

# Transport to school

## Enquire factsheet 6

This factsheet gives general information about who is entitled to transport to school. It outlines the duties, powers and responsibilities of education authorities in providing transport for pupils to and from school.

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

Under the law education authorities must make any arrangements they consider necessary to provide free transport to school for pupils living in their area.

The law also allows education authorities to provide free transport even when they don't have a legal duty to do so (called the 'power of discretion'). It means different education authorities may have different policies about providing free transport, so you may want to contact your education authority to find out if your child is entitled.

### What the education authority takes into account

#### Distance from the school

Normally, education authorities will offer free transport to school to pupils who live further away than the 'statutory walking distances', which are:

- 3.2 kilometres (2 miles) for pupils under 8
- 4.8 kilometres (3 miles) for pupils above 8.

Regardless of distance, education authorities must take into account the safety of the route to school for pupils, and can provide free transport if necessary.

#### Type of school

An education authority will normally provide free transport only to:

- your child's local school, or
- the school where it has offered your child a place, such as a special school that meets your child's needs.

Enquire is the Scottish advice service for additional support for learning. We provide independent and impartial advice to parents and carers, to practitioners in education, social work and health services, and to children and young people themselves.

This factsheet has been awarded the Clear English Standard.



## Placing requests

It is advisable to discuss transport before making a placing request. The law about free transport is complicated when you make a successful placing request.

An education authority need not offer free transport if you have made a successful placing request, although it can do so if it wishes. It can refuse to pay travel costs if you have made a successful placing request outwith your home authority.

The education authority has a duty to provide free transport and pay attendance costs if your child has additional support needs and you have made a successful placing request to:

- an independent special or grant-aided special school in Scotland
- a school elsewhere in the UK.

## Your child's medical condition

If your child cannot go to their local school because of a short-term or long-term medical condition, then the education authority may decide to provide free transport.

It will normally consult the relevant health board when making its decision.

## Respite care

The education authority can charge you for the costs of transporting your child to and from respite care, but most do not do so.

## Looked after/accommodated children or young people

The education authority can pay travel costs or make arrangements for the pupil to get to and from school. This is normally done in agreement with social workers.

## Temporary homelessness

If you are temporarily homeless, the education authority can pay travel costs or make arrangements for free transport for your child to get to and from school.

## Pre-school education

The education authority can provide free transport for your child to travel to pre-school facilities.

## If you are moving house

You may wish your child to stay at their current school when you move house. By law, your child cannot be forced to leave their school, unless they are excluded.

If your child is in P7 then the authority may provide free transport to allow your child to finish their primary education at their school. If your child is in S3, then transport may be provided until the end of their exam courses in S4. If your child is in S4, S5 or S6, then transport will normally be provided until the end of the current school year.

If you wish your child to continue at their school at any other stage, you will need to discuss transport with your education authority.

## Spare seats

The education authority has a duty to offer any spare seats on a bus or taxi to other pupils, which it can charge for if it wishes. It can also withdraw the offer if the seats are later needed for pupils entitled to transport, but it should give a period of notice to pupils currently using the seats.

## What transport will be provided for my child?

Education authorities normally provide transport by bus or taxi. If you decide to take your child yourself, you may be able to claim travelling expenses.

## Who is responsible for my child's safety?

The education authority is responsible for your child's safety and supervision while in the bus or taxi. When deciding what type of transport is best, the education authority should consider your child's safety, their age and their additional support needs.

It is very important that the education authority involves you and your child from the start in discussions about transport. For instance, you should all agree in advance what should happen if there is a medical emergency on the way to school.

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 who supervises children should be fully checked through Disclosure Scotland.

All coaches and minibuses used to carry three or more children must have seat belts fitted. The driver of a minibus carrying up to 16 passengers is responsible for ensuring they use their seat belts. Children should be encouraged to use seat belts in coaches and larger minibuses, but there is no law enforcing their use.

## Where to get more information

Contact your local education authority for more information on its transport policy.

### Publications

The parents' guide to additional support for learning, Enquire (2010)

Education (Scotland) Act 1980  
Sections 51, 60-60G

Standards in Scotland's Schools etc. Act 2000 Section 37

Local Government (Scotland) Act 2003  
Section 45

Education (Additional Support for Learning) (Scotland) Act 2004

Scottish Executive School Transport  
Guidance Circular  
[www.scotland.gov.uk/Topics/Education/Schools/Parents/transport/transport-guidance](http://www.scotland.gov.uk/Topics/Education/Schools/Parents/transport/transport-guidance)

### Websites

Scottish legislation is available at  
[www.opsi.gov.uk/legislation/scotland](http://www.opsi.gov.uk/legislation/scotland)

Parentzone  
[www.parentzonescotland.gov.uk](http://www.parentzonescotland.gov.uk)

## For further information contact:

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