

Transport to school

This factsheet explains:

- who decides whether your child is entitled to transport to school
- when your child might be entitled to free transport
- who is responsible for your child's safety on school transport.

Who decides if my child is entitled to transport to school?

Under the law¹, local authorities are responsible for making the arrangements they consider necessary to provide free transport to school for pupils in their area.

The law also allows local authorities to provide free transport even when they do not have a legal duty to do so. This means that different local authorities have different policies about providing free transport. You can contact your local authority to find out about their policy and whether your child is entitled to free transport to school.

Distance from school

Local authorities must provide free transport to pupils who live further away from their school than the 'statutory walking distances'. These are:

- two miles for pupils under eight
- three miles for pupils eight and above.

When does this apply?

This applies if your child attends their catchment school or if they go to a school that the local authority has placed them in (for example, if the local school cannot meet their needs). If your child is 16 or older, your local authority may continue to help with transport costs.

Regardless of the distance, local authorities must consider the safety of the route to school for pupils and can provide free transport if necessary.

¹The Education (Scotland) Act 1980

When does this not apply?

If you make a successful placing request to a school run by a local authority, the local authority does not have a duty to provide your child with free transport to attend. This includes when the distance to the school is further than the 'statutory walking distance'. The local authority can decide to provide transport, but they do not have to.

The law on free transport and placing requests is complicated. It is important to discuss transport with the local authority before making a placing request. You can also contact our helpline for advice.

Transport to independent special schools

If you make a successful placing request to an independent or grant-aided special school in Scotland or a school elsewhere in the UK, the local authority is responsible for paying the fees and other necessary costs of attendance, including transport.

Additional support needs

If your child's needs or circumstances make it difficult for them to get to and from school, your local authority may decide to provide transport for them, even if they live within the 'statutory walking distance' of the school. This might be part of the support your child needs to be able to do the best they can at school.

If your child is disabled, the local authority must make 'reasonable adjustments' for them to make sure that they are not disadvantaged. In some circumstances, providing transport might be considered a 'reasonable adjustment'.

You can contact the local authority to discuss your child's situation and what options may be available for them.

Moving house

If you are moving house, you may wish for your child to stay at their current school. Your child cannot be forced to leave their school unless they are excluded. You can ask the local authority if they will provide transport for your child to stay at their current school, but they do not have to agree to this.

Spare seats

The local authority has a duty to offer any spare seats on a bus or taxi to other pupils. They can charge for this if they wish. They can also withdraw the offer if the seats are later needed for pupils who are entitled to or need free transport. If they do this, they should give a period of notice to pupils who are currently using the seats.

Other circumstances

The local authority may also pay travel costs or make arrangements for free transport to:

- children in pre-school education
- pupils whose family are on a low income
- pupils who are looked after
- pupils whose family are temporarily homeless
- pupils who are temporarily unable to attend the school they are enrolled at due to illness, and are receiving education elsewhere.

Who is responsible for my child's safety on school transport?

The local authority is responsible for your child's safety and supervision while on transport to and from school. When deciding what type of transport is best, the local authority should consider your child's safety, their age, and their additional support needs.

The local authority should involve you and your child from the start in discussions about transport. For example, you should agree in advance what will happen if there is a medical emergency on the journey.

Escorts may be employed to be with your child in the taxi or bus on the way to and from school. They need to know about your child's needs and should receive training if necessary. Drivers may also need specialist training. By law, anyone who provides childcare or supervises children must be fully checked through Disclosure Scotland.

All vehicles that are provided or arranged by a local authority for school transport must have a seat belt fitted to each passenger seat. If adaptations are needed for children with additional support needs, the local authority should assess what changes are needed and make the necessary arrangements.

Where can I find out more?

Local authority information www.enquire.org.uk/local-authorities

Your local authority's school transport policy should have information about how they make decisions on eligibility for transport. You can usually find the policy on the local authority's website, or you can contact them to ask for a copy.



How Enquire can help

Enquire can help you understand your child's rights to additional support for learning and how to work in partnership with their school or nursery to make sure your child gets the support they need.

Enquire can:

- explain your child's rights to additional support for learning
- listen to any questions and concerns
- advise you on the way forward
- help you find local education and support services.

You can contact our helpline on **0345 123 2303** or info@enquire.org.uk
Access to interpreters is available.

You can also find lots more information about additional support for learning, including our full range of publications, at www.enquire.org.uk

The information on our website is available in over 100 languages and with a range of accessibility tools, such as text-to-speech.

Reach is our website for children and young people. Reach helps pupils to understand their rights to feel supported, included, listened to and involved in decisions at school: www.reach.scot

Enquire is also a partner in the My Rights, My Say service. My Rights, My Say supports children aged 12-15 with additional support needs to exercise their rights to be involved in decisions about their support in school:
www.myrightsmysay.scot

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