

|   |                      |
|---|----------------------|
| <b>APPEALS COMMITTEE (SERVICE ISSUES)</b> | AGENDA ITEM No.5     |
| <b>31 MARCH 2014</b>                      | <b>PUBLIC REPORT</b> |

|                             |   |             |
|-----------------------------|---|-------------|
| Cabinet Member Responsible: | Councillor Holdich, Cabinet Member for Education, Skills and University |             |
| Contact Officer(s):         | Isabel Clark, Head of Admissions and Transport                          | Tel. 863914 |

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

|  |
|--|
| <b>RECOMMENDATIONS</b>   |
| <b>FROM :</b> Head of Admissions and Transport   |
| For the Committee to note the transport appeals held during 2013 and comment as appropriate. |

**1. ORIGIN OF REPORT**

- 1.1 This report is submitted to the Committee by the Head of Admissions and Transport 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 2013 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 |
|---|----|---|-----|

**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 reviewing stage by your Officers. This policy is affected by the Raising of the Participation Age (RPA) is currently an interim policy 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 2013

| Month     | Number of Appeals | Reasons for Appeal   | Withdrawn | Allowed | Dismissed |
|-----------|-------------------|--|-----------|---------|-----------|
| February  | 1                 | Distance (Parental Preference)                                       |           |         | 1         |
| April     | 2                 | Distance (2)   | 1         |         | 1         |
| June      | 6                 | Distance (5)<br>Continuity   |           |         | 6         |
| September | 4                 | Continuity (rehearing)<br>Distance (Parental preference)             | 1         | 2       | 1         |
| December  | 3                 | Denominational<br>Medical/Distance<br>Distance (Parental Preference) | 1         | 1       | 1         |

## 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)