

Guidance notes to support the Home to Educational Establishment Transport policy

Mainstream travel assistance for children and young people

What you need to know

Mainstream home to school travel assistance

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Introduction

Cheshire West and Chester Council 'the Council' provide travel assistance for children and young people in certain circumstances. This guidance sets out details of eligibility, the application process, modes of travel offered, useful contacts and if applicable, the contributory charges.

Eligibility

1. Whose responsibility is it to get my child to school?

It is the responsibility of the parent/carer to ensure that their child/children get to and from school at the appropriate time each day. Travel arrangements are an important consideration when parent/carers are making preferences. You should think about how practical it is to choose a school which is not within walking distance, unless it is designated as your nearest qualifying school. It is your responsibility as a parent/carer, to ensure home to school travel arrangements are in place.

Parents/carers are expected to accompany their children to and from school or make other suitable arrangements. A child will not normally be eligible solely because their parent or carer's work commitments or caring responsibilities mean they are unable to accompany their child themselves.

2. Who is 'eligible' to receive free travel assistance?

There are four main criterion for free travel assistance that a local authority has to consider. They are outlined below:

Statutory walking distances eligibility

To provide free travel assistance for pupils of compulsory school age (aged 5 to 16) if their nearest qualifying school is:

- beyond 2 miles (if below the age of 8) or
- beyond 3 miles (if aged between 8 and 16).

Special educational needs, a disability* or mobility problems eligibility

To make travel assistance arrangements for all children who cannot reasonably be expected to walk to their nearest qualifying educational establishment because of their mobility difficulties or because of associated health and safety concerns related to their Special Educational Needs (SEN) or disability*. Eligibility for such children will be assessed on an individual basis in order to identify their particular travel assistance requirements.

*As per schedule 35 of the Education Act 1996, disability is as defined in section 6 of Education Act 2010 as: a person has a disability if they have (a) a physical or mental impairment, and (b) that

impairment has a substantial long-term effect of the ability to carry out normal day-to-day activities. Therefore a chronic health condition (medical needs) may lead to eligibility under this definition.

Unsafe route eligibility

Make travel assistance arrangements for all children who cannot reasonably be expected to walk to their nearest qualifying school because the nature of the route is deemed unsafe to walk.

Extended right eligibility

To provide free travel assistance where pupils receive free school meals if:

- the nearest qualifying school is beyond 2 miles (for children over the age of 8 and under 11 (primary aged-child))
- the school is between 2 and 6 miles (if aged 11 to 16 and there are not 3 or more suitable nearer secondary schools)
- the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11 to 16).

Please note: Maximum Working Tax Credits have been replaced by Universal Credit 5 April 2025. Free School Meals remain the only qualifying criteria for 'extended rights' eligibility.

Please note: the transitional protection for Free School Meals ends on 31 March 2025.

From 1 April 2025, any existing claimants who do not meet the eligibility criteria at that point will continue to receive Free School Meals until the end of the child's current phase of education e.g. the end of primary or secondary school. As a result, this will first affect pupils currently in year 6 or year 11 first.

Any new applications made on or after 1 April 2025 will not receive this transitional protection.

3. What is classed as a 'nearest qualifying' school?

A nearest qualifying school is taken to mean a school with places available that provides education appropriate to the age, ability and aptitude of the child, as well as any SEN that the child may have.

Travel assistance is only offered to pupils attending their nearest qualifying school, subject to meeting the eligibility criteria mentioned above.

Please note the nearest qualifying school with places available may not necessarily be the catchment school for your home address.

4. What is a suitable school?

A suitable school for school travel purposes is a qualifying school that is suitable for the child's age, ability, aptitude and any special educational needs they may have. 'Suitable school' does not mean the most suitable school for a child. Schools are able to meet a wide range of needs. The nearest secondary school to the home of a child of secondary school age, for example, will almost always be their nearest suitable school (provided it would be able to admit them).

5. What is compulsory school age?

Compulsory school age begins at the start of the term following a child's 5th birthday. Since the raising of participation age in 2015, legislation requires all young people to stay in a designated learning environment until the age of 18, (for further details see the post 16 transport policy statement). However, the raising of participation age does not alter the considered compulsory school age for travel assistance eligibility purposes, which remains at 16.

6. What else do you consider when looking at eligibility?

At the point when eligibility for travel assistance is considered, the prospect of being able to secure a place in an alternative (usually nearer) school must be a real one. For most cases this will be during the normal school admissions round when places are being finally allocated by the School Admissions team. The Transport Commissioning Service will liaise with the Admissions team at this point in order to determine availability of places and the prospect of being offered a place.

7. If my child lives between two addresses, will the council consider providing travel assistance from both addresses?

In the event that a family has separated, travel assistance will only be provided from one address. The assessment will be carried out from the address which was identified on the school preferences. In the event of a Court Order, a copy of the Court Order will be required for our legal team to review. However, the Court Order usually dictates the care arrangements for the child/ren and does not compel a council to provide travel assistance from both addresses. In the event that parents cannot provide one nominated address, the address which is registered to receive the Child Benefit will be nominated by the Council.

Route assessment

8. How do you measure the route to the nearest qualifying school for the purpose of eligibility for travel assistance?

The measurement of the statutory walking distance to the nearest qualifying school is not necessarily the shortest distance by road. It is measured by the shortest

available route, that is not classed as hazardous for a child to walk, accompanied as necessary by an appropriate adult. As such, the route measured will include footpaths, bridleways, and other pathways, in addition to recognised roads. Please note: private driveways/private roads are excluded from the measurement. And hazardous routes are only considered when a child is attending the nearest qualifying school.

The Transport Commissioning Service uses a bespoke in-house digital GIS mapping system which identifies the shortest available route. The systems measurements can include a combination of footpaths, bridleways, other pathways, in addition to recognised roads. Measurements along roads will also be considered, even if there is no continuous footpath, as long as the route has not been classed as hazardous. Private driveways/private roads are excluded from the measurement. Measurements start from the pupil's home gate or end of drive nearest to the school to the nearest gate/entrance of the school grounds. Some internet packages might show a different measurement as they may only use the road network to measure distances. The system takes into account routes that have been classified as recognised hazardous routes and would therefore not expect any accompanied child/young person to walk along a route which has been deemed unsuitable on safety grounds. Where it is considered that the route may be 'hazardous', an assessment of the route will be made. An assessment will also be made for an eligible pupil in response to parental concerns about the safety of a walking route to a bus-stop. Further information about the calculation of distances and hazardous routes are to be found in Appendix four - Guidance on Walking to School routes. In instances where the suitability and safety of a walking route is in question, the final decision will rest with the council.

Children may sometimes live a very similar distance from more than one school. Where the schools are within the statutory walking distance, the Council will determine which is the nearest by measuring the shortest walking route. Where the schools are beyond the walking distance, the Council will continue to measure the shortest available route, and these routes may use a combination of road networks, cycleways and footpaths - whichever would result in providing the shortest route available. The method for measuring these distances will vary depending on the various routes available. The measurement does not include private driveways/private roads.

The 2-mile limit for extended rights eligibility is measured in the same way described above as the statutory walking distances. However, routes that measure beyond the 6-mile upper limit and the 15-mile upper limit to a qualifying school preferred on grounds of religion or belief are measured along routes that are passable using a suitable motorised vehicle. In short, the upper limits are measured along driving routes.

9. My neighbour has been given distance measurements for their nearest qualifying schools: can I assume mine will be the same?

No. Distance measurements are completed for each application and we would therefore advise you to contact the commissioning service by email (SchoolTransport@cheshirewestandchester.gov.uk) in order to find out measurements specific to your own home address.

10. I've been told the distance measurement for nearest qualifying school is calculated as straight line distance (as the crow flies) - is this correct?

Distance measurements for travel assistance purposes are calculated on the shortest available walking route up to 3 miles or driving route for distances over 3 miles and the upper limits. For school admissions purposes, the Council uses straight line measurements to determine the nearest school with a place available. Therefore, the nearest school for admissions purposes and for travel assistance can be different.

When considering your nearest school for school travel assistance purposes please contact a member of the transport team by email (SchoolTransport@cheshirewestandchester.gov.uk) who will undertake a measurement specific for your home address.

Admissions criteria and travel assistance criteria

11. Is catchment still a priority for gaining a school place?

Yes, for school admissions purposes but not for a child's eligibility for travel assistance. The admissions policy and transport policy are prescribed and administered through different pieces of legislation.

As required by the School Admissions Code 2014, 'the Code', Cheshire West and Chester Council makes arrangements for parents and carers to express their preference, when applying for a school place, for the school where they wish their child to be educated. Parents/carers may express a preference for any state-funded school. As required by the Code, the admissions authority for a school must set out their arrangements for the criteria against which places will be allocated at the school when there are more applications than places. The Code sets out a list of acceptable oversubscription criteria and 'living in the catchment area' is included in the list.

Home to School travel assistance for children/young people is provided by the Council either on a mandatory or a discretionary basis under the Education Act 1996, 'the Act' and the Education and Inspections Act 2006. Section 508 B of the Act sets out the duty placed on councils to make such school travel arrangements as they consider necessary for an 'eligible child' who is attending the nearest qualifying school. The nearest qualifying school **may not** be the catchment school. Cheshire

West and Chester Council only provide travel assistance to those pupils attending their nearest qualifying school. This means that travel assistance will not be provided to the catchment school if there is a nearer qualifying school to the home address.

12. What if my nearest qualifying school, as designated for travel assistance purposes, is historically always over-subscribed?

In order to ensure that travel assistance eligibility is considered fairly and consistently, where an applicant is not attending their nearest qualifying school, the Transport Commissioning Service will liaise with the Admissions team to see whether the prospect of the child being able to secure a place at an alternative, nearer school(s) would have been a real one i.e. whether the applicant could have been allocated a place at a nearer school(s) at the point of final allocation had they stated a preference for one.

If it is determined a place would have been available at a nearer school, at the point of admissions final allocation, then travel assistance will not be provided. However, if it is found there were no available places at a nearer, over-subscribed qualifying school, travel assistance would be provided to the next nearest school with places.

This assessment process will be applied regardless of whether you put your nearest school (for travel assistance purposes) as your first, second or third preference, or not at all, on your admissions application. We will still consider whether you could have been offered a place at a nearer school.

13. Travel assistance is a main consideration for me when choosing a school. Will I be disadvantaged in gaining a place at my preferred school if I were to rank it as my second or third preference and put the nearest (for travel assistance purposes), previously oversubscribed, school as my first preference? Would families who had ranked my preferred school as their first preference be given priority over me?

All preferences are considered on the basis of 'equal preferences'. This means that all your preferences will initially be considered without reference to their ranking.

Example one - where a place can be offered to more than one preference (if the schools are undersubscribed or you have a high enough criterion) a single offer will be made for the school you ranked the highest.

Example two - where a place cannot be offered at the school ranked as your first preference (the school is oversubscribed and you do not have a high enough criterion, e.g. 'distance') and you have a higher criterion for a school ranked as your second preference (e.g. 'catchment') your second preference would be given priority

over an applicant who has requested that school as their first preference but has a lower criterion. The same applies through to third preference.

Please refer to the oversubscription criteria of each school as there may be differences.

It is strongly advised that the admissions application is made on time by the published closing date for applications, as late applicants will be disadvantaged.

14. My child attends a feeder primary school to our catchment high school but this is not deemed, for travel assistance purposes, my nearest qualifying school. My child is less likely to get in at my nearest qualifying high school, what should I do?

When making your application for a school place you will need to consider both the school admissions and the school transport policies carefully. You will need to consider how you plan for your child to travel to and from school. When assessing travel assistance eligibility, the Transport Commissioning Service determines whether the prospect of the child gaining access to the nearest qualifying school would have been a real one. You may wish to discuss specific schools' historical intakes with the Admissions team in order to gain an understanding of distances applied for admissions purposes.

You may also wish to contact the transport commissioning service by email (SchoolTransport@cheshirewestandchester.gov.uk) who will be able to carry out distance measurements specific for your home address and advise which schools you may be eligible to receive travel assistance to.

Post 16 mainstream

13. Is travel assistance offered to mainstream post 16 students?

There is no statutory duty for the Council to provide mainstream post 16 travel assistance.

The Council will, however, continue to exercise its discretionary powers when considering individual cases of low income/hardship. Where low income/hardship can be demonstrated, the Council will consider providing support in order to remove transport as a barrier to an individual's continuation into further education. For further information on post 16 hardship/low-income criteria see Appendix 3 – post 16 transport hardship assessment, and the Post 16 Transport policy statement.

Families may wish to apply for a 16 to 19 bursary fund. The 16 to 19 bursary fund is a central government scheme set up to help 16 to 19 year olds continue in education, where they might otherwise struggle for financial reasons. It is made up of two parts: bursaries of up to £1,200 a year to the most vulnerable young people; and

a discretionary fund for schools, colleges, academies, training providers to distribute to other students who face genuine barriers to participation, which could include transport costs.

The 16 to 19 bursary fund guide for providers, which sets out arrangements for the scheme, is available to download from the government's education website:

<https://www.gov.uk/1619-bursary-fund>

Exceptional circumstances

15. Is travel assistance offered to children in temporary residential circumstances?

Requests will be considered on a case-by-case basis. For families in temporary accommodation as a result of becoming homeless, travel assistance may be provided for up to 56 days so that the children can continue to attend school. Thereafter, it is expected that a more permanent housing solution will have been found. In cases where this is proving challenging and the family has been relocated to dispersed temporary accommodation by the council, travel assistance may continue to be provided for up to 6 months. Families are expected to find a more permanent residence during this time and travel assistance will cease 6 months from the date they moved into the dispersed accommodation.

Once permanent accommodation has been found, the usual transport policy will apply. Parents/carers may want to consider school placements and how a child will travel to and from school following their move into permanent accommodation.

16. Is travel assistance offered to children in the care of the local authority (children in social care)?

The allocation of a school or educational establishment will be reviewed as part of the child/young person's regular care plan review, especially where a child has moved from one placement to another. The Council has a duty to consider travel time to and from a school when looking to secure or maintain an educational placement and where this is felt to be excessive, it may be that a suitable school closer to the child's residential placement may be more appropriate. In the event that all professionals involved feel that maintaining the current educational placement would be in the child's best interests, travel arrangements will be made for the child to continue to attend the school.

17. What if I live under the statutory walking distance but have exceptional circumstances?

Travel assistance may be provided if you are able to demonstrate sufficient evidence of exceptional circumstances. Typically, parents/carers will need to submit an eligibility appeal for their case to be reviewed by an officer at a stage 1 appeal. The

officer will consider the information provided to determine whether the circumstances experienced by the family are exceptional, i.e. would not typically impact other families.

When determining whether to offer travel support, consideration will not be given to:

- Parents/carers work or other commitments, such as having children at different schools
- Personal circumstances when considering drop off/collection points and times
- If a parent chooses to send their child to a school that is not the nearest suitable qualifying school to the home address
- A journey from one educational establishment to another, including for off-site training
- Induction days, transition timetables, taster days, open days or interviews
- Work experience
- School trips (for journeys of this nature the organising school or institution will be responsible for travel arrangements)
- Dental, medical or hospital appointments, or other non-educational appointments
- Children taken ill during the day
- Children who are excluded during the day
- Examination timetables – travel will not be tailored to examination timetables; it will only be provided at the standard school start and finish times
- Out of hours clubs (breakfast club, after school activities); for journeys of this nature parents/carers will be responsible for travel arrangements
- Where the child is attending respite care, or similar, care - requests for support to and from respite should be directed to Social Care within the Council's Children and Family Service. In these instances, a travel solution will be the sole responsibility of the child or young person's parent/carer.

Application and appeal process

19. How do I apply for mainstream travel assistance?

Where a child is transitioning to secondary school in September, an automatic eligibility assessment for travel assistance will be completed after National Offer day. There is no need for parents to apply for travel assistance during this phase.

For children of any other age, you can apply online via the [school and college transport webpage](#). You should apply as soon as your place at the school is confirmed (and before 30 June). The Transport Commissioning Service will write to you to confirm whether or not your application meets the eligibility criteria.

If you are applying for travel assistance and your child has an EHCP, please use the special educational needs (SEN) transport application form and refer to the guidance note for pupils with SEN and/or a disability.

If your child has a temporary mobility difficulty that prevents them from walking to school in reasonable safety whilst accompanied, please use the medical needs transport application form.

20. If my application does not meet the eligibility criteria, can I pay for a seat on the school bus?

If there are no commercial services operating in the area you may be able to purchase a 'spare seat' on a school bus operated by the Council. There is a fixed charge for a spare seat which is £880 for the academic year. This can be paid in three termly or six half-termly instalments. When available, spare seats are offered in date order using the following criteria:

- pupils living in Cheshire West and Chester who have paid for a spare seat in the previous year and have applied to us before 30 June
- new applicants (and previous pupils who miss the above deadline) living in Cheshire West and Chester in order of date application received
- any pupils living outside of Cheshire West and Chester.

Spare seats are offered from the closest available point to a pupil's home address, and usually towards the end of September, once all eligible children have been allocated a seat.

Please contact the educational establishment (school/college, etc.) if the bus service is provided directly by them.

21. Can I appeal against the eligibility decision if my application for travel assistance is refused?

Yes. If you feel the policy has not been applied correctly or you have exceptional circumstances you wish to be considered you can ask for your case to be reviewed. For further details regarding the [eligibility review process](#) please visit the school and college transport webpage and see section 7 for further information on exceptional circumstances.

Hardship/low-income

22. What if I am on low-income?

For compulsory school age children (aged 5-16):

If your child is of compulsory school age and is in receipt of free school meals, free travel assistance will be provided if you meet the eligibility criteria as noted in section 'who is eligible for free travel assistance.'

If your child has been deemed eligible for assistance on medical needs grounds, but is not attending their nearest qualifying school, is of compulsory school age and is in

receipt of free school meals a contributory hardship charge will be applied for the travel assistance offered.

For non-compulsory school age children (aged 0-4 years and 16-19 years):

The criterion for determining low income for non-compulsory school aged pupils is not prescribed as it is for compulsory school aged children. The Council has developed a discretionary hardship assessment process in which it will take into account the whole household income and expenditure. Applicants wishing to be considered for discretionary hardship will be expected to complete and submit a hardship application form to the council's Benefits team in order for their financial circumstances to be assessed. Where low income/hardship is determined a contributory hardship charge will be applied for the travel assistance offered.

Types of travel assistance offered

23. If I meet the necessary eligibility criteria what form of travel assistance is my child likely to be offered?

Pupils will be offered travel assistance on either a contracted school bus or a pass for use on a commercial service. Where neither of these options are appropriate, a smaller vehicle could be contracted. The type of travel assistance offered is at the discretion of the Transport Commissioning Service and will be dependent on what transport is available in the area. Parents/carers can request that their child be given a cycle allowance which is £80 per year. A very small number of pupils for whom there is no available transport in their area may be offered a mileage allowance. Provided that your application is received in time, travel passes for use on the bus will be posted to you in August. Details regarding pick-up and drop-off points and time, name of the operator and expectations of how your child should behave on the journey to and from school will be included.

24. What if I disagree with the mode of assistance offered?

The Council is responsible for making such travel arrangements as it considers necessary in order to facilitate a child's attendance at the relevant educational establishment. If you are dissatisfied with the offer made you can ask for the decision to be reviewed via an online appeal form which will trigger the first of a two stage suitability appeal process. For further details please see the [school and college transport webpage](#).

Conditions of assistance

25. Are there any conditions that I/my child have to abide by when accepting travel assistance from the council?

Travel assistance is provided to and from school for children who qualify under the Home to Educational Establishment Transport policy on the basis that parents, children, schools, council and transport operators have a shared responsibility for its safe and secure operation in the interests of all the parties. A number of considerations are set out below:

Children's behaviour:

The Council may suspend its provision of travel assistance or employ other sanctions, as it considers appropriate, in the case of any pupil or student whose behaviour during the journey to or from their educational establishment is not of an acceptable standard. This includes smoking or vaping on buses. In addition, schools can employ a number of sanctions ranging from detention to exclusion in order to deal with persistent misbehaviour on school transport.

If your child causes a disruption or jeopardises the safety of passengers or road users, we can change their travel assistance arrangements or suspend them from receiving travel assistance. It will then be your responsibility to get your child to and from their educational establishment.

If your child causes deliberate damage to a vehicle, you will be expected to pay for the cost of repairs.

Parental responsibilities:

It is the obligation of parents under education law to secure their children's safe travel to and from their educational establishment. Parents are responsible for their children until they are received onto the educational establishment premises and after they leave.

Assessments regarding the safety of a particular walking route assume in each case that children are accompanied. Where necessary, therefore, it is incumbent on parents/carers to make arrangements for their child to be accompanied to and from the educational establishment by another responsible person, if they themselves cannot be available.

Council responsibilities:

Travel assistance is effective from date the child was assessed as being eligible. The Transport Commissioning Service have 10 working days in which to send a bus pass out to parents/carers. Should there be any delays to this, parents/carers may be able to receive a reimbursement, if they are able to provide evidence of expenditure from day 11 after receiving the outcome letter from the Transport Commissioning Service confirming eligibility. Travel assistance will not normally be provided retrospectively.

26. Are there any circumstances where travel assistance could be withdrawn?

Yes:

- where, for any reason, travel assistance has been approved in error, the Council reserves the right to withdraw that provision at any time convenient to the Council, and will normally do so, after giving due notice of its intention to do so
- where there is a change to the walking route (e.g. the building of a new road or path) or the re-classification of a hazardous route (e.g. as a result of a pedestrian crossing being installed) which brings the home to school distance within the prescribed distance, pupils will no longer be entitled to free travel assistance. This change will affect all pupils after parents/carers have been provided with a reasonable period of notice, which is normally one term
- where a child has demonstrated unacceptable behaviour
- where a child moves house or school and no longer fulfils the eligibility criteria.

27. Will my child need to carry their bus pass every day?

Yes. Your child will need to carry their pass and show it to the driver every day. If they do not carry the pass they will be expected to pay the bus fare or may be refused access to the vehicle.

28. What happens if my child loses their bus pass?

If your child loses their pass you should purchase a new one promptly. Go to the [school and college transport webpage](#) or call us on 0300 123 7039. You will need to quote your child's reference number.

Change of details/circumstances

29. What happens if we move house or my child changes school?

Please tell us immediately as we will need to reassess your child's eligibility for travel assistance. You can email schooltransportenquiries@cheshirewestandchester.gov.uk. If you move house and no longer require travel assistance please return the bus pass to us. This ensures that the transport operator is paid only for the journeys that are actually made, helping us to keep costs down.

30. What if I need to cancel my child's travel assistance?

If your child is unable to attend school or travel assistance is no longer required you will need to contact the transport commissioning team as soon as possible by emailing schooltransportenquiries@cheshirewestandchester.gov.uk

You will also need to contact the travel assistance provider.

To recommence travel assistance, you will need to contact the transport commissioning team providing at least one working days' notice.

Questions once travel assistance is set up

31. Can my child eat and drink on the travel assistance vehicle?

No. Eating and drinking is not permitted on vehicles.

32. Can my child take equipment on the travel assistance vehicle?

Additional equipment and bags will only be permitted if:

- there is enough room on the vehicle
- they can be stored safely and securely
- it does not incur any additional cost
- it does not inconvenience other passengers.

Other options should be considered, for example is the equipment available at school?

33. What if my child needs to take medication to school?

Medication should be stored in a sealed container and placed inside your child's school bag.

Further information

- Transport commissioning service - telephone 0300 123 7039 or email schooltransportenquiries@cheshirewestandchester.gov.uk

- The Department for Education's website:
<https://www.gov.uk/government/organisations/department-for-education>