



Home to School Transport Policy
For children and young people of statutory school age

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Introduction

North Lincolnshire Council is an enabling Council. In line with our One Family Approach, we want all children to be in their families, in their schools and their communities. We want children to be able to travel safely, to attend local schools and to be able to develop skills towards independence in readiness for adult life.

This policy aims to ensure children and young people who live in North Lincolnshire are enabled and supported to be able to get to school and to develop skills towards independence in preparation for adult life, helping them to achieve the best possible outcomes in education in a way that is inclusive and encourages independence. Throughout this document, the term 'children' is used to describe children and young people residing in North Lincolnshire who attend schools, and 'parents' is used to describe parents, carers and guardians.

Parents have a duty to make sure that their children attend school and ordinarily will be expected to fund and organise transport for their child themselves. The council provides free transport services in certain circumstances. It can also use its discretion to help with transport costs in other circumstances. Where a free transport has been agreed, the council will always prioritise funding public transport where this is available; where it is not the council can reimburse parents' who use their own transport, for which a mileage allowance of 45p per mile will be paid

This document is to help parents and schools understand who is entitled to help with transport, and the services that are available.

This policy complies with the relevant provisions of the Education Act 1996, particularly sections 444 and 509. More information on the legal framework and the definitions of *words and phrases used in the policy is given in the Appendix. Through this policy the Council aims to provide equitable, safe, efficient and cost effective transport to all entitled children.

*Words and phrases included in the Appendix are shown in italics in the text.

1. Entitlement to School Transport

1.1 Qualifying Children and Schools

Where children aged four* to sixteen take up full-time places at schools the council has defined as serving the area in which they live (*i.e. catchment school*), or the nearest school, or the nearest North Lincolnshire school, the council will ordinarily only provide free transport between home and school to:

- I. Children aged up to and including seven years where the journey between home and school is **more than two miles**.

- II. Children aged eight and over but below school leaving age where the journey between home and school is **more than three miles**.

The walking distance is measured by the *shortest available route* between the home and the school – along metalled roads, recognised footpaths and the like.

Where a child is refused a place at their *catchment* school, free transport will be provided to the nearest available school, subject to the distance being more than two miles for a child aged up to seven, or three miles for a child aged eight to sixteen. If a place becomes available at the child's *catchment* school before they are on roll at the alternative school, free transport will be withdrawn to the non-catchment school.

* This applies from September following the pupil's fourth birthday

1.2 Low Income Groups

Children who are entitled to free school meals or whose families receive their maximum level of working tax credit and are ordinarily resident at the same address as the child will be entitled to receive free transport if:

- I. they are of primary school age, are attending their nearest *qualifying* school and live more than two miles from the school
- II. they are aged eleven to sixteen, are attending one of their three nearest *qualifying* schools and they live more than two, but less than six miles from that school
- III. they are aged eleven to sixteen and are attending the nearest suitable school preferred by their parents, on the grounds of the parent's *religion or belief* and the school is more than two, but not more than fifteen miles from the home address.

This entitlement is additional to the entitlement given in section 1.1 of the policy. The council measures the two mile limit as the *shortest available route*. The six and fifteen mile upper limits are driving, not walking, routes. The council will measure them along road routes.

Children transferring from primary to secondary school education will be eligible for free transport to secondary school at the National Offer Day for secondary places if their parent provides evidence of low income.

Children aged eight to eleven and children taking up places at secondary school, other than when they are transferring from primary school at age eleven, will become eligible for free transport on income grounds from the date that their parent submits evidence that confirms they meet the low income criterion.

The council will review children's entitlement during each academic year. The council will ask parents to submit evidence that their child is still entitled to receive free transport on income grounds. If parents cannot give us the evidence, or it does not

satisfy the criteria, the council will withdraw free transport from the start of the next academic year.

1.3 Available Walking Routes

The council considers that a route is available to walk to school if a pupil, accompanied as necessary by a parent or other responsible person, can make their own way to school along it in reasonable safety. The council follows *Road Safety GB Guidelines* when deciding if a route is available to walk. Parents of children who attend their *catchment* or nearest North Lincolnshire school can ask the council to check if a route is available to walk if they have concerns about its safety.

If the council designates a route as unavailable for walking, children affected will be eligible for transport support for at least that part of the journey to school that does not meet Road Safety GB Guidelines if they attend the *catchment*, nearest or nearest North Lincolnshire school. Routes that have been confirmed as unavailable, may at a later date become available, for example following changes to a road or footpath. When this happens the council will consult the parents of children affected. A decision will be taken having taken account of comments received. Parents will be given a full term's notice before their child's entitlement ends.

1.4 Parental Preference

The council recognises its obligations under the Education Act, 1996, to comply with parental preferences regarding choice of school. But because the council must use its resources efficiently, it will normally only provide free transport where the preference is for the school designated as serving the area in which parents live (i.e. *catchment* school), or the nearest school, or the nearest North Lincolnshire school. The council considers that any other arrangement would cost too much and be an inefficient use of resources for providing education.

This means that if you wish to apply for places in schools other than those mentioned above, you will be responsible for your child's travel arrangements.

1.5 Split Residency

The council will issue only one bus pass to children who live at two homes during the week and meets the eligibility criteria. The pass will be issued to the home at which the child spends the majority of their time, if it meets the usual eligibility criteria, that is, distance and is within the school's *catchment* area. If the child spends the same amount of time at both homes, the parents must decide which the bus pass will be issued to, subject again to eligibility.

1.6 Special Educational Needs and Disabilities (SEND)

Children with an Education, Health and Care Plan (EHCP), who do not need special transport to get to school or live within a distance they can reasonably be expected and are able to make their own way to school, accompanied by an adult as necessary, are subject to this policy. Further information about the policy for children who need special arrangements with travel is in the 'Home to School Transport Policy for children and young people with Special Educational Needs and Disabilities (SEND)' which is available on the council's website.

1.7 Post 16 Transport

The council reviews and updates this policy annually. Details are available on the council's website.

2. Exceptional Entitlement to School Transport

There are some occasions where transport is provided even though a child would not normally be entitled to receive it. This section of the policy describes the types of exceptional circumstances where this might arise.

2.1 Medical Transport

The council may provide free transport, short or long-term, if the council has confirmation from a medical practitioner that a child who is fit to attend school but is unable to do so because they are unable to walk or travel by their normal means because of medical condition needs additional support. The council may also need its own independent advice from another medical practitioner. The child must attend the *catchment* school, or the nearest school, or the nearest North Lincolnshire school. The council will only provide transport for the time specified by the medical officer. After this period parents are responsible for contacting the council if they wish the transport to continue. Where no period of time has been specified, or the child's medical condition is long term, the council will review the situation at the end of each term. The council will withdraw or may change transport methods if the medical needs improve or cease.

2.2 Transport Assistance for School-Age Mothers

Free transport may be provided for children who are pregnant and school-age parents, regardless of distance, between home and the education provision the council has approved for them in order to enable them to attend. Where reasonable the council expects the young person to travel by public transport. Other transport will be provided only in exceptional circumstances where a special case is made.

2.3 Transport Provision for Exceptional Circumstances

The council may consider providing free transport where there are compelling family circumstances and without it the child could not attend school. If agreed the transport

is usually for a limited period. The types of situations that might be considered to be exceptional are:

- sudden and traumatic change of family circumstances outside the family's control
- child is the subject of a child protection plan and travel provision is included in the plan
- for reasons outside the family's control, they are unable to ensure their child gets to school safely

The situations that the council would be unlikely to consider exceptional are:

- work or study commitments mean the parent cannot take their child to school or a pickup point
- inability to afford existing transport arrangement, e.g., resulting from loss of employment
- Family breakdown and fragmentation.

Applications for exceptional transport must be made in writing with supporting evidence and will be considered by a panel of senior officers in the council. The council will review such arrangements at the end of each term or designated period. The council will withdraw it if the need ceases.

2.4 Transport Provision if the Local School is Full

If you applied for a place at your *catchment* or nearest school before the Admissions deadline, but fail to get a place, the council may provide transport to the nearest suitable school with places available in your child's year group, subject to distance. If you applied after the deadline but could have applied on time or did not express a preference for your nearest and/or *catchment* school, you will be responsible for your child's transport to school.

The council will tell parents when a place is available at the local school. Free transport to the alternative school will cease at the end of the current school term. The council may consider letting the pupil continue to receive free transport to the alternative school, for example if they have attended the school for a long time or if they are in their last year at the school

2.5 Moving House

The council will treat requests for children to stay at their existing school following a family move as parental preference, unless nearer schools do not have places available in the child's year group. Any transport that is provided will be reviewed, and if places become available at a nearer school, transport support may be ended.

If the child is in year eleven, the council may provide transport support if:

- they were attending their *catchment*/nearest school before the move, and

- the move took place because of compelling circumstances

Transport support offered would be a bus pass. Taxis would not normally be provided.

2.6 School Reorganisation / Catchment Area Changes

The council may use its discretion to help with transport for children affected by a school reorganisation. The distance the child has to travel to the new school will be a factor in deciding what support will be provided. Only children who attend the *catchment* school, the nearest school, or the nearest North Lincolnshire school, affected at the time of the reorganisation may receive transport assistance to the new school. This is for as long as they continue to live at the same address.

Children receiving free school transport who are affected by a change in the school catchment area agreed by the council will be protected for the time they attend the school as long as their circumstances stay the same.

2.7 Exclusions and Managed Moves

For permanent exclusions and managed moves, transport will only be provided to the nearest suitable school at which a place is available, if the distance is more than the statutory walking distance and if the journey is at the start and end of the school day. Where that is the case

If a child has been permanently excluded from school, transport will be provided.

At times it may be appropriate for the Local Authority through the Fair Access and Inclusion Panel to ask schools to admit a child from another mainstream school or provision, for reasons other than that the child has moved into a new school catchment area. For example, this may happen when parents and the school agree that the child concerned is at risk of underachievement, educational disengagement and even permanent exclusion in their current school or if relationships have broken down between the child and/or parents/carers concerned and the current mainstream school.

Normally the school will be that nearest to the child's home address. Parental preference will also be taken into account, but this may affect eligibility for transport support if the school preferred by the parent is not the nearest suitable school.

Where a child's *managed move* between schools is co-ordinated and/or confirmed/approved by the council, as set out in the Fair Access and Inclusion Protocol, transport will be provided to the nearest suitable school at the start and end of the school day.

The decision to provide transport will be reviewed if the child's circumstances change, for example if they move to a new address.

Transport will not be provided following a move between schools that was not confirmed/approved by the council following the Fair Access and Inclusion Protocol. Transport will not be provided if as a result of parental preference, the child is moved to a school that is not the nearest suitable school.

2.8 Children In Care

Children for whom the council is the corporate parent sometimes attend schools other than their nearest or *catchment* school. Where the professional staff responsible for the child decide that it would be detrimental to the child's wellbeing to be moved to another school, free transport will be provided to enable them to stay at their current school. This will normally be for a limited period unless they are in their final exam years. If transport is required for longer than a term, and the child is not in year ten or eleven, the position will be reviewed, and if necessary an extension agreed. Reviews will continue until a final decision about the child's school placement is taken and confirmed.

If a child in care is attending their *catchment* or nearest school, but is not entitled to free transport, it will be the foster carer's responsibility to get them to school. Only in exceptional circumstances, approved by a senior social worker, will transport support be provided.

Where reasonable, children in care will be expected to use public transport. Taxis will be provided only if a senior social worker confirms that public transport is unsuitable.

2.9 Alternative Learning Placements

Where placements are full-time, and confirmed/approved by the Fair Access and Inclusion Panel, or children need provision outside school to promote their progress, transport will be provided following the usual distance criteria. Occasionally support will be provided for children who live within statutory walking distance if the council determines this is necessary to secure their attendance. A full time placement may incorporate a split placement, eg 3 days one provision, 2 days another.

Where a placement is part-time or has not been confirmed/approved by the Fair Access and Inclusion Panel, the school at which the child is on roll is responsible for the child's transport. There may be occasions where a child needs to attend TAMNET (Tuition and Medical Needs Education Team) Centre, this is often not full time but in line with how much education a child can physically manage. In such circumstances, transport may be offered.

2.10 Extra-Curricular Activities and Work Placements

The council will not organise transport for children taking part in extra-curricular activities or work experience placements. Parents are responsible for providing transport to these activities.

3. Method of Travel

North Lincolnshire Council is an enabling local authority. We prioritise empowering parents and families to find their own solutions, helping people to be independent and to access support when they really need it. We promote independent, [Active Travel](#).

The transport the Council provides depends on the child's needs, where they live, the school they are attending and vehicles available. When it has been established that a child is entitled to free transport, a risk assessment is carried out to make sure that the transport is appropriate for them and is the most cost effective. Home to school transport may be provided by public bus, rail services, council vehicles, contracted services, and the like. The mode of travel selected for each pupil will be at the sole discretion of the council. This may be:

- a bus pass to enable children to use public transport
- their parents' own transport, for which a mileage allowance of 45p per mile will be paid
- a dedicated school bus
- transport provided specifically for children with special needs, with or without an escort
- a taxi

3.1 Healthy Alternatives to Travelling by Car

In line with the council's Green Future ambition, working together to protect our environment and end our contribution to climate change, we would encourage most families to enable their children to walk or cycle to school. Most schools have a travel plan, one of the aims of which is to encourage children to cycle or walk to school. This will, however, depend on the child's age, adequate and secure cycle parking at school and the route being suitable. The council may provide road cycle training for some primary school age children and where possible work with schools to support cycle and walk to school initiatives. For information on cycle routes [click here](#)

3.2 Picking up / Setting down Points from Home

Statutorily entitled children are collected at a reasonable walking distance from their home. For primary school age children the distance to a pick up point may be up to one mile, for secondary school age children it may be up to two miles. Pick up points will generally be at marked public bus stops or designated points in villages or lane ends. Children will be set down in the afternoon at the point as near as possible to where they were picked up.

Parents are responsible for their children's safety in getting to and from the notified pick up and setting down points. They are also responsible for their children while they are waiting for transport, their behaviour on assigned transport and when they leave the transport at the end of the day.

3.3 Journey Times

The council will do its best to ensure that children are travelling for the shortest possible time. As far as possible children will be conveyed to school by the most direct route. But to use its resources efficiently, the council reserves the right to arrange routes that might give some children a longer, shared and indirect journey. However, the council would not expect any journey to take more than 75 minutes for children at secondary school attending their nearest or *catchment* school.

3.4 Session Times

Transport will be provided for entitled children only at the start and the end of the school day. Transport might be provided at other times at the council's discretion only where there is no additional cost and sufficient notice is given.

If a child has to go home during the day, or stay late at school, it is the school's or parent's responsibility to provide transport.

Where a school changes its session times, and this results in transport costs increasing, for example because a change of contract is involved, the school will be charged for the extra cost. The council ask schools to consult the school transport service before they decide to change their session times so that they can take the impact on school transport into account.

3.5 Use of Parents' Own Transport

If a child is entitled to receive free transport but there is no public service and no suitable transport contract is available, parents willing to drive their children to school may be reimbursed at a mileage rate their parents' own transport, for which a mileage allowance of 45p per mile will be paid. For details contact 01724 297218.

3.6 Mixed Loading

To use its resources efficiently, the council may decide to integrate children from different schools and age groups. This means that children from all age groups and different schools may use the same vehicle.

3.7 Type of Transport

The transport the council provide may be a closed contract school bus, pass to travel on a registered service bus, minibus or taxi. It will depend on the number of children travelling from the area, route along which the vehicle travels, availability of public transport and needs of the passengers on board.

Seatbelts are compulsory in vehicles with up to sixteen seats on public roads. Seatbelts are not compulsory on coaches or public transport vehicles. Where

seatbelts are fitted the council expects children to use them. If they do not the child may be refused transport.

The council does not normally provide passenger assistants on school transport unless following a risk assessment they are considered necessary for the safety of a specific child or group of children.

Some buses have CCTV installed to help to monitor and deal with incidents arising during the school journey, for example resulting from pupil misbehaviour.

4. Operational Procedures

4.1 Behaviour on School Transport

Parents, schools, children, transport contractors and the council all share responsibility for the behaviour of children on school transport.

The council has produced a Code of Conduct for Safe Behaviour on School Transport. You can find a copy on the council's website.

When children misbehave on transport parents will be notified of the incident warning that further incidents may lead to a suspension of transport. For repeated or serious misbehaviour the council may withdraw transport for a period of time. Extreme or persistent misbehaviour that threatens the safety of other children, staff or road users may result in transport being withdrawn permanently. In these cases parents will be responsible for their child's travel to school.

Contractors may seek recompense from parents where their children deliberately cause damage to their vehicle.

4.2 Safeguarding

The council obtains enhanced disclosures from the Disclosure and Barring Service for council staff who work in school transport, taxi drivers and contracted bus drivers. Depending on the content of the disclosure the council will decide whether or not to allow the individual to work on school transport.

4.3 Severe Weather

Transport operators will decide whether or not to run transport in severe weather. They will liaise with the council's school transport office as necessary. If services are excessively delayed, brought forward or cancelled, the council will inform parents via local radio and on the council's website. Schools will often contact parents and post messages on their own websites. The council have issued guidance for parents when transport fails to arrive. This can be found on the council's website.

4.4 Transport Granted in Error

Where there has been an error in the granting of school transport which the council has decided to correct, for example to avoid unnecessary expenditure, it will give one term's notice to parents. Parents have the right to appeal against the decision.

4.5 No Pass, No Travel

On some school buses, in agreement with the school and bus operator, the council operates a 'No Pass, No Travel' scheme. The scheme was introduced to:

- Prevent unauthorised children from boarding buses
- Ensure children travel on the correct bus
- Deal effectively with children who misbehave and have been suspended from transport
- Avoid overloading buses

Drivers check children's passes daily and if they do not have a valid pass they will not be allowed to board the bus, unless it is a registered public service and they pay the bus fare.

The council sends parents information about the scheme before allocating their child a seat on the bus. Parents are responsible for making sure their child has a pass or money for the fare, and that they successfully board the bus each morning.

Children who have mislaid their pass can get a temporary replacement when they get to school. They must apply for a replacement pass before the temporary pass expires.

4.6 Replacement Passes

If a child loses their bus pass, a charge will be made for replacements. You can apply for a replacement pass on the council's website.

4.7 Applying for Transport

When children first start at a North Lincolnshire school in September before their fifth birthday and move up to secondary school at the start of year seven, the council has information about them and their new school in the council's admissions database. The council uses this information to assess the child's eligibility for free transport. The council issues application forms to the parents of children eligible for transport and send them passes once the council has received the completed forms. Families moving into the area whose children are admitted to North Lincolnshire schools during the year should contact the School Transport Service on 01724 297218, or school.transport@northlincs.gov.uk.

5. Complaints and Appeals Procedure

Parents who wish to comment or complain about the service they have received on school transport should follow the council's complaints procedure, details of which are available on the council's website. Alternatively you can call 01724 297000 or visit one of our customer service centres.

Parents can appeal about a decision taken to refuse their child transport. Appeals can be made on the grounds that:

- The policy has not been applied correctly
 - There are compelling grounds to justify making an exception to the policy
- Appeals cannot be made against the policy itself.

The appeals procedure has two stages:

Stage One: Parents should write to the council giving reasons for the appeal, including details of any exceptional circumstances. A senior manager will consider the case and may approve transport support if they consider the information provided justifies it.

Stage Two: The parent may then appeal against the decision taken by senior management by submitting their case in the agreed format to an Appeals Panel. The panel's decision will be final.

6. Contact Numbers

For further information about the policy and its application in practice contact one of the following:

For details of the policy and children's eligibility for transport, call 01724 297218.

For advice about transport once children's eligibility to receive it has been confirmed, call 01724 297216.

Appendix A – The Legal Framework for the policy

A1 Transport Legislation

- The legal (or statutory) basis relating to home to school transport for children of school-age is set out in Section 508, 509 and Schedule 35B of the 1996 Education Act as amended by the Education and Inspection Act 2006.
- Sections 509(1) and (2) place a duty upon local authorities (LAs) to provide free transport where necessary to facilitate the attendance of children and students at schools and institutions both within and outside of the further and higher education sectors.
- Section 509(3) allows LAs to pay for the whole or any part of reasonable travelling expenses when not making provision under 509 (2) above.
- Section 509(4) requires LAs to take certain factors into account including the child's age, the nature of possible routes and parental wishes for the provision of education at a school or institution in which the religious education is that of the religion or denomination to which the parent adheres.
- Section 509AD defines the duty placed on LAs to have regard to religion and belief in exercising their school travel functions.
- Section 508B of the Act deals with the duty on LAs to make such travel arrangements as they consider necessary to facilitate attendance at school for 'eligible' children.
- Section 35B of the Act defines 'eligible children' – those categories of children in an authority's area for whom travel arrangements will always be required. A condition of each category is that they are of compulsory school age.
- Under Section 508B, every feature of these arrangements must be provided free of charge.
- Section 508C of the Act provides Local Authorities with the discretionary powers to make arrangements for those children not covered by Section 508B.
- Statutory Walking Distance is defined in Section 444(s) of the Act as either two miles (if the child is under eight years of age) or three miles (if the child is eight years old or older).
- The Equality Act 2010
- The Act places a duty on local authorities to advance equality of opportunity for all people and to eliminate unlawful discrimination.

- Part 2 Chapter 1 Section 6 of the EA 2010 defines disability.
- Schedule 2 of the EA 2010 describes the reasonable adjustments necessary to ensure that disabled people are not discriminated against.
- The LA is under a legal duty to publish a policy that reflects these provisions.

A2 Definitions

A2.1 Catchment

All community and voluntary controlled schools maintained by North Lincolnshire Council have defined catchment areas as part of their admission arrangements. For the purposes of home to school transport the council also has defined catchment areas for non-maintained schools, including academies. If a school converts to an academy after this policy has been approved, the academy's catchment area will be deemed as the last catchment area determined by North Lincolnshire Council for the community or controlled school.

A2.2 Shortest Available Route

Routes are measured from the nearest point that the home property meets the public highway (e.g. front gate) to the nearest school entrance, which is designated by the school as one that children may use. Private driveways and farm tracks are not included in the calculations. Measurements are strictly applied. To do otherwise would lead to inconsistencies and unfairness. The distance is measured on a computerised geographic mapping system (GIS) using ordnance survey information.

Walking routes (three miles and under) may include footbridges and public rights of way. Driving routes are road routes.

An available route is the shortest one along which a child accompanied by a responsible adult as necessary, can walk to school reasonably safely.

Reasonable safety is determined following guidelines set out by Road Safety GB, see hazardous journey below

A2.3 Qualifying School

For children without an Education, Health and Care Plan (EHCP), these are:

- Community, foundation or voluntary schools
- Community or foundation special schools
- Non maintained special schools
- Alternative provision in which the council has placed the child
- Academies, university technical colleges, city technical colleges, city colleges for the technology of the arts

For children with an Education, Health and Care Plan (EHCP), these are:

- As above, plus
- Independent schools if it is the only school named in the plan, or the nearest of two schools named in the plan

If the child is attending an independent school, which is not a qualifying school, that school will be deemed a qualifying school if it is the nearest school at which the child can become a registered pupil.

A2.4 Religion or Belief

Parents must have chosen a school on the basis of their faith. Evidence is needed, such as that provided by the admission category under which the child was offered a place, and a signed statement from a minister or religious leader to confirm that the parent's belief is genuinely held. The parent's faith does not have to be the same as the school's denomination, but they must have chosen the school because they believed that the faith school would provide education more in line with their faith than a non-faith school.

A2.5 Road Safety GB Guidelines

Where a parent questions the suitability of a walking route, a council officer will complete an assessment applying Road Safety GB guidance. The guidance takes account of the following factors:

- If there is a footpath along the entire route it will almost always be considered suitable
- Absence of a footpath will not necessarily make the route unsuitable, as long as there is room to step off the road and allow traffic to pass
- Blind bends, sight lines and road narrowing
- Road crossing points and traffic volumes

Note – lonely roads, moral danger, water courses, unmanned level crossings, motorway bridges and absence of street lights are not factors taken into consideration when making a route assessment. Neither are parents' financial circumstances, domestic arrangements and weather conditions taken into account.