

School and College Transport

The law regarding provision of home to school transport applies to all children, and free transport for eligible children is very clear.

The Education Act 1996 (s.508 (B) and Schedule 35) contains the definition of an 'eligible' child for the purposes of receiving home to school transport.

If a child falls within the definition, the law states that the local authority (LA) responsible for them must make the necessary suitable travel arrangements so that he or she can travel between home and school.

Importantly, these must be provided free of charge.

The law requires the Local Authority to arrange free, suitable, home to school transport for children of compulsory school age who are 'eligible' to their nearest suitable school.

Having SEN and or a disability is one of the criteria for being an eligible child.

Where a young person is over 16 years old and attending school or college the law requires a LA to have home to school or college transport arrangements in place to enable them to attend education or training.

The Local Authority's duty in respect of 'adult learners' is covered by s.508F of the Education Act 1996. 'Adult learners' will usually be those young people who are over the age of 19.

When considering adult learners, the Local Authority must make 'such arrangements for the provision of transport, as they consider necessary' and must do so for 2 purposes.

The first purpose is to facilitate the attendance of adults receiving education at institutions:

- Maintained or assisted by the authority and providing further or higher education (or both)
- Or within the further education sector

Any transport arrangements provided under this duty must be free of charge.

Local Authorities have duties under s.508G of the Education Act 1996 to consult with FE colleges and others about the fulfilment of their duties towards adult learners, and they must publish a policy on how they will do so.

The Following Links Are Useful In Providing Information About The Law Around Transport And Local Policy:

Telford & Wrekin Home to School Transport

https://www.telford.gov.uk/info/20466/travelling_to_school/10/home_to_school_transport

Home to School Travel and Transport Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575323/Home_to_school_travel_and_transport_guidance.pdf

Post 16 Transport Policy

<https://www.telford.gov.uk/post16transportpolicy>