

**Frequently Asked Questions  
around Eligibility for Free Home to School Travel  
for children of statutory school age only**

## **Introduction**

Admission and Transport policies are separate and not directly linked. This may appear surprising but this simply reflects the national legislation.

Eligibility for a place at a school is not affected by Oxfordshire County Council's Home to School Travel and Transport Policy and obtaining a place at a school does not bring with it any entitlement to transport, even if a pupil is attending their catchment school.

Most children do not qualify for free travel assistance and their parents and carers are responsible for making travel arrangements and meeting the cost.

However, children who attend schools where they live beyond the statutory walking distance are eligible for free travel assistance, provided that it would not have been possible to offer a place at a nearer school. The statutory walking distance is 2 miles for children who are under 8 and of school age, and 3 miles for those who are eight or over and of statutory school age.

If the route to school cannot be walked with reasonable safety accompanied by a responsible adult, or your child could not reasonably be expected to walk to school because of their special educational needs or disability, then they could be entitled to transport even if you live within statutory walking distance.

Information on when Oxfordshire County Council is responsible for providing free travel assistance to school is covered in the Home to School Travel and Transport Policy. However, below are some of the questions that we are frequently asked by parents and carers.

If you cannot find the answer that you are looking for it is possible to contact School Transport Eligibility at [schooltransporteligibility@oxfordshire.gov.uk](mailto:schooltransporteligibility@oxfordshire.gov.uk) or by following the Contact Us link on the Travelling to School webpages.

### **At what age is free school travel provided?**

Children who are statutory school age can be considered for free travel assistance. In addition, free travel can be considered for those children who will become statutory school aged during their Reception Year (the school year in which they will reach the age of 5).

### **What do you mean by statutory school age?**

Children become of statutory school age the term after their 5th birthday and remain of statutory school age until the end of the academic year in which they turn 16.

### **Whose responsibility is it to get my child to school?**

It is your responsibility to ensure that your child can get to and from school at the appropriate time each day. Travel arrangements are an important consideration

when listing preferences when an application for a school place is submitted. It is sensible to consider the consequence of choosing a school which is not within walking distance, unless it is your nearest qualifying school.

### **How is the distance between my home and the school calculated?**

The distance between home and school is measured along the shortest available route. This can include roads, footpaths, cycle tracks, alleyways, public rights of way, bridleways etc. The shortest available route is not necessarily a walking route or a driving route.

### **What do you mean by the nearest school?**

The nearest suitable school for transport purposes means the physically nearest school the pupil is eligible to attend where there is an available place during the normal admission cycle that provides education appropriate to the age, ability and aptitude of the child, and any SEN that the child may have.

For example, for a child in Year 4, this would be a primary school and for a child in Year 9, this would be a secondary school. Where a child has an Education Health Care Plan (EHCP), this could be a special school.

Please note the nearest qualifying school with places available may not necessarily be the catchment school for your home address.

### **What if I don't think that the nearest school is suitable for my child?**

We consider the nearest qualifying school to be the nearest community, foundation or voluntary school; community or foundation special school; non-maintained special school; pupil referral unit; or city technology colleges (CTC), city colleges for the technology of the arts (CCTA) or academies, including free schools and University Technical Colleges (UTC).

There is no entitlement to transport to the nearest school of a particular type, for example, by gender, faith, structure (i.e. academy, grammar, upper, free school) or to the catchment area school if it is not also the nearest available school.

We would not consider a school as not suitable for your child because it does not offer the course that you would like your child to attend or you are unhappy with its current Ofsted rating.

### **My child has an EHCP and/or is disabled. Does this mean that my child can have free travel to any school I choose?**

Free home to school travel assistance will only be provided to the nearest available school that the Local Authority has agreed can meet the needs of your child, if the distance to the school is over the statutory walking distance or if it would not be possible for your child to walk to school due to a disability or mobility issue related to their SEND. If a school is named in line with parental preference, and that school is

further away than another school that can meet your child's need, any travel arrangements to and from school will be your responsibility.

### **Do I need to apply for free school travel?**

Eligibility for free travel is usually determined at the point of admission and therefore there is usually no need to separately apply for free travel. However, there are some exceptions, for example, the development of a disability or entering a low-income category or you have applied for a school place where applications are submitted directly to the school, for example a school which is not part of the In-Year Admissions Scheme for Oxfordshire. In these cases, you should contact School Transport Eligibility who will be able to advise you on how to apply to any transport that you may be eligible for.

### **Once I am awarded transport, will that continue throughout my child's school life?**

Once free travel assistance is awarded, we will not review eligibility unless there has been a change in circumstances, for example, you have moved address, or the route between home to school has been reassessed and the status has changed. However, legislation, or our Home to School Transport Policy, could change before a pupil completes their time at school.

### **Will my child receive free travel to the catchment school for my address?**

There is no general entitlement to free travel to the catchment school unless it is the nearest suitable school to your child's address at which a place could have been offered.

### **Is catchment still a priority for gaining a school place?**

Yes, living in the catchment area for a school can be priority for gaining a place at a school, if this is one of the over subscription criteria for the school.

As required by the School Admissions Code 2014 arrangements are made for you to express your preference for the school where you wish your child to be educated when applying for a school place. You may express a preference for any state funded school.

The admission authority for a school must set out in their arrangements the criteria against which places will be allocated when there are more applications than places and 'living in the catchment area' is an acceptable oversubscription criterion. This does not confer a right to free travel to the school.

## **I live in a village and my catchment area school is not one of the nearest schools to my home address, where will I get free travel assistance?**

In most cases free travel assistance will only be provided to your nearest available school.

However, there are some areas of Oxfordshire where the catchment area school is not the physically nearest school or even the second nearest school.

The village of Middle Barton is an example of this, as although Chipping Norton School is the catchment area school for addresses in the village, there are at least 3 schools that are closer and in some cases 4. In cases like this, we will check to see if it would have been possible to offer a place at any of the closer schools, even where they have not been listed on an application, before confirming if free travel will be offered.

If it would have been possible to offer a place at any of the closer schools, free travel would not be awarded to Chipping Norton School. However, if a place could not have been offered at any of the closer schools, free travel would be awarded from Middle Barton to Chipping Norton School, because in those circumstances it would be the nearest school with an available place.

You should note that each child's eligibility is assessed on an individual basis and the transport assistance outcome could be different from that of another child who lives in the same village. This is because the distance to each of the schools will be different for each child.

## **What else do you consider when looking at eligibility?**

When a place is allocated at a school, for most cases this will be during the normal school admissions round, eligibility for free travel will be assessed. We will consider the distance your child lives from the school and if the school offered is the nearest school to your home address. Where the school place being offered is not at your nearest school, we will also check to see if it would have been possible to offer a place at a closer school.

At the point transport eligibility is considered, the prospect of being able to secure a place in an alternative closer school must be a real one. For example, during the normal admissions round (to join a primary school or transfer from primary to secondary school) if a school that is closer to your home address offers all of the places it has available, we will look at the criteria and distance of the last place offered to check if a place could have been offered to your child, had you asked for it.

For applications made outside of the normal admissions round, we would check to see if any closer school has an available place that could be offered to your child before confirming if they qualify for free travel.

Where the distance from your home to your nearest school is under the statutory walking distance, we will also consider if the route would be 'unsafe to walk'.

The decision on whether your child will be eligible for free travel assistance is made at the point of admission to a school and will not be reassessed unless there is a significant change in your child's personal circumstances.

### **We are moving to a new house, will my child still be entitled to free school transport?**

Eligibility for free travel assistance will need to be re-assessed from your new address which may affect any entitlement to free travel. You will need to contact School Transport Eligibility to advise us of your new address ensuring that you provide the full address of the property, including the house number or name and postcode. You will need to provide confirmation of your new address before any travel arrangements can be put in place. This can be a copy of a utility bill (electric, gas or water), a copy of your signed tenancy agreement or confirmation of the purchase of your property.

### **My child has a disability or medical condition and can't walk. Will my child receive free travel?**

If your child attends the nearest available school but has not been awarded free travel as the distance is under the statutory walking distance, you should contact School Transport Eligibility to discuss your case for free travel. You will need to provide evidence to confirm any disability or medical condition.

### **Can friends or parents travel on school transport?**

Friends who are not eligible for free travel on the relevant route, or who do not have a paid for place under the Spare Seat Scheme, are not permitted to travel on school buses.

Parents are not normally allowed to travel on school transport.

### **What type of transport will be provided?**

The Supported Transport Service will contact you, to advise you of the arrangements that have been put in place. It will not be possible for your child to travel on any school transport until you have received confirmation from the Supported Transport Service. Your child may be allocated a taxi, minibus, coach or public bus service bus, depending on various factors such as available capacity on existing services.

### **How do you measure the route to the nearest qualifying school?**

The measurement of the statutory walking distance is not necessarily the shortest distance by road. It is measured by the shortest available route along which a child,

accompanied as necessary, may walk safely. As such, the route measured will include footpaths, bridleways, and other pathways, in addition to recognised roads.

We use a bespoke mapping system which identifies the shortest available route. Further information on how routes are measured is available on the Travelling to School webpages.

The two mile limit for extended rights is measured in the same way as the statutory walking distances. However, the six mile upper limit and the 15 mile upper limit to a qualifying school preferred on grounds of religion or belief are measured along road routes.

### **My child has been refused free transport, can I appeal?**

Yes. If you wish to challenge a decision about **transport arrangements, eligibility for travel, the distance measurement in relation to statutory walking distances** or the **safety of the route**, you can do this through our two-stage appeals process.

The first stage in the process is to make a written request for a review of the home to school transport decision. You have 20 working days from the date of the original decision to submit your request. Your request should detail why you believe the decision should be reviewed and give details of any personal and family circumstances you believe should be considered when the decision is reviewed.

Your request will be reviewed by the Admissions and Transport Services Manager and you should receive a response within 20 working days. Complex cases may take longer than the timescale given above, for example, if a route assessment is required.

However, if the result of this review is that the Admissions and Transport Services Manager upholds the original home to school transport decision, you will then have 20 working days from the receipt of the written response, to make a written request to escalate the matter to the second stage of the appeals process, which will be heard by an independent panel.

### **I have been told that my child doesn't qualify for free travel, but I don't think that it would be safe for my child to walk to school?**

We have a statutory duty under the Education Act 1996 to provide home to school transport for children who cannot reasonably be expected to walk to their nearest suitable school because the nature of the route is deemed unsafe to walk. This applies to children who live within the statutory walking distance to their nearest school, which is currently 2 miles for children aged under 8 and 3 miles for children aged 8 and over.

Walking routes to schools in Oxfordshire are assessed for their suitability by the Road Safety Team's Principal Engineer, using guidance issued by the Department for Education and Road Safety GB's 'Assessment of Walked Routes to School'. The

assessment assumes that your child will be accompanied, as necessary, on the journey to and from school, in accordance with the law.

If you have concerns that the route between your home address and the school your child attends is 'unsafe to walk' you should contact School Transport Eligibility. You should make it clear that you are enquiring about the safety of the route, highlighting any particular sections or risks that you are concerned about.

### **What if I cannot accompany my child to school because I am working?**

Free travel assistance is not provided on the basis that you are unable to accompany your child due to work commitments or domestic arrangements.

It is your responsibility to accompany your child or arrange alternative suitable supervision, as necessary, when walking to and from school or to and from provided transport pick-up and drop-off points.

### **What is taken into consideration when routes are assessed?**

A range of factors are taken into consideration when assessing a route. The assessor will consider the criteria set out in the guidance produced by Road Safety GB 'Assessment of Walked Routes to Schools' and will carry out a site visit. The site visit will take place in the morning during the times that your child would be travelling to school. However, assessments may also be undertaken when returning home in the afternoon.

No walking route can be absolutely safe. The term used in the guidance to describe the accepted standard is "reasonable safety". When assessing the safety of an available walking route the assessor will consider the potential risk created by traffic, the highway and the topographical conditions. It is not an assessment based on any other aspect of personal safety.

It is presumed that all road users will behave reasonably and responsibly.

### **My child carries a lot of equipment to school, is this taken into consideration?**

The assessor does not take into consideration any school bag or equipment that is carried to school.

### **There is no street lighting on the walking route to school, does this mean that my child should be awarded free travel?**

On its own the absence of street lighting does not make a route unsafe. This is because adequate sight lines and visibility are considered as part of the assessment process and it is your responsibility to ensure that your child is dressed and equipped appropriately for the journey and weather conditions.

## **What if I disagree with the outcome of the assessment of the route between my home and the school?**

If you disagree with the outcome of an assessment you will have an opportunity to appeal under our usual Home to School Transport appeal process. You will be notified of how to do this along with the outcome of the route assessment.