

By: Andrew Ballard – Principal Democratic Services Officer

To: Regulation Committee – 30 January 2024

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 2023 to 31 December 2023 and a brief comparison with transport appeals statistics from 2010 to 2022.

1. Home to School Transport Appeal Statistics 2022

(1.1) For the period between 1 January 2023 to 31 December 2023 a total of 142 individual appeals were considered by Members of the Transport Appeal Panels of this Committee. 56% 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 2022.

(1.2) The approximate cost to the Council in supplying transport for those successful appeals for the period mentioned above totals: £396,176.

(1.3) An additional 110 appeals were received/scheduled but were not heard due to them being either reassessed by the Transport Team or withdrawn by the parent.

(1.4) There are a further 13 appeals that are still waiting to be heard which are scheduled for January/February 2024.

(1.5) 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. Options available to parents as to how their appeal can be heard

(2.1) Following Covid, revised arrangements were made in order to facilitate appeals and these have now become standard practice. Parents are

provided with three options as to how they wished their appeals to be heard. These options are, face to face appeals which are held at Sessions House, Maidstone, virtual appeals via video conference on Microsoft Teams; and finally, paper-based appeals where Members considered the case based on the written submissions only.

(2.2) The following table provides Members with a breakdown of how appeals were facilitated during 2023 and the percentage of those being successful.

	Appeals heard	% Upheld
Paper Based Appeals	38	42%
Virtual Appeals	56	66%
Face to Face	48	56%

3. Transport Appeal Statistics – 2022

(3.1) For the period between 1 January 2022 to 31 December 2022 a total of 104 appeals were considered by Transport Appeal Panels. 48% 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, one complaint was received, and no fault was found. The LGSCO provide a breakdown of their findings at <https://www.lgo.org.uk>

5. Recommendation Members are asked to note this report.

Appendix A – Home to School Transport Appeals 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 2023**

Month	Total Scheduled	Total Heard	Upheld	Not Upheld	% Upheld	Approx Cost of transport
January	16	12	7	5	58%	£74, 815
February	32	16	7	9	43%	£56,955
March	17	13	7	6	53%	£5,320
April	27	10	5	5	50%	£26,600
May	14	9	5	4	55%	£0
June	8	4	0	4	0%	£0
July	17	9	9	0	100%	£108,300
August	33	19	13	6	68%	£68,206
September	30	16	13	3	81%	£0
October	24	16	6	10	37%	£46,100
November	23	10	3	7	30%	£9,880
December	11	8	5	3	62%	£0
TOTALS	252	142	80	62	56%	£396176

**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%
2021	75	42	118	60%
2022	50	54	104	48%