers only need to apply once for the academic year. The assessment will cover the remaining academic year if the eligibility criteria is met.

##### **Renewal applications**

Parents and carers may need to reapply if there has been a change in circumstances and must tell us straight away if there is a change of circumstances and any changes in the information included on the travel assistance application.

Examples of changes in circumstances can include:

- change of home address

- change of school or college
- changes to benefits received
- changes in medication or mobility

## **5.2. Travel arrangements assessment outcomes**

A decision regarding a child's eligibility for home to school travel assistance can only be provided once a completed application has been fully assessed by Mainstream Transport Team. All applications will be considered against each of the relevant eligibility criteria, as detailed above, and any additional parameters relevant to the child.

The estimated timescale for processing applications is up to four weeks (20 working days) from the date of receipt of a complete application by Mainstream Transport Team. This timescale includes the application assessment, notification of decision, issue of the relevant travel pass, or instruction (where applicable) to set up appropriate travel arrangements.

When the arrangement ends it is the responsibility of the parent or carer to make a further application, and your decision letter will tell you the date parents and carers need to review the assistance we provide. Parents and carers must apply again if travel arrangements are required after this review date. We may ask you to apply each academic year depending on the form assistance being provided.

## **5.3. Reviews**

Reviews for travel arrangements may be required if circumstances change from the date of your original application.

### **Reasons for a more frequent review are:**

- change of school or home address
- change in the health of the child or parent and carer or other member of the family that affects the child getting to school

Unless otherwise agreed, applications for travel assistance must be submitted on an annual basis, and all existing arrangements are subject to an annual review process overseen by the Council's Mainstream Transport Team.

## **5.4. Eligibility checks**

A child is assessed as being currently eligible for free travel to school if they are entitled to free school meals or a parent with whom they live with that receives maximum Universal Credit, subject to annual parliamentary change subject to certain conditions set out above under 3.7 above. Medway Council has a duty to ensure that public funds are protected. We will undertake checks with the Department for Work and Pensions as part of the eligibility assessment.

## **5.5. Awards made in error**

Where a decision to provide travel assistance has been made in error, we have the right to withdraw this after first considering the circumstances of each case to determine whether there are exceptional reasons for provision to continue. Where it is decided to withdraw assistance, up to one term's notice will be given. If the error was discovered before the commencement of the academic year, the arrangements will be withdrawn immediately.

## **6. Suitability of travel arrangements**

We aim to comply with Department for Education (DfE) guidance that states travel arrangements should be suitable, safe, and reasonably stress-free, so that children arrive at school ready for a day of study.

We will assess each application on an individual basis to ensure the travel arrangements meet the child's needs.

Travel arrangements will only be provided at the start and end of the school day.

Where particular classes, year group or pupils have a different start and finish time that is different from most pupils at the school, it will not normally be possible for the council to make separate travel arrangements. Schools may need to make arrangements to accommodate these pupils. There may be a small number of circumstances in which the council considers it appropriate to arrange transport at an alternative time of day, for example if a child has a medical condition which means they are not well enough to attend school for the whole day. Each case will be assessed on its own merits, and this does not set a precedent for other cases.

### **6.1. Journey times**

As a general guide, the maximum journey time should be 45 minutes each way for a child of primary school age, and 75 minutes each way for a child of secondary school age, including any time taken to walk to a pickup point, bus stop or train station. It is, however, recognised this may not always be possible.

Depending on where your child lives and which school they attend, the existing transport infrastructure and traffic build up in peak times might mean this is not always possible. Parent and carers should note that journey times include local traffic delays, time taken to on/off board a student from transport along with various collection/drop off points along the journey.

## **7. Forms of travel assistance offered to an eligible child**

Where a child is eligible for travel assistance under this policy, the council will determine the most suitable travel assistance.

The council prioritises environmentally friendly and sustainable modes of transport. The assistance will be one of the following options:

- walking bus
- individual walking escort
- bikeability, with cycling proficiency course
- public transport (bus pass or train pass)
- fuel allowance
- shared transport (minibus) in cases of evidenced exceptional need

Every application will be assessed on its own merits, including all the information available at the time of the assessment, such as any additional supporting evidence provided. The type of travel assistance provided is determined by the council. There is an appeal process if the parent or carer feels the travel assistance provided is not suitable.

## **7.1. Fuel allowance**

A fuel allowance is payable at the Council's published mileage rate, for two return journeys from home to school each school day. Payments are made three times a year, in September, January and April. The council will carry out periodic attendance checks and reserve the right to stop payments and reclaim payments where attendance falls below 80%. Each case will be considered on its own merits and the particular circumstances surrounding the child.

Where there is more than one eligible child in the same family, attending the same school or schools within close proximity of each other, the council will not make separate payments for each child.

## **7.2. Siblings**

Although travel assistance may have been offered to an older sibling attending a school, the policy will be applied separately to younger siblings entering school in future years. Parents and carers should not assume that if one child receives assistance with home to school transport, that their siblings will also receive this in the future.

## **7.3. Review of transport provision**

Where a child is eligible for travel assistance, there is no requirement to reapply for transport each academic year. The decision letter will tell parent or carers the date they need to review the assistance we provide. Parent or carers must tell us if their circumstances change. This is covered in further detail in section 5.1 of the policy.

# **8. Operational issues and travel standards**

Where travel arrangements are made parent and carers are given information relating to health and safety, behaviour, and operational issues as part of the offer.

## **8.1. Transport changes due to adverse weather**

On rare occasions, severe weather may impact on Medway Council's ability to arrange travel assistance safely. Where severe weather results in the requirement to cancel assistance every effort will be made to notify parent or carers at the earliest opportunity.

The council reserve the right to cancel assistance due to adverse weather conditions. If assistance is cancelled the Council will, where possible, give parents and carers an indication of when it is likely to resume.

## **8.2. Student Behaviour**

All children who are granted travel assistance are expected to adhere to the behaviour terms and conditions of both Medway Council and the relevant transport operator. By signing the application form both the parent or carer and the child are agreeing to abide by such conditions of travel.

Medway Council takes challenging behaviour in transport seriously. We will work with schools, parent or carers, and transport operators to minimise potential issues. However, when the behaviour affects the safety of or causes injury, to anyone within the vehicle surrounding area, including staff, the offer may be withdrawn, and alternative arrangements considered.

As per DfE Guidance, unacceptable behaviour may include, but is not limited to:

- being rude
- pushing and kicking
- bullying
- distracting the driver
- refusing to wear a seatbelt
- refusing to remain seated

When unacceptable behaviour is reported to the council, it will seek to understand and take appropriate action may including but not limited to:

- Referral to relevant services
- Communication with Parents and Carers
- Communication with school
- Removal of the current assistance offer

The council's decision of suitable action is final.

The council will also take unacceptable behaviour of parent and carers that impinges the travel assistance of their child or others seriously and may take the decision to temporarily suspend travel arrangements until an investigation has been completed.

Should a child's travel arrangements be permanently withdrawn, the council will meet its duty in respect of the eligible child in an alternative way.

## **9. Children Looked After**

### **9.1. Children who are Looked After by Medway Council**

It is the responsibility of the foster carer or residential care provider to ensure that Looked After Children placed with them attend school.

Looked After Children may be eligible for travel assistance if they qualify under the eligibility criteria. If an arrangement has been made for the child to be taken to and from school and the cost of this has been agreed and is expressly included in the placement fee no other travel arrangement will be provided because suitable arrangements already exist.

### **9.2. Children looked after by other local authorities, placed within Medway**

Section 508B of the Education Act 1996 requires local authorities to make travel arrangements for 'an eligible child in the authority's area'. This means that, in all circumstances, the local authority in whose area an eligible child lives is responsible for their home to school travel – including the cost of the travel.

## **10. Changes of address**

### **10.1. Child moving into Medway**

If a child moves into the area, parent or carers should apply for travel assistance as soon as they have been accepted by a Medway school. They should bear in mind the information about choice of school given earlier in this policy.

When you move into Medway from another area where your child was receiving travel assistance, you will have to complete a new application to be assessed for travel in assistance in Medway. The fact this provision was allocated to you in the area you were previously residing in, does not mean that it will automatically be provided in Medway. Your application will be subject to assessment.

## **10.2. Internal moves – child moving within Medway**

Parents and carers whose child were previously benefiting from travel assistance should inform us of the change in circumstances and the eligibility will be reassessed.

In all cases, parents and carers should bear in mind advice given in this policy on choice of school and the requirement to attend the nearest suitable school with a place available.

## **10.3. Child moving out of Medway**

In accordance with DfE guidance, if your child is placed in another area, irrespective of the reason, Medway Council will not be responsible for travel assistance even if you were previously eligible when you were residing in Medway. The parent or carer would need to apply to the local authority they now reside in. This also applies where Medway is the corporate parent of a child.

# **11. Discretionary travel arrangements**

Medway has discretion to grant travel assistance even where it falls outside of the normal policy or statutory duties, however, this will only be considered in exceptional circumstances. The reasons for such decisions will be recorded and reviewed regularly, as required. Each case will be dealt with on an individual basis.

An award made as a Discretionary Award cannot be backdated. Applicants must provide all evidence requested by us. Where evidence is not provided as requested, within any given time limit, no decision can be made. The evidence should include any social, medical, financial or personal reasons.

Where a discretionary award is made, parents and carers may be asked to make a financial contribution to the cost of the travel arrangements.

Information about Discretionary Awards can be found on the council website.

## **11.1. Temporary medical condition/mobility problems affecting a child and or parent or carer**

In exceptional circumstances special consideration can be given for education travel assistance on the basis of medical grounds. If an application is being made on this basis, relevant medical evidence must be supplied at the time of application.

Such evidence must be dated no earlier than 6 months prior to the application or be the latest evidence available for long-term conditions (e.g. epilepsy, cerebral palsy, ongoing mobility conditions).

The evidence provided must be from a GP, Consultant or other medical practitioner and must detail the child's medical needs, why the school being attended is the best suited to meet those

needs and that the child is unable to access the school without travel assistance because of said medical needs and/or condition.

### **11.2. Children placed by the Fair Access Panel**

Medway will exercise its discretionary powers to award travel assistance, in the form of a bus pass, to children who have been placed at a school by the Fair Access Panel.

### **11.3. Under 5s**

Medway has no statutory duty to provide travel assistance for children under five and will not do so in the majority of cases. There might be exceptional circumstances where travel assistance can be considered such as parent or carer disability or children who are starting specific education provision before their fifth birthday and those are assessed on individual basis. In most circumstances, the parent or carer will need to apply after the child's fifth birthday.

### **11.4. Travel assistance for children who moves at a critical stage**

Where a family move home during a critical stage of their child's education (during Year 6, 10 or 11) education travel assistance **may** be granted to the current school being attended to allow completion of their course and continuity of their education.

The minimum statutory eligible walking distance and consideration of ease of access from the new home address to the school being attended will be taken into account when assessing suitability of providing travel assistance.

### **11.5. Independent and/or schools outside of Medway**

Medway Council **will not** provide travel assistance for any Medway resident child attending an independent, private or fee-paying school.

In certain circumstances education travel assistance may be considered for a Medway resident attending a non-Medway school if said school is deemed the nearest qualifying school, or the pupil has moved house during a critical stage, or if qualifying on low-income and/or denominational grounds.

## **12. Alternative travel options**

### **12.1. Medway Youth Pass**

This scheme entitles all young people who live in Medway to apply for and receive a photo-card that lasts for three academic years or until the young person becomes sixteen years old (whichever is sooner).

Young people aged between sixteen and eighteen are also entitled for this scheme and will receive a photo-card that lasts to the end of the academic year in which they become eighteen.

The scheme provides for young people to pay half the adult fare for a single journey at all times when travelling on local bus services. Some season tickets are also available.

To qualify the journey must start in Medway and can be to any destination in Medway or Kent, as long as any change of bus takes place in Medway.

Medway Youth Passes are not valid on the subsidised yellow bus routes (MY buses) run by Medway Council or with companies that already offer a child fare.

Before applying for a Medway Youth Pass, parent and carers should verify with the appropriate bus company that the pass can be used on the relevant service/route and whether there is a more cost effective method to obtain a ticket from the bus company.

For up to date information on the cost of the Medway Youth Pass and to apply online please visit [medway youth pass](#)

## **12.2. Yellow Bus Scheme (MY buses)**

Medway Council operates a series of bus services which supply school buses for pupils living in some parts of Medway to travel to certain Medway secondary schools at a reduced cost than public transport.

Places on MY Bus services can be secured by liaising with the MY Bus team to check availability. Further information is available from: [MY bus](#)

If your child is eligible for education travel assistance and a place on an MY service has been confirmed for your child, please inform School Services as soon as possible.

## **13. Appeals procedure**

The Mainstream Transport Team will provide in writing the reasons for the refusal of an application at the point of assessment.

Appeals against a refusal of assistance or the suitability of the travel assistance provided are considered on an individual basis and does not set a standard practice for future cases. The written request should detail why the parent or carer believes the decision should be reviewed and give details of any personal and/or family circumstances the parent or carer believes should be considered when the decision is reviewed.

Appeals will be considered in a 2-part process:

- Stage one – provides an opportunity for a senior officer not involved in the initial decision-making process to review the decision
- Stage two – a full and final decision will be made by an independent appeal panel of senior council officers that were not part of any previous decisions made, and the parent or carer will be invited to a hearing to present their case, which will be held in person at a Medway Council venue or held virtually. Councillors will be able to represent constituents at the panel hearing, if required.

Where a parent or carer does not wish or is unable to attend a hearing, the panel will make its decision based on the parent or carer's written representations.

If a parent or carer feels we have failed to comply with the procedural rules or if there are any other irregularities in the way an appeal was handled, parent or carers have the right to refer the



matter to the Local Government and Social Care Ombudsman, or to request a judicial review if they believe the decision to refuse travel is flawed on public law grounds.

The flowchart within this policy, 'appendix 2' provides further information on the process and timelines.

More information on appeals is at [home-to-school-travel-and-transport-guidance](#)

### **13.1. Grounds for review/appeal**

The grounds on which a parent or carer can request a stage one review, or a stage two appeal are not limited and is for parents or carers to decide whether to challenge a decision about:

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

Any exceptional circumstances that the family may have can be considered as grounds for review/appeal.

## **14. Complaints**

Complaints about the service provided by the council relating to Home to School Travel Arrangements can be made by using our complaints procedure. This is available at [complaints](#)

### **14.1. Complaints regarding service operational matters**

Any complaints relating to the operational service provided (e.g. lateness of vehicles, etc) on a specific route or service must first be directed to the service provider. If there are persistent issues that cannot be resolved with the service provider please contact the Mainstream Transport Team at [schooltransport@medway.gov.uk](mailto:schooltransport@medway.gov.uk)

## **15. Appendix 1 – glossary**

### **Legislation and guidance**

Words used in this policy are taken from the Education Act 1996 which defines them as follows.

Section 444(5) of the Act defines the statutory walking distances.

Schedule 35B of the Act defines:

- 'Eligible children'– paragraphs 2-7 and 9-13
- 'Qualifying school'– paragraph 15
- 'Disabled child'– paragraph 15(4)
- 'Religion and belief'– paragraph 15(6) and 509AD of the Act
- 'Low-income family'– paragraphs 9-14

Section 579 of the Act defines 'child'.

Section 509AC of the Act defines 'compulsory school age'.

Section 7 of the Act states it is the responsibility of the parent or carer of every child of compulsory school age, to cause their child to receive efficient full-time education either by regular attendance at school or otherwise.

Sections 508B and 508C of the Education Act 1996 (as amended) sets out the local authority's duties and powers respectively, to make such suitable travel arrangements as the local authority considers necessary, to facilitate a child's attendance at school. This applies to home to school travel arrangements and vice versa. They do not relate to travel between educational institutions during the school day.

The Equality Act 2010 defines 'religion or belief' for the purposes of this Act.

This policy has been written having regard to the Department of Education's 'Travel to school for children of compulsory school age' statutory guidance published in January 2024 [Statutory guidance](#).

Education Act 1996 – [Education Act 1996](#)

### Explanation of terms used in this policy

**Compulsory school age** – Set out in section 8 of the [Education Act 1996](#) and [The Education \(Start of Compulsory School Age\) Order 1998](#). A child reaches compulsory school age on the prescribed day following their fifth birthday, or on their fifth birthday if it falls on a prescribed day. The prescribed days are 31 December, 31 March and 31 August. A child ceases to be of compulsory school age on the last Friday in June in the academic year in which they reach age 16.

**Disability** – Defined in section 6 of the [Equality Act 2010](#). A person has a disability if they have (a) a physical or mental impairment, and (b) that impairment has a substantial and long-term effect on their ability to carry out normal day-to-day activities. A chronic physical or mental health condition may constitute a disability. Not all disabilities are visible.

**Medical need** – A health need that has the potential to put a child's safety or wellbeing at risk while travelling to and from school.

**Mobility problem** – A physical impairment that impacts a child's ability to walk to school.

**Parent or carer** – References to parent or carer in this document include birth parent or carers, adoptive parent or carers, foster parent or carers, carers or legal guardians with parent or carer responsibility.

**Religion** – Section 509AD (3) of the [Education Act 1996](#) defines religion as any religion. A reference to religion includes a reference to lack of religion.

**Safeguarding** – Defined in [Keeping Children Safe in Education](#) as:

- protecting children from maltreatment
- preventing the impairment of their mental and physical health and development
- ensuring they grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes.

**School day** – Schools are responsible for deciding when their school day will start and end. The expectation is that local authorities will arrange travel for eligible children to enable them to attend for the ‘normal’ school day.

Schools should organise the school day and school week in the best interest of their pupil cohort. They are expected to act reasonably when making changes to their school day or week. It is unacceptable for them to shorten their day or week unless it is a direct action to enhance pupils’ education.

**Walk** – In this guidance walk has its literal meaning. A child could not be considered to be able to walk to school if they would need to travel in a wheelchair, but a local authority may decide, for example, that suitable travel arrangements for a child would be an assistant to push them in a wheelchair.

**Bikeability** – Department for Transport’s flagship national cycle training programme aimed at children, young people and families in England. [Cycle Training for Everyone – Deliver Safer Training | Bikeability](#)

**QRoutes** – Cloud-based route planning tool for home to school transport, including Special Educational Needs and Disabilities (SEND). More information is available at [QRoutes](#)

## 16. Appendix 2 – the appeals process

The following sets out the full review and appeals process:

1. **Officer A** declines a parent’s school travel application or offers travel arrangements that a parent considers unsuitable.
2. Within **20 working days** of receiving Officer A’s decision, the parent submits their written appeal.
3. **Stage one: review by a senior officer (Officer B)** – Within **20 working days** of receiving the parent’s request, Officer B (a senior officer) reviews Officer A’s decision and notifies the parent in writing of the outcome. Officer B has not been party to officer A’s decision.
4. Within **20 working days** of receiving Officer B’s decision, the parent submits written notification that they wish to escalate the matter to stage 2.
5. **Stage two: review by an independent appeal panel** – Within **40 days** of receiving the parent’s notification, an independent appeal panel considers written/oral representations from the parent, Officer A and Officer B, and reaches a decision.
6. Within **5 working days** of reaching their decision, the independent appeal panel notifies the parent in writing.
7. A parent may make a complaint to the Local Government and Social Care Ombudsman (LGSCO) if they feel the local authority has made a mistake in the way it has handled their case; or may request a judicial review if they believe the decision to refuse travel is flawed on public law grounds.