

By: Andrew Ballard – Principal Democratic Services Officer

To: Regulation Committee – 28 January 2020

Subject: Home to School Transport Appeals update

Classification: Unrestricted

Summary: To provide Members with an overview on Home to School Transport appeal statistics for the period between 1 January 2020 to 31 December 2020 and a brief comparison with transport appeals statistics from 2010 to 2019.

1. Home to School Transport Appeal Statistics 2020

(1.1) For the period between 1 January 2020 to 31 December 2020 a total of **118** individual appeals were considered by Member Transport Appeal Panels of this Committee. 64% were upheld at least in part (e.g: time limited assistance) and a breakdown of these appeals on a month by month basis is set out in Appendix A along with a comparison with appeals held in 2010 to 2019. An additional 14 appeals were received/scheduled but were not heard due to them being either reassessed by the Transport Team or withdrawn by the parent.

(1.2) There are a further 7 appeals that are still waiting to be heard which are scheduled for January/February 2021.

(1.3) It is interesting to note that in 2020 the majority the total number appeals were heard between August – 31 December 2020.

(1.4) Appeals are successful due to a variety of reasons and can include:

- Financial hardship
- Health & medical need
- No cost to the Council
- Temporary accommodation
- Family circumstances
- Circumstances of the child
- Childs safety
- Review cases

2. Changes to the process due to Covid

(2.1) As a result of Covid and national and regional lockdowns, revised arrangements were made in order to facilitate appeals. Parents were provided with three options as to how they wished their appeals to be heard. These options were, face to face appeals as and when local restrictions

allowed, virtual appeals via video conference on Microsoft Teams; and finally, paper-based appeals where Members considered the case based on the written submissions only. The following table provides Members with a breakdown of how appeals were facilitated during August to December 2020.

	Appeals heard
Paper Based Appeals	38
Virtual Appeals	35
Face to Face (Aug-Oct 2020)	12

3. Transport Appeal Statistics – 2019

(3.1) For the period between 1 January 2019 to 31 December 2019 a total of 166 appeals were considered by Transport Appeal Panels. 54% were upheld at least in part (e.g. time-limited assistance).

4. Local Government & Social Care Ombudsman

(4.1) If parents remain dissatisfied and believe that they have suffered injustice as a result of maladministration by the Panel, they are advised of their rights to pursue their complaint with the Local Government & Social Care Ombudsman (LGSCO). This is not a right of appeal and has to relate to issues such as failure to follow correct procedures or failure to act independently and fairly, rather than just that the person making the complaint believes the decision to be wrong.

(4.2) During the last year, 4 complaints were received with no faults being found. The LGSCO provide a breakdown of their findings at <https://www.lgo.org.uk>

5. Home to School Transport arrangements

(5.1) The Interim Head of Fair Access will present to Members an update on how Home to School Transport applications have been considered during Covid, key lessons learnt and improvements that the Authority have made as a result.

6. Recommendation Members are asked to note this report.

Appendix A – Home to School Transport appeal table

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TABLE 1
HOME TO SCHOOL
TRANSPORT APPEALS -1 JANUARY – 31 December 2020

Month	Total Scheduled	Total Heard	Upheld	Not Upheld	% Upheld
January	7	7	3	4	43%
February	12	12	5	7	42%
March	7	7	2	5	29%
April	7	7	7– Review	N/a	100%
May	0	0	0	0	0
June	0	0	0	0	0
July	0	0	0	0	0
August	19	17	12	5	70%
September	17	12	8	4	66%
October	27	23	18	5	78%
November	27	24	14	10	58%
December	9	9	7	2	78%
TOTALS	132	118	76	42	64%

TABLE 2
HOME TO SCHOOL TRANSPORT APPEALS - 2010-2019

Year	Upheld	Not Upheld	Total	% Upheld
2010	38	46	84	45%
2011	23	43	66	35%
2012	26	80	106	24%
2013	33	76	109	30%
2014	76	72	148	51%
2015	67	57	124	54%
2016	72	65	137	52%

2017	102	89	191	53%
2018	87	78	165	53%
2019	89	77	166	54%