

By: Head of Democratic Services
To: Regulation Committee – 23 January 2018
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 2017 to 31 December 2017 and a brief comparison with transport appeals statistics from 2010 to 2016.

1. Home to School Transport Appeal Statistics 2017

(1.1) For the period between 1 January 2017 to 31 December 2017 a total of 191 individual appeals were considered by Member Transport Appeal Panels of this Committee. 53% 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 1 along with a comparison with appeals held in 2010 to 2016.

(1.2) There are a further 12 appeals that are still waiting to be heard which are scheduled for February 2018.

(1.3) It is interesting to note that in 2017 60% of the total number appeals were heard between August – 31 December 2017.

(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
- Hazardous walking route and,
- Childs safety

2. Transport Appeal Statistics – 2016

(2.1) For the period between 1 January 2016 to 31 December 2016 a total of 137 appeals were considered by Transport Appeal Panels. 52% were upheld at least in part (e.g. time-limited assistance).

3. Local Government Ombudsman

(3.1) 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 Ombudsman. 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.

(3.2) During 2017, 4 complaints were received with no faults being found. A breakdown of each report has been attached.

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| 4. Recommendation Members are asked to note this report. |
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Appendix A – Home to School Transport appeal table
Appendix B – Local Government Ombudsman Final decision
Appendix C - Local Government Ombudsman Final decision
Appendix D - Local Government Ombudsman Final decision
Appendix E - Local Government Ombudsman Final decision
Appendix F - Local Government Ombudsman Final decision

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TABLE 1
HOME TO SCHOOL
TRANSPORT APPEALS -1 JANUARY – 31 December 2017

| Month | Upheld | Not Upheld | Total Heard | % Upheld |
|---------------|------------|------------|-------------|------------|
| January | 6 | 4 | 10 | 60% |
| February | 5 | 4 | 9 | 55% |
| March | 6 | 11 | 17 | 35% |
| April | 3 | 2 | 5 | 60% |
| May | 4 | 5 | 9 | 44% |
| June | 5 | 6 | 11 | 45 |
| July | 9 | 6 | 15 | 60 |
| August | 26 | 13 | 39 | 67% |
| September | 4 | 15 | 19 | 21% |
| October | 15 | 11 | 26 | 58% |
| November | 13 | 9 | 22 | 59% |
| December | 6 | 3 | 9 | 67% |
| TOTALS | 102 | 89 | 191 | 53% |

TABLE 2
HOME TO SCHOOL TRANSPORT APPEALS - 2010-2016

| 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% |

