

By: Andrew Ballard – Principal Democratic Services Officer

To: Regulation Committee – 27 January 2022

Subject: Home to School Transport Appeals update

Classification: Unrestricted

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Summary: To provide Members with an overview on Home to School Transport appeal statistics for the period between 1 January 2021 to 31 December 2021 and a brief comparison with transport appeals statistics from 2010 to 2020.

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## **1. Home to School Transport Appeal Statistics 2021**

(1.1) For the period between 1 January 2021 to 31 December 2021 a total of **118** individual appeals were considered by Member Transport Appeal Panels of this Committee. **60%** 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 2020. An additional 23 appeals were received/scheduled but were not heard due to them being either reassessed by the Transport Team or withdrawn by the parent.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 3 appeals that are still waiting to be heard which are scheduled for January/February 2022.

(1.3) It is interesting to note that in 2021 the majority the total number appeals were heard between August – 31 December 2021.

(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 2021.

	Appeals heard
Paper Based Appeals	27
Virtual Appeals	71
Face to Face	20

### **3. Transport Appeal Statistics – 2020**

(3.1) For the period between 1 January 2020 to 31 December 2020 a total of 118 appeals were considered by Transport Appeal Panels. 76 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 3 with no faults being found and one decision still outstanding. The LGSCO provide a breakdown of their findings at <https://www.lgo.org.uk>

<b>5. Recommendation</b> Members are asked to note this report.
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Appendix A – Home to School Transport appeal table

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**TABLE 1**  
**HOME TO SCHOOL**  
**TRANSPORT APPEALS -1 JANUARY – 31 December 2021**

Month	Total Scheduled	Total Heard	Upheld	Not Upheld	% Upheld
January	18	15	5	9	30%
February	1	1	1	0	100%
March	6	6	5	1	%
April	14	11	9	2	80%
May	2	2	1	1	50%
June	7	7	3	4	40%
July	9	9	8	1	90%
August	23	20	14	6	70%
September	8	6	4	2	70%
October	26	19	15	4	80%
November	17	13	6	7	50%
December	10	9	4	5	40%
<b>TOTALS</b>	<b>141</b>	<b>118</b>	<b>75</b>	<b>42</b>	<b>60%</b>

**TABLE 2**  
**HOME TO SCHOOL TRANSPORT APPEALS - 2010-2020**

Year	Upheld	Not Upheld	Total Heard	% 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%
2020	76	42	118	64%