



# **Denbighshire County Council**

## **Education and Children Services**

### **Learner Transport Policy**

#### **Document Control**

#### ***Document Amendment Record***

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## **1.0 INTRODUCTION**

- 1.1** Denbighshire County Council has a duty to provide school transport in accordance with Learner Travel (Wales) Measure 2008 and the Learner Travel: Statutory Provision and Operational Guidance 2014. This Learner Transport Policy outlines how the Authority provides transport for Denbighshire's school and college pupils, and the eligibility criteria.
- 1.2** To meet this requirement the Authority will have regard to the following when making arrangements for learners who are ordinarily resident within Denbighshire:
- The age of the learner
  - The distance from home to school
  - The nature of the route from home to school
  - Requests for Welsh or English medium education
  - Requests for Faith based education
  - The needs of learners with disabilities or additional learning needs
  - The needs of learners who are 'looked after' by the Local Authority
  - The needs of learners with dual residency
- 1.3** This list is not exhaustive and the Authority must consider each learner's individual circumstances, taking into account any representations made by parents/carers and relevant professionals. In certain circumstances the Measure permits the Local Authority to apply discretion in relation to the services provided. These discretionary elements are outlined in section 3 of this policy.
- 1.4** Transport for post 16 students to Further Education (F.E.) Colleges is provided under the policy as a discretionary arrangement. See section 3.5.
- 1.5** The Authority must provide free home to school transport in certain circumstances. These are outlined in section 2. The duty to provide such transport only applies if a child is ordinarily resident in the Authority's area.
- 1.6** The Local Authority will endeavour to provide safe, efficient and cost effective transport to those learners who qualify under this policy at all times.
- 1.7** There may be circumstances where additional or alternative transport arrangements would prove more cost effective than the provision stated in the policy. The Local Authority therefore reserves the right to apply discretion where appropriate if it can be demonstrated that the alternative is more cost effective and efficient.
- 1.8** Home to school transport is provided for eligible learners between their home address or allocated pick-up point, and the qualifying school where they are registered. Free transport is not provided from or to addresses of other family members or friends, parent's work addresses or child care facilities of any sort.
- 1.9** This Policy is effective from 1<sup>st</sup> September 2018. Transport arrangements assessed and provided under Denbighshire's previous policy will continue unless there is a material change in circumstances which would necessitate a new application being made, e.g. moving home or school / F.E. College. Details of how to make an application are outlined in section 4.

## 2. HOME TO SCHOOL TRANSPORT

### 2.1 Qualifying Schools

Denbighshire County Council will provide free transport to learners who meet the entitlement criteria set out in this policy. The policy refers to transport to and from qualifying schools in the following categories:

- a community, controlled, foundation or voluntary aided school
- a non-maintained special school
- a pupil referral unit
- an independent school named in a statement of special educational needs
- a voluntary aided trust school

### 2.2 Distance Criteria

The Learner Travel (Wales) Measure 2008 stipulates that free transport will only be provided to learners of compulsory school age if the distance from home to their nearest suitable school is at least:

- (a) 2 miles for Primary School pupils
- (b) 3 miles for Secondary School pupils

### 2.3 Nearest Suitable School

The nearest suitable school is a school that provides education appropriate to the age, ability, aptitude of the learner, and any learning needs that they may have. It will normally be a school in the area the learner resides, or another school (e.g. out of county) if this is closer to home.

Denbighshire residents can find their nearest local school by visiting the [‘My Property’](#) link on Denbighshire’s website homepage, or by visiting: [gov.wales/my-local-school-guide](http://gov.wales/my-local-school-guide)

### 2.4 Feeder Schools

The Authority recognises that certain Primary schools are natural feeders for certain Secondary Schools. The relationships between these schools are shown in Appendix 1. Under discretionary arrangements the Authority may also provide free school transport to the designated secondary school, even if this is not the nearest suitable secondary school. Further information is shown in section 3.4 under Discretionary School Transport.

### 2.5 Measurement of Distance

For assessments under the distance criteria in section 2.2, the calculation from home to school will adhere to guidance provided in the Learner Travel: Statutory Provision and Operational Guidance 2014. The route to school will be measured from the home boundary to the nearest school gate, and may include public footpaths, bridleways and other pathways, as well as adopted roads. It is not necessarily the shortest distance by road.

Where learners are reasonably expected to walk to school, the distance is measured by the shortest available route along which a child, accompanied as necessary by a responsible adult, may walk in reasonable safety; whilst having regard to the age and needs to the child. If the property is on an un-adopted road it will be measured from where the property meets the adopted highway or adopted path. All calculations of distance will be made using the Authority's chosen software package.

For assessments over the distance criteria mentioned in section 2.2, the distance from home to nearest suitable school will be measured along the shortest available road route, i.e. from the home boundary to the nearest school gate using the Authority's chosen software package. However, if the property is on an un-adopted road it will be measured from where the un-adopted road meets the adopted highway.

For all calculations the measurement of distance will be to the nearest 0.1 of a mile, as measured by the Authority's chosen software package.

**Note:** Parents / Carers should also refer to section 5.5 for information on sustainable modes of transport to school.

## **2.6 Primary and Secondary School Transport**

For Primary and Secondary Schools, the Authority will provide free transport to the nearest suitable school in line with the criteria of this policy. Discretionary provision may also apply, by virtue of the criteria shown in section 3.

## **2.7 Parental / Carer Preference of School**

Parents / carers have the right to express a preference for admission of their child to any school, subject to availability of places. If the application is accepted, the parent / carer loses their entitlement to free transport if it is not their nearest suitable school or, the designated secondary school for the primary feeder school they attended.

This is consistent with meeting the requirements as outlined in the Learner Travel: Statutory Provision and Operational Guidance June 2014.

**IMPORTANT - Parents/ Carers are advised to consider the school transport implications before making an expression of preference for a school place. See section 2.3 on nearest suitable school and section 5.4 on the impact of transport.**

## **2.8 School Admissions**

If parents / carers have been unable to secure a place for their child at their nearest suitable school, or if their designated secondary school (from the appropriate feeder primary school) is full, then free transport will be provided to the next nearest suitable school, providing the distance criteria in section 2.2 is met.

## 2.9 **Pick-up Points**

Denbighshire County Council considers that in general the provision of shared pick-up points can be part of a suitable transport arrangement within the meaning of section 3 of the Learner Travel (Wales) Measure 2008.

For learners who qualify for transport there will be an expectation that they will depart from a pre-determined pick-up point, unless otherwise stated when the application is processed. The Authority will endeavour to locate pick-up points reasonably close from to learners' homes, and no more than the statutory distances shown in section 2.2. This is in expectation that parents / carers will be able to make use of their designated pick-up point in order to ensure for their child a safe and timely journey to and from school. Any measurement of distance will follow the principles as outlined in section 2.5. The assessment will also have regard to hazardous routes, following the principles set out in section 2.10.

It is parental / carer's responsibility to ensure that their child reaches the pick-up point in a timely manner and that they board the vehicle safely. They must also ensure there is a responsible adult to meet their child on the return journey, if the age or needs of the child call for the provision of an escort.

If a responsible adult is not there to meet a child, whose age or needs call for the provision of an escort, then additional costs will be recharged; as it may be necessary for Officers to seek guidance from Children Services and, if required, arrange for the child to be taken to a Local Authority place of care.

**Note:** Nothing in this Policy creates an expectation that all children should walk to the pick-up points, as in some cases this will be inappropriate. The Authority keeps a register of known hazardous routes, and this forms part of the consideration given when assessing transport applications. However, if a parent / carer believes that the use of a pick-up point is not suitable for their child, they should bring their concerns to the attention of the Authority, which will then investigate the circumstances to determine whether any additional or alternative transport arrangements are required for that child; to ensure that the requirements of the Learner Travel (Wales) Measure 2008 are met.

The Local Authority reserves the right to review the pick-up points to ensure a safe route is maintained at all times and subject to ensuring the most cost effective provision is in place.

Once eligibility for school transport has been confirmed, Denbighshire's Passenger Transport department will contact parents / carers and provide details regarding the pick-up point used and the timings of the service.

Where feeder services are used to transport learners to pick-up points, learners must stay with the taxi until the ongoing vehicle has arrived. Drivers are encouraged to report any learners refusing to do this to Passenger Transport.

Contractors providing these services have been instructed to wait with learners to ensure they access the ongoing vehicle. Parents / carers are also encouraged to report any instances where drivers are not doing this to Passenger Transport.

Information regarding the locations of pick-up points across Denbighshire is available on the Council's website. See section 9 for relevant links.

## **2.10 Hazardous Routes**

For learners who live below the statutory qualifying distance shown in section 2.2, the Local Authority will provide transport to school if the route is deemed hazardous. Hazardous routes are assessed by an appropriate Denbighshire Road Safety Officer following the guidance provided in the Learner Travel: Statutory Provision and Operational Guidance June 2014.

Where pick-up points are used the Local Authority will also consider if there are hazardous routes which could reasonably prevent learners walking to these locations, accompanied as necessary by a responsible adult. In such instances the Local Authority, after assessment, will provide transport from home to the pick-up point, or direct to school (whichever is more efficient).

It is noted that where parents / carers have exercised their right to a school by parental / carer preference (see section 2.7), the requirement for arranging home to school transport is the responsibility of the parent / carer.

The Local Authority will maintain a register of all Denbighshire routes which have been assessed, and as new routes are evaluated these will be added to the register. The Authority will review the complete register every 5 years to ensure that all routes are still categorised correctly. Information regarding assessed hazardous routes within Denbighshire is available on the Council's website. See section 9 for relevant links.

If a parent / carer believes that a particular route is hazardous they should bring their concerns to the attention of the Authority, which will then investigate to determine whether any additional or alternative transport arrangements are required.

## **2.11 Additional Learning Needs (ALN)**

The Local Authority will make suitable and relevant educational provision for all children with additional learning needs to ensure they are able to develop to their maximum potential.

The level of need is assessed by relevant professionals in Denbighshire's Education department, and this informs the type of transport provided. Transport will then be provided in line with the advice given and reviewed on an annual basis.

If a child has a Statement of Special Educational Needs or an Education Health and Care Plan (EHC Plan), school transport may be included as part of the non-educational provisions made for the child as part of their Statement/EHC Plan. If it is, then transport

will be provided. However, free transport may not be provided if parents / carers exercise their right to preference of school which is not the nearest suitable (See section 2.7).

If school transport is not included in a child's Statement/EHC Plan then they may still be entitled to home to school transport under the policy provided that the school they are attending is the nearest appropriate school with a place or if they have attended a designated primary feeder school for a particular secondary school; subject to the eligibility criteria being met.

## **2.12 Looked After Children (LAC)**

A Looked After Child is the term used within the Children Act 1989 to describe children who are under the age of 18 and are provided with care and accommodation by the Local Authority's Children Services department; often with foster carers.

The Learner Travel (Wales) Measure 2008 states the same assessment criteria shall apply to Looked After Children as to children who are not looked after; however, there is no requirement that they attend the nearest suitable school to their home or placement address.

If the Looked After Child attends a school closer than the minimum distance shown in section 2.2, free transport will not be provided. Exceptions by virtue of the criteria shown in section 3 may also still apply.

If the Looked After Child attends a school over the distance shown in section 2.2, transport will be provided to the appropriate school to ensure minimum disruption and continuity of education, while also maintaining child wellbeing. For journeys from placements out of county, or entailing long journeys, a reasonableness test may be applied. This test will have regard to the distance, time of journey and the proximity of other suitable establishments.

## **2.13 Dual Residency**

The Local Authority will provide transport for learners who, due to their family circumstances, may reside in more than one residence; with at least one residence being in Denbighshire. However, this is provided that the school attended is the nearest suitable school from the main residence, or agreed to be the most suitable school taking account of the locations of both residences. Proof of dual residency must be provided and the main residence is usually the property to which child benefit is paid.

If the second residence is in a different Local Authority area, then it is the responsibility of that Authority to consider transport arrangements for that route to school. Parents /carers should therefore apply to the relevant Local Authority.



### **3. DISCRETIONARY SCHOOL TRANSPORT**

#### **3.1 Discretionary Arrangements**

Within the Learner Travel (Wales) Measure 2008, discretionary arrangements can be made under section 6 of the Measure. In some instances the cost of such arrangements can be charged to the parent / carer responsible.

#### **3.2 Faith Schools**

On a discretionary basis the Authority will provide transport to the nearest suitable Faith school if this is the parental / carers preference. This will apply even if the school is not their nearest suitable school. The distance criteria in section 2.2 will still apply. See the table in Appendix 1 for further details of Faith schools.

If the nearest suitable Faith school is outside of County then transport would still be provided by the Authority.

Where parents / carers have specifically cited Faith based education and the nearest suitable Faith school has no available places, then the next suitable Faith based school will be considered.

#### **3.3 Welsh or English Medium Education**

In accordance with section 10 of the Learner Travel (Wales) Measure 2008, the Authority promotes access to Welsh medium education by providing discretionary transport to the nearest suitable Welsh or English medium education, if this is parental / carer preference. This will apply even if the school is not their nearest suitable school.

For Welsh Medium education it would be a school which is categorised as either 1 or 2 within the Welsh Government guidelines on Welsh Medium Provision. For category 2 it would be a school where at least 80% of subjects (excluding Welsh and English) are taught through the medium of Welsh, but are also taught through the medium of English. The table in Appendix 1 shows Denbighshire's Welsh Medium School categories.

If the nearest Welsh or English medium school is outside of County then transport would still be provided by the Authority. Preference will only be considered against Welsh Medium or English Medium schools. The distance criteria in section 2.2 will still apply.

#### **3.4 Feeder School Arrangements**

On a discretionary basis the Authority recognises that certain Primary schools are natural feeder schools for certain Secondary schools. Therefore in regard to Secondary education, free school transport may be provided to either the nearest suitable Secondary School or the recognised feeder Secondary school; providing that the learner lives over the distance criteria in section 2.2, and the journey is agreed to be reasonable; this criteria is shown below.

The Authority reserves the right to apply a test of reasonableness to those parents / carers requesting secondary school transport on the basis of feeder schools. To receive free transport on this basis the learner must:

- Have been attending their nearest suitable primary school from their home location as assessed at the point of admission.
- Meet the distance criteria in section 2.2 for secondary schools.
- If learners move house before commencing secondary school, their entitlement will require re-assessment, as per the criteria shown in section 2.
- In instances where learners have not attended their nearest suitable primary school by parental / carer preference, section 3.4 will not apply. The assessment of school transport applications will then be based solely on nearest suitable Secondary school.

### **3.5 Post 16 Transport**

The Local Authority provides discretionary transport beyond statutory school age where a Denbighshire learner resides 3 miles or more from the nearest suitable school or F.E. 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. Transport will be provided to the nearest secondary school designated by the Authority to serve the learner's home address only, or in the case of full-time vocational courses, to the nearest F.E. college. Transport between learning establishments working in a partnership with each other is provided by those partners.

### **3.6 School Reorganisation**

In cases where school reorganisation has taken place, the Local Authority will consider the most appropriate options for school transport. This may include providing free transport for a specified period of time dependant on circumstances. Such arrangements will be provided on a discretionary basis and will be documented within the reorganisation process; so that relevant schools, governing bodies, parents / carers, and any other stakeholders are all aware of the terms of the arrangement.

### **3.7 Moving Home**

In cases where a learner, who has been in receipt of free school transport, moves home part way through the academic year, transport will cease if they are no longer attending their nearest suitable school.

If part way through a GCSE year (school years 10 and 11) the Authority will continue to provide discretionary transport until the academic years have been completed, i.e. until the end of year 11.

This undertaking is dependent upon the learner being ordinarily resident in the Authority's area. **Note:** The Local Authority also reserves the right to test the reasonableness of the transport requested under this condition, having regard to the distance, time of journey and the proximity of other suitable establishments.

All other reassessments of eligibility will follow the criteria set out in section 2. This section shall not apply where parents / carers have previously exercised a preference as detailed in section 2.7.

### **3.8 Managed School Transfers**

Where managed school transfers are supported by both the new destination school head teacher and Education Services, parents / carers will be aware of this action and be included in these discussions at school level. School transport in these circumstances may be supported on a discretionary basis where it forms part of the action and agreement of all parties to pursue a change of school in the interests of the learner.

It is the parent / carer's responsibility to ensure that they fully engage with the Authority and the school when pursuing a managed transfer. These matters need to be verified and evidence available. This allows Education Support to make an informed decision based upon the evidence supporting the transport request.

Where no evidence is available, and/or where parent / carers refuse to engage in the process with the school and Education Services, the transport request will be refused. This will be based upon the lack of evidence available for an informed decision to be made.

### **3.9 Withdrawal of Discretionary Transport**

A Local Authority can withdraw the provisions of discretionary school transport, provided it has agreed and published the relevant changes to the policy before the 1st October of the year preceding the academic year in which the changes will come into force.

### **3.10 Other Discretionary Provisions**

Other discretionary arrangements regarding school transport can be made under section 6 of the Measure. The Head of Education and Children Services may apply these powers for free transport in cases such as:

- The safeguarding of a learner, or where there is likely to be significant detrimental impact to that learner's welfare.
- Transport on medical grounds may also be applicable under this criteria, including cases where the parent has a disability that restricts the ability of a learner to travel to school without transport for period of time; or where a learner is temporarily incapacitated through illness or injury.
- Temporary housing of a family outside of the previous residential area due to emergency, normally through the Authority's Housing Service, to minimise disruption of education.

This list is not exhaustive and there may be other circumstances where discretion can be applied; however, to ensure consistency of approach regarding discretion evidence may be requested from relevant professionals and the assessment will be recorded.

Where short term discretionary transport arrangements are put in place the Authority will inform parents / carers when these arrangements are to end.

## 4 MAKING A TRANSPORT APPLICATION

4.1 A school / F.E. College transport application is required when:

- Starting Primary School (not nursery)
- Starting Secondary School
- Moving into Year 7 in a middle school
- Going from year 11 to sixth form / F.E. college; or
- Changing home location or school

4.2 You can make a transport application online at:

[www.denbighshire.gov.uk/schooltransport](http://www.denbighshire.gov.uk/schooltransport)

Alternatively you can download the application from the website, or request a form be posted to you, and send to the Authority address shown on the form.

4.3 The Authority will inform you of the outcome of the application within 15 working days of receiving your form. If you are successful, you will receive details of pick-up times and locations during the summer holidays for September starts, or as soon as possible for applications mid school year. These details will be sent to you by Denbighshire's Passenger Transport department.

4.4 If your circumstances change during the school year, you must inform the Local Authority. If for example you move home or change school then you need to reapply for school transport at that time. If you are applying for transport during the school year, please do so as soon as you can after your new address is confirmed.

**IMPORTANT** – Parents / carers are advised to consider the school transport implications. Section 2.3 provides information on nearest suitable school and section 3.7 on moving home.

4.5 Full details of all transport related issues can be found in the Denbighshire Parent Handbook:

[www.denbighshire.gov.uk/school-admissions](http://www.denbighshire.gov.uk/school-admissions)

## **5. OTHER INFORMATION**

### **5.1 Nursery Education**

The Authority does not provide transport for children attending nursery school or nursery classes at the age of 3 or 4. Transport is provided for eligible children from the commencement of the school year in which the child attains the age of 5 and starts full-time education, normally in reception class.

### **5.2 Out of School Clubs**

The Authority will not provide transport to or from out of school clubs (i.e. breakfast club, after school clubs etc.) or extra-curricular activities that fall outside the statutory curriculum. It is the parent's / carer's responsibility to ensure that appropriate transport arrangements are put in place if these services are accessed.

### **5.3 Policy Changes**

Should it be required to amend this policy, the Authority must follow the requirements as set out in the Learner Travel Information (Wales) Regulations 2009. This requires that the Authority consult, agree and publish changes to the policy before the 1st October of the year preceding the academic year in which the changes come into force.

Should it be required, the Authority can also issue additional clarification guidance alongside this policy. Any such guidance will be available on the Authority's website.

### **5.4 Impact of Transport**

Parents / Carers should consider the implications of their school choice on the use of private cars and the effect this could have on traffic outside their chosen school. The Authority urges parents / carers to consider active and sustainable transport to their school of choice. See Section 5.5 below.

Schools are also encouraged to work with parents / carers and the Authority to consider options for developing active and safe 'walking bus' facilities to school. Parents / carers should contact their school to enquire about such provisions. The Authority's Road Safety and Sustainable Transport officers are also available to provide guidance.

### **5.5 Sustainable Modes of Travel**

Parents / Carers should consider options for active travel to school. Relevant links are provided in section 9 to information on Active Travel Routes in Denbighshire and Sustrans website; which shows cycle routes throughout the county.

## **6. Transport Provision**

### **6.1 Council Transport Provision**

The Authority will endeavour to provide the most suitable mode of transport for all eligible learners that is safe and provides the most cost effective method of transport. This may be via bus, coach, minibus, or taxi school contracts, or existing public transport. These services and the associated contracts are arranged and managed by Denbighshire's Passenger Transport department.

### **6.2 Concessionary Transport**

If a learner does not qualify for free school transport as set out in this policy, and there are spare seats available on an Authority taxi, minibus and coach services, these may be offered as concessionary seats. The following conditions will apply:

- A reasonable charge per term will be applied. This will be reviewed annually before the new school year. If the Authority grants a concession parents / carers will be charged on a termly basis. If a learner only partially uses the service, e.g. in the morning or afternoon or on particular days, then a full termly charge is payable.
- Parents / carers may apply for a concession at any time for their child. Applications will be dealt with in the order in which they were received and those agreed must be paid for termly. If a parent / carer successfully applies during a previous academic year, their ongoing requirement is recorded ahead of new applications. However, concessions cannot be granted until the number of spare seats has been determined, once entitled learners are accounted for on a specific vehicle. Passenger Transport cannot therefore confirm concessions before the start of the academic year and it may take a number of weeks to determine spare seat availability on any given service.
- Concessions may be withdrawn at short notice when seats become unavailable or if they are required for an eligible learner. In such cases a proportional refund will be calculated and given back to the parent / carer. In such circumstances seven day's written notice will be given.
- Concessionary passes cannot be issued at short notice at the start of the academic year as it is necessary to identify whether there are spare seats on contract vehicles.
- Concessionary seats would not normally be offered where public transport runs alongside school transport or where public transport is the only available option. In such circumstances, parents / carers are expected to use existing public transport.

### **6.3 Transport Payments**

There may be circumstances where parents can be offered a nominal payment towards the cost of transporting their children. This is an option only used in exceptional circumstances, and if there are difficulties in arranging school transport for eligible learners. Parents / carers are under no obligation to accept the offer of reimbursement which would usually be a set mileage rate for the miles travelled during two return journeys per day; however this may be deemed the most reasonable mode of transport.

### **6.4 Behaviour on Transport**

Learners travelling on service or contract vehicles provided by the Authority are expected to behave well at all times and comply with the requirements of the School Travel Code, see Appendix 2. This full document is [available here](#).

Any Learners who misbehave, cause, or risk causing damage or injury to the vehicle, driver or passengers, or in any way threaten the safety of the other passengers and/or vehicle, may have their transport eligibility withdrawn. Any learners who are not entitled to free school transport but travel on contract services on a concessionary basis, will also be subject to the same rules.

The behaviour of learners on school transport services is of the utmost importance, so parents / carers are therefore expected to support the Authority, the schools, transport operators and their staff in maintaining good behaviour. It should be clearly understood that in cases of misbehaviour the ultimate sanction is the removal of the right to receive transport. In such cases the responsibility and full cost of transport to and from school will then fall to the parent / carer.

The Authority encourages feedback from service providers and schools regarding use of the school transport services provided. A log will be maintained of incidents and any related investigation. If necessary parents / carers will be informed of incidents if it can be shown that a child or children have been causing problems.

#### **6.5 Monitoring of Services**

The Authority reserves the right to randomly check school transport services to ensure that those travelling are all eligible. Where learners are found to be travelling who are not eligible, Passenger Transport will record these instances and contact the relevant parents / carers to inform them of their options.

#### **6.6 Disclosure and Barring Service (DBS) Checks**

Denbighshire's Passenger Transport department manage and arrange all the necessary school transport contracts with the appropriate service providers. This includes undertaking DBS checks for all drivers and passenger school escorts. Note: school escorts are only employed on Primary School Services where deemed appropriate, or if the child's additional learning needs make it appropriate.

#### **6.7 Adverse Weather Conditions**

Adverse weather can have an impact on school transport services and their continued provision; therefore, with safety paramount, the transport providers will take the ultimate decision as to whether a service will operate. In severe weather, especially if forecasts are predicting worsening weather, contractors will be advised not to run services.

The Passenger Transport department will make every effort to inform schools when home to school transport is likely to be disrupted. Details of such changes will also be available on the Council's website. The Authority is aware that some schools have the ability to text parents / carers with information once Passenger Transport have informed them. It is therefore important the parents / carers ensure their contact details with the school are always up to date.

Those contractors which provide feeder taxi services to school / pick-up points are also required to contact parents / carers directly with any changes to services during adverse

weather, or for any other reason. Information on school closures due to adverse weather, or for any other reason, will also be posted on Denbighshire's website. Parents / Carers are encouraged to look at the website for such updates.

## **7. APPEALS**

**7.1** The parent / carer will normally be notified in writing within 15 working days of an unsuccessful school transport application. The Authority will also offer the parent / carer an opportunity to appeal the decision and advise on the process below.

### **7.2 Stage 1 – Review of Decision**

A request to review a Learner Transport decision must be sent to the Authority within 20 working days after the date of initial refusal. Parents / carers should write to the Authority indicating their wish to review the decision.

This request should be sent to [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) stating the reasons and raising any relevant circumstances which may impact the decision. Additional evidence in support of these circumstances should also be provided to the Local Authority. This additional information and the appeal may also be posted to the following address:

**Education Support,  
Denbighshire County Council,  
PO Box 62,  
Ruthin,  
LL15 9AZ**

Within 20 working days of receipt of the written request, a Senior Officer from Education Support will review the original decision and will respond detailing the outcome. This response will outline:

- The nature of the decision reached
- How the review was conducted
- Information about other departments / agencies consulted as part of the process.
- What factors were considered
- The rationale for the decision reached
- Information about escalation to Stage 2, if appropriate

It is noted that records of previous reviews and appeals will be maintained by Education Support to ensure consistency of approach. If any additional supportive information provided by the parents / carers is consistent with previous reviews which have been upheld, then a Stage 2 appeal stage may not be required and after assessment the relevant parent / carer will be informed of the outcome.



### **7.3 Stage 2 – Appeal**

Within 20 working days of receiving a Stage 1 decision notification, parents / carers can make a request to escalate the matter to a Stage 2 Appeal.

Within 40 working days of receipt of a Stage 2 request, an independent appeal panel will be convened to consider the appeal.

A panel of independent officers will consider the appeal against the Learner Transport Policy and make a decision based on the information provided. No member of the appeal panel will have been involved in the original transport decision. The panel meeting will be recorded and minutes available. The panel will consider all the evidence provided in support of the appeal. If they so wish, parents / carers may attend to provide a summary of their appeal. Education Support officers will also have opportunity to provide details of their assessment to the panel.

After the appeal hearing the parent / carer will be notified by Education Support of the outcome of their appeal in writing. The will response will set out the following information:

- The nature of the decision reached
- How the review was conducted
- Information about other departments and/or agencies that were consulted as part of the process
- What factors were considered
- The rationale for the decision reached
- Information about escalation to the Local Government Ombudsman

Following this decision there are no further grounds for appeal to the Local Authority. Any further escalation would be to the Local Government Ombudsman.

## **8. CONTACT DETAILS**

### **8.1 Transport Applications**

For queries related to applications please email [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) or telephone 01824 706000

### **8.2 Passenger Transport Services**

For queries related to operational service issues please email [passengertransport@denbighshire.gov.uk](mailto:passengertransport@denbighshire.gov.uk) or telephone 01824 706000

### **8.3 14-19 Transport**

For queries related to inter-establishment transport for the 14-19 learning network, please email [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) or telephone 01824 706000

### **8.4 Transport Complaints**

If you wish to make a complaint please email [passengertransport@denbighshire.gov.uk](mailto:passengertransport@denbighshire.gov.uk) or telephone 01824 706000

### **8.5 School Admissions**

For queries related to School Admissions please email [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) or telephone 01824 706000

### **8.6 ALN Transport**

For queries related to ALN Transport please email [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) or telephone 01824 708064

## 9. **Links to Relevant Documentation**

### **The Learner Travel (Wales) Measure 2008**

[http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa\\_20080002\\_en.pdf](http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa_20080002_en.pdf)

[Available by clicking here](#)

### **Mesur Teithio gan Ddysgwyr (Cymru) 2008**

[http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa\\_20080002\\_we.pdf](http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa_20080002_we.pdf)

[Ar gael yma](#)

### **Learner Travel Statutory Provision and Operational Guidance 2014**

<https://gov.wales/learner-travel-statutory-provision-and-operational-guidance>

[Available by clicking here](#)

### **Teithio gan Ddysgwyr Darpariaeth Statudol a Chanllawiau Gweithredol Mehefin 2014**

<https://llyw.cymru/teithio-gan-ddysgwyr-darpariaeth-statudol-chanllawiau-gweithredol>

[Ar gael yma](#)

### **The Travel Behaviour Code**

<https://gov.wales/travel-behaviour-code-guidance>

[Available by clicking here](#)

### **Cod Ymddygiad wrth Deithio**

<https://llyw.cymru/cod-ymddygiad-teithio-canllawiau>

[Ar gael yma](#)

### **Learner Travel Information (Wales) Regulations 2009.**

#### **Rheoliadau Gwybodaeth am Deithio gan Ddysgwyr (Cymru) 2009**

[http://www.legislation.gov.uk/wsi/2009/569/pdfs/wsi\\_20090569\\_mi.pdf](http://www.legislation.gov.uk/wsi/2009/569/pdfs/wsi_20090569_mi.pdf)

[Available by clicking here](#)

[Ar gael yma](#)

### **Information on Active Travel in Denbighshire**

<https://www.denbighshire.gov.uk/en/resident/parking-roads-and-travel/cycling-and-walking/cycling-and-walking.aspx>

[Available by clicking here](#)

### **Gwybodaeth teithio llesol yn Sir Ddinbych**

<https://www.denbighshire.gov.uk/cy/preswylwr/parcio-ffyrdd-a-theithio/beicio-a-cherdded/beicio-a-cherdded.aspx>

[Ar gael yma](#)

### **Sustrans Website – Cycle Routes**

[Available by clicking here](#)





## 11. APPENIDIX 2

### SCHOOL BUS TRAVEL BEHAVIOUR CODE

- When at the bus stop, always wait sensibly, off the road.
- Make an agreement with your parent / carer what to do if the bus does not arrive or if you miss it.
- When the bus arrives, wait for it to stop. Never push or rush for the door.
- Show your bus pass (if you have been given one) when you get on the bus.
- On a school bus stay in your seat for the whole journey.
- On a public bus find a seat if one is available.
- Never block the aisle with your bag or other belongings.
- Always wear a seatbelt if one is provided.
- You must not distract the driver when he or she is driving.
- Never eat or drink on the bus.
- Never throw anything in or from the bus.
- Never damage or vandalise any part of the bus.
- Never operate the bus doors or exits, except in an emergency.
- Always follow the instructions of the driver or passenger assistant at all times.
- If there is an accident, stay on the bus until you are told to leave. If it is unsafe to stay on the bus then leave by the safest exit.
- Never try and get on or off the bus until it has stopped.
- Always get off the bus sensibly, taking all your belongings with you.
- Never cross the road in front of or close behind the bus.

# Travel Behaviour Code

Your safety is very important. You must behave responsibly and safely when travelling to and from school or college, whether you go there by bus, train, taxi, bicycle, walking or any other way. If you get a bus to school or college, you must also follow the rules in the School Bus Travel Behaviour Code.

If you do not follow this Code, for your own safety, and other people, local authorities, schools and colleges can take action against you. This might involve taking away your right to school transport and even excluding you from school.

<h2>Your Responsibility</h2> <ul style="list-style-type: none"><li>• Always respect others, including other pupils, drivers and the public.</li><li>• Always respect vehicles and property.</li><li>• Always be polite.</li><li>• Never drop litter.</li><li>• Always obey the law.</li></ul>	<h2>Your Safety</h2> <ul style="list-style-type: none"><li>• Always behave well when travelling.</li><li>• Always follow the driver's instructions when travelling.</li><li>• You must not distract drivers.</li><li>• Always cross the road safely and sensibly.</li><li>• Always travel by a safe route.</li></ul>	<h2>Your Rights</h2> <ul style="list-style-type: none"><li>• To be safe when travelling.</li><li>• To be treated fairly and with respect.</li><li>• To tell someone if somebody or something is causing you problems.</li><li>• Not to be bullied or picked on.</li></ul>
<p><b>Please tell a teacher, parent or driver about any bad behaviour or bullying you see.</b></p>		