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## Home to School Transport Spare Seat Guidance

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# **Birmingham City Council Guidance for Purchase and Allocation of Spare Seats on School Transport**

## **1. Introduction**

The purpose of this guidance is to outline for families who may not qualify for home-to school transport under the Council's guidance the procedures for the purchase, allocation, and use of spare seats on school transport services provided by the Birmingham City Council. This guidance does not form part of the Council's Travel assistance guidance for 0-25 year olds in education and only applies to children who do not qualify for transport under that guidance.

### **Spare Seat Scheme for School Transport**

Sometimes a vehicle contracted by Birmingham City Council to transport children who are eligible for transport arrangements under the Council's Travel assistance guidance for 0-25 year olds in education will have 'spare' seats which are not being used by those pupils and any passenger assistants. If you are responsible for arranging your child's transport to school, i.e. your child does not qualify for transport under the guidance, this guidance explains how parents may be able to access available seating on school transport services at a charge, where spare capacity exists.

Before applying, it is essential to carefully read the scheme details, including the conditions and limitations.

The offer is subject to seats being available - councils have no obligation to arrange travel for pupils who are not eligible for free or subsidised travel and families should be aware that this arrangement could end at short notice if an eligible child requires the spare seat.

### **Important Information:**

- A seat is a concession not an entitlement.
- The availability of spare seats will not be confirmed until after the start of the academic year and may not be known until October half-term.
- The council's Spare Seat Scheme is for timetabled minibuses only and no smaller vehicles are advertised with spare seats for sale. We do not offer spare seats for reduced timetables.
- Children who have been offered transport under the Council's guidance take precedence.
- Seats will only be available for as long as they are not required by a child, or children who have been offered transport under the Council's guidance.
- Refunds will only be issued if CYPTS need to rescind the seat, not if transport is cancelled by parent/ carer
- Seats could be rescinded at short notice – you should ensure that you have suitable alternative arrangements that could be put in place if needed
- If the parents past payment contributions are not fully settled the parent will not be considered for the Spare Seat Scheme for the following academic year, until the balance is cleared.

### Key Principles:

- **Spare seats are NOT a statutory entitlement** and cannot be awarded through the appeal process. Spare seats will not be offered as part of the formal Stage 1 or Stage 2
- Families must apply directly for a spare seat via a dedicated spare seat application form/process.
- A separate fee is charged for use of the spare seat.
- If a PTB, Bus Pass or any other travel assistance has been **accepted**, a family cannot apply for a spare seat in addition to receiving the budget (i.e. no dual funding).
- Parents/carers must apply separately for a spare seat once statutory aged children and other eligible young people have been allocated transport.
- Parents interested in a spare seat should submit a separate application once the scheme opens, typically at the start of the academic year.
- The spare seat application process opens at the start of each academic year (or at a specified time).
- Applications for spare seats are subject to:
  - Availability on existing contracted transport routes.
  - A purchase agreement for the spare seat (paid for by the family).

## 2. Applications

### 2.1 Application Criteria

Spare seats on school transport are offered to students who would not be provided with, transport under the Council's Guidance. Upon receipt of an application, the Council will make a decision about whether the spare seat can be provided based on the following criteria:

- The student must be enrolled in a school or college within the local authority's area.
- The student must reside within a reasonable distance from the school, typically no more than 15 miles and live in Birmingham.
- There must be a spare seat available on the desired route.

Go to the BCC link below to apply for a spare seat. Complete the **Online Application Form**. Visit our website:

<https://www.birmingham.gov.uk/SpareSeat>

## 2.2 Application Process

Applications are accepted on a first-come, first-served basis and must be submitted by the specified deadline, typically at the end of the preceding school term, although places are not guaranteed.

## 2.3 Step-by-Step Process:

- Families submit an application for statutory transport under the existing eligibility criteria.
- CYPTS assesses eligibility based on the published guidance.
- If eligible, the family is offered travel assistance.
- If **not eligible**, the family receives a decision letter confirming refusal:
  - Outline the reason for refusal.
  - Inform the parent of their right to appeal.
  - Explain the option to apply for a spare seat (with clear link/form).

## 3. Allocation of Spare Seats

### 3.1 Prioritisation

When parents apply for a seat under the Spare Seat Scheme, places are offered in the following order of priority (If there are multiple applicants within the same priority group, seats are allocated on a first come, first served basis according to the date and time of the online application).

- First priority is given to renewal applications so that, where possible, children who have previously had a spare seat can continue to have one. However, we cannot guarantee that a spare seat will continue to be available on any given route. This includes year 11 students moving into sixth form at the same school, on the same route. If the student is changing school and wants to go on a different route, this is not considered a renewal application.
- The next priority is given to these priority groups in the following order:
  - Children with Special Educational Needs and Disabilities (SEND) who have an Education, Health, and Care Plan (EHCP).
- **Students at compulsory school age' are given precedence in the allocation of seats**
  - Students from low-income families
  - Students with siblings already using the transport service
  - After that, remaining spare seats are allocated on a first come, first served basis according to the date and time of the online application or appeal form.

### 3.2 Allocation Confirmation

CYPTS will notify parents or guardians of the allocation decision in writing. A confirmation letter will include details of the transport arrangements, including pick-up and drop-off times and locations. Students setting will also be notified of these details to support transport arrangements. Availability or spare seats will not be known until **after** the start of the academic year. This is likely to be as late as **October half term**. It must be stressed that, until you are told by CYPTS that a seat is available, you must make appropriate arrangements to get your child to school or college.

### 3.3 Communication in Decision Letters

When a statutory transport application is refused, the decision letter will:

- Confirm the right to **appeal the statutory decision**.
- Inform the family that **spare seats could be available to apply for separately**, with a brief explanation and link/contact details for the spare seat application process.

When a spare seat is awarded:

- The parent receives an offer letter including terms of use, payment amount, and agreement to vacate the seat if needed.
- A payment process and deadline is clearly stated.
- If a spare seat application is refused due to lack of availability, families will be informed of this outcome, but **no further right of appeal** exists for spare seats, as they are discretionary and subject to availability.

## 4. Payment and Fees

**4.1. If transport is offered under the Spare Seat Scheme, it is the parent's or carer's responsibility to ensure payment is made by the deadline. The payment deadline will be set out in your spare seat offer letter.**

Failure to pay by the required date will result in the place being offered to another student. The next opportunity to apply for a spare seat will be for the following term, however, we cannot guarantee that spaces will be available on the required route.

If payments are not kept up, the spare seat will be cancelled, and you will be required to pay the remaining period of the term .

If transport is offered, it is the parent's or carer's responsibility to ensure payment is made in advance of the period their child is travelling.

### Fee Structure

If a spare seat can be offered families will need to pay an annual non-refundable amount collected as three termly payment. The fee structure is as follows:

	Not Low-Income Family	Low Income Family
Annual Payment	£1,050	£351

This will be collected termly, in 3 payments as detailed below:

Termly Contribution	Direct Debit	
Payment for Autumn Term	£ 350 *	£117 *
Payment for Spring Term	£350	£117
Payment for Summer Term	£350	£117

\* Please note if the transport arrangements will start after Autumn Half Term the first payment will be lowered to £175.00 or £58.50 for Low Income Family for the Autumn half term.

Fees are subject to annual review and may be adjusted based on operational costs and funding availability.

## **4.2 Payment Methods**

Fees can be paid via direct debit, or bank transfer (only in case of one-off annual payment). Parents or guardians must choose a payment plan at the time of acceptance and ensure that payments are made promptly according to the chosen schedule. Transport arrangements will be initiated following the receipt of the initial payment. In the event of missed payments, a reminder letter will be sent. Failure to make payments by the specified deadline may result in the withdrawal of the student's transport services.

## **5. Conditions of Use**

### **5.1 Code of Conduct**

Students using the spare seat transport service must adhere to the following code of conduct:

- Respect the driver and fellow passengers
- Remain seated and wear seat belts at all times
- Refrain from disruptive behaviour or causing damage to the vehicle
- Follow the driver's instructions at all times

Failure to comply with the code of conduct may result in the withdrawal of the seat.

### **5.2 Changes and Cancellations**

Any changes to transport arrangements, such as change of address or school must be requested in writing to CYPTS. Parents or guardians must provide at least two weeks' notice for any changes. The local authority reserves the right to cancel the spare seat allocation if the student's circumstances change or if the transport service is no longer viable.

#### **If your child's spare seat is withdrawn by CYPTS**

The withdrawal of a spare seat or the provision of a less convenient boarding point, whilst most regrettable, is sometimes unavoidable.

Where possible a minimum of one week's notice will be given to parents or carers. However, on occasions it may be necessary to make such changes at short notice, for example within 24 hours. This is because we must give priority at all times to children who are provided with transport under the Council Transport guidance.

#### **Refunds**

A refund will be given on a pro-rata basis if it is necessary for the CYPTS to withdraw a Spare Seat. The refund will be payable from the date of withdrawal.

The charges are reviewed annually, and any increases may exceed the current rate of inflation or may incur an additional cost if travelling as part of the Spare Seat Extra scheme.

## Seat capacity

The capacity cannot be increased or unnecessarily maintained at our expense to cater for spare seat passengers. As a result, routes are rationalised to reflect the needs of children who are entitled to transport under the Council's guidance. This can lead to fewer or no spare seats being available on a particular route.

## 6. Review

**The appeal process will not consider spare seats as part of the statutory entitlement.**

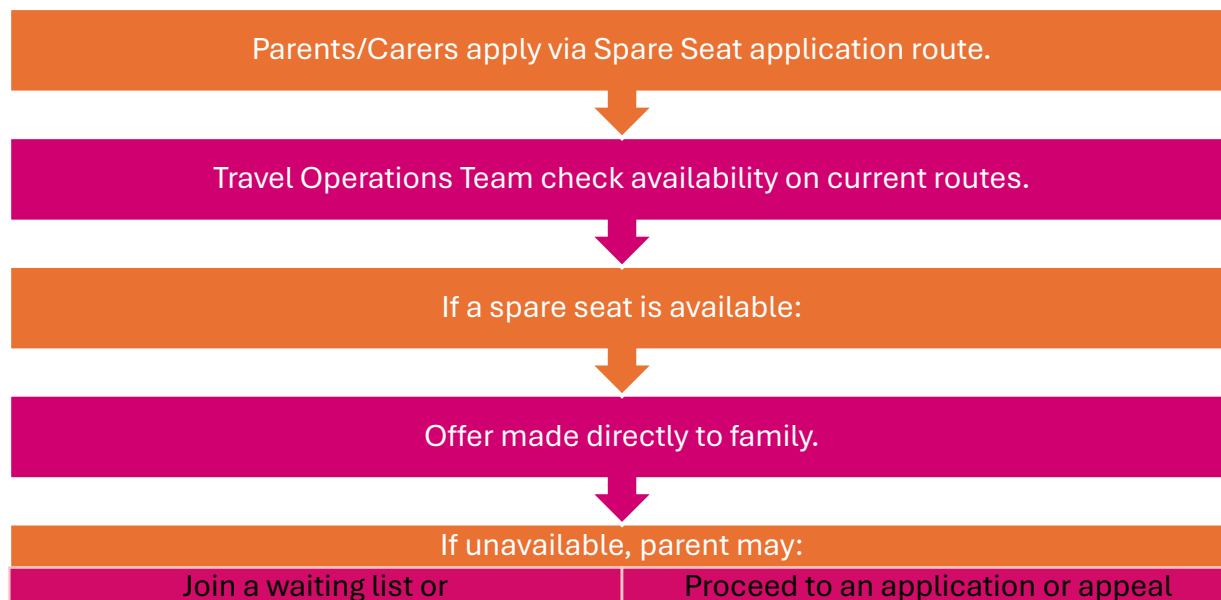
The local authority will review the spare seat allocation guidance annually to ensure it meets the needs of students and families. Feedback from parents, guardians, and schools will be considered during the review process.

## 7. Guidance Communication

This spare seat guidance will be made available to all parents, guardians, and schools through the local authority's website and school bulletins. Regular updates and reminders about application deadlines and fee payments will be communicated to ensure that all families using the service are aware of changes.

The guidance will undergo a review whenever there is a service update or on an annual basis, at which point all relevant parties will be informed of any changes.

### Application Process



## **Conclusion**

The home-to-school transport spare seat guidance is designed to make the best use of available resources while providing equitable access to school transport for students who are not eligible for transport under the Council Guidance.

This guidance is effective as of 16/07/2025 and will be reviewed annually.

## **Appendix 1**

### **Spare Seat Scheme cancellation and refunds**

If you wish to cancel payments or request a refund for a Spare Seat Scheme transport place that you no longer need, please inform [CYPTS-Operations@birmingham.gov.uk](mailto:CYPTS-Operations@birmingham.gov.uk). Once this is received, the team will review your request and will contact you to let you know whether a refund is due.

Where the Council withdraws a Spare Seat Scheme place, a refund will be given for the days not yet used.

#### **Where the customer requests a refund**

- refunds will be based on the remaining number of full-term periods that have been paid for. There is no refund payable for the remainder of the term in which you cancelled.
- there is no refund payable after the start of the summer term
- a refund will only be calculated from the date that the cancellation/refund request email is received via email and the date received by CYPTS employees.
- refunds / payments due are calculated based on the standard school term dates as published on the Birmingham City Council website. They are not adjusted based on individual school term dates or year group variations.