

APPEALS COMMITTEE (SERVICE ISSUES)	AGENDA ITEM No.5
8 APRIL 2013	PUBLIC REPORT

Cabinet Member Responsible:	Councillor Holdich, Cabinet Member for Education, Skills and University	
Contact Officer(s):	Isabel Clark, Head of Assets and School Place Planning	Tel. 863914

REVIEW OF TRANSPORT APPEALS HELD UNDER THE TERMS AND CONDITIONS OF THE CHILDREN'S SERVICES TRANSPORT POLICIES

RECOMMENDATIONS
FROM : Head of Assets and School Place Planning
For the Committee to note the transport appeals held during 2012 and comment as appropriate.

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Committee by the Head of Assets and School Place Planning as part of the Committee's terms of reference.
- 1.2 This report will be submitted on an annual basis.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to enable the Committee to scrutinise, or review, the outcomes of the transport appeals held during 2012 under the terms of the Children's Services Transport Policy and the Committees terms of reference 2.1.2 "to review the outcomes of appeals on an annual basis".

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. CHILDREN'S SERVICES SCHOOL TRANSPORT APPEALS

4.1 Background

- 4.2 The Council is required to have in place a policy for home to school transport for those children aged 4-16 and for those children attending a school or college for post 16 education.
- 4.3 The main policy for those children aged 4-16 was reviewed and consulted upon and finally approved in November 2012 for implementation in January 2013. However all appeals detailed within this report would have been held under the terms of the previous policy.
- 4.4 The policy for post 16 is required to be reviewed annually and is currently in the drafting stage by your Officers. However this policy is affected by the Raising of the Participation Age (RPA) and will have to be an interim policy for the next two years until the main policy is reviewed and will then apply to those aged 4-18.

5. Current Policy and Procedure

- 5.1 Within the policy is a provision for those dissatisfied with being turned down for home to school transport to take their case to appeal. Having been refused, a parent (or child) can ask for appeal papers.
- 5.2 Appeals are administered and organised by the City Council's Legal Department. On receipt of the papers detailing their case for an appeal, an appeal hearing is arranged.
- 5.3 A panel consists of three Councillors drawn from a pool of trained members. Panel members should not be a representative of the Ward of the appellant.
- 5.4 A Children's Services Officer presents the case for the refusal of home to school transport and the appellant details why they believe an exception to the policy should be made.
- 5.5 Councillors, having heard both sides, retire to discuss and decide whether or not to allow an exception to the policy. This decision is communicated to the Clerk, who then writes to both sides with the decision.

6. Cases Heard During 2012

Month	Number of Appeals	Reasons for Appeal	Allowed	Dismissed
January	4	Financial; Distance; Distance; Distance (Parental Preference)	1	3
July	2	Distance; Distance	0	2
November	1	Distance (Parental Preference)	0	1
December	5	Distance (Parental Preference); Distance; Distance (Parental Preference with exceptional circumstances); Distance (Parental Preference); Distance (Parental Preference)	2	3

7. REASONS FOR RECOMMENDATIONS

- 7.1 To ensure that the Committee is informed and kept up to date with the outcomes of transport appeals made under the policies in place at the time.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 There are no alternative options to be considered.

9. IMPLICATIONS

- 9.1 Financial, Legal and other officers all had input into the initial policy review. Impact on any specific community groups were also addressed as part of the policy review

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

- *School Transport Policy for pupils aged 4 to 16 years*
- *Peterborough Post 16 Transport Partnership Policy*
(These policies themselves refer to statutory guidance and legislation relating to home to school transport and other local transport policies)