



BEDFORD
BOROUGH COUNCIL

Bedford Borough Council
‘Statutory School Age’
Transport Policy 2025/26

Last published March 2025.

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Part 9 of the Education Act 1996 (the Act) contains statutory duties in relation to the provision of school transport, including the requirement to publish a statement of school transport policy in regard to post 16 year old pupils. The School Information (England) Regulations 2008 requires the Council to publish general arrangements and policies in respect of transport for pupils of compulsory school age. Section 509AA of the Act requires that 'a Local Education Authority shall prepare for each academic year a transport Policy Statement'. It provides that the 'statement shall specify the arrangements for the provision of transport or otherwise that the Authority consider it necessary to make for facilitating the attendance of persons of sixth form age receiving education or training'.

These duties are respectively complemented by statutory guidance issued by the Secretary of State for Education to which the Council must have regard. The statutory guidance requires that published Council policy should include a clear and comprehensive statement of transport arrangements, explaining statutory and discretionary provision and how parents can hold local authorities to account through their appeals processes.

The statutory guidance confirms that parents are responsible for ensuring their child's regular attendance at school and local authorities are under a duty to provide home to school transport, where necessary, to enable them to enforce attendance. Section 444 of the Education Act 1996 states that the child shall not be taken to have failed to attend regularly at the school if the parent proves that the local authority fails to make appropriate transport arrangements under Section 508. However Section 9 of the Education Act 1996 provides that in exercising all duties and powers under the Education Acts, the local authorities must have regard to the general principle that pupils are to be educated in accordance with their parents' wishes, so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable expenditure.

This policy document became effective at the start of the 2017/18 academic year. There is a separate policy for students of post statutory school age and pupils with an Education, Health and Care Plan.

Section 1 – Statutory Mainstream School Transport Entitlement Policy

1.1 Mainstream Education Transport Policy

- 1.1.1 Bedford Borough Council has a statutory duty to ensure that suitable travel arrangements are made where necessary to facilitate a child's attendance at school.
- 1.1.2 The Education Act 1996 (the Act) as amended, details the powers and duties to which Bedford Borough Council must adhere.
- 1.1.3 Bedford Borough Council's free home to school transport policy takes full account of the duties and powers detailed in the Education Act 1996.

1.2 Statutory School Age

- 1.2.1 A child begins to be of statutory school age on the prescribed day which either falls on or follows their fifth birthday. The prescribed days are currently 31st August, 31st December and 31st March, this is the term following their fifth birthday. A child ceases to be of statutory school age on the school leaving date in the academic year in which they turn 16. The school leaving date is currently set as the last Friday in June. An academic year commences on 1st September and ends on 31st August. Raising the participation age does not affect the statutory school age.

1.3 Catchment Areas

- 1.3.1 Catchment areas represent a geographical area and are used by a number of Bedford Borough Schools to determine the allocation of school places. Each school's admissions criteria will explain what priority is given to children that live within the priority area. The Local Authority may be the admissions authority for the school, or the school's governing body may be responsible for the admission arrangements. This will usually depend on the status of the school.

1.3.2 Schools set their own catchment areas. Free home to school transport is not provided on the basis of catchment areas.

1.4 Nearest School Policy

1.4.1 Free home to school transport is provided to the nearest qualifying school from the home address within Bedford Borough.

1.4.2 The nearest qualifying school may or may not be the catchment area school.

1.4.3 Free home to school transport is only provided where the eligibility criteria contained within this policy is met.

1.4.4 Free home to school transport may be provided to schools outside Bedford Borough where there is a statutory duty to do so and the eligibility criteria is met.

1.4.5 Free home to school transport will be provided to St Thomas More School where it is the first preference school, the nearest school to the home address and the eligibility criteria is met.

1.4.6 In exceptional circumstances, free home to school transport may be provided to schools that are not the nearest school to the home address e.g. where the school is a nominated school (1.14.2).

1.5 Qualifying School

1.5.1 A qualifying school is defined as an educational establishment providing statutory school age education which is free of charge to parent(s)/carer(s) and is registered and monitored by Ofsted and has spaces available.

1.5.2 For pupils transferring school; the nearest qualifying school is defined as a school with an appropriate year group for the age of the child, not the nearest school with a relevant point of entry.

1.5.3 Free home to school transport for secondary school age pupils (years 7, 8, 9, 10 and 11 inclusive) will only be provided to the nearest qualifying school with an existing or planned year 11.

1.5.4 Please note exceptions listed in section 1.12 of this policy.

1.6 Eligibility Criteria - Distance

1.6.1 Free home to school transport is only provided to the nearest qualifying school with the exception of 1.8. Children who attend their nearest qualifying school will be provided with free home to school transport if they exceed the statutory walking distance criteria of;

a) more than 2 miles away from their home for children aged under 8.

Pupils aged 8 years of age who are entitled to receive free home to school transport under the distance criteria will continue to receive free home to school transport until the end of the academic year in which they reach the age of eight where they live between 2 and 3 miles from the school.

b) more than 3 miles away from their home for children aged between 8 and 16.

c) Pupils aged 16 years of age who are entitled to receive free home to school transport under the distance criteria will continue to receive free home to school transport until the end of the academic year in which they reach the age of 16. Students over the age of 16 may be eligible under the post statutory school age policy.

1.7 Eligibility Criteria - Road Safety

- 1.7.1 Pupils who live under the statutory walking distance may be entitled to free home to school transport to their nearest qualifying school where the nature of the route is such that a pupil cannot be expected to walk, accompanied by an adult as necessary, in reasonable safety.
- 1.7.2 Pupils living less than half a mile from school are not entitled to receive free home to school transport on road safety grounds.
- 1.7.3 Bedford Borough Council follows the guidance published by Road Safety GB to assess walking routes to schools.
- 1.7.4 The walking route must have;
- a) a continuous adequate footway on roads that carry normal to heavy traffic or
 - b) step-offs on roads that are lightly trafficked, but have adequate sight lines to provide sufficient advance warning or
 - c) on roads with low traffic flow, no step-offs, but sufficiently good sight lines to provide adequate advance warning
- and;
- d) if there is a need to cross roads, there must be crossing facilities e.g. zebra or pelican crossings, pedestrian phases at traffic signals (including necessary refuges), school crossing patrols, traffic calming (sufficient to enable safe road crossing), pedestrian refuges, etc. or;
 - e) sufficient gaps in the traffic flow and sight lines to allow enough opportunity to cross safely.
- 1.7.5 Walking routes are designated as safe or not safe by an independent 3rd party assessment, conducted in accordance with 1.7.4 above.
- 1.7.6 Route reviews will be undertaken when changes in the road network or additional pathways mean a safe route to school may be identified. Major changes to the public highway will also be considered as and when the change occurs.

1.8 Pupils entitled to free school meals, or whose parent(s)/carer(s) are in receipt of the maximum rate of Working Tax Credit

- 1.8.1 Pupils who are entitled to free school meals or whose parent(s)/carer(s) are in receipt of the maximum level of Working Tax Credit will be provided with free home to school transport if the pupil is;
- a) aged 8 but under the age of 11, attending the nearest qualifying school and the school is more than 2 miles by the shortest available walking route.
 - b) aged 11 to 16 attending their one of the 3 nearest qualifying schools where they live between 2 and 6 miles from the school by the shortest available walking route, but not more than six miles (by motorised route) from their home.
 - c) aged 11 to 16 attending their nearest qualifying school in accordance with their parent(s)/carer(s) religion or belief, provided it is more than two miles (by the shortest available walking route), but not more than fifteen miles (by motorised route) from their home.
- 1.8.2 For the above age groups, the pupil must be of the relevant age on 1st September of the academic year for which they wish to apply.

1.9 Free home to school transport to schools based on a particular religion, belief or philosophical conviction

- 1.9.1 There is no statutory entitlement to denominational transport. The Council will however have regard to any wish of a parent(s)/carer(s) to have their child educated at a school on the basis of a particular religion, belief or philosophical conviction.

- 1.9.2 Having considered the wishes of the parent(s)/carer(s) to have their child so educated the policy is normally not to make such travel arrangements.
- 1.9.3 The Council would expect that the majority of parent(s)/carer(s) would be able to facilitate their child's attendance at school, either by providing the transport themselves, or by making alternative arrangements. The Council will continue to meet its statutory obligations, with regard to denominational transport, outlined in 1.8.1(c) above.

1.10 Medical transport

- 1.10.1 Travel assistance may be provided to the nearest qualifying school on medical grounds for either short term provision where a pupil has a temporary medical problem or on a long term basis if the pupil has a particular long term condition for one return journey per day, at the beginning and end of the standard school day.
- 1.10.2 Consideration will be given for either a long term or temporary medical condition and each case is considered on its individual merits. Relevant supporting independent professional evidence will be required. The evidence must clearly state inappropriate types of transport and be specific about appropriate distances before transport can be awarded.
- 1.10.3 The council reserves the right to commission an independent medical opinion.

1.11 Parent(s)/Carer(s) with a disability or medical condition

- 1.11.1 Where parent(s)/carer(s) are relied upon to accompany their child along a walking route for it to be considered safe, travel assistance may be considered where the parent(s)/carer(s) disability or medical condition prevents them from doing so.
- 1.11.2 In such circumstances, travel assistance will only be provided to the nearest qualifying school for one return journey per day, at the beginning and end of the standard school day.
- 1.11.3 Consideration will be given for either a long term or temporary medical condition and each case is considered on its individual merits. Relevant supporting independent professional evidence will be required. The evidence must clearly state inappropriate types of transport and be specific about appropriate distances before transport can be awarded.
- 1.11.4 The council reserves the right to commission an independent medical opinion.

1.12 Exceptions

- 1.12.1 In some areas the majority of the houses are closer to one particular school or there may be local circumstances where a particular school may not be the nearest school for the whole area but where an exception can be made. The following exceptions allow free home to school transport to the schools listed for pupils living within the following area boundaries where the eligibility criteria is met.
- 1.12.2 Primary School Exceptions

Area	School
Bletsoe	Riseley Primary
Bolnhurst	Kymbrook Primary
Cardington	Sheerhatch Primary
Colesden	Roxton Primary
Colmworth	Wilden Primary
Keysoe	Kymbrook Primary
Melchbourne	Riseley Primary
Pavenham	Pinchmill Primary
Pertenhall	Riseley Primary
Stevington	Bromham Primary
Yielden	Riseley Primary

1.12.3 Secondary School Exceptions

Area	School
Bolnhurst	Sharnbrook Secondary
Bromham	Lincroft Secondary
Cople	Mark Rutherford School
Keysoe	Sharnbrook Secondary
Little Staughton	Sharnbrook Secondary
Pavenham	Sharnbrook Secondary
Milton Ernest	Sharnbrook Secondary
Thurleigh	Sharnbrook Secondary
Turvey	Sharnbrook Secondary
Willington	Mark Rutherford School

1.13 Pupils for whom there are particular exceptional social circumstances

1.13.1 Pupils for whom there are exceptional social circumstances may be entitled to free home to school transport where these circumstances would otherwise prevent them from attending school regularly.

1.13.2 Each case will be considered on an individual basis. Examples of exceptional social circumstances include:

- A child whose family has needed to be temporarily re-housed due to fire or flooding.
- A child who is Looked After by the Local Authority and transport is necessary to facilitate regular attendance at school.

1.13.3 Free home to school transport under these circumstances is provided on a temporary basis and is reviewed regularly, this is usually only provided for one school term. Requests should be put in writing to the Transport Officer at Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP.

1.14 General Policy Principles

1.14.1 Where pupils receive free home to school transport as a result of errors in measurement, such free home to school transport will be withdrawn at the end of the academic year during which the error is discovered.

1.14.2 If as a result of making an in year application, it is not possible to offer a place at the preferred school(s) the Council will nominate a place at another school. The nominated school will be the nearest qualifying school with space available. In this case, free home to school transport will be provided where eligibility the criteria are met.

However, if the nominated school is the school the pupil already attends, free home to school transport will only be provided if there has been a significant change in personal circumstances e.g. a change of address where the eligibility criteria continue to be met.

If the pupil remains at the current school which, is not the nominated school, the transport arrangements and costs are the responsibility of the parent(s)/carer(s).

Free home to school transport will not be provided to nominated schools if the original application to school admissions was not submitted within the published deadlines.

Free home to school transport will not be provided to pupils attending nominated schools where the pupil was taken off roll at the previous school due to an extended holiday.

1.14.3 Parent(s)/carer(s) are expected to accompany their child to and from school where they

consider it necessary. The need for parent(s)/carer(s) to be at work would not usually be considered as a reason why free home to school transport should be provided.

- 1.14.4 'Home' is defined as the place where the child is habitually and normally resident. Suitable travel arrangements will only be made using the child's home address, as defined. The Local Authority is not responsible for providing travel arrangements from any other address. The Local Authority is only responsible for providing travel arrangements for children resident in Bedford Borough. The Local Authority will only provide travel arrangements from one address, which meets the definition described.
- 1.14.5 Pupils who live in a joint home arrangement, who fulfil the eligibility criteria for free home to school transport, will be provided with transport from the home where they live for the greater part of the week to the nearest qualifying school to that home.
- 1.14.6 The measurement used to calculate the distance from home to school is defined as the shortest route including footpaths, bridleways, and other pathways, as well as recognised roads. The measurement is calculated from the nearest point on the 'walking route network' to the boundary of the child's home to the nearest accessible school gate. The measurements are taken annually in accordance with admissions application dates.

Section 2 – Transport Operations Policy

2.1 Code of Good Conduct on School Transport

- 2.1.1 Bedford Borough Council has a Code of Good Conduct when travelling to and from school. All children and young persons are expected to adhere to the policy. Failure to abide by the code of good conduct may result in a temporary ban from transport or in extreme cases, home to school transport may be withdrawn. A copy of the Code of Good Conduct and additional information is available at www.bedford.gov.uk/schooltransport or by contacting (01234) 276528.

2.2 Spare Seats Scheme

- 2.2.1 Where children do not qualify for free home to school transport, Bedford Borough Council operates a spare seats scheme which is provided on a discretionary basis. This scheme is only available on routes which the Council has specifically contracted to provide free travel arrangements for eligible children. The scheme is not available on routes registered as a public bus service. Charges apply for the spare seats pass. More information about the scheme and the rates which are charged, is available at www.bedford.gov.uk/schooltransport or by contacting (01234) 276528.

2.3 Sustainable School Travel Strategy

- 2.3.1 The Local Authority has a sustainable school travel strategy which is available at www.bedford.gov.uk/schooltransport

2.4 Passenger Assistants

- 2.4.1 The Local Authority does not generally provide passenger assistants on vehicles that are used to provide appropriate free home to school transport. In exceptional circumstances however the Local Authority will consider providing a passenger assistant. This will be based on a risk assessment having regard for a number of factors, which may include the pupil's age, any additional needs a pupil may have, the length of the journey and the size of the vehicle. For clarity younger pupils are not routinely provided with passenger assistants. Only where there are other relevant factors and a risk assessment indicates the need for the provision of a passenger assistant is one provided.

2.5 Provision of Transport

- 2.5.1 As a general guide, the maximum journey time for a child of primary school age should be 45 minutes each way, and 75 minutes each way for a child of secondary school age, including

any time taken to walk to a pick-up point.

- 2.5.2 There will be circumstances in which this is not possible, for example in rural areas where children live in remote locations or where a child needs to travel a long way to the school. Where possible, adjustments will be made to reduce travel time, provided this can be achieved without a significant increase in transport costs.
- 2.5.3 Where approved for travel assistance, this does not imply a door to door service. The Council will consider whether or not the pupil would be expected to walk unreasonably long distances from their home or school to a 'pick up' point. The distance will depend on a range of circumstances, including the age of the pupil, their individual needs and the nature of the route they are expected to walk to the pickup point. The Council considers that in the majority of circumstances up to one mile would be a reasonable walking distance. This applies at the beginning and end of the journey.
- 2.5.4 Parent(s)/Carer(s) remain responsible for their child before they board the vehicle in the morning, when they are travelling and when they leave the school bus at night.
- 2.5.5 Requests for changes in transport arrangements in rural areas will be considered but changes, such as additional stops, are not always possible for reasons of safety and timing.
- 2.5.6 Free home to school transport will apply to one return journey per day at the normal start and finish times of the school day. Free home to school transport will not be provided at a later or earlier time for pupils to attend before or after school clubs, detention or sporting activities. It is the responsibility of the parent(s)/carer(s) to make alternative arrangements in these circumstances.
- 2.5.7 The Council will not ordinarily be able to support transport arrangements for non-standard or part-time timetables; such arrangements are discretionary and the Council can only consider supporting in exceptional circumstances, where it can be deemed an efficient use of Council resources.
- 2.5.8 Subject to 1.10 pupils from secondary school aged pupils, who are entitled to free home to school transport, may be expected to use public transport including one route change.
- 2.5.9 Where eligible, appropriate support will be provided to enable the child to attend a school within the statutory walking distance. Where appropriate, parent(s)/carer(s) may be offered an escort to walk their child a short distance to school.

Section 3 – Appeal and Complaints Procedure

3.1 If you feel aggrieved by a decision taken

- 3.1.1 All parent(s)/carer(s) have the right to appeal if they are refused free home school to school. Bedford Borough Council offer a two stage appeal process as detailed below.
- 3.1.2 Parent(s)/carer(s) may also wish to consider the Council's formal complaints procedure, which is available at www.bedford.gov.uk/beheard. Please note where an appeals process exists this should always be exhausted before making a complaint. Once these procedures are concluded then it may be possible to use the complaints procedure to investigate the issues, however in most cases this is unlikely to reverse any decisions made as part of these separate processes.

3.2 The Appeal Process

- 3.2.1 Parent(s)/Carer(s) have 20 working days from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision.
- 3.2.2 The Appeal form is available and can be submitted online at [Transport appeals | Bedford Borough Council](#) or by calling Member Services on (01234) 228905. You may challenge a decision on any or all of the following grounds:

- Eligibility - you believe that we have failed to take into account some significant factor in assessing whether your child is eligible for travel assistance
 - Distance measurement between home and school
 - Safety of the walking route between home and school
 - Transport arrangements offered are not suitable for the child or young person's needs
- 3.2.3 Your appeal should detail all the reasons why you believe the decision should be reviewed and give details of any exceptional circumstances you believe should be considered when the decision is reviewed. You should submit any evidence that supports your appeal (for example letters from your school, medical professional or social worker, or financial evidence such as benefit eligibility). You can appeal for any reason or combination of reasons, but you should carefully consider if you have sufficient additional evidence to support your case.
- 3.2.4 We will acknowledge an appeal within one week of receiving it. Appellants can call (01234) 228905 if they have not received an acknowledgement within 2 weeks of posting their appeal.
- 3.2.5 Within 20 working days of receipt of the appeal a senior officer, who was independent of the original decision, will review the original decision made and send the appellant a detailed written notification of the outcome of their review and information about how the parent can escalate their case to stage two (if appropriate).
- 3.2.6 The Appellant has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two, which is a review by an independent appeal panel. If the Appellant has any access requirements or disabilities we should be aware of, please notify the Clerk to the Appeals Panel upon escalating to Stage 2.
- 3.2.7 Stage two appeals will be decided by a Transport Appeals Panel of three Councillors. All will be impartial and have no member interests/roles in Transport, Education or Social Services. Appellants will be advised of the names of the Councillors who will decide their appeal. If the Appellant thinks they know one of the Panel Members hearing their case, please call the Office of the Clerk on (01234) 228905 immediately
- 3.2.8 The panel will consider all appeals on their individual merits. The procedure will normally be as follows:
- a). The Presenting Officer will be invited to explain the Council's case
 - b). The Appellant and the Panel can ask questions about the Council's case.
 - c). The Appellant will be invited to explain their case.
 - d). The Presenting Officer and Panel will ask the Appellant questions about their case.
 - e). The Presenting Officer will sum up their case (they cannot mention any new evidence or points).
 - f). The Appellant will sum up their case (they cannot mention any new evidence or points).
- 3.2.9 The Panel will make their decisions after they have heard all of the appeals they are dealing with on that occasion. Neither the appellant nor the Presenting Officer will not be present when they make their decision. The Clerk will be present to record the decision and provide legal/procedural advice. The Panel will either uphold the appeal or they will dismiss the appeal.
- 3.2.10 The Clerk will notify the Appellant within 5 working days after the decision is made explaining

the result and how the Panel reached their decisions.

- 3.2.11 The Appeal Panel's decision is final and binding, they cannot review their decision. However, an appellant may make a complaint to the Local Government and Social Care Ombudsman if they feel there has been any administrative fault in the way the Panel has reached its decision.