

Children, Families and Schools
**Suspension and Withdrawal of
 Home to School and College
 Transport for Unacceptable
 Behaviour**

Parental Guidance

Background

Home to school and college transport is provided free of charge to children who are eligible under the terms of the Home to School and College Transport policy. Children who are not eligible to free transport may be able to purchase a travel pass or pay a fare. All passengers on home to school and college transport are entitled to travel in a safe environment.

This parental guidance has been developed to ensure parents:

- Are aware of the acceptable behaviour guidelines
- Know under what circumstances suspensions and or withdrawals from transport can be implemented
- Are aware of the process to implementation
- Know how to appeal decisions
- Understand their legal duty in relation to school or college attendance during any suspension or withdrawal of home to school and college transport

East Riding of Yorkshire Council promotes the Buswise scheme which includes an acceptable behaviour guide which informs children and parents what standards of behaviour are expected when on home to school and college transport.

Definitions Used in This Guidance

Home to School and College Transport	Any vehicle procured or provided by East Riding of Yorkshire Council for the purpose of transporting children to, and from, home and school or college.
Buswise	Scheme promoted by East Riding of Yorkshire Council to provide education and training for pupils using home to school and college transport. The scheme also provides a reporting mechanism for incidents which occur on home to school and college transport.
Acceptable Behaviour Guide	Published as part of the Buswise scheme and gives the acceptable levels of behaviour expected from children travelling on home to school and college transport.
Vulnerable Groups	Vulnerable groups include children with Education, Health and Care Plans, Looked After Children, children on a child protection plan, Travellers and any other group considered vulnerable by the Executive Director of Children, Families and Schools.
Parent	Anyone who has parental responsibility for the child and/or any adult with day-to-day care and responsibility.

Guidance

Where there are reports through Buswise of significant, or repeated, breaches of the acceptable behaviour guide, a child may have their transport suspended or withdrawn.

Behavioural expectations on home to school and college transport, these include (in line with the BUSWISE website):

- Sit down immediately, put your seat belt on, if available, and remain in your seat for the whole journey
- Keep all your belongings to yourself and do not throw objects inside or outside the transport
- Refrain from eating or drinking in the transport
- Use socially acceptable language
- Speak quietly and do not distract the driver
- It is an offence to smoke or vape in confined spaces, therefore smoking and vaping on our transport is not permitted
- Treat other passengers and the driver with respect at all times, verbal and/or physical bullying and harassment will not be tolerated)
- Respect the vehicle, damage and/or interference with the vehicle is prohibited
- Respect the property of others and do not interfere with it in anyway
- Listen to and follow the instructions of the driver and the teacher in charge when you arrive at/leave your school or college
- Behave in an appropriate way and do not put others at risk

When deciding whether to suspend the child from home to school and college transport for a period of time, officers and schools or colleges will have to make a judgement based on the information received through Buswise that is available to them. Officers and schools must also consider any special educational need or disability the child may have and ensure their decision is not discriminatory on this basis.

Clear reasons for any decision will be recorded by Transportation Services and where a child is suspended from school or college transport, parents will be informed by Transportation Services of the reasons together with the period of the suspension and any requirements prior to reinstatement of home to school and college transport.

Schools and colleges share responsibility with the local authority and operators for ensuring acceptable behaviour on home to school and college transport. Where incidents of poor behaviour are reported, schools or colleges will normally deal with pupils using the school's or colleges behaviour policy. Where a school or college feels that the appropriate sanction is the suspension of transport, they would then make this recommendation to Transportation Services, who may suspend or withdraw access to transport.

Length of Suspension

Each case will be considered on the facts and merits of the case. Suspensions will be reserved for continued breaches of expected behaviour and/or serious incidents where there is a risk to the safety of the pupil or others on the same transport. Suspension will not normally be for more than 10 school or college days. Only in exceptional circumstances will a suspension for more than 10 school or college days be imposed.

Authorisation of Suspension and or Withdrawal of Transport

Suspensions for continued breaches of behavioural expectations will ordinarily require authorisation by a member of the Transportation Management Team, and the School Place Planning and Transport Officer in consultation with the Head teacher. For children in a vulnerable group, including those with a special educational need or disability, the appropriate service will also be involved in the decision.

However, in exceptional circumstances where the child's behaviour is of a serious nature (i.e. physical assault) and time and safeguarding others is of the essence, Transportation Services may make the decision to suspend the child's access to transport in isolation. This decision is final and will not be postponed pending an appeal. In these circumstances if the child is not excluded from school or college, the parent has the responsibility to get the child to school or college and back. Transportation Services may be able to offer an alternative, but this is not guaranteed.

For repeated breaches of low-level behaviour expectations parents will be warned in writing of the potential consequences before a suspension is considered by Transportation Services.

In exceptional circumstances where a child's behaviour necessitates access to home to school and college transport to be suspended at short notice, Transportation Services will contact the parent and provider to inform them of the decision and follow this up in writing as soon as possible.

Permanent **withdrawal** will require authorisation from the Group Manager, Transportation Services and the Head of Education, Commercialism, Policy and Compliance in consultation with the Head teacher. For children in a vulnerable group, including those with a special educational need or disability, the appropriate service manager will also be involved in the decision. Parents will be notified in writing by Transportation Services of the withdrawal to access home to school and college transport, including their right to make representation.

Representations

Parents may make representations against the imposition of a **suspension** for less than one term. The representation must be submitted in writing to the Head of Education Commercialism, Policy and Compliance via schoolorganisation@eastriding.gov.uk. This will be considered by the Head of Education Commercialism, Policy and Compliance and Group Manager, Transportation Services. Parents will receive a written response within 10 working days. The outcome of this is final.

Where the period of suspension crosses over with an appeal investigation (usually in cases of immediate suspension following a serious breach) Transportation Services may be able to support parents in finding alternative home to school or college transport, but this is not guaranteed and parents would then be responsible for getting their child to school or college and back.

Parents can make representation against a **suspension of more than one term, or a permanent withdrawal** of access to home to school and college transport. The representation must be submitted in writing to the Executive Director of Children, Families and Schools at East Riding of Yorkshire Council, County Hall, Cross Street, Beverley, HU17 9BA. A case conference will be convened within 10 working days and the Executive Director of Children, Families & Schools will chair the conference and the following will be invited to attend the case conference:

- A representative from Transportation Services
- A representative from Inclusion Services
- A representative from the school
- Parents
- The child concerned (where appropriate)
- Other care professionals (when involved)
- Bus/Taxi service operators (where appropriate)
- Education Health and Care Officer (if appropriate)

Access to Education During Period of Suspension

When a child is suspended from home to school and college transport or it is withdrawn, the responsibility for ensuring the child's attendance at school or college and the provision of any alternative transport lies with the child's parents. However, the Council will have regard in such cases to its duty under section 509 of the Education Act 1996 for the provision of transport or otherwise as it considers necessary for facilitating attendance.

If a child of compulsory school age does not attend school during the period of a suspension, the Education Welfare Service will be informed and appropriate action will be taken.

Transport Providers' Right to Refuse Transport

In the case of a serious potential risk to health and safety, bus operators can, under the Public Passenger Vehicles Act 1981, refuse to carry a passenger if they decide that by carrying that individual there would be a serious risk to the health and safety of the driver and passengers on the vehicle. If this involves an East Riding of Yorkshire Council service, they will then forward details of their evidence using Buswise to the Transport Commissioning Manager, and it will be considered in conjunction with the School Place Planning and Transport Officer. Where a pupil is refused transport by a bus operator under the Public Passenger Vehicles Act 1981, but not by the Council, alternative home to school and college transport may be provided by the Council until the matter is resolved, but this is not guaranteed.

If you require further information please contact:

transport.requests@eastriding.gov.uk

or

schoolorganisation@eastriding.gov.uk