

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 2019 to 31 December 2019 and a brief comparison with transport appeals statistics from 2010 to 2018.

1. Home to School Transport Appeal Statistics 2019

(1.1) For the period between 1 January 2019 to 31 December 2019 a total of 166 individual appeals were considered by Member Transport Appeal Panels of this Committee. 54% 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 2018. An additional 61 appeals were received/scheduled but were not heard due to them being either reassessed by the Transport Team or withdrawn by the parent.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 14 appeals that are still waiting to be heard which are scheduled for January/February 2020.

(1.3) It is interesting to note that in 2019 59% of the total number appeals were heard between August – 31 December 2019.

(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. Transport Appeal Statistics – 2018

(2.1) For the period between 1 January 2018 to 31 December 2018 a total of 165 appeals were considered by Transport Appeal Panels. 53% were upheld at least in part (e.g. time-limited assistance).

3. Local Government & Social Care 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 & 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.

(3.2) During the last year, five complaints were received with zero faults being found and one outstanding decision still to be received. The LGSCO provide a breakdown of their findings at <https://www.lgo.org.uk>

4. Recommendation Members are asked to note this report.

Appendix A – Home to School Transport appeal table

Andrew Ballard

Principal Democratic Services Officer

Tel No: 03000 415809, e-mail: andrew.ballard@kent.gov.uk

TABLE 1
HOME TO SCHOOL
TRANSPORT APPEALS -1 JANUARY – 31 December 2019

Month	Upheld	Not Upheld	Total Heard	% Upheld
January	3	1	4	75%
February	6	13	19	32%
March	5	5	10	50%
April	7	4	11	64%
May	2	0	2	100%
June	8	3	11	73%
July	7	4	11	64%
August	24	13	37	65%
September	5	4	9	55%
October	9	10	19	47%
November	9	16	25	36%
December	4	4	8	50%
TOTALS	89	77	166	54%

TABLE 2
HOME TO SCHOOL TRANSPORT APPEALS - 2010-2018

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%

