

CARDIFF COUNCIL

HOME TO SCHOOL TRANSPORT POLICY

SEPTEMBER 2026



**STRONGER
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- 1.1 Cardiff Council has a legal duty to assess learner travel needs and make transport arrangements in accordance with the Learner Travel (Wales) Measure 2008 [referred to in the remainder of the document as the Measure].
- 1.2 The legal duties of the local authority under the Measure are summarised as follows:
- To annually assess the travel needs of learners in their authority area
 - To provide free home to school transport for learners of compulsory school age attending primary school who live 2 miles or further from their nearest suitable school
 - To provide free home to school transport for learners of compulsory school age attending secondary school who live 3 miles or further from their nearest suitable school
 - Assess and meet the needs of ‘looked after’ children in their local authority area
 - Promote access to Welsh medium education
 - Promote sustainable modes of travel.
- 1.3 The duty applies in relation to a child of compulsory school age if—
- the child is ordinarily resident in a local authority’s area,
 - the relevant circumstances set out in Section 3 of the Measure apply to the child, and
 - the condition, or all of the conditions, set out in Section 3 of the Measure are met in relation to the child.
- 1.4 In each academic year, a local authority must assess the travel needs of learners under the age of 19, for the following academic year. This includes all learners under the age of 19 who receive education or training and who are ordinarily resident in the authority’s area. It includes those who have reached 19 but started a course when under 19 and continue to attend that course.
- 1.5 Learner travel needs are the specific needs of learners in terms of the travel arrangements each day between home and the relevant school / setting where they receive education or training. The assessment is not required to consider the learner’s travel needs during the school day between different places of education and training – e.g. between sites or for trips and visits. Neither is the local authority required to take account of extra-curricular activities, breakfast or after school clubs when assessing learner travel needs.
- 1.6 In making an assessment of learner travel needs a local authority must have regard in particular to:
- a) the needs of disabled learners
 - b) the needs of learners with learning difficulties,
 - c) the needs of learners who are children looked after, or formerly looked after, by a local authority,
 - d) the age of learners, and
 - e) the nature of the routes which learners could reasonably be expected to take to the relevant places where they receive education or training.
- 1.7 This list is not exhaustive, and the Council must consider each pupil’s individual case on its merits, taking into account any representations made (see legislative requirements in [Appendix 1](#)).
- 1.8 The provision of learner travel in Cardiff is also informed by the following guidance:
- Learner Travel Statutory Provision and Operational Guidance, June 2014 (including assessment of walked routes to school).
 - Learner Travel: The Law on Travel to School, November 2014.
 - Wales Travel Behaviour Code, June 2017.
 - Home to school travel - a guide for constituents, October 2022.
 - Local, Regional and National Transport Policies.

- 1.9 The methods used by the Council to discharge this statutory function are set out in this policy document. There may be some exceptional circumstances where discretionary school transport is also provided over and above the Council's statutory requirements. Such circumstances will involve consideration of costs and budget constraints of the Council.
- 1.10 The Council encourages parents and pupils to travel sustainably and use private cars less with the benefits of better health and improved wellbeing. The promotion of sustainable modes of travel is a requirement of the Measure and is aligned with the following key policy documents:
- Cardiff's Transport White Paper: Transport Vision to 2030, Jan 2020 by Cardiff Council.
 - Regional Transport Plan for South East Wales, June 2025 South East Wales Corporate Joint Committee.
 - Llwybr Newydd: the Wales transport strategy 2021, March 2021 by the Welsh Government.
- 1.11 The Council will ensure the best value for money in the provision of school transport where it is required. This includes ensuring the safety and wellbeing of pupils that are transported. It is expected that head teachers and school staff will work collaboratively and support Cardiff Council in planning and facilitating the travel arrangements that are identified to be the most appropriate for the learner's needs and provide best value for money. This includes the preparation and management of school travel plans and working with transport operators.
- 1.12 Head teachers must work with Cardiff Council where travel has been arranged to report any incidents promptly so they can be investigated, cooperate with any investigation (e.g. interviewing pupils) and avoid imposing duplicate sanctions.
- 1.13 Head teachers are responsible for investigating travel related behaviour incidents where the local authority has not provided or funded the transport.
- 1.14 Head teachers and schools are required to consider supporting and justify where they do not, any changes to school start and/or end times if the change is considered necessary or expedient to promote the use of sustainable modes of travel, or to make travel arrangements more effective or efficient (Section 32 of the Education Act 2002 which was amended by section 21 of the Measure). They must also consult with Cardiff Council should schools propose to change start and end times to ensure that learner travel and traffic management implications are fully considered in the decisions.
- 1.15 Head teachers must require pupils to comply with the travel behaviour code in the school's behaviour policy (Section 89(2A) of the Education and Inspections Act 2006). This includes promoting knowledge and awareness of the Travel Code and ensuring that staff understand and apply it consistently. Head teachers have the power to impose penalties on learners who have breached the Travel Code outside of school premises – for example, when learners are out of school premises and unsupervised by teaching staff - such as walking or cycling between home and school, on public or contracted buses and in taxis arranged by the local authority (section 89(5A) of the Education and Inspections Act 2006).
- 1.16 The school transport services are contracted and planned in advance to cover the school term times. The limits of learner travel duties are set out in Section 5 of the Measure. Therefore, the travel arrangements cannot be used to account for day-to-day variance in circumstances such as:
- Medical appointments
 - Pupil illness
 - Detention
 - Part-time education
 - Inset days
 - Examination timetables
 - After school activities
 - any other activities or circumstances not defined in the Measure.

2. Qualifying for Free Home to School Transport

- 2.1 Assessing the travel needs of learners does not mean providing free transport. Learners will only qualify for free transport provision if they meet the necessary entitlement criteria as defined in the Measure.
- 2.2 Learners of compulsory school age are entitled to free home to school transport in accordance with the Measure where the learner is receiving:
- a) primary education and is ordinarily resident at a place that is 2 miles or more walking distance from the nearest suitable school.
 - Or
 - b) secondary education and is ordinarily resident at a place that is 3 miles or more walking distance from the nearest suitable school.
- 2.3 The compulsory school ages are 5 to 16 years for providing free home to school travel.
- 2.4 A child ceases to be of compulsory school age if they have attained the age of 16 on the prescribed school leaving date, or before the next school year, which is the last Friday in June. Therefore, no free home to school travel is provided to pupils aged 16+ in Year 12 and above in mainstream settings. Discretion may be applied for pupils with Additional Learning Needs in exceptional circumstances, following an individual assessment of need by the ALN Transport Panel and specification of learner travel arrangements in the learner's Individual Development Plan. The Council encourages all pupils to attain travel independence by the end of Year 11, through independent travel training.
- 2.5 Both Nursery and some Reception pupils are under the statutory school age – of 5 years old. The Council does not have a statutory duty to provide free transport for learners under 5 years old. The Council considers it most appropriate on safety and health and welfare grounds that parents of children under the age of five years arrange their travel to and from school. Transport may be provided for Nursery or Reception pupils under the age of 5, with an Individual Development Plan (IDP) in very exceptional circumstances.
- 2.6 **Definition “ordinary residence”:** Ordinary residence is defined as ‘where a learner usually lives, or if under 16, where those with parental responsibility for the learner live’.
- 2.7 **Definition “nearest suitable school”:** The nearest suitable school is determined by Education Services in accordance with the home address and proximity to school criteria defined in the Council's school admissions policy and operational protocol. The term ‘nearest suitable school applies to the catchment area or nearest Welsh, English, dual language or voluntary aided (faith) school mainstream school or special school / setting as appropriate.
- 2.8 **Definition “qualifying walking distances”:** Qualifying walking distances are measured by the shortest available route measured by the Council using a Geographical Information System (GIS) in accordance with the methodology described in Section 16 of this policy.
- 2.9 When the nearest suitable school is fully subscribed in the relevant year group and unable to admit a pupil, the qualifying walking distance will be assessed for the next nearest suitable school(s).



- 2.10 Parents are able to choose an English medium, Welsh medium or a faith-based/denominational school for their child. However, the Council will assess free travel in relation to the nearest suitable school of that type. The child will qualify for free home to school transport to the **nearest suitable school** within the Cardiff Council boundary as long as the home address is more than the statutory walking distance from the school as described above (qualifying walking distances). Parents who choose a school outside the nearest suitable school for their address are not entitled to free home to school transport.
- 2.11 Free transport will not be provided where parents do not meet the relevant deadlines for applying for admission to the nearest suitable school. In the situation where the nearest suitable school was available on the due date of the application for a school place (or on the published deadline in the case of the Reception Year Group), free transport will not be provided to an alternative school at a later date.
- 2.12 When a new school opens, free transport will not be provided for those children whose parents choose to opt for a place that is not their nearest suitable school.
- 2.13 It is for the Council to determine the means of free travel between home and school. Such travel arrangements can be of any description and include:
- a) the provision of transport;
 - b) the provision of one or more persons to escort a child when travelling;
 - c) the payment of the whole or any part of a person's reasonable travelling expenses;
 - d) the payment of allowances in respect of the use of particular modes of travel.
- 2.14 If your child qualifies for free home to school travel, the Passenger Transport Team will provide the transport typically in one of the following ways:
- a) contracted vehicle (bus, coach, mini-bus or taxi).
 - b) bus pass travel on public transport.
 - c) rail pass to travel on public transport.
- 2.15 Pupils may be expected to change vehicles to complete their journey to/from school.
- 2.16 Parents and/or pupils may be expected to use safe and accessible pick-up and drop-off points.
- 2.17 The Council arranges for more than one child to travel together to minimise the number of vehicles and escorts that are used. The Council takes into consideration whether such travel arrangements are suitable for the learner's needs.
- 2.18 The provision of escorts is considered on a case-by-case basis depending on the type of vehicle, age of the children and the length of the journey involved. Escorts are not provided on secondary school transport (minibus, buses or taxis).
- 2.19 The Council is not required to make travel arrangements:
- a) for learners to travel during the day between relevant places or between different sites of the same institution.
 - b) for any purpose other than attendance at a relevant place to receive education or training.
- 2.20 The Council reserves the right to review travel arrangements depending on circumstances and adjust them or withdraw free travel if justified accounting for the learner's travel needs. The Council will aim to minimise disruption to children's home to school travel routines during any particular academic year but this cannot be guaranteed as it may not be avoidable in the circumstances. Minimising costs of the travel arrangements will be an important consideration in such reviews alongside meeting the Measure obligations and the learner's needs.

3. Parental Responsibilities

- 3.1 It is the parents' responsibility to make the appropriate arrangements to ensure their children attend school on a regular basis.
- 3.2 **Definition "parent":** The 'parent' of the child used in this policy is as defined by Section 576 of the Education Act 1996. This includes any person who is not a parent of the child or young person but who has parental responsibility for them or who has care of them. As per Section 576(3) of the Education Act 1996, "parental responsibility" has the same meaning as defined in the Children Act 1989.
- 3.3 There is an expectation under the Measure that a child of secondary school age should be able to walk up to 3 miles to school, via an available walking route. A child of primary school age should be able to walk up to 2 miles to school via an available walking route. However, it is for parents to decide if they need to be supervised on their journey to school.
- 3.4 Parents are required to follow the home to school transport application process as set out on the Council website, and meet the pre-academic year deadlines for providing the required information to inform the assessment of entitlement to transport.
- 3.5 Information not supplied within the timescale of the stated pre-academic year deadline may result in delay and travel not being able to be provided in time for the academic term when the travel is needed. The parent will be responsible for the home to school travel arrangements in these circumstances.
- 3.6 Some parents may not need to apply for free school transport if the Council is already aware of the learner's travel requirements - particularly where children are transitioning from primary to secondary school. Parents should make enquiries with their child's school in the first instance, if any clarification is required.
- 3.7 Parents remain responsible for ensuring that their child attends school regularly. Where transport difficulties are identified as a factor contributing to non-attendance, persistent absence, lateness, or barriers to accessing education, schools should work collaboratively with parents, the Education Welfare Service, the School Transport Team and any other relevant Council services to consider appropriate support. This may include sharing relevant information, where a pupil is not accessing arranged transport, where transport arrangements are not being used as expected, or where a change in transport provision may impact attendance. Any such consideration will support coordinated planning but does not create an automatic entitlement to free or discretionary transport.
- 3.8 Parents or their emergency contacts are responsible for the travel arrangements of their children that become ill during the school day. If a child becomes ill at school, parents are informed by the school and asked to collect their child as soon as possible. If parents are unavailable, an emergency contact will be informed.
- 3.9 Parents are advised to ensure that their children are aware of the All-Wales Travel Behaviour Code ('the Travel Code')— the Travel Code sets out the standards of behaviour learners should adhere to when travelling between home and school, regardless of the mode of travel.

4. Home address



- 4.1 The proximity of a learner's home address in relation to the nearest suitable school is considered in assessing entitlement to free travel. The home address must be the learner's ordinary residence. Parents who choose a school outside the nearest suitable school for their address are not entitled to free home to school transport.
- 4.2 Where the nearest suitable school is fully subscribed in the relevant year group, pupils should attend the next nearest suitable school that has a place available in the relevant year group. That school would become their nearest suitable school for the purposes of assessing entitlement to free travel against the Measure. Evidence of application for a school place and the response from the Admissions team would need to be provided to enable an assessment of entitlement to free transport
- 4.3 If a pupil changes their address and requests free transport to support them to attend their existing school, the following factors will be considered:
- o Whether there is a school place available in the relevant year group, at the nearest suitable school to the new address. If yes, it is expected that the pupil will attend this nearest school.
 - o Transport will then only be provided if the distance between the new address and the chosen school exceeds the statutory minimum travel distances of 2 miles for a primary school, and 3 miles for a secondary school;
 - o If parents chose not to send their child to the nearest suitable school of type, with an available place, for their new address they will be responsible for any transport costs incurred regardless of the distance.
- 4.5 Temporary Accommodation - The assessment of learner travel needs is based on where the learner is "ordinarily resident" in accordance with the Measure. The Council may exercise its right to apply discretionary travel arrangements for learners who cannot access their ordinary residence for a temporary period, due to circumstances beyond their control. This discretion will not exceed a fixed period of 6 weeks, whilst the family is supported to manage continuity of education and any associated transport costs that may arise. The Education Welfare Service and Housing Officers will liaise with families and provide appropriate guidance to the Passenger Transport Team.

5. Dual Residency

- 5.1 Dual residency means a learner who has more than one home under established current living arrangements. This provision applies to learners whose parents are not living together with the learner living partly with each parent, or with a parent and other carer, foster placement etc. Local authorities must have regard to the general principle that learners are to be educated in accordance with the wishes of their parents so far as reasonably practicable and so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure.
- 5.1 Where parents have shared responsibility for a child and the child is permanently resident at more than one address, the Council will provide free transport from both home addresses, as long as they are both the nearest suitable school for the child concerned and are located over the required qualifying walking distance. In such cases, a fixed schedule is agreed, normally on a half termly basis, whereby the home address is confirmed for each day of the week. **Documentary evidence such as a court order will also be required to support the use of more than one address.**
- 5.2 If a learner lives at more than two addresses then only two of the addresses nearest to their school will be assessed.



- 5.3 Only established current living arrangements are considered. These would include, for example, a child who stays two nights of every school week with one 'parent' (person with parental responsibility) and three nights of every school week with the other, or alternate weeks with each parent. The free travel provision is concerned only with periods during which the child/young person receives education or training i.e. the school week. It does not apply where a child spends weekends with a different parent from where the child lives during the school week.
- 5.4 Where a learner has two places of residence which are located in two different local authority areas, each of those local authorities will be responsible for the learner's travel arrangements when the learner is residing in its area.
- 5.5 In some cases, the two residences may be closer than the 2- or 3-mile walking distance, so the Council would not be under a duty under section 3 of the Measure to provide free travel. In other cases, one house may be further than the walking distance and one may be closer so the duty under section 3 of the Measure will be applicable in relation to the home that is further away.
- 5.6 Pupil's living outside of Cardiff for part of their week will be assessed to their nearest suitable school. Free travel will only apply for the days they live in Cardiff if they meet the Measure criteria.

6. Safeguarding

- 6.1 The council will assess any safeguarding concerns in line with the council safeguarding policy. All staff contracted to provide home to school transport are required to have the appropriate training and are fully enhanced DBS checked.
- 6.2 Safeguarding is everyone's responsibility and involves protecting children and adults from abuse, neglect, and harm. It requires all individuals, including parents and carers, to understand what safeguarding is, recognise the signs of potential concern, and follow the correct procedures for reporting and responding. By remaining vigilant and taking timely action, we can work together to prevent harm and ensure the safety and wellbeing of those in our care.
- 6.3 Parents, carers or third parties should report any safeguarding concerns as suggested below. Children who have a concern about their safety or wellbeing whilst travelling to or from school can report it to a trusted adult such as the driver, passenger assistant, a member of school staff, their parent/carer. Concerns will be managed in line with the school's safeguarding procedures and Local Authority processes.
- 6.4 To safeguard we must:
- Recognise the different types of abuse.
 - Recognise the signs, symptoms and behaviours that may indicate a child or adult is being abused or is at risk of harm.
 - Understand what to do if we are concerned about a child or adult at risk.
 - Understand our responsibility with regard to suspicion or disclosure of abuse.
 - Understand our duty to report a concern or incident when we become aware of it.

- 6.5 Abuse or neglect can be defined as when someone inflicts harm or fails to act to prevent harm. The Wales Safeguarding Procedures identify five categories of abuse:

Physical Abuse

- 6.6 May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating or otherwise causing physical harm to a child or adult.

Sexual Abuse

- 6.7 Forcing or enticing a child or adult to take part in sexual activities, whether or not they are aware of what is happening. This may involve physical contact, including penetrative or non-penetrative acts; non-contact, such as involving a child or adult in looking at, or in the production of pornographic material or watching sexual activities; or encouraging children or adults to behave in sexually inappropriate ways.

Neglect

- 6.8 Neglect is the persistent failure to meet a child or adult's basic physical and/or psychological needs, likely to result in the serious impairment of their health or development. It may involve a parent, family member or carer failing to provide adequate food, shelter and clothing, failing to protect a child or adult from physical harm or danger, or the failure to ensure access to appropriate care or treatment. It may also include neglect of, or unresponsiveness to, a child or adult's basic emotional needs.

Emotional Abuse

- 6.9 The persistent emotional ill-treatment of a child or adult such as to cause severe and persistent adverse effects on their emotional and behavioural development. It may involve telling the child or adult that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may involve causing children or adults to feel frightened or in danger, for example witnessing domestic abuse within the home or being bullied, or by exploitation or corruption.

Financial Abuse

- 6.10 Money or property stolen, being defrauded e.g. scams, being put under pressure to pay for things for someone else's benefit or someone else using their money as their own. Children who earn money via entertainment events not having the money placed in trust.

Other Risks

- 6.11 Risks from other actual or potential harm to a child or abuse may also result from:
- Criminal exploitation such as county lines (CCE)
<https://www.safeguarding.wales/chi/c6/c6.p1.html>
 - Child sexual exploitation
<https://www.safeguarding.wales/chi/c6/c6.p10.html>
 - Radicalisation and Online Abuse
<https://www.safeguarding.wales/chi/c6/c6.p6.html>
 - Female Genital Mutilation
<https://www.safeguarding.wales/chi/c6/c6.p2.html>
 - Modern Slavery and Trafficking
<https://www.safeguarding.wales/chi/c6/c6.p3.html>
 - Honour Based Abuse
[Social care Wales \(safeguarding.wales\)](https://www.safeguarding.wales/chi/c6/c6.p3.html)



Reporting a Concern or Incident

- 6.12 If you have concerns about the safety and wellbeing of a child or adult, you should **immediately** report your concerns. If you believe a child or adult is in **immediate danger**, contact 999 and tell the operator what is happening.
- 6.13 The Council website also has a Safeguarding Team with contact details on the website if you think or believe an adult is being abused, or you think a child is at risk, not being looked after properly, or you have concerns about their welfare.
- 6.14 Safeguarding concerns should be shared with School Transport's Designated Safeguarding Person (DSP) and the child's school DSP.
- 6.15 In circumstances where transport is provided but is regularly not being used, for example a pupil refusing to travel, repeated failure of a pupil to present at pick-up points, or any other unexplained absence from transport, prompt information sharing between transport providers, schools, Education Welfare and designated safeguarding officers is required, to determine whether there are any safeguarding issues requiring investigation.
- 6.16 Below are the contact details for safeguarding reporting to the Local Authority.

Children's Services	Adult Safeguarding	Out of hours
The DSP can contact the Professional Advice Line (PAL) 03000 133 133 if you are unsure whether a referral is required, to discuss signposting or what other support may be provided by wider agencies.	Contact the Adult Safeguarding Team via 029 2233 0888	Contact the Emergency Duty Team on 029 2078 8570
Referrals can be submitted via Help or harm form Cardiff Council		

Parental Safeguarding Responsibilities

- 6.17 The School Transport Team has produced a 'Code of Conduct for Parents' so parents are clear in their roles and responsibilities.
- 6.18 It is the parent's responsibility to accompany the child as they see appropriate in order for the child to arrive safely at school. It is the parent's responsibility to bring and collect pupils to and from the transport when that is provided.
- 6.19 The Council will require written confirmation where a parent deems that their child attending primary school can walk independently to and from the transport that is provided. The parent will need to ensure there is a responsible person at home to receive the child on their return from the transport.

7. Discretionary Powers



7.1 The Council has discretionary powers to provide home to school transport for other learners. It does not have to use these discretionary powers to provide free or assisted travel. The power applies in relation to a learner living or studying in Cardiff.

7.2 The Council may charge for providing transport under the discretionary powers either in full or in part in agreement with the pupil's parent. Such charging arrangements will be reviewed annually as part of the Council's budget setting process.

Reference: See Section 455 and 456 of the Education Act 1996 (as amended by Section 22 of the 2008 Measure).

7.3 The discretionary powers and how they are applied are subject to legal and statutory requirements, equality impact assessment and the budget constraints of the Council.

7a Welsh Medium Schools

7.4 There is no statutory duty for the Council to provide free travel to Welsh medium schools that are not the nearest suitable schools. Local Authorities and Welsh Ministers have a duty under the Measure to 'promote access to education and training through the medium of Welsh' when deciding which schools are most suitable for learners in their area. Cardiff Council therefore provides free travel in accordance with the following policy for the purpose of promoting education and training through the medium of Welsh. This policy is consistent with Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2032 which aims to increase the number of children – and parents – who can learn and use Welsh.

7.5 Parents in Cardiff can choose a Welsh medium school for their child. The child will be eligible for free home to school travel to the nearest suitable Welsh medium school within the Cardiff Council boundary, provided that the distance of the home address to the school meets the qualifying walking distance criteria.

7.6 Parents who choose a school that is not the nearest suitable Welsh medium school for their home address will not be entitled to free home to school travel.

7.7 All addresses in Cardiff have a nearest suitable Welsh Medium Community School assessed in accordance with the school admissions policy and operational protocol. If parents choose to send their child to a school other than the nearest suitable Welsh medium school, the child is not entitled to free school transport, even if they live beyond the qualifying walking distance criteria.

7.8 When the nearest suitable Welsh medium school is full and unable to accept a pupil, a free travel/bus pass to the nearest suitable Welsh medium school, that has space available to admit the child, will be provided as long as the distance from home to that school meets the qualifying walking distances criteria.

7b Faith/ Denominational Schools

7.9 There is no statutory duty for the Council to provide free travel to faith-based/denominational schools that are not the nearest suitable schools. However, Cardiff Council provides free travel using discretionary powers, to support pupil and parental choice.

7.10 Parents in Cardiff can choose a faith-based/denominational school for their child. The child will be eligible for free home to school travel to the nearest suitable faith-based/denominational school within the Cardiff Council boundary, provided that the home address to the school meets the qualifying walking distance criteria.



- 7.11 Parents who choose a school beyond the nearest suitable faith-based/denominational school for their address will not be entitled to free home to school travel.
- 7.12 Each address in Cardiff has a nearest suitable Church in Wales Voluntary Aided School and a Roman Catholic Voluntary Aided School assessed in accordance with the school admissions policy and operational protocol. If parents choose to send their child to a school other than the nearest suitable faith based/denominational school, the child is not entitled to free school transport, even if they live beyond the qualifying walking distance criteria.
- 7.13 When the nearest suitable faith based/denominational school is full and unable to accept a pupil, a free travel/bus pass will be provided to the next nearest suitable school that has room to admit the child, as long as the distance from the home address to that school meets the qualifying walking distance criteria.

7c Medical Conditions

- 7.14 The Council has no statutory requirement to provide transport on medical grounds. The Council will only consider the provision of free travel to pupils on medical grounds in exceptional circumstances assessed in consideration of the medical needs of the pupil. Evidence will be required from the medical professionals involved for assessment by relevant professionals within the Education Directorate.
- 7.15 Learning arrangements are made through the school for pupils who have a temporary medical condition which makes it difficult to attend school.
- 7.16 The Council will not administer any medication to pupils whilst on school transport.

7d Other Circumstances

- 7.17 The Council may provide discretionary home to school travel for learners who are not attending their nearest suitable school in a range of circumstances that the Placement Panel in Education Services will consider. Each case will be assessed according to the educational and learner travel needs of the individual pupil. Such circumstances may relate to children looked after, pupils with ALN or pupils placed in Education Otherwise than at School (EOTAS) settings, including the Pupil Referral Unit (PRU).

8. GCSE Years



- 8.1 All secondary age learners (Years 7 – 11) are covered by the same entitlement rules, whereby free home to school transport must be provided if a pupil lives 3 miles or more from their nearest suitable school. There is no enhanced entitlement for learners in their GCSE years in the Measure. Should a learner change address during GCSE years, the Measure does not recommend or require:
- Guaranteed continuity of transport, or free transport back to a school outside the nearest suitable school definition.
 - Any special consideration solely because GCSE exams are imminent.
- 8.2 Pupils resident in Cardiff studying for their GCSE examinations in year 10 or 11, who change address after commencing their studies in Year 10, will only be entitled to free transport if their new address is over 3 miles walking distance from what was the nearest suitable school for their previous address.
- 8.3 The Council will consider requests for transport from pupils moving into the local authority area during their GCSE years, to support travel back to their original GCSE school, on an individual basis. There is no guarantee that free transport will be provided.

9. Children Looked After

- 9.1 A looked after child is a person under the age of 18 who is in the care of the local authority, or who is provided with accommodation for more than 24 hours by a local authority in the exercise of its social services functions. This could be a placement with foster carers, in residential homes or with parents or other relatives.
- 9.2 The same age and distance criteria for free travel apply to 'looked after' children as to those who are not looked after. However, the provision that the learner must attend their nearest suitable school to their home does not apply to looked after learners in the same way it applies to learners who are not looked after due to the need to maintain continuity in education or contact with siblings or friends to promote wellbeing. It will be for the local authority looking after a child to determine where they should go to school. This will be assessed by Children's Services.
- 9.3 The school decided upon might be a school other than the nearest suitable school. Free travel may be appropriate in such circumstances. The learner's needs and budget considerations for the associated travel arrangement decisions that are made by Children's Services are separate from the decisions made by Education. Therefore, any complaints or appeals to the travel arrangements would follow processes managed by Children's Services.

10. Additional Learning Needs (ALN)



- 10.1 The Measure includes specific provisions to ensure that pupils with Additional Learning Needs (ALN) are supported with appropriate transport arrangements. Local Authorities are required to consider the individual needs of ALN learners when assessing their eligibility for free travel and the most appropriate method of travel.
- 10.2 The ALN transport policy has the same distance criteria as the mainstream transport policy applying the cognitive age of the child when assessing the qualifying distance. The nearest suitable school is determined by the type of educational need and the nearest suitable school which can support the type of need of the learner. If parents choose a school other than the nearest suitable school identified by the Council in the IDP, it is the parents' responsibility to pay for any transport costs incurred.
- 10.3 Free transport will be offered to ALN pupils of compulsory school age, who meet the mainstream distance criteria (2 miles for Primary and 3 miles for Secondary).
- 10.4 Local authorities have the power to make discretionary transport arrangements for ALN learners who may not meet the standard distance criteria but have other needs that justify provision. This includes appropriate consideration of the safety and accessibility of the route, ensuring that the transport provided is suitable for the learner's needs and delivers best value for money. This discretion extends to Post 16 learners in exceptional circumstances, which will be assessed on a case-by-case basis.
- 10.5 The Inclusion Service led, ALN Transport Panel, will consider discretionary transport requests based upon specific ALN needs (as opposed to distance), in collaboration with schools, and the Passenger Transport Team based on the following information:
 - a) Current Individual Development Plan (IDP) and specified travel arrangements in section 3D of this plan
 - b) Transport risk assessment
 - c) Manual Handling Plan (where relevant)
 - d) Distance from home to school
 - e) Available transport options (e.g. public transport routes, contracted taxis/minibuses/coaches, independent travel, parental transport)
 - f) Independent Travel Training assessment (Year 7 and above).
- 10.6 For learners with ALN in year 7 and above, there is an expectation that Independent Travel Training (ITT) will be explored in the first instance because it is recognised as a good way to encourage pupils to gain essential life skills and become independent when they leave school.
- 10.7 Transport arrangements will be reviewed at least annually, alongside the review of a learner's IDP, or where there is a change of circumstances.
- 10.8 The Inclusion Service within the Education directorate makes the decision on the ALN pupils that qualify for free home to school transport. If your child has additional learning needs (ALN), please speak to the Additional Learning Needs Coordinator (ALNCO) at your child's school about the options available. Any questions in relation to school transport for ALN pupils need to be emailed to ALNhelpline@cardiff.gov.uk
- 10.9 The Council's website <http://www.cardiff.gov.uk/schooltransport> provides further details.

11. Education Other Than at School (EOTAS)



- 11.1 Learners receiving Education Otherwise Than at School (EOTAS), including those attending the Pupil Referral Unit (PRU), independent provision, hospital tuition or other placements agreed by the Council, will have their travel needs assessed on an individual basis. Where transport is necessary to enable learners to access specific provision arranged by the Local Authority, an appropriate assessment of entitlement to free transport will be completed.
- 11.2 In the first instance, the statutory distances from home to the allocated educational setting will be considered (2 miles for primary learners and 3 miles for secondary learners). The assessment will also take account of the learner's educational, safeguarding, medical, welfare and additional learning needs. The Council may use its discretionary powers to offer free transport to EOTAS learners that live within the statutory distances – this will be decided on a case-by-case basis and will be reviewed where circumstances change.

12. Independent Travel Training Scheme

- 12.1 Travel training is an excellent means to support and encourage pupils to travel independently and safely. The scheme provides training for young people to develop road safety awareness and an understanding of how to travel by public transport. It supports personal independence, well-being and confidence, and progression to further education and/or employment opportunities after leaving school
- 12.2 If a pupil needs help to travel independently, they may be able to get travel training. The Council's website has further details and an online application form for the Independent Travel Training Scheme (ITTS).
- 12.3 To be eligible for the scheme, the young person needs to:
- live in Cardiff.
 - be 19 or under.
 - have an Individual Development Plan (IDP); and
 - be eligible for free school transport, whether they use it or not.
- 12.4 The Council provides ITT tailored to the age and capability of pupils from Year 6 upwards (ages 10-11). Pupils only become independent when they meet the assessment criteria and are able to travel alone confidently and safely.

13. Duration of Journey

- 13.1 Transport guidelines issued by the Welsh Government allow for a maximum 75-minute journey time each way, home to school, for secondary school pupils, and a maximum 45-minute journey time each way for primary school pupils. A walk of up to 1 mile to a bus stop or designated safe and accessible pick up and drop off point for parents is deemed to be reasonable.

14. Available Walking Routes



- 14.1 The Measure defines a route as being “available” if:
- a) it is safe for a child without a disability or learning difficulty to walk the route alone, or
 - b) it is safe for such a child to walk the route with an escort, if the age of the child would call for the provision of an escort.
- 14.2 The Council considers issues relating to road safety. The assessment includes consideration of suitable pavements and crossing points. Perceived road safety or social dangers will be taken into consideration where they are supported by evidence. The Council works in partnership with organisations/agencies which have relevant expertise, including responsibility for, tackling and quantifying social danger. The Council provides road safety education to schools to help prepare pupils travelling to school and gathers information from pupils on suitable routes or specific points of concern along them.
- 14.3 It is the parent’s responsibility to accompany the child as they see appropriate in order for the child to arrive safely at school.

15. Travel Arrangements that are Not Suitable

- 15.1 Under Sections 3(5) and 4(6) of the Measure transport arrangements are not suitable if:
- a) they cause unreasonable levels of stress for the learner,
 - b) they take an unreasonable amount of time, or
 - c) they are unsafe.

15a. Unreasonable Levels of Stress

- 15.2 Local authorities must provide suitable transport arrangements to ensure that, as far as reasonably practicable, they do not cause unreasonable levels of stress to the learner. There is no legal definition of ‘stress’, nor is there a definitive list of what criteria local authorities should take into account to determine if the journey causes an unreasonable level of stress. It is for local authorities to determine how stress assessments are carried out, in accordance with their own home to school travel policy.
- 15.3 Cardiff Council in cooperation with parents provides advice and takes actions to minimise stress for the learner. The assessment of walking routes include consideration of:
- i. suitability of the surface of the footways and paths.
 - ii. quality of the walking environment and how built up the areas are.
 - iii. suitability of the route if the pupil is accompanied by a parent.
 - iv. the learner’s age.
 - v. whether the pupil has any disability or learning difficulties that need to be accounted for.

15b. Unreasonable Amount of Time

- 15.4 The Measure does not specify a time limit for journeys, however, local authorities are required to assess the individual needs of learners when considering if a journey time is reasonable.
- 15.5 Wherever possible, the Council adheres to Transport guidelines issued by the Welsh Government. This allows for a maximum 75-minute journey time each way for secondary school pupils, and a maximum 45-minute journey time each way for primary school pupils. A walk of up to 1 mile to or from a bus stop or designated safe and accessible pick up and drop off point for parents is deemed to be reasonable under the Measure. The assessment of walking routes time also includes consideration of:
- i. the pupil's age.
 - ii. whether the pupil has any disability or learning difficulties that need to be accounted for.

15c. Unsafe Routes

- 15.6 The Measure guidance defines 'safe travel' as "providing appropriate travel arrangements to ensure that as far as reasonably practicable a learner is not placed at risk, whether known or foreseen, which might result in them or other persons sustaining a trauma and or serious physical injury." Cardiff Council undertakes the relevant health and safety checks and risk assessments for learner transport in accordance with Welsh Government guidance to ensure they are safe travel arrangements. This includes assessment and consideration of:
- i. Route and footway conditions.
 - ii. Traffic flows.
 - iii. Crossing facilities.
 - iv. Collision History.
 - v. Canals, rivers, ditches and embankments.
 - vi. Flooding history and suitable detours if they occur.
 - vii. Planned highway works or developments that could disrupt routes.
 - viii. Rail level crossings.
 - ix. Relevant records of crime, disorder and anti- social behaviour.
 - x. Consideration of any perceived dangers that are backed up by evidence.

16. Measuring the Home to School Route

- 16.1 The Council has developed a Geographical Information System (GIS), configured in compliance with the Measure and route determination criteria of guidance. The shortest available route is calculated in miles (to 3 decimal places) using the co-ordinates from the boundary of an applicant's home address (determined using the Local Land and Property Gazetteer address point data) to the nearest open school gate using Ordnance Survey route data.
- 16.2 Any other sources of distance information from the internet or provided through phone apps are not suitably comparable to the Council's GIS system and methodology. They do not provide a justifiable reference to dispute the distance.
- 16.3 Where the distance given is disputed, parents can request a manual re-measurement of the home to school route used by the Council. Parents will be allowed to walk the route with a Council officer and will be provided with a detailed written breakdown of the route taken and the distance measured.

17. Travel Expenses/ Travel Support Allowance (TSA)



- 17.1. Travel Expenses or Travel Support Allowance (TSA) may be appropriate for some parents to use flexibly in transporting their children to and from school. However, these are not universally available to all families. Travel expenses or TSA will be considered for ALN pupils where there are special circumstances, for example - if the learner's travel needs can be better managed by the parents in agreement with the Local Authority, or where costs could be minimised. An exception for mainstream pupils, that qualify for free travel, may apply where public transport is not a viable option to get them to school within a reasonable amount of time.

18. Bus Passes

- 18.1 All pupils in receipt of free school transport will be issued with a colour coded photo ID bus pass to travel on a school contracted bus, or on a fare paying school bus service. In cases where there is no dedicated school bus, the pupil will be issued with a digital bus pass on their phone through the relevant bus operator for the bus services required. Physical bus cards are available instead if needed.
- 18.2 Pupils must always carry the pass/card when they travel. To avoid potential overloading, bus companies and drivers are instructed not to let any pupil travel who does not have an appropriate pass/card to travel (No Pass No Travel). Council officers will undertake monitoring surveys on a regular basis to ensure only eligible pupils are being conveyed.
- 18.3 Pupils mislaying their bus pass/card can obtain a temporary pass from the school whilst a replacement is arranged, at a small cost, by the Passenger Transport Team. The replacement cost is reviewed on an annual basis.
- 18.4 Digital bus passes will replace physical bus passes gradually as new arrangements are embedded with schools.

19. Right to Withdraw Transport

- 9.1 If it is found that free travel has been provided in error, e.g. where an incorrect measurement has been taken, the Council has the right to withdraw the transport subject to reasonable notice. The notice will normally be issued within 10 working days of the error being discovered. The free travel will not be provided after the end of that school term that the notice was provided.
- 19.2 Where circumstances have changed with the route measurement during an academic year, e.g. following a review of transport provision where new footpaths are provided, the Council has the right to withdraw free travel at the appropriate time.

20. Behavioural Problems



- 20.1 The safety of all pupils is dependent on the standard of behaviour on school transport. The Council reserves the right to withdraw transport provision if problems arise that present a risk of harm. Warning letters will be sent to the families of any pupils causing concern, damage to a vehicle, injury to other passengers or behaving in such a way that might jeopardise safety. The right to travel on the school bus may be withdrawn on a temporary or permanent basis. Bus passes can be provided for these pupils to use on public transport instead.
- 20.2 The Council also retains the right to either suspend or cancel transport in cases where drivers/escorts have received verbal or physical assault from parents. In such cases the contractors concerned will be encouraged to report such actions to the necessary authorities.
- 20.3 Parents have the right to put forward representations in writing to the Director of Education as to why transport should not be temporarily/permanently withdrawn. Following the withdrawal of the right to travel on a school bus, parents are responsible for ensuring that their child gets to school. Before a temporary ban is lifted an assurance of improved behaviour is required.

21. Managed Moves

- 21.1 Where schools have agreed to a 'managed move' of a pupil, free travel will only be considered where the relevant support team/officers that assess such arrangements were involved and assisted with the school transfer. Evidence will need to be provided by the relevant support team/officer and approved Education professionals to inform the request for transport.
- 21.2 The qualifying walking distances criteria will also need to be met.

22. Sale of Surplus Seats

- 22.1 Where spare seats arise on an existing route (contracted school bus), the Council has the discretion to offer them for sale depending on circumstances and in accordance with any relevant laws or regulations. The Council does not offer surplus seats on contracted ALN taxis or minibuses.
Application forms are available on request from the Council's web site. If the number of application forms received exceeds the number of spare seats available for a particular route, the pupils living furthest away within the catchment area will be given priority.
- 22.2 There is no guarantee of the continued availability of a surplus seat. If the number of pupils entitled to free transport increases, it may become necessary to displace pupils who have purchased spare seats. In these circumstances families may be entitled to refunds according to set criteria.

- 22.3 Charges for spare seats are reviewed annually and are payable following receipt of an invoice. Seats are sold on a return journey basis and cannot be sold for one way either to school or home from school. Parents can pay in full, on a monthly or on a termly basis. Schools are advised of the charges for the following academic year in the preceding summer term.

23. Reporting Travel Requirements

- 23.1 The Council may require parents of pupils to report use of the travel by their children. This may be undertaken for the purposes of monitoring travel provided that is not taken up even though the Council incurs the costs and plan for future travel. This may also be required for safeguarding and/or safety and security reasons. Any information collected will be managed in accordance with data protection requirements.

24. Complaints Process

- 24.1 Only complaints from parents received in writing by the Council concerning services or vehicles will be investigated. In the event of a complaint being upheld, if needed, necessary and appropriate steps will be taken up with the service provider concerned as a matter of urgency, in accordance with the contract conditions in force at the time.

25. Review and Appeal Rights

- 25.1 **No Statutory Right of Appeal**
There is no statutory right of appeal against Home to School Transport eligibility decisions under the Learner Travel (Wales) Measure 2008. The legislation does not establish an independent appeal panel for transport decisions.
- 25.2 **Right to Request a Review**
Parents and carers may, however, request that the Council reviews a transport eligibility decision. The Council operates a two-stage review process to ensure decisions are fair, transparent and consistent.

Stage 1: Review of Decision

Parents may request a Stage 1 Review within 14 calendar days of receiving a decision on transport entitlement if they believe:

- *the eligibility criteria have not been applied correctly*
- *relevant information was not considered*
- *there are exceptional circumstances that should be considered*

A senior officer, not involved in the original decision, will reconsider the case and issue a written outcome within 20 calendar days.

Stage 2 Review

If parents remain dissatisfied following Stage 1, they may request a Stage 2 Review, within 14 days of the Stage 1 decision. This will be considered by an internal panel of senior officers who were not involved in earlier stages. The panel will review:

- *whether the correct process was followed*
- *whether the decision was reasonable and in line with policy*
- *any additional information submitted*

A written decision will be provided within 30 calendar days.

25.3 Further Routes of Challenge

If parents remain dissatisfied after completing the Council's review process, they may pursue the following external routes:

1. **Public Services Ombudsman for Wales:** Parents may complain to the Ombudsman if they believe there has been maladministration or an unfair process. The Ombudsman cannot usually overturn the decision but may recommend that the Council reconsider.
2. **Judicial Review:** Parents may apply to the courts to challenge a decision on grounds such as illegality, irrationality, or procedural unfairness. This is a legal remedy and is separate from the Council's internal review process.

LEGISLATIVE REQUIREMENTS

1. The legal responsibility for ensuring a child attends school rests with the child's parent. However, the local authority is given both statutory duties and discretionary powers to provide transport under the Learner Travel Wales Measure (2008). The Measure requires the local authority to decide whether or not the local authority needs to make arrangements for the provision of transport for the purpose of facilitating the attendance of persons receiving education:
 - (a) at schools or units
 - (b) at any institution maintained or assisted by the local authority which provides further education or higher education (or both), or
 - (c) at any institution within the further education sector.
2. If transport is considered necessary, the local authority will then consider what form of transport is required. This provision must be provided free of charge.
3. The Measure gives the local authority discretion to pay in whole or in part, the reasonable travelling expenses of any learner for whom no free travel arrangements have been made under the Measure.
4. It is up to the local authority to decide what is necessary in the case of each child, but the Measure provides some of the factors to which the local authority shall have regard to in determining whether or not to make arrangements for the provision of transport. These include:
 - (a) the age of the person and the nature of the route, or alternative routes, which they could reasonably be expected to take;
 - (b) any wish of the parent for the child to be provided with education or training at a school or institution in which the religious education provided is that of the religion or denomination to which the child's parent adheres.
 - (c) any wish of the parent for the child to be provided with education in Welsh;
 - (d) the needs of disabled learners or learners with learning difficulties;
 - (e) any particular needs of learners who are children 'looked after' by a local authority.

This list is not exhaustive and is not intended to define all the circumstances in which it might be necessary to provide transport, nor does it lay down the weight which a local authority is required to give to any particular factor. That is a matter for the discretion of the local authority. The local authority must consider each pupil's particular circumstance on its own merits, taking account of any representations made. In assessing the travel needs of learners, local authorities must take into account the fact that the travel arrangements they make in light of the assessment must not cause unreasonable levels of stress, take an unreasonable amount of time or be unsafe.

5. It will be considered necessary to provide free travel where a child aged 5-16 years old has to travel beyond the qualifying walking distance and the local authority is unable to make arrangements for the child to become a pupil at a school nearer to his/her home which offers education suitable to his/her needs, including any special educational needs he/she may have.
6. The walking distance is measured by the 'shortest available route'. A route is considered 'available' if it is safe for a child without a disability or learning difficulty to walk the route alone or with an escort, if the age of the child would call for an escort.
7. The Measure defines 'walking distance' as:
 - (a) 2 miles (3.218688 kilometres), for a primary school child and
 - (b) 3 miles (4.828032 kilometres) for a secondary school child.

OTHER RELATED LEGISLATION

1. The following key legislation and statutory regulations are also related to the provision of learner travel:
 - Education Act 1996.
 - School Standards and Framework Act 1998.
 - Education Act 2002.
 - Children Act 2004.
 - Education and Inspections Act 2006.
 - The Changing of School Session Times (Wales) Regulations 2009.
 - Equality Act 2010.
 - Children and Families (Wales) Measure 2010
 - Safety on Learner Transport (Wales) Measure 2011.
 - Rights of Children and Young Persons (Wales) Measure 2011.
 - Welsh Language (Wales) Measure 2011
 - Active Travel Act 2013.
 - Wellbeing of Future Generations (Wales) Act 2015.
 - Additional Learning Needs and Education Tribunal (Wales) Act 2018.
2. Further related statutory information is described in Welsh Government Learner Travel Measure related guidance.



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